

we have the strongest testimony from Hallam, who declares that, "as a school of moral discipline, the feudal institutions were perhaps most to be valued. Society had sunk for several centuries after the dissolution of the Roman Empire into a condition of utter depravity, where, if any vices could be selected as more eminently characteristic than others, they were *falsehood, treachery, and ingratitude*. In slowly purging off the lees of this extreme corruption, the feudal spirit exerted its ameliorating influence. *Violation of faith stood first in the catalogue of crimes*.....most branded by general infamy. The feudal law-books breathe throughout a spirit of honourable obligation."²⁵⁸ For an answer to the second question mentioned above we may advantageously consult Guizot, who considers himself to have clearly demonstrated the natural evolution of chivalry as "the spontaneous consequence of Germanic manners and feudal relations," and without—in its origin—any *arrière pensée* whatever beyond the military bond. Presently, however, he tells us, "religion and imagination, the Church and Poetry, took possession of chivalry, and made it a powerful means of attaining the ends which they pursued": and, after describing the various religious rites which were ultimately attached to the ceremony of knighting, he quotes a series of oaths imposed upon the new knight, in order to prove the intimate alliance of religion with chivalry—of which oaths, by the bye, one might say that several of them put a premium upon perjury, by binding the new knight to all sorts

²⁵⁸ Hallam's *Medlsm.*, I., p. 322. Buckle, who very much qualifies the praise usually accorded to chivalry for its humanizing influence, says nothing as to its influence upon veracity and fidelity. (*Buckle*, II., p. 133.)

of fantastic and impracticable conditions which he was morally certain to violate at some time or other.²⁵⁹ For the rest, however, this series of oaths entirely corroborates Hallam's statement as to the stress laid by chivalry upon fidelity to a promise: but we must analyze the value of Guizot's testimony to the share of religion in this reformation.²⁶⁰ Summing up the whole evidence adduced by him, we find that chivalry and its manners were developed by a natural process of evolution from a purely secular origin; and would have been so developed, whether Christianity or any other religion had or had not appeared upon the scene: but that Christianity seized upon chivalry—as upon every other social phenomenon—and sought to subordinate it to its own ends. Hereupon two farther questions suggest themselves—firstly, did the clergy lay hold of chivalry with a real desire to use it as a weapon of moral reformation, or mainly with the object of asserting here, as everywhere else, the supremacy of the Church: and, secondly, how far did the Church's preaching and injunctions, as such, produce any effects upon the knights initiate? Clearly, if the Church alone had proved impotent to check the depravation of mankind; and if, after centuries of blind religious submission and universal perjury and treachery, a reformation was at last effected by chivalry; then the credit of this reformation should go to the secular elements in chivalry rather than to the religious.

That the oath of the new knight was a religious factor is obvious: but the question that concerns us

²⁵⁹ *E.g.*, "that, having made an oath or promise to go upon some quest or strange adventure, they would never lay aside their arms except to repose at night."

²⁶⁰ *Guizot*, III., pp. 106–113.

is—*what was the true sanction of his faithfulness to his oath?* Did he keep truth because religion taught him to; or was there some other sanction? To believe that religion is to be credited with having inculcated such a regard for truth, is difficult after what we have learned as to the consistent influence of the Church towards perjury: and Guizot, asserting in one breath that the clergy alone could have infused the moral element into chivalry,²⁶¹ admits in the next that “the poets imposed the same duties, the same virtues.”²⁶² What, then, was the other and non-religious factor? I answer—the sentiment of pride and self-respect which was so carefully nursed by chivalry. Vast evil was wrought by this steady discipline in pride; for it involved a *caste-feeling* that prompted inhumanity towards, and contempt for, burghers and peasantry; and fatally narrowed the sympathies: but, none the less, it did teach men the self-respecting virtues of which truthfulness is so pre-eminently one. Gibbon tells us that education, example, and public opinion, were the inviolable guarantees of the knight’s oath: and the impartial Hallam, who is very emphatic on the great moral educative influence of chivalry, equally regards it as a purely secular influence. He tells us that in chivalry “breach of faith, and especially of an express promise, was held a disgrace that no valour could redeem. False, perjured, disloyal, recreant, were the epithets which he must be compelled to endure who had swerved from a plighted engagement even towards an enemy. *This is one of the most striking changes produced by chivalry.* Treachery, the usual vice of savage as well as corrupt nations, became infamous during the vigour

²⁶¹ *Ibid.*, p. 111.²⁶² *Ibid.*, p. 112.

of the discipline.”²⁶³ This is a conclusive verdict for the signal services of chivalry in educating men to a truthfulness that religion had not simply failed to teach, but had undermined by both precept and example: and the evidence seems to show (1) that chivalry did afford this training in truthfulness; and (2) that the training was due, not to the religious element in chivalry, but to the purely secular—to an element, indeed, that was utterly anti-Christian: for what can be more essentially anti-Christian than the lofty and disdainful pride that characterized the knight of old? While councils, cardinals, patriarchs, and popes, were preaching that faith must not be kept with infidels and heretics, and that the Pope can dispense and annul oaths; these stern warriors were teaching—and not by mouth alone, but in very real deed—that a plighted word is sacred, and that any death or disaster were preferable to treachery and perjury.

