



DALL'INTRANSIGENZA ALLA MODERAZIONE

Le relazioni internazionali di Leone XII

a cura di

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SECONDA EDIZIONE



QUADERNI DEL CONSIGLIO REGIONALE DELLE MARCHE

con il patrocinio di



in copertina:

Ferdinando Cavalleri, *Leone XII riceve nella basilica di San Pietro il marchese Richard de Stacpoole e la sua famiglia presentati da mons. Robert Gradwell, rettore del Collegio Inglese*, 1828, collezione Richard VII duca de Stacpoole (fig. 18)

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SULLA PIETRA DI GENGA



CONSIGLIO REGIONALE
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ON THE EVE OF THE STORM: PORTUGAL AND THE HOLY SEE (1823-1829)

SÉRGIO RIBEIRO PINTO

Most likely, the royal court in Lisbon was not surprised by the choice of cardinal Annibale della Genga to succeed pope Pius VII as head of the Catholic Church. That name was on a list of candidates that diplomat Carlos Matias Pereira had communicated to the Secretary of State for Foreign Affairs on the 20th of august 1823; besides the future pope Leo XII, the list included Giulio Della Somaglia, Francesco Saverio Castiglioni, Pietro Galeffi and Emanuele De Gregorio¹. Pereira had previously expressed concern about the outcome of the ongoing negotiations on ecclesiastical reform undertaken in Portugal in previous years. He considered that the hypothetical replacement of cardinal Ercole Consalvi could be detrimental to national interests, since «perhaps the other Secretary of State would not be so condescending nor so well-intentioned regarding Portugal»².

The central place that the problem of ecclesiastical reform held, at that point, in the relations between Portugal and the Holy See, became blurred during the pontificate of Leo XII. Considering the profound changes that this reform implied in the definition of new equilibria between the Portuguese crown and the Catholic Church, it seems surprising that diplomats of both States were not kept busier in the following years. The few allusions to this subject in Portuguese diplomatic sources are enlightening as to the loss of relevance of this matter.

To understand the milestones in the diplomatic relations between the Portuguese and papal courts, it is necessary to consider the various political changes that took place in Portugal during the 1820s, as

1 Cf. Arquivo Histórico Diplomático (henceforth AHD) – PT/MNE/ID/DAB, *Livro da Embaixada de Portugal no Vaticano*, n.º 45, p. 420.

2 *Ibid.*, letter no. 42, 30-6-1823, p. 383.

well as their background. This will occupy the first part of this essay, which aims to highlight the main contours of this political evolution and its implications. These elements will help to frame, in the second part, the subjects that attracted the attention of both States' diplomats and shaped their respective actions. The path followed will be based on vatican and portuguese documentation that is preserved in the diplomatic archives of Portugal.

Between liberals and traditionalists: the political redefinition of an Empire (1820-1829)

The pontificate of Leo XII corresponded chronologically to a period of multiple political conflicts that rocked Portuguese society and that included the redefinition of the borders of its Empire. The ideological debate between the various factions close to liberalism and the multiple positions related to traditionalism ended up resulting in a civil war (1829-1834). Given the traditional social, symbolic and political weight of the Catholic Church and its institutions, it could not fail to be at the center of debates on the origin and legitimation of power, the configuration of the State and its administrative organization, and the bonds of society.

Those debates and the ruptures they generated were closely monitored by the major European powers. Within the framework of the equilibria and alliances defined during the Congress of Vienna, dynastic issues in the Iberian peninsula were «one of the most evident signs of the European political debate between absolutism and liberalism»³.

In Portugal, this process had been triggered, even before cardinal della Genga sat on the Chair of Peter, by the so-called Revolution of 1820. It was, in fact, a military uprising that took place in the city of Porto on august 24th of that year, followed by a second one, which broke out in Lisbon on 15 september. The union of the two movements resulted in the establishment of the *Junta Provisional do Su-*

3 I.N. VARGUES, L.R. TORRAL, *Da revolução à Contra-Revolução: Vintismo, Cartismo, Absolutismo. O Exílio Político*, in J. MATTOSO (dir), *O Liberalismo (1807-1890)*, Editorial Estampa, Lisboa 1998, p. 65.

premo Governo do Reino, which aimed at materializing some essential objectives: to elect a Parliament empowered to write a constitution; and to bring king John VI (1767-1826) and his court back to Lisbon, restoring the political center of the Empire to European territory.

