Of Briefs and Privileges: The role of the ambassador to the Holy See (Frà Marcello Sacchetti) in safeguarding the Order of St John’s position during the 1680s

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Introduction

This paper follows briefly the acquisition of privileges by the Order of St John. It then traces the concept of a 'Christian Republic' which served as justification for the privileges that military orders enjoyed. These short preambles serve to put the two cases dealt with in perspective, making the cases discussed clearer by giving an over-arching picture both of the bestowment of privileges and the arguments used to safeguard them. The paper’s main focus is on the strategy of the ambassador to the Holy See, Frà Marcello Sacchetti, in seeking to obey his Prince’s instructions and obtain a favourable outcome. By way of conclusion, it is hoped to impart information on one of the roles of the Order’s ambassador in the Papal States and the strategy he adopted in executing his mission.

Real immunity

The Roman Catholic Church and its institutions were ipso facto exempted from secular authority. The Church enjoyed what is called ‘real immunity’ that is ‘the right whereby it is claimed that the property of the Church and the clergy are exempted from secular jurisdiction and from all fiscal and other burdens imposed by secular authority.’ As a religious order, the Hospital was covered by this privilege. Moreover, between 1135 and 1154, the Hospital became exempt even from the authority of bishops, which was a relatively new privilege being given by popes to new religious congregations. In fact, by 1179 this had already caused enough friction to warrant an admonition in the Third Lateran Council: ‘Now we have learnt from the strongly

worded complaints of our brethren and fellow bishops that the Templars and Hospitallers, and other professed religious, exceeding the privileges granted them by the apostolic see have often disregarded Episcopal authority' (Canon 9). The Pope on occasion could, through the issuing of a brief, waive off this privilege for the financial benefit both of Episcopal and secular authorities although it seems that popes tended to be lenient towards military orders. Thus, in the Council of Vienne (1311-1312) the Pope suspended this privilege for all orders except the Order of St John: 'only the priors, preceptors, masters, persons and places of the Hospital of St John of Jerusalem and of the said military orders are to be excepted' (Session 1). The Order basked in the papa's favour to the extent that only its direct mention by name could include it when such suspension of privileges occurred. Thus during the Council of Basel-Ferrara-Florence-Rome (1431-1445) the Order was specifically mentioned: 'This holy synod therefore imposes on each and every ecclesiastical person, both exempt and non-exempt under whatever form or words, even the order of St John of Jerusalem' (Session 25).

The exclusion of the Hospital from secular impositions, unless the wording of the brief clearly mentioned it by name, was the Order's insurance policy against grasping royal hands. A monarch in dire need of money could petition the pope for permission to tax church property within that monarch's territory. Since a significant percentage of the Order's income came from its properties in Europe, any hint of a threat upon its privileges was treated with the utmost importance. Such an extent of property demanded a sophisticated internal organisation if it were to produce a surplus. Over the centuries, the Order seems to have risen to the occasion and managed its property tolerably well. But the Order knew that efficient administration alone could not guarantee the steady flow of income from its commanderies. As Luttrell clearly puts it, 'the Hospital's retention and enjoyment of these Western properties, incomes and privileges depended on a second factor, the continued support of popes, princes, and public opinion in general.' What the Order dreaded most was that once an exception was given to a prince to impose taxes upon it, the exception would quickly become habitual. Thus, although the Order's exclusion from impositions was the official position unless otherwise stated, in practice the Order had to make sure that no ambiguity could lurk behind the wording of such briefs. The privilege was there, but it had to be justified. In

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4 A brief, in Italian, is 'a letter issuing from the Court of Rome, written on fine parchment in modern characters, subscribed by the Pope's Secretary of briefs, dated in the modern style (e.g. die nona Septembris, mcmxvi), and sealed with the Pope's signet-ring, the seal of the Fisherman.' W. E. Addis and T. Arnold eds., A Catholic Dictionary, London 1955, 91. A Bull is a similar document but weightier than a brief. It is sealed by the leaden seal of Adrian Scerri.
7 Tanner 1990, 353.
8 Tanner 1990, 511.

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justifying exemption from taxes on its territories, the Religion appealed to its very nature, that is, the defence of the Christian Republic in the eternal war against the Infidel. A remnant from the crusading past, this phenomenon was still appealed to when deemed convenient by popes and princes alike.

