

The Spanish King's response to the Pian Bulls on the Order of Saint Lazarus: A Battle of the Bulls

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Abstract

The decades straddling the turn of the turn of the fifteenth century saw an attempt at the disbandment of the Order of Saint Lazarus in favour of the Order of Saint John and the subsequent re-establishment of privileges of the Order in Southern Italy and France. The political scenario during the second half of the sixteenth century led again to pontifical machinations directed towards transferring the Order's holdings sited in the Spanish King's dominions to alternative administrative structures, moves that ran contrary to the status quo accepted by the Spanish ruler.

Keywords

Pian Pontifical Bulls, 16th century Spanish diplomacy, Philip II, Order of St Lazarus.

Introduction

The evolution of the Order of Saint Lazarus from crusader order to a European order was a response to the local political and religious contexts of the kingdoms in which they existed. Following the loss of the Holy Land at the end of the 13th century, the military orders followed new paths: the Order of Saint John spread across the Mediterranean, the Teutonic Order moved into East Prussia, and the Templars were suppressed in the decades following the fall of Acre. The Order of St Lazarus, already specialized in the treatment of lepers, still had a ready mission in Europe. However, a precipitous decline in leprosy by the 15th century in Europe, due perhaps to a combination of the development of resistance to the bacterium that caused the disease, the relative effectiveness of quarantine in leproseria or similar community measures, or because of increased competition from the related bacterium causing tuberculosis,

made leprosy much less frequent. The Order of St Lazarus, as Hyacinthe notes, had to evolve.¹

This evolution, for a small order, posed difficulties in establishing a new niche. Papal bulls in 1498 and 1517 ordered that the Order of St Lazarus be merged with the Order of St John of Malta. These bulls were however ignored in France, Spain and Naples, with the respective kings refusing to hand over the property of St Lazarus. This is hardly surprising since the respective rulers did not wish to lose control of significant property within their kingdoms and the patronage that went with it. In 1560 Pius IV, in his Bull *Confirmatio Privilegiorum*, formally reconfirmed the past privileges given to the *Fratres Domus Leprosoru eiuidem Sancti Lazari extra muros Capuan* with *Dominio existentia in Sicilia, Calabria, Vallegiatis, Apulia, & Terralaboris*, thus re-establishing the privileges of the Order in southern Italy and Sicily.²

The Pian Bulls of 1565-1572

In the period 1565-1572, there was an extraordinary period in which the Order of Saint Lazarus was at center stage. Two extensive Papal bulls, *Inter Assiduas Domenici* of Pius IV (1565) and *Sicuti Bonus Agricola* of Pius V (1567), were promulgated, while a definite move was made by Gregory XIII to dismember the Order in 1572. This precise period coincides almost exactly with the peak of the Turkish threat to Italy characterized by the siege of Malta commencing in May 1565 and the Battle of Lepanto in October 1571. I have argued elsewhere that this renewed focus on the Order of St Lazarus was initially to provide insurance should the siege of Malta destroy the Order of St John in Malta by activating the Order of St

¹ Rachael Hyacinth, 'Crisis, what crisis? The 'waning' of the Order of St Lazarus after the Crusades', in Helen Nicholson (ed), *On the Margins of Crusading, the Papacy and the Christian World* (Farnham: Ashgate, 2011), 177-193.

² Pius IV (7.vii.1560). *Confirmatio Privilegiorum Ordinis Sancti Lazari Hiertosolymitani* Transcribed in: *Bullae antiquorum privilegiorum per nonnullos Romanos pontifices. Religioni et militiae sancti Lazari Hierosolymitani concessorum*, (Roma, Antonio Blado, 1567), 21-24.

Lazarus.³ By the time of the Battle of Lepanto, it was clear that the Order of St John of Malta was going to survive and remain a significant naval power in the Mediterranean. The Order of St Lazarus again fell victim to pontifical political machination eliciting strong opposition from temporal rulers, of whom Philip II of Spain was perhaps the most prominent.