VI.

After this digression we may now take up the record of the thirteenth century, during which period the popes and their legates seem to have been particularly active in perjuring themselves and in promoting perjury by others. It is a pleasing illustration of what has just been said regarding chivalry that, when Andelys was captured by the French in 1204, Roger de Lacy was detained prisoner *on parole* on account of his bravery in defending the fortress:²⁶⁴ but after this the tide of clerical and lay perjury rolls in upon us. In 1205 Reginald, archbishop-elect of

²⁶³ Hallam's *Medlsm.*, III., p. 494; and see *Gibbon*, VI., p. 425.

²⁶⁴ *Wendover*, II., p. 213.

Canterbury, perjured himself most flagrantly by breaking the oath of secrecy imposed upon him by the monks:²⁶⁵ and in 1209 the Emperor Otto broke his oath to the Pope, and attacked Naples.²⁶⁶ Then in the same year, during the Albigensian War, the papal legate obtained possession of Carcassonne, the capital city of the viscounty, by an act of gross perfidy and treachery—putting in practice the execrable papal maxim, *that no faith is to be kept with heretics*.²⁶⁷

In 1211 Pope Innocent absolved all King John's subjects from their allegiance to him:²⁶⁸ and, when Magna Charta was signed in 1215, Innocent, as *suzerain* of England, immediately issued a bull declaring the Charter null and void, and forbidding the King, under pain of excommunication, to fulfil the provisions to which he had sworn.²⁶⁹ The confederate barons, on their side, were not free from perjury; for they had sworn on the gospels that, if d'Albiny were besieged in Rochester, they would rescue him and raise the siege. When the time came, "in order therefore that they might seem to be doing something in accordance with their oath and plighted faith," they immediately started; but almost at once turned back to London, where they remained amusing themselves.²⁷⁰ During this same year, 1215, the Pope—who had now had much practice in dissolving oaths and procuring perjury—ordered that if any intending crusaders "are bound by oath to the payment of

²⁶⁵ *Ibid.*, p. 215.

²⁶⁶ *E. B., Innocent III.*

²⁶⁷ Smith's *France*, p. 153. (The trick consisted in seizing perfidiously the viscount, and thus leaving the garrison no option but to surrender.)

²⁶⁸ Howitt's *Prteft.*, p. 99.

²⁶⁹ *Wendover*, II., p. 333. Green's *Hist.*, I., p. 244. Draper's *Devpmt.*, I., p. 54. Smith's *France*, p. 156.

²⁷⁰ *Wendover*, II., pp. 337 *et seq.*

usury, their creditors shall by ecclesiastical authority be compelled to forgive them their oath." ²⁷¹

During the next reign again the Pope was particularly active on behalf of John's worthless son. We are told that "Henry III., though a very devout person, had his own notions as to the validity of an oath that affected his power, and indeed passed his life in a series of perjuries. According to the creed of that age, a papal dispensation might annul any prior engagement: and he was generally on sufficiently good terms with Rome to obtain such an indulgence." ²⁷²

I may remark here, as appropriately as anywhere else, that the popes were as liberal to themselves as to others: and the marvel is that anyone should have thought it worth while to attempt to bind anyone else by an oath in times when oaths were so easily broken. For instance, a new pope, after his election but before his consecration, "swore to observe certain capitulations—such as a participation of revenues between himself and the cardinals; [and] an obligation that he would not remove them, but would permit them to assemble twice a year to discuss whether he had kept his oath: [but] repeatedly the popes broke their oath." ²⁷³ All the trouble, however, caused by such breaches of faith is intelligible enough; since, as Gibbon remarks, "whatever promises were made [before his elevation], the pope could never be bound by the oaths of the cardinal." ²⁷⁴

History is now full of examples of perjury—not because perjury was more common than before, I presume, but simply because this period is more fully chronicled. In 1223 Louis of France broke his oath

²⁷¹ *Ibid.*, p. 345.

²⁷³ Draper's *Conf.*, p. 277.

²⁷² Hallam's *Medlsm.*, II., p. 453.