The ideal of a 'Christian Republic'

The ideal of a 'Christian Republic' had its roots in Europe's medieval past. The predominance of Christianity had given a sense of unity that had not been known since Roman hegemony. Politically, medieval society still vaguely viewed itself as Roman. This sense of solidarity did not prevent bitter internal wars but it gave some form of political and religious cohesion as 'the unity of the Church echoed the unity of the Roman Empire'. This unity found expression in the phrase res publica Christiana, a phrase which seemed to imply the baptism of the Imperial past. But the Christian Republic had a powerful neighbour and 'Christianity had to undertake a difficult and dramatic campaign against it, inventing its own Holy War, the Crusade.' The Crusades did not introduce Europe to war with Islam, but the First Crusade in 1095 was 'the first that was collective, self-conscious and spectacular.' The Crusades became an 'obsessive mystique' that helped shape Europe by finishing the process of fixing Christendom's southern borders and enabling the European reconquest of the Mediterranean. It was also the founding of the Latin Kingdom in the Levant which gave birth to the Military Orders that in essence embodied the ideal of the Christian Republic. With the change of fortunes in the Levant, the Order of St John managed to carve for itself a role in the new state of affairs. As circumstances change, an institution has to face a twofold crisis: a crisis of identity and a crisis of relevance. It is a sociological quandary. The more an institution adheres to its roots, the less relevant it becomes. On the other hand, if it adopts drastic changes in order to become relevant, it risks losing its identity. The loss of the Holy Land challenged the Order's raison d'être but it had two factors in its favour. Firstly, the caring of the sick remained, and still remains, relevant for a Hospitaller institution. Secondly, the loss of the Holy Land neither spelt the end of war with Islam nor the annihilation of the ideal of the res publica Christiana. Thus, it was by referring to these factors that, in the 1680s, the Order's ambassador in Rome, Fra Marcello Sacchetti, sought to defend his institution from losing a substantial percentage of its income from its territories in Portugal and the lands of the Holy Roman Emperor.
The Case of the King of Portugal

The term 'blood-sheeding' was actually used when the Order's privileges in Portugal seemed to be in jeopardy. The case is first documented on 2 July 1682, in Grand Master Frà Gregorio Carafa’s correspondence for that year. In a detailed letter to his ambassador, the Grand Master informed Frà Marcello Sacchetti that the King of Portugal, Pedro II (1648-1706), wanted to raise one million cruciati for the dowry of his daughter the Princess, who was engaged to the Duke of Savoy. The Grand Master had also learnt that the King had supplicated the Pope for the permission to tax Church property and that the Pontiff had conceded his supplication by granting a brief to the King in which only the Jesuits were exempted.

From the intelligence he had, the Grand Master believed that the Hospital had not been mentioned by name, which fact alone he wrote 'should not include our Order in such hateful practices, as these impositions are, in conformity with our many privileges and especially according to the bull of Pius IV.' This assurance was evidently not enough for the Grand Master's peace of mind. In the second part of his letter he instructed his ambassador to be vigilant in obtaining all intelligence regarding any changes in this case. He also required Sacchetti to petition the Pope for the express exclusion of the Religion, elaborating on the arguments that were to be used: 'as has been done on various similar occasions, in particular when such a concession was granted to the King of Poland for the war he had with the Turk.' Moreover, Sacchetti was to insist that 'the income of our Religion goes primarily towards the service of Christianity, namely to defend it from the Ottoman power, and for the caring for the sick.'

Sacchetti's first step towards the execution of this delicate mission was to speak to a certain Church official, Monsignor Slutio to learn more about the content of this brief. Monsignor Slutio assured him that no such brief had been issued and if it were to be issued, it would be unjust: 'as long as the Princess was not sworn heiress.' Seeing, however, that the matter weighed heavily on the Grand Master, he informed his Prince on 29 August: 'It would distress me greatly should this brief be issued, for if sent, I see little hope that the Religion would be exempted from paying up once it has been included.'

In fact, the Secretary of State, Cardinal Alderano Cibo, told Sacchetti's secretary, a certain Mancini, that a five-year extension had been granted to the brief conceded in Portugal. However, certain difficulties were encountered when attempts were made to enforce the brief, so it was changed and impositions were put on foodstuffs. By 10 October, Sacchetti had mastered his arguments. He sent a letter to Cardinal Cibo pleading for the exemption of the Religion, a copy of which he sent to the Grand Master. On the same day, he also sent a letter to the Pope, reminding him that his concession to the King of Portugal to take contributions from Religious Orders did not include the Military Orders, citing the Bull by Pius IV, which Bull was confirmed by Popes Innocent X and Clement X. In order to leave no room for doubt, Sacchetti supplicated the Pope:

Humbly we supplicate Your Holiness to declare that it was not nor is it his intention to include the aforementioned [Military] Orders considering that these privileges were given to them Titolo Oneroso, that is not only utilise their possessions, but also