Philip II of the House of Habsburg (*1527 †1598, reign 1556-1598) was ruler of a wide range of European territories including Spain, Naples and Sicily, and Milan. He was thus one of the major powers not only in Europe but specifically in Italy. Philip had supported the elections of both Pius IV and Pius V, and was a close personal friend of Gregory XIII, who had served as Papal legate in Spain. The Order of St Lazarus had through the centuries acquired holdings in the southern Italy and Sicily, in Flanders, and on the Iberian Peninsula – regions directly subservient to the Spanish King. The priory of Capua, the main seat of St Lazarus in southern Italy, was in Phillip II's Kingdom of Naples.

The Spanish response to the Pian Bulls

Sixteenth century correspondence between Philip II and the ambassador in Rome and subsequent governor of the Duchy of Milan, Luis de Requesens y Zúñiga (*1528 †1576), relating to the Order of St Lazarus illuminates the diplomatic pressures made to resist the terms of the Pian Bulls attempting to re-organise the Order and the efforts made by temporal regional sovereigns to bring it under their jurisdiction.

By the time Philip II was made fully aware of the contents of the bull *Inter Assiduas Domenici* (bull issued on 4 May 1565), Pius IV had died (†9.xii.1565). The Bull had appointed one of his nephews, John de Castiglione, as Grand Master of St Lazarus and ordered the restoration of the properties of the Order situated in southern Italy, Spain and Flanders to the management of the Priory of Capua, thus placing all the Order's holdings within Philip II's widespread realm under Castaglione's

³ Michael Ross. 'The Pian Bulls of the Order of Saint Lazarus: History and Significance'. *Acta Historiae Sancti Lazari Ordinis*, 1, (2016), 21-28

jurisdiction.⁴ Requesens, in 1566, refers to Castiglione as ‘one of the most infamous men that he heard of in Italy’. Requesens advised the Viceroy of Spain in Italy not grant any execution of the privileges that the pontifical bull had assigned to the Order.⁵

Soon after his election, Pius V (elected 8 January 1566) reformed Pius IV’s bull *Inter Assiduas Domenici* with the bull *Sicuti Bonus Agricola* of 26 January 1567. Requesens, in correspondence to the King dated 8 December 1566, states that ‘at my request and that of others he (Pius V) suspended them (the privileges granted by Pius IV) and wanted to reform them, and that the cardinals to whom he entrusted the reformation, promised that they would not include anything that prejudices the Princes. After they came out, although much has been removed from the former [bull], as your majesty will see from the copy, there are infinite things of great prejudice and it cannot stop being so whatever expansion is given to this new order’.⁶

Requesens subsequently (17.v.1567) summarizes the consequences of the two Pian bulls: ‘Mainly there are five very inconvenient things. The first is to exempt persons from secular jurisdiction and give power to the [Grand] Master....’ The second, empower them to unite to this Order all those who ... can benefit, the benefits that up to now were given to a clergyman....’ The third, give them powers to collect all the hospitals and parcels [of land] that formerly belonged to this Order’ The fourth is to empower all the gentlemen who, being married, can have 500 ducats of pension each, and take the habit of St Lazarus to marry and keep the said

⁴ Pius IV. *Interassidua Dominici...* (4.v.1565). Transcribed in: Laerzio Cherubini & Angelo Maria Cherubino. *Magnum bullarium romanum, a Pio Quarto vsque ad Innocentium IX*, (Lyon: P. Borde, L. Arnaud & C.I. Rigaud, 1673), vol.2, 136-150.

⁵ Luis de Requesens (24.i.1566). *Requesens al Rey*. Transcribed in: Luciano Serrano. *Correspondencia diplomática entre España y la Santa Sede durante el pontificado de S. Pío V*. Madrid: Imprenta del Instituto Pío XI, 1914), vol.1, 110.

