CHAPTER I

CONFRATERNITIES

Not all Christian writers have approved of religious confraternities, pious associations of lay people. A twentieth-century Catholic reflects in his condemnation of the weak-minded sentimentalist, "He joins eight confraternities, and will not rest till he joins the ninth."[1] Confraternities, this characterization implies, are refuges for the feeble, the scupulous, the fainéant. Protestant reformers disapproved of confraternities also, but for a different reason. One early Protestant summed up their objection, "Christ wants a community based on faith and every good work. The contrived confraternities have special services in which only chosen members may participate."[2] In this view, confraternities as special brotherhoods are opposed to the reformed community that the Church is supposed to be. Catholic reformers, on the other hand, encouraged confraternities. No less concerned for the reform and renewal of the Church, they saw confraternities as instruments of that renewal. St. Francis de Sales, in recommending confraternity membership, portrayed them as instruments, if not creatures, of the Church:

> Be ready to join your local confraternities, especially those whose exercises are most fruitful and edifying. To do so is to practise a kind of obedience most pleasing to God, for though we are not commanded to join any confraternity, the Church recommends it and grants indulgences and privileges to those who join to encourage as many as possible. Further, to cooperate with others in their good works is to practise charity and though you may do just as much good by yourself as you would in a confraternity and perhaps enjoy it more, nevertheless to work with others gives greater glory to God.[3]

The institution, then, that a modern spiritual writer can belittle as part of a sentimental pietism was once strong enough to be either a threat to the Church or its faithful ally. During the Middle Ages, indeed, the confraternity was the favored form of lay religious organization, and filled a wide variety of roles in the religious life of the laity. It was able to do so because it translated the Christian ideal of brotherhood into concrete social and spiritual ties. Within the vast medieval Church, cut like a Gothic cathedral to the measure of angels, confraternities provided a place for the layman as intimate as the side chapels they so often built and maintained. From this place, moreover, laymen in confraternities could influence the activities of the Church, contribute to spiritual renewal, and carry out invaluable services to the community.

What follows is a study of the Confraternity of Our Lady and the Blessed Sacrament (de Notre-Dame et du Saint-Sacrement) in the parish of Saint-Martin-en-Ile, in Liège, between 1450

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[1] J. Urteaga, *Man, the Saint* (Chicago-Dublin: Scepter, 1963), p. 18.

[2] Jacob Strauss, *Unterricht wartzu die Bruderschafften nütz seyen* (1522), quoted in Steven E. Ozment, *The Reformation in the Cities* (New Haven: Yale University Press, 1975), p. 84.

[3] *Introduction to the Devout Life*, book 2, chapter 15; trans. Michael Day (Westminster, Md.: The Newman Press, 1956).

and 1540. We will begin to take notice of the parish in 1450, although the first documents of the confraternity date from 1457, and do not become extensive until 1480. The later limit, 1540, coincides approximately with the death of the prince-bishop Erard de la Marck in 1538. After this date, the increased attachment of Liège to the house of Habsburg under Corneille de Berghes and George of Austria and the growing influence of the Catholic Reformation alter the political and ecclesiastical background against which our study operates.

This background, which is essential to understanding the individuals who made up the confraternity, will be found in the next chapter. This chapter will present the larger tradition out of which the confraternity arose, and present the general questions for which this study is relevant. First of all, we shall examine the tradition of brotherhood that motivated the formation of small groups within the Christian community, focusing particularly on the medieval lay devotional confraternity. We shall than raise several questions regarding the role of the laity in the medieval Church, and the place of brotherhood within the parish community.

Interest in the confraternity as a means of studying lay religious life is nothing new. Early essays by Gabriel LeBras and Joseph Duhr pointed to the importance of the institution in the Church both during and after the Middle Ages. Studies by G. M. Monti, of confraternities in Italy, and H. F. Westlake, of the parish guilds of medieval England, first set forth the great range of form these organizations took. During the 1950s, Jeanne Deschamps and Giles-Gerard Meersseman undertook studies of the institution in general. More specific work on individual cities has followed along these lines: Richard Trexler, Ronald Weissman, and C. M. de la Roncière for Florence and its hinterland, Edoardo Grendi for Genoa, Hanna Zaremska for Krakow, and Monika Zmyslony for Lübeck, just to name a few of the studies that have considered the great variety of confraternities in medieval Europe.[4]

The Origins of Christian Confraternities

Concluding his study of monastic life since the early Middle Ages in the vicinity of Lake Constance, Arno Borst asks, "Gäbe es Brüderlichkeit ohne Bruderschaften?"—"Can there be brotherhood without brotherhoods?"[5] He sees this "dilemma" not only in the various forms of

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[4] Charles-M. de la Roncière, "La Place des confréries dans l'encadrement religieux du Contado florentin au XVe siècle," *Mélanges de l'Ecole française de Rome. Moyen âge, temps modernes* 85 (1973): 633-671; Jeanne Deschamps, *Les Confréries au moyen âge* (Bordeaux: Bière, 1958); Joseph Duhr, "Les Confréries dans la vie de l'Eglise" *Revue d'histoire ecclésiatique* 35 (1939): 437-78; Edoardo Grendi, "Le confraternite come fenomeno associativo e religioso" in *Società, Chiesa, e vita religiosa nell'"Ancien régime"*, ed. Carla Russo (Naples: Guida Editrice, 1976), pp. 115-86; Gabriel Lebras, "Les Confréries chrétiennes. Problèmes et propositions," *Revue historique de droit français et étranger*, 4th ser., 19 (1940): 310-63, repr. in his *Etudes de sociologie religieuse*, 2 vols (Paris: Presses Universitaires de la France, 1955-56), 2: 423-69; Gilles- Gerard Meersseman, "Etudes sur les anciennes confréries dominicaines," *Archivum Fratrum Praedicatorum* 20 (1950): 5-113, 21 (1951): 51-196, 22 (1952): 5-176, 23 (1953): 275-308; idem, *Ordo fraternitatis. Confraternite e pietà dei laici nel medioevo*, 3 vols., (Rome: Herder, 1977); Three of the four parts of "Etudes" appear here, revised and translated into Italian, 2: 578-697, 754-920, 921-1117; Gennaro Maria Monti, *Le confraternite medievale dell'alta e media Italia*, 2 vols. (Venice: "La nuova Italia" Editrice, 1927); Richard C. Trexler, "Ritual in Florence: Adolescence and Salvation in the Renaissance," in *The Pursuit of Holiness in Late Medieval and Renaissance Religion*, ed. Charles Trinkaus and Heiko A. Obermann (Leiden: E. J. Brill, 1974); Ronald F. E. Weissman, *Ritual Brotherhood in Renaissance Florence* (New York: Academic Press, [1981]); Herbert Francis Westlake, *The Parish Guilds of Medieval England* (London: S. P. C. K.; New York: Macmillan, 1919); Hanna Zaremska, *Bractwa w sredniowiecznym Krakowie* (Wroclaw: Ossolineum, 1977); Monika Zmyslony, *Die Bruderschaften in Lübeck bis zur Reformation* (Kiel: W. G. Mühlen Verlag, 1977).