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16 AOM1449 f.120r, 2 July 1682. Grand Master Frà Gregorio Carafa to his ambassador: Humilmente supplicano la Santità Vostra dichiarare non fusse nec esse suo intentione di comprendere li detti ordini atteso che detti privilegi li sono stati concessi Titulo Oneroso cioè per consumare non solo li loro beni, ma anco spargere il sangue in difesa della Religione cristiana militando contra Turcas come la firma la Rota nella Decisione 73 númer 6.
17 AOM1449 f.120r, 2 July 1682: 'e benche col non abbigliare espressamente l'intorno e la sua arma, ma anco aggrappare il sangue in difesa della Religione cristiana militando contra Turcas come la firma la Rota nella Decisione 73 númer 6.
18 AOM1449 f.120r, 2 July 1682: 'come si fece in varie occasioni esecutando una imposizione ne al Re di Polonia e per la guerra che hanno col Turchi.'
19 AOM1449 f.120r, 2 July 1682: 'che le rendute della nostra Religione se sono destinate per il bispugio servizio della Christianitá e particolarmente eseppi per difendere da potenza Ottomana e per l'esserio dell'ospitalità.'
20 AOM1297 f.194r, 25 August 1682. The ambassador Frà Marcello Sacchetti to his Grand Master. 'detto che la Principessa per non andar a Manuta fuor di stato non deve partire altra data, che la speranza del Regno, dal quale Master's agenda, Sacchetti went to the Congregation of Ecclesiastical Immunity. This Congregation was established in 1626 by Pope Urban VIII. The official name in Latin was Congregatio pro executione et Interpretatione concilii Tridentini. Its original function was the correct interpretation of the canons of the Council of Trent, but eventually it took the role of monitoring the secular clergy, examining claims concerning the violation of jurisdiction and ecclesiastical privileges by secular authorities (the so-called 'religious immunity'). Sacchetti learnt that the plea had just been made in that Congregation. He was assured of this by Monsignor Patriarch Antonio Altoviti, Secretary of the Congregation of the Council, or simply the Council, as it had become known. Not satisfied with this, Sacchetti proceeded to the Congregation of Bishops where he was again assured that no such brief had been granted, and that in considering the King’s plea, the privileges of the Religion would be safeguarded. Notwithstanding all these assurances, the Grand Master’s fears seem to have been well-founded. Sacchetti shared the same foreboding as he informed his Prince on 29 August: 'It would distress me greatly should this brief be issued, for if sent, I see little hope that the Religion would be exempted from paying up once it has been included.'
21 AOM1297 f.194r, 25 July 1682.
23 Ibid.
24 AOM1297 f.194r, 25 July 1682.
25 AOM1297 f.123r, 29 August 1682: 'mi dispiacerebbe grande che il detto Breve fosse stato concesso, perche essendo stato mandato colà, poche speranza vi vedo di far escludere la Religione dal pagamento quando vi fosse stato incluso.'
26 AOM1297 f.123r, 5 September 1682: 'il Signore Cardinali gl'io rispose che messi sono concesso una prova di altri cinque anni, un Breve di 500 miglia cruciati, ma che quando poi fu colà, l'imposta sopra li detti beni insinuato tali difficoltà che fu permutato, e messo qualche gravezze sopra le robe commestibili.'
27 AOM1297 f.137r, 10 October 1682.
28 AOM1297 f.140r, 10 October 1682.
shed their blood in defence of the Christian Republic fighting against the Turk, as the 
Rota confirms in Decision 72 number 6.29

This plea seems to have had the desired effect. On 24 October 1682, the Pope wrote 
to the Nunzio in Portugal that 'it had never been his intention to include in the 
said brief the possessions of the Religion and charged his Nunzio to express these 
sentiments to that Prince.'30 Sacchetti also sent Secretary Mancini to Cardinal Cibo 
in order to see the letter with his own eyes. A copy was duly made, which, though 
not exact, as he explained to the Grand Master, was a summary that conveyed the 
 essence of the original.31 With confidence, the ambassador could assure his Prince 
that the property of the Religion would remain untouched.

There remained only the formality of acquiring an official copy of the letter that 
the Secretary of State had formulated on behalf of the Pope that declared the Order 
of St John to be exempt from the brief conceded to the King of Portugal. Again 
this was not as simple as it seemed. Sacchetti proposed to try and obtain the copy 
from Cardinal Cibo, 'as the Secretariat only conceals copies of letters somewhat 
reluctantly.'32 The ambassador's diligence proved to be successful as this case 
ended favourably for the Order.