⁶ Luis de Requesens (8.xii.1566). *Requesens al Rey*. Transcribed in: Serrano, 1914, *Ibid.*, vol.1, 410-411.

pension.’ The fifth, is that this Order can become so rich if this protection, exempts them not only from all rights and taxes and other things paid by the laity, but even of the charges and ecclesiastical and special subsidies granted to the King....’⁷



Philip II



Luis de Requesens y Zúñiga

Requesens further states that ‘I gave the Pope [Pius V] a memoir of all these inconveniences ... and a summary of all the other privileges so that you could see it easily, because he told me that he hadn’t particularly seen them, having given it to the Cardinals who were charged with it; it could be that something was fixed of this, because in the last hearing that I had with him I pressed him infinitely, telling him that it would be a scandal – Christendom would laugh if they saw how he had cut all the other expenses [Pius V was a severe disciplinarian who had markedly cut costs and entertainments in the Papal court] but was taking with one hand and giving largesse with the other. He could not make the excuse that it was the work of his predecessor because he had confirmed this [in *Sicuti Bonus Agricola*].’ Finally, Requesens notes that he has sent a copy of the privileges [granted to the Order of St Lazarus] to the Viceroy of Naples

⁷ Luis de Requesens (17.v.1567). *Requesens al Rey*. Transcribed in: Serrano, 1914, *Ibid.*, vol.2, 111-114.

and Sicily and the Governor of Milan, and warned them that they should not allow these privileges to be exercised.

King Philip's response of July 6 expresses how unbelievable the bull of Pius V is, 'being so different and even contrary to the narrow scruple and censorship with which the Pope proceeds in other things'.⁸

- First, he complains that other kingdoms are included and impacted outside the temporal domain of the Pope, and that this is 'done without the wisdom and consent of the Princes [concerned]'.⁸
- Second, the King observes that having a military order in his kingdoms means that they owe their allegiance to the Pope, and could create a military order of his own subjects 'that could be used against us'.
- Third, he points out that there is 'so much relaxation of common laws and other privileges and pre-eminences and it is so prejudicial to the rights of temporal jurisdictions and ecclesiastics'. Exemptions from taxes, the laws of the land, the church and other ecclesiastical jurisdictions ride rough-shod over the existing justice system, royal authority, and the authority of the church itself in each country. These, the King says 'concern our rights, our sovereignty, and the freedoms and benefits of our kingdoms'.
- Fourth, Philip says, putting all these issues under the Grand Master of the Order of St Lazarus, substitutes the authority of a foreign Grand Master for that of the King. This is 'neither fair nor honest'.
- Fifth, the clause that members of the Order or their servants may bring weapons anywhere 'is not convenient to the peace and quiet of the kingdom, and override the laws of the kingdom and royal edicts.'

⁸ Philip II (6.vii.1567). *El Rey a Requesens*. Transcribed in: Serrano, 1914, *Ibid.*, vol.2, 138-146.

- Finally, he notes, that the argument that as King of Spain he already has four military orders (Calatrava, Santiago, Alcántara, and Montesa) is specious since the Spanish military orders are still subject to the criminal and civil law of the kingdom, ‘all of which are subject to us and to our jurisdiction, as are the other temporal lords.’

All of the arguments of Philip II are soundly based on the privileges and exemptions given to the Order of St Lazarus in the bulls of Pius IV and Pius V, and read rather like a legal opinion, which in one sense they are. It is a clear summary that outside of the Papal States, temporal rulers would not countenance papal interference in the development of a military order which was exempt from the laws of church and state, civil and criminal, and the taxes and tithes, of the kingdom.

Pius V died seven months after the Battle of Lepanto and was succeeded by Cardinal Ugo Boncompagni, as Gregory XIII. Almost simultaneously with the death of Pius V, the Battle of Lepanto had removed the need for a military order to replace the Order of St John of Malta should Malta be taken by Turkish forces, and had placed on the Papal throne a friend of Philip II, who had a lasting and close relationship with him, dating from the time when he was papal legate in Spain during the pontificate of Pius IV. Finally, the Grand Master of St Lazarus, John de Castiglione, nephew of Pius IV, also died in 1572, leaving the office vacant. He had attempted to sell the Order to the Knights of St John of Malta, but his price was too high and the debt of St Lazarus also high. John de Castiglione had never even managed to receive the properties of the Order in Naples, Sicily or Milan within the kingdoms of Philip II, or in France, so he was in a sense attempting to sell property he did not even control.⁹ This trifecta of events gave Gregory XIII the opportunity to fully deal with the issue of the Order of Saint Lazarus.