The court had set sail from Lisbon to Rio de Janeiro in november 1807 following the invasions of Napoleon Bonaparte's armies. After that, Brazil, considered crucial to Portugal's international political standing⁴, would be elevated to the category of Kingdom (1815), while the continental European territory of the United Kingdom of Portugal, Brazil and the Algarves would be ruled politically and militarily by William Beresford. He was a British military man involved in the Peninsular Wars against Napoleon who, after the French armies' defeat, led the repression of the reformist ideals that had been increasing throughout the second decade of the nineteenth century.

King John VI agreed to the demands of the 1820 Revolution, swearing loyalty to the new constitution in february of 1821 while still in Brazil and returning to Lisbon on the 4th of july of the same year⁵. Written in the «name of the holy and undivided Trinity», maintaining the reigning dynasty (the House of Bragança), and defining the «Roman Catholic apostolic»⁶ as the «nation's religion», the 1822 Constitution was politically bold. The characteristics of this constitution contributed to the division of liberal sensibilities, as well as to the opposition of the traditionalist or absolutist factions. Above all, its inception was marked by the loss of a political and economically valuable portion of the Portuguese Empire. On september 7, 1822, prince Peter (1798-1834), heir to king John VI, led Brazil's independence movement, and was proclaimed its Emperor on the 13th of October.

The social and political antagonisms spurred by the Constitution of 1822 resulted in its short duration. Following the conspiratorial

4 Cf. J. PEDREIRA, F.D. COSTA, *D. João VI*, Círculo de Leitores, Lisboa 2012, p. 144.

5 Cf. *Ibid.*, pp. 284-285.

6 *Constituição Política da Monarquia Portuguesa* (23 de setembro de 1822), n.º 25 in *Constituições Portuguesas 1822 - 1826 - 1838 - 1911 - 1933*, Assembleia da República, Lisboa 2004, p. 19.

movement against the constitutional order known as the Vila-Francada and led by prince Michael (1802-1866)⁷, the king dissolved the liberal Parliament in June 1823. He sought to establish a representative system of a more traditional nature, that is, a middle way between liberalism, seen as radical and embodied in the Constitution of 1822, and the more moderate traditionalist factions.

The most passionate partisans of the traditional order, led by the queen consort Charlotte Joaquina (1775-1830) and her son prince Michael, considered this change insufficient. Named the army commander following the movement of 1823, the prince led a new traditionalist uprising on April 30, 1824, usually referred to as the Abrilada. When the initiative failed, king John VI exiled his son to Austria.

With the death of king John VI, on March 10, 1826, the Kingdom was ruled by princess Isabel Mary, who led the Regency Council until the enthronement of the new king Peter, emperor of Brazil at the time. Peter took advantage of the conjuncture to try to solve the political problem in which Portugal was immersed: on April 29, 1826, he ratified the second Portuguese liberal constitution, known as the constitutional charter. A compromise text between the various existing factions, the charter intended to «re-legitimize the monarchical constituent power without rejecting the new national representation schemes» and ending up appealing neither to the liberal factions that created the 1820s' movements nor to the traditionalist sectors⁸. On the 2nd of May of the same year, king Peter abdicated in favor of his daughter princess Mary, at the time a minor. He proposed that his brother prince Michael return from exile in Austria to assume the regency of Portugal with the conditions of abiding by the constitution and marrying Peter's daughter princess Mary, who would become the future queen Mary II.

While in Vienna in October 1826, Michael pledged allegiance to the constitutional charter, which paved the way for the negotiations to make effective the succession agreement that would allow his re-

7 Cf. M.A. LOUSADA, M.F.S.M. FERREIRA, *D. Miguel*, Círculo de Leitores, Lisboa 2012, pp. 39-53.

8 J.J.G. CANOTILHO, *As constituições*, in MATTOSO (dir), *O Liberalismo* cit., p. 130.

turn to Portugal, where he arrived on february 22, 1828 and began his regency four days later on the 26th, after renewing the oath of the charter⁹.

In the following months, the prince regent Michael would modify the agreement established with his brother Peter and formalized in the protocols of Vienna, established in 1827. In fact, prince Michael rejected the role he had accepted by leading the cause of those who considered king Peter's succession to be illegitimate and accepting their views regarding the portuguese Kingdom's constitutional organization. He dissolved the Parliement on march 13, decreeing on may 3rd the convocation of the three States according to the traditional way. This process resulted in his oath and acclamation as king on july 7.

His brother king Peter would lead the resistance of the liberal factions, federating them during a process that began in the archipelagos of Madeira in 1828 and, more significantly and continuously, in the Azores from 1829, culminating in a civil war that ended with the liberal victory in 1834, events that pope Leo XII did not live to see.