[5] Arno Borst, *Mönche am Bodensee 610-1525* (Sigmaringen: Jan Thorbecke Verlag, 1978), p. 389.

medieval monastic life, but also in groups "from the Anabaptists to student communes":[6] that a group espousing a theoretically or potentially universal ideal of brotherhood (*Brüderlichkeit*) tends to adopt the form of a particular brotherhood (*Bruderschaft*) separated from the rest of society. Thus the human race is reduced to a small, exclusive group. Yet this is perhaps not so much a dilemma as an inevitable consequence of human finitude. A relation of brotherhood with the human race in the abstract is no relation at all; that relation can only exist among specific individuals. Universal brotherhood can only be an extension of particular relations within which the obligations of brotherhood are given and received.

Within the Christian tradition, the ideal of brotherhood is central. Christian brotherhood is founded, doctrinally, on the Jewish concept of the people of Israel, and seeks to draw people of all races into the brotherhood of the new Israel that is the Church. Socially, the early Church adopted first Jewish, and then Roman, forms of particular brotherhood. Jewish religious confraternities or *haburot*, whose meetings involved meals and prayer, probably served as the first model for the Church.[7] Beyond the confines of Judaism, Roman society was full of *collegia*, which followed a similar pattern.[8] The Christian Church had, of course, many features to distinguish it from the simple *collegium*: beyond its special body of doctrine and its religious exclusiveness combined with social inclusiveness, its ecumenical unity through the network of bishops gave it a greater strength and persistence than most similar groups. Nevertheless, at its very origins, the Church had a confraternal model, a model to which it would frequently look back.

As the Church expanded, the special bonds that were supposed to unite Christians became less obvious. Brotherhood in a universal Church in a supposedly Christian society became tenuous and abstract, diminished in meaning and usefulness in the life of the individual. This apparent departure from the original Christian ideal was one of the spurs to movements of reform and renewal. All such movements have looked back to the early Church and to the teaching of the New Testament. Regardless of their form or ultimate destiny, they can all be regarded as attempts to apply seriously the model set forth there. Renewers and reformers from Anthony of Egypt to John Wesley have gathered groups of followers about them, to whom they applied the basic Christian teaching on the Church, including the special relation of brotherhood. Thus each renewal of Christianity has spawned "confraternities" which have been conceived as imitations of the early Church.

The Ascetic Movement

Among renewal movements, the ascetic movement presents many fascinating problems. It was the first of many similar movements, beginning just before the Constantinian peace of the Church. It reached its greatest fervor just as the Church was beginning to incorporate more and more of society: not only in terms of numbers, but also in the adoption of prevailing political and social structures. Thus the tension between universality and particular brotherhood first became

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[6] Ibid., p. 388.

[7] Jean Hadot, "Les Repas communautaires dans les Eglises primitives," in *Le Christianisme populaire*, ed. Bernard Plongeron and Robert Pannet (Paris: Editions du Centurion, 1976), pp. 25-60, esp. pp. 33-34.

[8] Deschamps, pp. 36-38; Hadot, pp. 40-41, 49-51. Many of these *collegia* centered their activities around common burial grounds. This was especially suitable for the early Christians, given the importance of the doctrine of the Resurrection and the cult of martyrs, and the belief in an essential spiritual unity between the living and the dead; see Cyrille Vogel, "Le Banquet funéraire paléochrétien" in *Le Christianisme populaire*, pp. 61-78.

apparent at this time. Three features of the ascetic movement are relevant to any consideration of the formation of small groups within the larger Christian community.[9]

First of all, the ascetic movement was a conscious attempt to live out the teachings of Christianity. In the conception of the early ascetic teachers, the monk is "the Christian whose sole object is to live a completely Christian existence."[10] In form, the life of the early ascetics had many pagan parallels, but in impulse the ascetic movement was an attempt to live out pure Christianity. The ascetic practices, the poverty and simplicity, the renunciation of marriage and of normal social intercourse typical of the ascetics had as their motivation the desire to be free to live out the message of the Gospel. Especially in its cenobitic form, the ascetic movement used the early Christian community as a model.[11]

Second, the ascetic movement shows how a lay initiative might be adopted into the life of the Church. The elements of this adoption recur in other cases: the ordination of leaders, the adoption of formal rules, and the formation of a clearly defined order.[12] It is essential to this process that the leaders of the movement respect the hierarchy of the Church even if they do not participate in it. Here the parallels between an early ascetic like St. Pachomius and a later reformer like St. Francis of Assisi are striking. One historian has noted that

> these two traits in the life of Pachomius, the refusal to accept ordination himself and the inculcation of reverence toward the priestly order, are later to be found in the life of St. Francis of Assisi.[13]

The special rule and status, for what began merely as a group of serious Christians claiming no rule but the Bible,[14] is simply a means of integrating into the Church what could otherwise become a rival sect.

Thirdly, the ascetic movement produced a community where the teaching of the New Testament could be applied socially as well as in the lives of the individual ascetics. This was the *coenobium* or monastery, an institution which endures in many forms to this day. While the anchorites or hermits present spectacular examples of early asceticism, there are powerful reasons for considering cenobitism to be more central to the ascetic movement. First of all, the early ascetic writers preferred it, ranging from Basil's actual disapproval of eremitism to the recognition by Pachomius, Cassian, Jerome, and Benedict that cenobitism was more practical.[15] Secondly, as

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[9] An overview of the early ascetic movement is Derwas Chitty, *The Desert a City* (Oxford: Basil Blackwell, 1966). The understanding of the ascetic movement as a renewal movement can be found in Adalbert de Vogüé, "Le Monastère, église du Christ," in *Commentationes in Regulam S. Benedicti*, ed. Basilius Steidle (Rome: Herder, 1957), pp. 25-46; and in García M. Colombás, "The Ancient Concept of Monastic Life," *Monastic Studies* 2 (1964): 65-117. This concept is developed in Stephen B. Clark, *Unordained Elders and Renewal Communities* (New York: Paulist Press, 1976).

[10] Colombás, p. 100; cf. Armand Veilleux, "The Abbbatial Office in Cenobitic Life," *Monastic Studies* 6 (1968): 11; Clark, *Unordained Elders*, pp. 18-24.

[11] Colombás, pp. 106-107.

[12] This is the main theme of Clark, *Unordained Elders*; cf. Chitty, p. 179. A good example is found in Heinrich Bacht, "Mönchtum und Kirche. Eine Studie zur Spiritualität des Pachomius" in *Sentire Ecclesiam*, ed. Jean Daniélou and Herbert Vorgrimler (Freiburg: Herder, 1961), pp. 113-133.