⁹ Raymond Gatt. ‘Gianotto Castiglione, Grandmaster of The Order of St Lazarus of Capua: 1517–1571’, *Acta Historiae Sancti Lazari Ordinis*, 3, (2019), 119–134.

For Gregory XIII, who was a legal scholar of note, Philip II had spelled out in clear terms the unacceptability of the privileges granted to the Order of St Lazarus by Pius IV and substantially confirmed by Pius V. There was no longer any need for St Lazarus as a military order; it was a small and poor order with properties mainly in Italy and in France; and its privileges as provided by the Pian bulls were in direct conflict with the authority of the major powers of Europe. It was therefore logical to divide the Order and leave national groups to the temporal powers, who *de facto* controlled them in their own territories in any case. On the 15 November 1572, Pope Gregory XIII in *Pro Commissa Nobis* joined the Order of St Lazarus to the Order of St Maurice under Duke of Savoy who was given authority over all vacant commanderies of the Order of St Lazarus except those in the dominions of the King of Spain. Philip II was thus appeased.¹⁰

Conclusion

The arguments presented by Philip II appear to have held sway. However, the issue came to the fore again on 9 September 1603 when Clement VIII promulgated the Bull *Decet Romanum Pontificem*. This allowed the now Savoyard-controlled Order¹¹ to assume possession of the vacant holdings in the dominion of Spain (which included those in Naples and Sicily).¹² In response, Philip III gave specific instructions to his ambassadors to the Holy See regarding the Lazarite holdings in Naples and, in 1609, forbade residents in any of the Spanish dominions the wearing of the habit of any foreign Military Order within the Spanish territories. Any infringement was punishable by six years exile and a fine

¹⁰ Gregory XIII (13.xi.1572). *Pro Commissa Nobis* Transcribed in: Cherubini & Cherubino, 1673, *op. cit.*, vol.2, 366-368.

¹¹ After the Battle of Lepanto and the death of Gianotto Castiglione, the Order of St Lazarus had in 1572 been amalgamated with the Savoyard Order of St. Maurice and united in perpetuity with the Crown of Savoy. This arrangement had excluded all the holdings in the Spanish realm.

¹² Clement VIII (9.ix.1603). *Decret Romanum Pontificem* Transcribed in: Laerzio Cherubini & Angelo Maria Cherubino. *Magnum bullarium romanum, a Clemente VII vsque ad Gregorium XV.* (Lyon: P. Borde, L. Arnaud & C.I. Rigaud, 1655), vol.3, 144-147.

of 500 *ducats*, beside becoming unworthy of admission to any Spanish Order.¹³

Hyacinthe's position that the Order of St Lazarus, like the other Crusader orders, evolved into new niches after the loss of the Holy Land is accurate. However, the fine detail of the period 1565-1571 was a series of blows that the Order could not survive, and nationalization resulted. To some extent it was the Papacy itself, in giving the Order such extensive privileges, which led to the strong resistance of King Philip. It might be argued that the wide range and nature privileges given the Order by Pius IV, which elicited high resistance from Philip II, combined with an incompetent Grand Master who seemed interested only in what price he could get for the sale of the Order, and the removal of the immediate Turkish threat, also pushed the *international* structure of the Order toward extinction. It survived only as two national orders – St Maurice and St Lazarus in Savoy, and Our Lady of Mt Carmel and St Lazarus in France – which evolved yet further to survive in the subsequent centuries.

¹³ Philip III (1609). *Ley X del Titolo del Libro VI de La Novisoma Recopilación*. Transcribed in: J. de Palacio y de Palacio. 'Las falsas Ordenes de Caballera'. *Hidalguia*, 1, 3, (1953), 612.