The roman diplomats: political prudence and the defense of ecclesiastical autonomy

When on October 25, 1823, Giacomo Filippo Fransoni announced the election of Leo XII¹⁰, he had been representing the papal interests in Lisbon for less than three months. As the titular archbishop of Nazianzo, he had arrived on July 30 at a divided court, given the alteration of the constitutional order following the Vila-Francada of may 27 of that year led by prince Michael.

The liberal initiatives on religious matters were in the process of being withdrawn, although some of the legislative measures of the liberal triennium did not change. Of the former, the most symbolic would have been the closure of the Inquisition¹¹. The reform of the

9 Cf. LOUSADA, FERREIRA, *D. Miguel* cit., p. 325.

10 Cf. Arquivo Nacional Torre do Tombo (henceforth ANTT), PT/TT/MNE-ASC/C/4-011/C506.

11 Cf. G. MARCOCCI, J.P. PAIVA, *História da Inquisição Portuguesa, A esfera dos livros*, Lisboa 2016, pp. 429-448.

monastic orders established by the october 24, 1822 Law was interrupted by the diploma of june 14, 1823, which demanded the reestablishment of the extinct monasteries and convents, as well as the restitution of their respective assets and previously-received income. In addition, the bishops were again assured of prior censorship of religious publications¹². Besides, king John VI authorized the return of Lisbon's patriarch, cardinal Carlos da Cunha, who had been exiled in Bayonne, France, following his rejection of the 1822 Constitution¹³.

The reformist measures, undertaken unilaterally, raised questions concerning the autonomous sphere of action of the portuguese State and the Catholic Church, as well as their bilateral relationship. Negotiations had been in progress since the end of the pontificate of Pius VII and continuing into the early years of Leo XII regarding the development of these reforms and their consequences, in particular those of a financial nature¹⁴. The see of Rome sought to ensure the recognition of its own sphere of action, as revealed in the *pro memoria* on the «violation of ecclesiastical jurisdiction» sent to the portuguese authorities by the nuncio Fransoni on November 17, 1823¹⁵.

The initiative gives a glimpse of roman concerns about the possible impact of the legal measures taken between 1820 and 1822 and which would only take effect in the following decade as a result of the liberal victory in the civil war. Meanwhile, king John VI followed the path of negotiation, as revealed by his request to affect the functioning of the basilica and royal convent of Mafra, whose income had belonged to the Inquisition. He justified himself by the fact that its elimination had not been his initiative, but that of the «constitutional government» resulting from a revolution that «unfortunately had

12 Cf. F. DE ALMEIDA, *História da Igreja em Portugal*, vol. III, Livraria Civilização Editora, Porto-Lisboa 1970, p. 284.

13 Cf. T. PONCES, *D. Carlos da Cunha (1818-1825)*, in C.A.M. AZEVEDO, S.C. SALDANHA, A.P.B. OLIVEIRA (coord.), *Os Patriarcas de Lisboa*, Centro Cultural do Patriarcado de Lisboa/Aletheia Editores, Lisboa 2009, pp. 70-71.

14 Cf. AHD – PT/MNE/ID/DAB, *Livro da Embaixada de Portugal no Vaticano*, n.º 45, p. 377-385.

15 ANTT – PT/TT/MNE-ASC/C/4-011/C506.

erupted in 1820». His request was an attempt to prevent the revenues from being put to «profane» uses¹⁶.

The portuguese diplomatic sources are silent on the nuncio's position regarding the consequences of the nascent ecclesiastical reforms. This seems to highlight the priority given to political developments. Moreover, the sources say nothing about the way Fransoni saw the divisions that the political and constitutional process opened among the ecclesiastical protagonists, although most of the prelates demonstrated a progressive distance, if not outright opposition, with respect to liberal factions and to the project of socio-political reform that they advocated.

As the Portuguese political evolution was uncertain, the actions of nuncio Fransoni were guided by strategic prudence and by observing the positions that the main European powers – England and France above all, but also Austria – were assuming on the matter. Revealing of this attitude are the actions he took in 1824 regarding the two most pressing issues: the leadership of the portuguese Kingdom and the resolution of the secession process in Brazil.