[13] "[D]iese beiden Züge der Pachomiusbiographie, die Weigerung, selbst die Weihe zu empfangen, und die Einschärfung der Ehrfurcht vor den priestlichen Stand, sich im leben hl. Franziskus von Assisi wiederfinden." Bacht, p. 119.

[14] Colombás, pp. 95-97.

[15] Chitty, p. 32; Colombás, pp. 102-104.

historians of monasticism are coming to recognize, it was not cenobitism that arose out of eremitism, but the reverse.[16] Thirdly, most anchorites lived in colonies, or at least for some time lived under the rule of a master before going off to adopt a solitary life; hence their separation from the community was only relative.[17] Finally, and most important for our study, it is in its cenobitic aspect that the ascetic movement left its greatest mark on history. The *coenobium* was its greatest legacy, and this in its original conception is simply a Christian community, where the special relation of brotherhood as envisioned in the New Testament can prevail.

The Guild

As Christianity spread among the Germanic peoples, it encountered a form of association, the *gilda* or guild, very similar to the Roman *collegium*. Germanic guilds involved shared meals, the special cult of a tutelary deity, and mutual aid. In the Germanic setting, however, there was much greater emphasis on defense by and against force: the guild functioned as an artificial family in the feud as in other matters. The pagan guild survived into the eighth century; even Christianized, these guilds retained many of their pagan features. They were therefore consistently prohibited by kings and emperors in the eighth and ninth centuries.[18]

The two features of guilds or confraternities that the civil and ecclesiastical authorities attacked were the oath that bound them together and the ritual drunkenness that accompanied their meetings. Associations bound by oath could be dangerous to the constitution of civil society, based itself on oaths with which the guild oaths conflicted. The ritual drunk, a survival of a form of pagan approach to the divine,[19] was viewed as a source of moral corruption. The repeated prohibitions, from Charlemagne in 779 to Carloman in 884, show that the threat of these organizations continued throughout the period. Indeed, it is from these associations that the medieval guilds and confraternities directly arise.

The guild form appealed to those involved in certain activities. Long-distance merchants, for example, who found themselves outside the normal protective structures of early medieval society were attracted by the artificial family offered by the confraternity.[20] The merchants' guild—the *gilda mercatorum*—was thus the most important type of early medieval guild. Not even the opposition of the Carolingian monarchs could stop their operation.

Another group which found itself exposed to the harsh world of the early Middle Ages without family support was the secular clergy. As Christianity advanced into the countryside, priests moved out to serve parishes further and further removed from the metropolis. The community of clerics around the bishop was thus broken up; moreover, the bishops themselves often played a less and less direct role in the care of either clergy or people in their dioceses. The

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[16] Veilleux, pp. 6-11.

[17] Chitty, pp. 5-6, 29-34, 68-69; Veilleux, pp. 14-24; Colombás, p. 71.

[18] Deschamps, pp. 21-26, 30-34.

[19] Ibid., pp. 61-62.

[20] This is the contention of Henri Pirenne in *Medieval Cities: Their Origins and the Revival of Trade*, trans. Frank D. Halsey (Princeton, N. J.: Princeton University Press, 1925), pp. 117-125. Pirenne's theories have been disputed, modified, and in some cases superseded; see for instance the examples advanced by Michael Postan in *Cambridge Economic History of Europe* (*CEH*), vol. 2, *Trade and Industry in the Middle Ages* (Cambridge: Cambridge University Press, 1952), pp. 168-174. H. van Werveke, in his article in *CEH*, vol. 3, *Economic Organization and Policies in the Middle Ages* (Cambridge: Cambridge University Press, 1963), p. 17, attempts to strike a balance between Pirenne and his critics. In the same volume, Raymond de Roover discusses merchant guilds, pp. 46-48, and Sylvia L. Thrupp gives a thorough account of craft guilds in her article, "The Gilds," pp. 230-280. The bibliography to the last article is particularly useful.

clergy frequently responded to this situation by forming confraternities known as *kalends* to provide spiritual and material support.[21] Originally very similar to secular guilds, these clerical confraternities evolved forms ranging from something like a chapter, with a semi-monastic life, to a monthly meeting of the clergy of a rural deanery. More clearly religious in purpose and connected with the organization of the Church, these clerical confraternities escaped the censures directed at confraternities of laymen.

Religious confraternities

Among the laity as well, the guild form combined with earlier Christian tradition to produce confraternities. Monasteries, which are a type of fraternity, also gave rise to other confraternal ties outside their walls. These chiefly took the form of confraternities in prayer, either among monasteries or between a monastery and the neighboring laity. The lay or clerical confreres of the monastery would benefit by the prayers of the monks in life and especially in death, or by receiving burial within the monastery. The members of a confraternity set up in this way became related to the monastery and to its community, but not, originally, to one another.

The type of benefit offered by such association was the most pervasive form of aid among Christian confraternities of all types. The hope of the resurrection of the dead was the original message of Christianity, and the center of Christian life from the earliest times were the tombs of the martyrs and of others who had "fallen asleep in Christ." The notion that those who remained on earth can help the dead find peace by their prayers goes back to the earliest centuries.[22] Monastic communities where the monks offered continual prayer to God and churches where priests celebrated mass assured prayer for their benefactors and founders. For those who could not afford to found a monastery or a church, a confraternity of prayer, where all benefited as a group, gave some assurance that one might not be forgotten and helpless against the terrors of death.

Urban churches also set up confraternities of the monastic type; indeed here is one of the origins of the parish confraternity. In their early form such confraternities might be set up by bishops or by chapters. As in the monastic case, such a confraternity involved a small payment to the church, in return for having one's name inscribed on the diptychs, the list of the living and the dead to be remembered at mass. Hence the earliest documents for confraternities of this sort amount to little more than lists of the names inscribed on the diptychs of a given church.[23] These "diptych confraternities," like monastic confraternities, set up a relation between an individual and a group of clergy who offered masses in a certain place. They still lacked the relation among confreres which characterized the parish confraternity in its mature form.

There were also confraternities of lay people on the guild model. In a decree of 852, archbishop Hincmar of Rheims attempts to separate the spiritual and the social aspects of the confraternity. He deplores the meals at which vice, levity, fights, and even murder have occurred.[24] On the other hand, it is pious and laudable for the faithful to join together to do good works, especially to offer prayers and candles for the souls of their departed brethren. If they wish to have a meal, let it be done with "modesty and temperance," and under the supervision of a priest. A priest must also be present, Hincmar says, at any other meeting called if, for example, there is some

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[21] Deschamps, pp. 110-19; Meersseman, *Ordo fraternitatis*, 1: 113-35.
[22] Vogel, pp. 69-70.
[23] Meersseman, *Ordo fraternitatis*, 1: 95-112.
[24] Hincmar in *Patrologia Latina* volume 125, columns 777-78; a better edition is to be found in Meersseman, *Ordo fraternitatis*, 1: 36-37.

dispute to be settled between members. Thus he hopes to tame the wild energies of the people and the make the Church, in the person of the priest, the center of their group activity.