The Case of the Holy Roman Emperor

A similar case involving Royalty and the Order's exemptions occurred almost a year 
later. The Habsburg Emperor, Leopold I (1658-1705), had even more pressing needs 
than the marriage of a daughter. In 1683 'the whole Habsburg structure was thrown 
into panic by the major OttonTan attack under Kara Mustafa which led to the lengthy 
siege of Vienna itself.'33 This siege was to be the last large scale Ottoman effort 
against Western Europe, the siege which Braudel calls the 'the last great tremor' of 
'this great machine'.34 On 16 October 1683, Sacchetti reported what the Venerable 
Prior of Bohemia Fra Colluvrat had written to him. The Pope had granted a 
brief, (a copy of which the Prior had sent to Sacchetti), to the Emperor to enable him 
to raise money 'for the present needs'.35 This brief did not augur well for the Order.

With foreboding, Sacchetti wrote that although the Religion was not specifically 
mentioned yet the brief comprised different Religious Orders 'military, Hospitalar 
and Commanderies.'36 He concluded that though not stated, the wording seemed 
to include the Religion. Nevertheless, Sacchetti's advice to the Prior betrayed no 
hint of pessimism:

To this I told him [Prior Fia Colluvrat] that, as in the past so today, the inclusion 
of the possessions of the Order requires a special declaration that retracts its privileges, 
adding that with respect he must represent the above to his Eminence the Nunzio 
Bonvisi, pleading the suspension of the said collection of obligations until he gets an 
answer from Rome.37

This very reasoning, however, put Sacchetti in a dilemma. Monsignor Slutio had 
assured him that for the Religion to be included, it had to be specifically nominated. 
The dilemma was that Sacchetti had to plead for a specific exemption from this 
brief, yet, he was afraid that his plea might have the adverse effect since logically 
and legally the Order was not yet included anyway. 'I would not want', he wrote 
to the Grand Master, 'to doubt that which is, I'm told by the said ministers, quite 
clear.'38 He resolved to direct his petition to Cardinal Cibo, considering that the 
Nunzio would inevitably write to him as Secretary of State, thus the Cardinal 
would be prepared beforehand with all the necessary information.39

The next letter dealing with this case is quite intriguing. Sacchetti recapitulated 
the case, citing again Monsignor Slutio's favourable opinion that since the Order 
was not specifically mentioned in the brief, then it was automatically excluded 
from the impositions.40 He also said that the Grand Prior of Bohemia, Frà Colluvrat, 
had requested him 'that I manage to obtain an exemption for the possessions of 
those Priories from the said impositions.'41 The Grand Prior's request was for the 
lands under his responsibility to be explicitly excluded, that is by a clear declaration 
underlining the exemption from all impositions. The use of the terms 'military, 
Hospitalar and Commanderies' had evidently left room for doubt. Sacchetti went 
to the Pope himself in the hope of obtaining a clear and favourable answer. Even 
here, the answer was not as definite as the ambassador would have wished. The 
 Pope spoke cordially enough, saying that 'it had been his intention not to burden 
the Religion if it had not been burdened by his predecessors in similar cases, and 

29 Ibid: 'Humilmente supplico la Santità Vostro dichiarare non fu esso suo intenziunzi di comprendere li detti ordini atteso che detti privilegii li sono stati concessi il titolo Onoreo cioè per consumare non solo li beni, ma anco spargere il sangue in difesa della Repubblica Christiana militando contro Turcas come la ferma la Rota nella Decis[ione] 72 numero 6.'
30 AOM1297 f.152, 31st October 1682. 'Che egli non haveva mai inteso di comprendere in detta breve li beni della Religion et la incaricato di far noti questi sentimenti a quel Principe'.
31 AOM1297 f.152, 31st October 1682. For copy of letter see AOM1297 f.154.
32 AOM1297 f.154, 31st October 1682. 'atteso che le copie delle lettere di quella segreteria si concedono con qualche regugnare.'
34 Braudel 1995, 73.
35 AOM1298 f.136, 16 October 1683: 'per il presenti bisogni.'
His objective, as he explains to the Grand Master, was to get the Pope or at least Cardinal Cibo to send a letter to the Nunzio stating that the Religion was to be included in the Emperor's brief, a confirmation which the Pope had hinted at when Sacchetti had spoken to him in the same audience. Such assurance came from Cardinal Cibo, fervently petitioning him as he wanted "to know the mind of His Holiness about this matter." His objective, as he explains to the Grand Master, was to get the Pope or at least Cardinal Cibo to send a letter to the Nunzio stating clearly that it had never been the Pope's intention to include the Religion in the Emperor's brief, a confirmation which the Pope had hinted at when Sacchetti had spoken to him in the same audience. Such assurance came from Cardinal Cibo, who on a visit on another matter, informed Sacchetti that the Pope had never intended to include the Religion. Sacchetti's tone of jubilation is evident:

"Then yesterday, I went to Cardinal Cibo regarding another case, which Your Eminence will see from another letter of mine. He told me that he had written on behalf of the Pope to His Eminence the Nunzio that the Pope had never intended to include the Religion in these impositions. Having expressed my humble gratitude, I requested a copy of the said letter which he kindly promised to give. I sent for it to obtain it from the Secretary of State, and if I have it in time, I will send your Eminence a copy attached, which you can register in the Chancellery as it can come very useful in similar cases. For instance other Pontificates would see that in this situation, the Pope, who had given considerable financial aid to the Emperor to which almost everyone contributed, expressly excluded the Religion with a declaration. I take the opportunity to congratulate Your Eminence with sincerest regards, inasmuch as it seems that the Religion is covered for all time."  

The Grand Master was naturally pleased with his ambassador's zeal and evidently expressed it as Sacchetti testified in his letter dated 19 February 1684, a letter which brought to an official conclusion this intriguing case. 'I am greatly delighted' wrote Sacchetti, 'that Your Eminence was satisfied with my work in obtaining the declaration from His Holiness'.

Conclusion

Early information was imperative in such cases because a brief, once issued, would be very difficult to retract. Although the Order was well-connected in papal circles and the pope was its supreme head, yet the applicants for these briefs were powerful monarchs. As obviously all disputations between secular authority and religious orders had to pass through Rome, the ambassador there was in the best position to learn of all developments from the source and act accordingly. The ambassador's strategy was typical of the age. He unashamedly appealed to officials well-disposed towards the Order with persistence and tenacity. It was, after all, the supreme age of patronage. It was at once both horse and carriage for the political society of the seventeenth century. It permeated the whole political system, from prince to peasant and from pope to parish priest. Patronage was entwined with life in all European courts, and the papal one was no exception. For instance in France, 'influence peddling and the search for patronage were major court activities that helped set the tone of life at Versailles'.

AOM1298 f.114r, 6 November 1683: 139r 'Esendo poi ieri andato dal Signor Cardinale Cibo per la causa che V[ostra] E[minenzo] vedeva da una altra mia scrittura, mi disse che egli per parte del Papa aveva scritto all' E[minenzo] Nunzio che la mente del Papa era, che la R[eligion] non fosse compresa in questo imposizione avendogli lo qui rese umilissime grattie, gli feci insinuazione di darmi una copia della detta lettera egli me ne promise benevolmente: Io ho mandato a pigliarla alla segretario di Stato, e se la trovarà in tempo, me ne manderebbe copia qui annessa all' E[minenzo] V[ostro], la quale poeta farlo registrare in certe Cancellera potendo molto servire in simili casi, e per esempio a gli altri Pontefici.ji quali vederanno che in questa costruzione, nella quale il Papa ha dato tanti aiuti di somma considerabilissima di denaro all' Imperatore e nella quale vi sono concorsi quasi tutti, habbia voluto con una dichiarazione espresse escluderne la Religion. Di qua prende motivo di congratulàrmi con l' E[minenzo] V[ostro] gio: che con questo pare, che la Religion si messa a coperto ogni tempo.'


the contacts that Sacchetti had, served him well in these cases for he managed to obtain in writing further confirmation of the Order's privileges. Yet this success should not be solely attributed to having the right contacts. The Order's arguments as voiced by its ambassador were logical enough. The revenue of the Religion was for the effective exercise of its dual vocation: welfare and warfare. It could not be expected to maintain its numerous charities and wage war if its income was going to be gnawed at to subsidise a Princess' dowry and the Emperor's army. The reason for its privileges was the reason for its existence. Hence the appeal to the res publica Christiana and the mortal fear of precedent. The Order could ill-afford to lose one case wherein its ancient privileges would be overridden by a papal brief in the hands of a monarch. That would have heavily influenced subsequent cases and encroachment upon its exemptions justified by mere citation. The Order feared that a brief born as an exception would become convention for subsequent briefs. Conversely the Religion's arguments, as voiced by its ambassador, became stronger and more plausible with each positive conclusion. Each favourable ruling meant another weapon in the Order's arsenal that could be brandished when the threat came not from a Muslim potentate but from a Catholic prince.