If the Vila-Francada, in what it represented as a restraint of the most openly liberal sectors, was generally accepted among the european powers¹⁷, the insurrection of prince Michael, who wanted to replace his father king John VI in the leadership of the country, was not. The so-called Abrilada, refusing the king's political moderation, sought a more determined return to the previous absolutist order. In this process, the nuncio played a prominent role, acting with other diplomats in defense of king John VI and securing his place on the throne¹⁸. The portuguese monarch related to the roman Curia how he positively appreciated the actions of Fransoni, to whom he granted the Grand Cross of the Order of Our Lady of Conception¹⁹.

16 AHD – PT/MNE/ID/DAB, *Livro da Embaixada de Portugal no Vaticano*, n.º 43, pp. 141-147.

17 Cf. S. MARTINEZ, *História Diplomática de Portugal*, Almedina, Lisboa 2010, p. 442.

18 Cf. DE ALMEIDA, *História da Igreja* cit., p. 475.

19 Cf. ANTT – PT/TT/MNE-ASC/C/4-011/C506.

The events of the spring of 1824 made it imperative, for the major European powers that sought to influence the evolution of portuguese politics, to resolve the Brazilian question. Austrian worries over the emergence of republicanism in Brazil and the delay in international recognition of Brazil's independence combined with the reinforcement of British diplomatic sway resulting from the Abrilada. The resulting process mediated by Great Britain would progress rapidly from June 1824 onwards, leading to the treaty of Rio de Janeiro (August 29, 1825), by which Portugal recognised Brazil's independence.

Attentive to the course of these events, it was also in 1824 that the nuncio sent to his portuguese counterpart a *memoria* on the credit of the Saint Peter Factory, arguing that the Holy Crusade Bull Commission should separate its portuguese and brazilian incomes²⁰ in expectation of brazilian independence.

The characteristics that defined roman diplomacy in Portugal did not alter with the change of nuncio in 1827 from Giacomo Fransoni to Alessandro Giustiniani. Among the three names proposed by Rome, the choice of the portuguese authorities fell upon the titular archbishop of Petra, about whom the portuguese ambassador heard favorable reports from the marquis de Fuscald, minister of the Kingdom of the Two Sicilies, where the diplomat held office²¹. The new nuncio, however, did not arrive in Lisbon until the second half of 1827 due to health problems and to the role he had in mediating an agreement with the neapolitan authorities²².

Giustiniani's initial interventions reaffirmed the prerogatives of the Holy See and the need for the portuguese Crown to respect them. On February 7, 1828, in a letter addressed to Secretary of State for War and Foreign Affairs Cândido José Xavier, he warned of the risk of opening a «very serious wound» in the case of the bishop of Elvas. It was, by then, debated in the Parliament, how and by whom should be tried Mgr. Joaquim de Meneses e Ataíde, considered to be one of

20 Cf. ANTT – PT/TT/MNE-ASC/C/4-011/C506.

21 Cf. AHD – PT/MNE/ID/DAB, *Livro da Embaixada de Portugal no Vaticano*, n.º 46, pp. 247-248.

22 Cf. *Ibid.*, p. 322.

the instigators of the demonstrations that took place in July 1827 in favor of the Constitutional Letter. The nuncio clearly stated that the «right to judge» bishops in matters of a criminal nature was reserved «to the Church». As the case needed to be treated with caution, Giustiniani asked for the personal commitment of Xavier²³.

The titular archbishop of Petra also sought to manage matters of a directly religious nature resulting from the Brazilian separation. Beyond the negotiations concerning the definition of the amount that the Holy See should receive for granting the Holy Crusade Bull, a matter completed even before Giustiniani left for Portugal²⁴, it fell to him to negotiate with Portuguese authorities the ecclesiastical re-organisation of the new Kingdom. Already in 1828, he communicated the positive response that Rome had given to the request of King Peter, which sought to separate from the Archdiocese of Lisbon the diocesan territories of Belém and Maranhão and make them dependent on the metropolitan see of S. Salvador da Baía²⁵.

Ultimately, Giustiniani maintained the same cautious attitude towards Portuguese political developments. According to the reports of João Pedro Miguéis de Carvalho, contrary to the constitution produced by the «innovators in 1822» containing «principles destructive of all order», the charter of 1826 had been well received, although it did not please «those who establish the royal *Placet* and the freedom of the press». This disapproval, being «very easy to presume», in the words of the Portuguese diplomat, was not manifested to him «by any esteemed person».²⁶ The same diplomat reported that the return of Prince Michael «produced general satisfaction, expecting» the Holy See «the best results» of that fact²⁷.