Meersseman argues that the confraternities referred to in this decree were in fact the basis of parish life in the ninth century.[25] Earlier centuries had seen the establishment of a "Christian community under the form of a confraternity" in each village, which in the end became a "confraternity-parish" uniting the heads of families in the locality. In the tenth century, he says, this confraternity "lost its character of universality, adopting, like the secular guild, the principle of specialization and selectivity."[26] In the absence of further evidence we cannot test this theory, but if it is the case, the parish recapitulated in its development that of the Church as a whole. However, it was likely not the confraternity that lost it universal character but the parish that gained it, so that it could no longer be the locus of special brotherhood.

From the ninth to the twelfth centuries, confraternities followed either the model spelled out in Hincmar's decree, or that of the group of lay people individually linked to a monastery, church, or shrine. Already we can see the three streams of tradition which combined in the medieval confraternity. First the confraternal impulse as manifested in the Germanic guild provided the social form, the human raw material for the confraternity. This institution took the place, in legal terms, of the Roman *collegium*. Second, the common desire for spiritual benefits, especially for prayers after death, which led lay people living in the world to associate themselves with monasteries and other church institutions, provided the religious urge, the need which confraternities were to meet. Finally and most important, the tradition of brotherhood found in Christian teaching and continually held up as an ideal for the Christian community provided the rationale for combining individual spiritual benefit with social solidarity in the religious confraternity.

The Medieval Confraternity and Authority

By the twelfth century, we can see the various types of medieval confraternity coming into being. This is in fact the beginning of the great age of the corporation. The twelfth century saw the start of a process of crystallization which would shortly transform European society into a lattice of interlocking corporate bodies. These ranged from the family to entire kingdoms, and encompassed every aspect of life;[27] but the best known case is that of the city commune. The role of craft guilds in the formation of communes is well known, and in general these guilds were secular in purpose and function. However, in some cases, religious associations formed the basis for the eventual organization of communes. In Marseilles, for example, the struggle for the freedom of the commune was also a fight between the Catholics of the city and the surrounding Cathar nobility. The citizens formed themselves into a religious confraternity around the banner of orthodoxy, defending their faith as well as their freedom. This confraternity remained the "backbone" of the city government.[28]

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[25] Giles-Gerard Meersseman, "La Messe, centre de l'activité pacificatrice et charitable des associations médiévales" in *La Eucaristia y la paz* (XXXV Congreso Eucaristico Internacional, Barcelona, 1952: Sesiones de estudio) 2 vols. (Barcelona, 1952), 2: 506-510.

[26] "Puis, au Xe siècle, elle perd son caractère d'universalité, adoptant, comme la guilde profane, le principe de la spécialisation et de la sélection." Ibid., p. 506.

[27] On the variety and pervasiveness of medieval corporate forms, see Emile Lousse, *La Société de l'ancien régime. Organisation et représentation corporatives* (Louvain: Editions Universitaires, 1943); and P. Michaud-Quantin, *Universitas. Expressions du mouvement communautaire dans le moyen âge latin* (Paris: J. Vrin, 1970).

[28] Meersseman, *Ordo fraternitatis*, 1: 201-209; Michaud-Quantin, pp. 190-91.

Mention of communes and conflict raises the question of approval. Were confraternities, specifically religious confraternities, an "approved form of piety"? Carolingian legislation is not repeated in later centuries; in this new age of confraternity-building, we see all manner of confraternities, some holding civil or ecclesiastical approval, some with none at all. Unapproved confraternities were not, however, beyond the pale of orthodoxy or normal practice. In fact, documents approving confraternities generally indicate that the organization has already existed for some time.[29] Many did not seek such approval; for them the silent approval under the maxim *qui tacet consentire videtur* was sufficient. They did not need approval to hold property, since pious organizations were held to be exempt from the civil-law doctrine that illicit *collegia* could not receive bequests.[30] There were local exceptions to this rule; in England after 1279, for example, confraternities had to apply for a license to hold property under the Statute of Mortmain.[31]

Canon lawyers did not rule on the existence of confraternities, but rather assumed it. Raymond of Penyafort considers the legality of confraternity dues in connection with simony.[32] Is it simony to demand payment for membership in a confraternity, seeing that such membership is a spiritual benefit? He answers that it is not, since the money is applied to the good works that are the confraternity's reason for existence. Raymond strongly defends confraternities, viewing them along the lines set forth in Hincmar's capitulary.

In general, Church law, like doctrinal definition, is proscriptive. It sets limits within which the range of permitted things is left to the ingenuity of the faithful. When the Church does intervene it is to regulate something that already exists. Thus the legislation on confraternities throughout the Middle Ages treats confraternities as a part of life, laudable when directed to the right ends, but whose abuses and bad tendencies need to be kept under control. Following the precedent of Roman law, medieval civil law used the same principle.

The close connection of confraternities with the communal movement complicated the attitude of secular rulers, as well as of some churchmen. It was easy to see in any new organization a conspiracy to resist their authority. Thus the eleventh and twelfth centuries brought new condemnations of confraternities. Even when issued by Church bodies, however, these condemnations were not aimed at confraternities as religious organizations. Rather they are part of the usually fruitless attempt to thwart the formation of communes. The prohibitions cited by Michaud-Quantin for this period, which he implies are prohibitions of confraternities in general, fall into this category.[33]

Just as territorial rulers had earlier seen confraternities as a threat, city authorities later might regulate or prohibit confraternities for the same reason, as occurred periodically in Florence during the fifteenth century.[34] Moreover, in the city a confraternity might not only be a conspiracy to resist the constituted authority, it could also function in competition with it. The city itself was a corporate body of the citizens, and could hardly tolerate any other corporate body taking over its functions. Thus guilds, which also claimed a kind of political authority, were firmly integrated into the structure of the city community, along with any religious confraternities that might similarly compete with the city. If they exercised any political authority, it was strictly by delegation.

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[29] The unofficial existence of many confraternities led to trouble when some authority called upon them to justify themselves, as in England when Richard II demanded the Returns of Guilds of 1389. See Westlake, pp. 36-38.

[30] Michaud-Quantin, p. 293.

[31] Westlake, pp. 24-25, 30.

[32] Raymond of Penyafort, *Summa de poenitentia* I.1.19.

[33] Michaud-Quantin, pp. 181-82; the sources he cites at this point all clearly refer to confraternities of burghers, whose suppression was motivated by political rather than religious concerns.

[34] Monti, 1: 181-82; Weissman, pp. 63-64, 164-74.

In the case of the Church, the same principle of delegation might apply. The form of many church approvals included the granting of privileges, such as indulgences or participation in the spiritual benefits of some religious order. Thus the confraternity was brought into the institutional life of the Church by becoming an extension of the institution itself.

Varieties of Medieval Confraternities

The communal impulse was the basis of many different medieval institutions. Beginning in the twelfth century and maturing in the thirteenth, the corporate movement involved the whole of medieval life. The variety of organizations described in Michaud-Quantin's *Universitas* testifies to the pervasiveness of this form. Not only were corporate forms typical of Western Europe in the Middle Ages: they were the kind of corporate form based on the confraternity. The Roman city had been corporate: most of the Roman law of corporations refers to cities; but the medieval city was a corporation of a different sort. Here citizenship arose from membership in the commune of the city. Like the confraternity, the commune had arisen in the tradition of the oath-bound Germanic guild. Although the two institutions diverged considerably, it is right to consider them organizations of the same sort. The commune was originally but one element in the city and had come to dominate it by a struggle against other elements. This exclusiveness remained stronger in some cities than in others; but in all cases, the medieval city was governed by what was, historically if not in continued fact, a confraternity.

The term "confraternity" thus came to designate many varied types of association. They share common roots in the early confraternities or guilds and in the concept of Christian brotherhood found in the New Testament. The type of confraternity this study discusses is the devotional type: confraternities with a religious purpose only. Many confraternities in the high and later Middle Ages had either combined secular and religious goals or had completely turned to non-religious purposes. The most important of these are the craft guilds.

The first guilds, as we have seen, were the merchant guilds which arose more or less directly from the early Germanic guilds. Craft guilds, on the other hand, appear after 1250[35] and very likely have a different origin. From the beginning they are closely associated with religious confraternities. P. M. Viollet writes in his history of French political institutions:

> I deal with [guild] corporations, and I find myself frequently writing the word "confraternity." One could say, in fact, that a craft has two sides: a civic side (probably the older) and a religious side. As a civic institution, it is often called community. As a religious institution, it is the confraternity.[36]

Certainly the "political side" of the medieval craft guild came to assume much more importance than the "religious side," but this obscures the more likely order: that the craft guild was originally a confraternity for workers in the same profession.[37] The assumption of political and economic functions by the craft associations often led to the formation of two separate bodies: one

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[35] Michaud-Quantin, p. 168.

[36] "Je m'occupe des corporations, et le mot confrérie revient souvent sous ma plume. On pourrait dire, en effet, que le métier a une double face: une face civile (probablement la plus ancienne) et une face religieuse. En tant qu'institution civile, il s'appelle souvent communauté. En tant qu'institution religieuse, il est la confrérie." Paul-Marie Viollet, *Histoire des institutions politiques et administratives de la France*, 4 vols. (Paris, 1906; repr. Aalen: Scientia Verlag, 1966), 3: 164.

[37] Michaud-Quantin, pp. 189-190; cf. Westlake, p. 23.

purely economic and political, the other religious. At the same time, the "secular" guild might continue to sponsor religious observances, or indeed retain some features of a religious organization.

Thus the process we have mentioned in the case of city communes also occurred in the case of craft guilds. Just as the confraternities which underlay city governments retained their religious functions, so too did the guilds. To have done otherwise would have been to make a distinction inadmissible in the Middle Ages. Nevertheless, it may be useful to distinguish not between secular and religious confraternities but between those limited to the practitioners of one profession, and those which were not, the latter being "devotional confraternities." Yet even this distinction is not easy.

Just how difficult it is the case of the English parish guilds illustrates. Various documents on guilds in medieval England, especially the Returns of Guilds of 1389, provide information on a large number of confraternal organizations. The mid-nineteenth-century scholars who first collected these documents held that the religious activity of these guilds was "incidental only";[38] that they were rather purely secular institutions for mutual aid. This interpretation probably tells us more about the religious temperament and background of the authors than it does about the institutions in question, as H. F. Westlake's subsequent study of the same documents clearly shows.[39] Westlake took into account all 471 certificates in the Returns of 1389, a collection embracing widely divergent types of guild, indeed every type of guild here discussed. There are guilds for members of one profession; there are guilds open to members of all indifferently; there are some which while, say, taking all their officers from one craft, include members of others as well. Some of these guilds are limited to one parish; some have become identified with the government of a town;[40] some have a special relation to some religious house; others specifically exclude the clergy.[41] This collection shows that the distinctions we are making here are purely arbitrary divisions of what was in fact a continuously variable range of institutions. While one could select examples with little overtly religious orientation, as a group they bear witness to an underlying religious motivation.

A common type of religious confraternity comprised those that had some external work of mercy as their object. The commonest was the hospital.[42] In general, the medieval hospital did not care exclusively for the sick, but was a house that sheltered any sort of poor transient in need of lodging, especially pilgrims.[43] Hospital communities ranged in nature from groups of religious observing a rule to groups of laymen in form like any parish confraternity. In the case of hospitals caring for chronic diseases such as leprosy, the patients might also live a confraternal or quasi-religious life.[44] The hospital was the most widely recognized form of lay-directed religious service, and therefore gave rise to some peculiar "hybrid" forms of religious life, including beguine and beghard communities.

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[38] Joshua Toulmin Smith, *English Gilds* (London: Early English Text Society, 1870; repr. 1963), p. xxix.

[39] Westlake, pp. 39-40. He gives a summary of the documents, pp. 138-238.

[40] Ibid., pp. 104-119.

[41] Ibid., p. 45. The Guild of the Annunciation, Cambridge, excluded not only priests but bakers as well.

[42] Michaud-Quantin, pp. 94-98; see also James Allen Smith, "Through the Eye of the Needle: Charity and Charitable Institutions in Medieval Ghent, 1150-1400" (Ph.D. diss., Brown University, 1976).

[43] J. A. Smith, pp. 3-22; Westlake gives examples, pp. 92-103.

[44] J. A. Smith, pp. 123-30; for another example, see Robert Hankart, "L'Hospice de Cornillon à Liège," *La Vie Wallone* 40 (1966): 5-49, 93-143; 41 (1967): 79-112.

Hospitals were not the only good work to inspire confraternities. Another, common especially in the early Middle Ages, was the maintenance of a bridge.[45] At a time when travel was difficult and construction expensive, the combined support of a brotherhood for such a task might be of great importance to the community. The full list of duties a confraternity might undertake is too long to give here. Michaud-Quantin writes concerning especially rural confraternities,

> Thus we see the confraternity in the village play the role of municipal council, welfare bureau, rural policeman, road inspector, wolf-hunting officer, agricultural engineer, fairs committee, and justice of the peace[46]

Many of these duties are those which a town or city government might be expected to perform. Here again we see the close connection of confraternities with local government, as in the case of communes.