23 ANTT – PT/TT/MNE-ASC/C/4-011/C506.

24 Cf. AHD – PT/MNE/ID/DAB, *Livro da Embaixada de Portugal no Vaticano*, n.º 46, p. 312.

25 Cf. ANTT – PT/TT/MNE-ASC/C/4-011/C506.

26 AHD – PT/MNE/ID/DAB, *Livro da Embaixada de Portugal no Vaticano*, n.º 46, pp. 259-260.

27 *Ibid.*, p. 354.

The most important embassies expected a smooth evolution of the portuguese political order following the path of development of the new moderate liberal order established by the constitutional charter. This, however, did not happen. Prince Michael broke the Vienna protocols, causing Giustiniani to suspend his diplomatic activity on may 8, 1828²⁸. That action meant rejecting the initiative of the new king and revealed the alignment of papal diplomacy with that of the most influential representations at the portuguese court.²⁹ The portuguese ambassador to the Holy See, claiming his status as «Dean of the National Diplomatic Corps», underlined the widespread denial that prince Michael's initiative deserved, leading to «a rupture with all nations»³⁰.

From the Holy See's point of view, however, this attitude did not imply the formal rupture of diplomatic relations that was demanded by the liberal sectors. In fact, it was consonant with the words attributed to pope Leo XII, who supposedly expressed his preference for prince Michael. Nevertheless, the pope considered not having conditions to recognize Michael as the legitimate king³¹.

For the portuguese ambassador, the Count of Funchal, the prudence of the Holy See actually worked to legitimise prince Michael. In fact, he expressed to the cardinal Secretary of State on august 1, 1828 his repudiation of the papal consul's action in Porto. He considered it «very serious» that the consul had secretly informed the commander of prince Michael's troops about the movement of soldiers who remained loyal to the rightful king. He called for «convenient amends», which were demanded by the «dignity of the Holy See» and by «the due respect for the rights of the legitimate sovereign of Portugal, His Majesty the King D. Peter IV». That is to say, he considered that the consul had not only violated the duty of neutrality but

28 Cf. ANTT – PT/TT/MNE-ASC/C/4-011/C506.

29 Cf. *Documentos para a Historia das Cortes Geraes da Nação Portuguesa*, T. IV, Imprensa Nacional, Lisboa 1887, pp. 542-544.

30 AHD – PT/MNE/ID/DAB, *Livro da Embaixada de Portugal no Vaticano*, n.º 48, pp. 3-4.

31 Cf. DE ALMEIDA, *História da Igreja* cit., p. 286.

also served as a «spy» to the «usurpation army». In the ambassador's opinion, the consul followed the bad example of his immediate superior, the nuncio, who prolonged his stay in Lisbon without considering «the positive orders he must have received to leave his residence», as formally assured by the cardinal Secretary of State. The behavior of papal diplomats «misled the Portuguese» by making them believe «that the Infante's cause would not be so bad, since His Holiness did not seem to share the cause of all Europe's sovereigns, allowing the nuncio to remain in Lisbon»³².

Faithful to the liberal constitutional cause, the portuguese diplomat would eventually abandon his place in 1828, which would be disputed by the sectors supporting the traditionalist and liberal causes. It was only after Leo XII's pontificate had ended that the Holy See changed its position, when the same titular archbishop of Petra reported on october 15, 1829 that he had resumed his "diplomatic quality" within the court of Lisbon³³. The recognition of prince Michael would, after the military triumph of the liberal sectors, result in a rupture in the relations between the two States that would only be diplomatically resolved by the Agreement of 1848.

ABSTRACT

Just before the pontificate of Leo XII, the diplomatic relations between Portugal and the Holy See focused on the ecclesiastical reforms that both powers considered necessary, although diverging on the way to carry them out. Those issues became secondary during this pontificate, given the relevance of the internal divisions between the groups affected by political liberalism and those that resisted its emergence. The political changes underway in Portugal, combined with the redefinition of the borders of its Empire with the independence of Brazil, were closely followed by the major European powers. The papal diplomacy was guided, on religious issues, for the defense of ecclesiastical prerogatives and, as far as politics is concerned, for prudence, trying not to take sides in the internal divisions

32 AHD – PT/MNE/ID/DAB, *Livro da Embaixada de Portugal no Vaticano*, n.º 47, pp. 61-63.

33 Cf. ANTT – PT/TT/MNE-ASC/C/4-011/C506.

that would result in a civil war after the end of the pontificate of Leo XII and the severing of diplomatic relations that would only be fully restored in 1848.

Keywords: Portugal, Liberalism, Counter-revolution, Ecclesiastical reforms