The custom of extending "confraternity" in a monastery combined with the corporate impulse to produce the confraternities surrounding religious houses, especially those of the mendicant orders. The confraternity was now not merely the sum of those who were related to the monastery without being related to each other, but was a separate organization sharing in some way in the life and tradition of the order. Within this category there was great variation. In some cases, the fraternity might be under the direct supervision of members of the religious house in question; in other cases it might merely meet at the convent and choose chaplains from it, while its own government remained in the hands of laymen. Toward the end of the Middle Ages this sort of confraternity proliferated under the protection of the mendicants. The most widespread example is the confraternity of the Rosary, a Dominican institution.[47] Confraternities of this sort also resemble strongly the secular third orders which had an official status in the constitution of the larger orders. When the third-order brothers or sisters adopted a common life and enclosure, they transformed this lay form of life into that of a religious order.[48]

The prehistory of the mendicant orders themselves includes confraternities of penitents who adopted the public practice of penance during the twelfth century.[49] The adoption of this pattern of life by the Franciscans and later by other orders, and the subsequent incorporation both of secular third orders and of beguine and beghard groups by the mendicant orders themselves,[50] illustrate the same pattern to be found in the ascetic movement as well as in other renewal movements in Christian history. The group is originally formed to live a more serious and sincere Christian life, but in order to be integrated into the larger Church, it acquires a formal institutional structure and a special definition.

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[45] Michaud-Quantin, pp. 98-99; Westlake, pp. 15-16, 44.

[46] "[O]n voit donc que la confrérie joue dans la localité le rôle de conseil municipal, bureau de bienfaisance, garde champêtre, agent voyer, lieutenant de louveterie, génie rurale, comité de fêtes et juge de paix." Michaud-Quantin, p. 189.

[47] See Jean-Claude Schmitt, "Apostolat mendiant et société. Une Confrérie dominicaine à la veille de la Réforme," *Annales. Economies. Sociétés. Civilisations* 26 (1971): 83-104.

[48] Gerald Joseph Reinmann, *The Third Order Secular of St. Francis*; D. C. L. dissertation, Catholic University of America, 1928 (Washington, D. C.: Catholic University of America, 1928), pp. 70-73.

[49] Meersseman, *Ordo fraternitatis* 1: 265-304.

[50] See Ernest W. McDonnell, *The Beguines and Beghards in Medieval Culture, with Special Emphasis on the Belgian Scene* (New Brunswick, N.J.: Rutgers University Press, 1954); Eva Gertrud Neumann, *Rheinisches Beginen- und Begardenwesen* (Meisenheim am Glan: Verlag Anton Hein, 1960), pp. 161-69; Adrianus Staring, "The Carmelite Sisters in the Netherlands," *Carmelus* 10, fasc. 1 (1963): 56-92.

The foregoing list does not enumerate all the types of confraternity to be found in medieval Europe. The type that will be the focus of this study is the independent devotional confraternity: independent because it is linked neither to a craft nor to a religious order, devotional because its activity is centered around religious activities involving and benefiting mainly or exclusively the confraternity's own members. This is the confraternity stripped to its associative core. While we shall hold to this definition throughout this study, it requires several qualifications.

First of all and simplest, the qualification based on function is arbitrary. The material and spiritual functions of a confraternity form a continuum from the group to the community of which it is a part. In the transition from a hospital for pilgrims to the distribution of parish relief to a separate chapel to a mass at a parish side altar, as the object of a confraternity's care, when does one cross the line? Even the prayers of the confraternity brothers were not merely for themselves or for their own ancestors and predecessors; they included the whole Church, temporal rulers, and all the souls in Purgatory.

Secondly, devotion was never separated from the rest of life. Overlooking this simple principle has caused tremendous confusion for historians of confraternities and especially of charitable institutions in the Middle Ages. One observer of medieval hospitals writes:

> In keeping with the concept of charity as a spiritual obligation, the charitable activities of medieval hospitals and parish churches assumed ritual forms designed to focus primarily on the spiritual significance of the act of charity rather than on the social and material benefits for the sick and poor.[51]

This is to make a distinction where none existed. The poor, the sick, the enslaved, the imprisoned, travelers, and the suffering souls were part of one community with those who aided them: to extend such help one could was a religious duty. If modern historians separate the earthly and the eternal in analyzing the motivations of their ancestors, valuing the former and belittling the latter, it only elucidates the limitations of the twentieth-century mind. Of course medieval Christians extended charity out of religious motivations involving a concern for their own eternal salvation. Today we have tax deductions instead, a motivation that leads altruism into a different set of "ritual forms."

Third and perhaps most important, we must view medieval confraternities within the Christian tradition of brotherhood. Here the distinctions between institutional and informal, between devotion and function, fade considerably. Confraternity—Christian brotherhood—was less a means to an end than an end in itself. If a confraternity supported a hospital, it was not because a confraternity was a good way to run a hospital, but because running a hospital was a good thing for a confraternity to do. The confraternity came first. Like the early Franciscans or the first ascetics, the founders of a confraternity were motivated by a desire first of all to apply the teaching of the New Testament to themselves, to live first as Christians and as brothers, and then to go on, together, to the performance of some good work, one which they could not perform as individuals.[52]

Making this distinction allows us to examine the confraternity in its "purest" form. If the confraternity embodies the religious aspirations of the laity during the Middle Ages it is an important institution in itself. All forms of this institution share certain fundamental goals and principles. It is, however, easiest to study in the form which gives us the fewest distractions—

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[51] J. A. Smith, p. 1.
[52] Westlake, p. 32.

external institutions such as hospitals on the one hand, or the influence of another directing tradition, as of a religious order, on the other. The latter is hardest to avoid, since a devotional confraternity could hardly exist without the aid of professionals in the field of religious teaching and ritual. We can therefore include some confraternities related to institutions, especially parishes, while eliminating such clearly clergy-dominated groups as the Confraternities of the Rosary.

Confraternities and Spiritual Renewal

One possible role for a confraternity, already hinted above, was as the carrier of a renewal movement. The religious life of the Middle Ages was not static, but involved periodic revivals. Some of these are well known. Bernard of Clairvaux and Francis of Assisi were each at the center of such a movement. Others were local and transient: revivals of that sort became more frequent and violent in the later Middle Ages.[53] Urban life, better communications which permitted preachers to travel from city to city, and material prosperity for some combined with obvious poverty for others, all provided a fertile ground for violent outbursts of religious fervor. Inspired by a preacher, men and women by the hundreds would renounce their sins and take concrete steps to live a more virtuous life. Restitution of usury and the settling of feuds were two common immediate results; a longer-term effect was the founding of confraternities.

In his study of Italian confraternities, Meersseman give examples of this phenomenon.[54] The penitential revivals in Italy, occurring about every generation from 1260, led to the formation in many cities of penitential (*disciplinati*) confraternities which practiced the "discipline" (i.e. flagellation). With each subsequent revival, the confraternities founded during the last one, which had since grown unenthusiastic and routine, rewrote their statutes and were founded anew. Although the confraternities Meersseman discusses were all under the patronage of the Dominican order, they were led by laymen, with the Dominicans providing a meeting place and spiritual services. The revivals in question were mass movements of the laity desiring to live a purer Christian life. The use of the discipline was a means to this end, though perhaps one less understandable to modern observers. The form that the revivals took, in order to join their participants to the tradition of the Church, was that of confraternities whose statutes embody the traditional teaching on brotherhood.[55]

Since the confraternities were founded by laymen, they provided at least to some extent an example of lay-led devotional life. In some cases, this leadership might be extensive, with laymen actually presiding at prayer services or even giving spiritual direction. None could, of course, entirely dispense with a priest for the celebration of the sacraments and remain orthodox, but the

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[53] Johan Huizinga, in *The Waning of the Middle Ages* (London: Edward Arnold, 1927), esp. pp. 4-5, gives examples of the violence of religious feelings as a part of the violent temper of the times.

[54] Meersseman, "Etudes sur les anciennes confréries dominicaines" *Archivum Fratrum Praedicatorum* 20 (1950): 22-64; *Ordo fraternitatis*, 1: 451-512.

[55] That an ideal of brotherhood is intimately connected with flagellant revivals is shown not only by the role of confraternities in them, but also by the use of the discipline, which had previously been a monastic custom. Flagellation thus represents an extension of the monastic type of brotherhood into the lay world. Marvin B. Becker, in *Medieval Italy: Constraints and Creativity* (Bloomington: Indiana University Press, 1981), pp. 138-65, focuses on the non-conformist and innovative aspects of these revivals. Becker clearly recognizes the importance in these phenomena of a vision of community. He says of flagellation, for example (p. 163): "Above all it was regarded as an act of love expressing solidarity of Christians in an enclosed community." In this context "enclosed" must be understood socially rather than physically. What he says of flagellation in the thirteenth and fourteenth centuries could apply in any Christian century to practices ranging from celibacy to speaking in tongues.

extent to which laymen could and did exercise responsibility for their own religious lives must expand our picture of the passive medieval layman.

Meersseman gives perhaps the fullest example of this lay direction in the statutes of the penitential Company of St. Dominic of Bologna, dated 13 September 1443. In form it is not merely a list of duties, but a treatise on the life of the pious Christian. Its title makes this clear: "A rule and teaching for secular men such as wish to live by a rule as good and true Christians, for the salvation of their souls, meeting together frequently to encourage one another."[56] The rule discusses daily prayer, attending mass, how to "put a brake on one's tongue," what religious duties to teach one's family, as well as more specifically confraternal matters as meetings and the election of officers. The head of the confraternity—a layman—had a larger role than just keeping track of the common purse. The brothers were required to go to confession once a month, and when they had done so, the head of the confraternity was to examine each one "to know the things which need to be corrected and mended in himself and in the others."[57]

Meersseman calls this rule a "masterpiece of its kind."[58] While so few are of that quality, rules such as this one formed the lives of many lay persons during the Middle Ages. Many rules specify that they should be read frequently to the assembled members, and in this way their teaching must have become more familiar than any other form of spiritual writing.

Religious Organization

Confraternities provided not only a channel for religious fervor at a given moment, not only teaching on devotional practice, but also a means of relating groups of lay people to the larger Church. This *encadrement*—providing a framework—was perhaps their most important effect. The Christian life is normally and essentially social. The confraternity provided the needed support to live such a life in the world. Beyond this, it also provided other kinds of social support where it was weak or lacking. C. M. de la Roncière gives an example of this process in his study of rural confraternities in the Florentine *contado*. The "Servi di Maria di Albagnano" which in the thirteenth and early fourteenth centuries had members scattered over an area of the countryside, was also called the confraternity of "Santa Maria di Semifonte"—a town destroyed by the Florentines in 1202. The resettled population of this village kept the memory of their community alive for several generations through the confraternity.[59] While pointing out that confraternities were religious organizations with a religious program, De la Roncière notes that they were to be found above all in the larger villages (*bourgades*) of the *contado*, which had recently lost their independence or gone into economic decline:

> The decay of the *bourgades* nevertheless aided the establishment of confraternities. The shaking of their foundations (population, commerce, prosperity) must have compromised the assurance, the social cohesion of these clusters. Confraternities thus acted as replacement or reinforcement structures by re-establishing on a

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[56] "Regula e amaestramento de homini seculari li quali vogliano vivere regulatamente come boni e veri christiani per salute de le anime loro, ragunandosi in sieme spesse volte per conforto l'uno de l'altro." "Etudes" p. 88; *Ordo fraternitatis*, 2: 669.

[57] "[P]er sapere le cose che bisogna corregere e mendare in sé e in gli altri." "Etudes" p. 92; *Ordo fraternitatis*, 2: 674.

[58] "Dans son genre c'est un véritable chef d'œuvre." "Etudes" p. 54.

[59] De la Roncière, pp. 64-68.

spiritual level the solidarity which was coming apart in daily life (ruin, death, parting, discouragement) or by masking the effects of this disintegration.[60]

The Confraternity and the Parish

Since the early Middle Ages, confraternities provided a social shelter for those who for one reason or another lacked the support of other bonds. They also represented a channel of lay religious initiative. Already in the ninth century, Hincmar might at once welcome such initiative in his church and seek to keep it within bounds. By the later Middle Ages, the Church provided under canon law an elaborate structure for organizing the laity. At the base of this legal structure was the parish. The relation of this parochial organization, incorporating in theory all lay Christians—effectively, all of secular society—to the voluntary confraternity is the subject of this study. In addition to whatever we can observe concerning the specific time and place of our study, there are several propositions concerning the confraternity and the parish, and in general the medieval laity, that we can test in this case.

Treating the relation of lay organization to the official structure of the Church enables us to overcome the "two-tiered" model of religion that has at times prevailed among historians. According to this notion, the religious beliefs and practices of élite and mass, clergy and laity, literate and illiterate, were totally different. Thus in the Middle Ages a thin film of clerical orthodoxy floated on a vast sea of popular paganism. This tempting view, however, does not hold up on close examination of the sources. Peter Brown's study of the cult of the saints in late antiquity, for example, shows that such a distinction inhibits an understanding of actual practices. Rather, he says, religious forms arise from "the need to play out the common preoccupation of all."[61] Therefore we cannot see the laity as something huge, immobile, and unresponsive, but as a living part of the whole that the historian of religion studies.[62]

The view that the laity in the medieval Church were mainly passive, simply following the direction of the bishops and clergy, remains, against persistent evidence, a commonplace. John Bossy in his study of the Catholic Reformation, finds it necessary to refute it:

> "Medieval society was . . ." it has been alleged, "largely composed of *nonparticipants*, inactive men." If this had been so, the Counter-Reformation would have had a far less exacting task.[63]

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[60] "La décadence des bourgades a pourtant pu aider la mise en place des confréries. L'ébranlement de leur assises profondes (population, commerce, prospérité) a dû compromettre l'assurance, la cohésion sociale de ces agglomérations. Les confréries y font alors figure de cadres de remplacement ou de renfort en rétablissant au niveau spirituel une solidarité qui se défait dans la vie courante (ruines, décès, départs, découragement), ou en masquant les effets de cette désagrégation." Ibid., p. 77.

[61] Peter Brown, *The Cult of the Saints* (Chicago: University of Chicago Press, 1981), p. 22. See pp. 12-22 for his discussion of the origin and defects of the "two-tiered" model.

[62] For another discussion of this question, see Jean-Claude Poulin, "Les Saints dans la vie religieuse populaire au moyen âge" in *Les Religions populaires*, ed. Benoît Lacroix and Pietro Boglioni (Québec: Presses de l'Université Laval, 1972), pp. 65-74. See also Raoul Manselli, *La Religion populaire au moyen âge: Problèmes de méthode et d'histoire* (Montréal: Institut d'Etudes Médiévales, 1975), and Bernard Plongeron, "La Religion populaire, nouveau mythe de notre temps?" *Etudes* 348 (1978): 535-548. For an anthropological discussion of religion as the "preoccupation of all," see Mary Douglas, *Natural Symbols*, Second ed. (London: Barrie and Jenkins, 1973).

[63] John Bossy, "The Counter-Reformation and the People of Catholic Europe" *Past and Present* 47 (1970): 54; he is quoting Michael Walzer, *The Revolution of the Saints* (London, 1966): emphasis in Bossy.

Bossy's argument is that not only was the medieval layman active, he was active in such a way as to impede the later efforts of the sixteenth- and seventeenth-century bishops to establish their control over the Church. This will be the first thesis to test: was the medieval layman in fact active, and did this activity run counter to the pastoral plan of the Catholic Reformation?

One obvious area of lay activity would be confraternities. Here indeed we see changes resulting from the Catholic Reformation. Since Hincmar, Church authorities had tried to incorporate confraternities into ecclesiastical structures, where they could more closely supervise them. This process was greatly accelerated after the Reformation, when local confraternities were incorporated into diocesan and supra-diocesan archconfraternities. Church authorities also took the initiative to found confraternities of a new kind, as part of a new post-Tridentine strategy.[64] This strategy changed the nature of the lay confraternity, transforming it into the instrument of a renewed, militant Church. This was the sort of confraternity about which St. Francis de Sales wrote, a confraternity armed with indulgences and privileges the better to recruit and organize the laity.

The importance of confraternities in the religious organization of the laity is the subject of an essay by Gabriel Lebras that has been the basis of all confraternity studies since. One thesis of Lebras's article, repeated and modified by subsequent historians, concerns the confraternity as a sort of substitute parish. Confraternities provided important support for the Church's activities, Le Bras writes,

> But all the time the confraternity has disturbed the Church by its natural independence and frequent disorders. It constitutes in the bosom of or above the legal parish a consensual parish, with its oratory, its clergy, its worship, its patrimony. Hence the competition of worship services, of funds, of influences. Hence conflicts with the pastor, with the parish council, always latent, which break out in epidemics.[65]

This thesis—that the confraternity formed a "consensual parish" in conflict with the legal one—does not seem initially unlikely. There are enough examples, from the eighth century onward, of suspicion of or opposition to confraternities by the hierarchy to demonstrate that conflict sometimes happened. We shall see what kind of relations, in our case, the confraternity had with the parish.

Analogy from modern examples also tends to support the Le Bras thesis. In a study of the surviving village confraternities in France, Martine Segalen cites several cases of conflict between parish clergy and confraternities. For example, in Avignon, penitential confraternities whose origins go back to the Middle Ages have recently been in conflict with the local parishes in an effort to preserve their existence and traditions.[66] Here, as in several cases in Normandy, the

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[64] See Bossy, "The Counter-Reformation and the People," pp. 60, 65; Lebras, *Etudes*, 2: 435-37; Giuseppe Barbiero, *Le confraternite del Santissimo Sacramento prima del 1539* (Treviso: Tipografia "Aer" Vedelago, 1941); Robert R. Harding, "The Mobilization of Confraternities against the Reformation in France," *Sixteenth Century Journal* 11, no. 2 (1980): 85-107.

[65] "Mais tout le temps la confrérie a inquiété l'Eglise par son indépendence naturelle et désordres fréquents. Elle constitue au sein ou au-dessus de la paroisse légale une paroisse consensuelle, avec son oratoire, son clergé, son culte, son patrimoine. D'où la concurrence des offices, des caisses, des influences. D'où les conflits avec le curé, avec la fabrique, toujours latents et qui éclatent en épidémies." Lebras, *Etudes*, p. 454.

[66] Martine Segalen, *Les Confréries dans la France contemporaine. Les Charités* (Paris: Flammarion, 1975), pp. 105-106.

application of the vernacular liturgy and other changes since II Vatican Council have threatened the traditional strength of confraternities in a fashion similar to that discussed by Bossy for the period following the Council of Trent.[67]

Later observers have argued that the medieval parish was weak and the confraternity strong. Building on Jacques Toussaert's evidence that parochial obligations enjoined by canon law were not well observed in Flanders at the end of the Middle Ages,[68] John Bossy asserts that the medieval Church "was not in actual fact a parochially-grounded institution."[69] Confraternities, on the other hand, provided the real religious life of the people. In view of the noteworthy abuses that affected the parochial ministry in the later Middle Ages, it would not be surprising that pious laymen might desert the parish in favor of some better framework for their religious life.

The mere existence and popularity of confraternities, however, is not enough to substantiate the non-parochial model of the medieval Church. Parishes, both urban and rural, continued to command loyalty from their members, as the number of funeral monuments in parish churches testifies. Clearly the relationship between the confraternity and the parish must be more complex than a simple opposition of one to the other. The parish was the unit of organization that locally embodied the inclusive and hierarchical principle of the institutional Church; the confraternity embodied the individual aspirations of the laity and the tradition of special brotherhood. Somehow these two elements had to work together.

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[67] Ibid., pp. 116, 187-89.

[68] Jacques Toussaert, *Le Sentiment religieux en Flandre à la fin du moyen âge* (Paris: Plon, 1963), pp. 122-204.

[69] Bossy, "The Counter-Reformation and the People," p. 53.