²⁷⁴ Gibbon, VII., p. 426.

to Henry III. to restore Normandy, and accused the English of violating an oath to him :²⁷⁵ and in 1226, at the siege of Avignon by the legate and the French, the legate at last induced the citizens to open their gates on the security of his oath ; but, according to the pre-arrangement, as soon as the gates were opened, the French troops entered. Even the monkish chronicler calls this proceeding treachery.²⁷⁶ In 1227 the crusaders broke a truce with the Saracens, which had been confirmed by an oath ; although the Duke of Limburg warned them that such breach of the truce would be dangerous and dishonourable : but they replied that the Pope had excommunicated all such crusaders as should fail to join the crusade, although he knew that the truce had yet two years to run ; whence they inferred that he did not wish the truce to be kept !²⁷⁷

In 1233-4 Henry III. was engaged in a persecution of the Earl Marshal : and a tissue of perjuries is charged against the King in this connection.²⁷⁸ Henry indeed shares with Charles I., Ferdinand the Catholic, and Louis XVI., the disgraceful distinction of being a characteristic and chronic perjurer ; and his biography is one long record of lies. Curiously enough—or is it curious?—he resembled these three other monarchs in being a most religious man : and, before mentioning fresh examples of his perjury, I may cite the testimony of Matthew Paris to his religious devoutness. He was—says Paris—“ distinguished for his devotion to the Lord ; for it was his custom every day to hear three masses with the notes ; and, as he wished to hear more, he assiduously

²⁷⁵ *Wendover*, II., p. 444.

²⁷⁷ *Ibid.*, p. 491.

²⁷⁶ *Ibid.*, p. 482.

²⁷⁸ *Ibid.*, pp. 572, 578.

assisted at the celebration of private masses : and, when the priest elevated the body of our Lord, he usually held the hand of the priest and kissed it."²⁷⁹ This evidence is conclusive as to Henry's sincere religiosity : and now we may consider a few more examples of his perjury. In 1237 Henry demanded a subsidy from his people, and *swore* to govern well in future if the money were granted—an oath which notoriously he did not keep—and he also denied the report (which, however, was doubtlessly correct !) that he was endeavouring to obtain a papal dispensation from the charters already granted.²⁸⁰ In the following year Paris mentions how often Henry had broken his oath not to act in important matters without the advice of his subjects :²⁸¹ and we also find the King attempting to procure the election of a foreigner to the bishopric of Winchester ; " although he had often before sworn to dismiss, and not to advance the interests of, foreigners."²⁸² In this same year 1238, too, de Montfort bought permission from Rome to enjoy his marriage ; although he had solemnly vowed not to contract that marriage, and had broken his vow.²⁸³

We now pass to some examples of foreign perjury—for all Europe was alike forsworn. In 1239 the Pope excommunicated the Emperor, and absolved from the observance of their oath all who had sworn fealty to him, " persuading them that they were faithful in infidelity, obedient in disobedience"—says Paris caustically. His Holiness also wrote to the German nobles and prelates to stir them up against the Emperor.²⁸⁴ In view of all this cult of

²⁷⁹ *Paris*, III., p. 382.²⁸⁰ *Ibid.*, I., pp. 44-45.²⁸¹ *Ibid.*, p. 121.²⁸² *Ibid.*, p. 135.²⁸³ *Ibid.*, p. 130.²⁸⁴ *Ibid.*, pp. 169, 239.

perjury it can scarcely be surprising to find Paris—after mentioning “a pious lie” told by a French noble to the Sultan of Babylon—reporting that “the Saracen princes detested the deceit and falsehood of the French”; and that the Sultan of Damascus now broke a treaty with the Christians, and made peace with another Sultan against whom he and the Christians had been allied—“*having no faith in the words or compacts of the Christians.*”²⁸⁵

In 1241 we at last meet an example of the opposite character: for Cardinal Otho kept his parole by returning from Rome to the imperial prison, and thus releasing the hostages whom he had given.²⁸⁶ In 1242, also, Louis IX.—one of those notable men who are good and noble in the teeth of a demoralizing religion—showed great fear of breaking the oath which his father had sworn to restore the King of England his rights; which oath his father, when dying, had enjoined him to observe: whereupon one of his nobles endeavoured to prove to him that the English King had broken the counter-oath.²⁸⁷ On the other hand, in the same year, the Archbishop of Cologne was taken prisoner when returning from Rome in disguise, and was released after swearing faithfully “never again to plot against or to injure the Emperor. The Archbishop, however, ill kept his oath.”²⁸⁸ In the same year too Walter Bisett, having foully murdered a number of people, was allowed by the King of Scotland to leave the country after swearing that he would go to the Holy Land and never return: but, instead, he went to the King of England, and laid a complaint against the Scotch monarch.²⁸⁹

²⁸⁵ *Ibid.*, p. 315.²⁸⁶ *Ibid.*, p. 388.²⁸⁷ *Ibid.*, p. 416.²⁸⁸ *Ibid.*, p. 403.²⁸⁹ *Ibid.*, p. 413.

In 1244 we have another example of that pernicious and demoralizing practice of proxy-swearing; for the King of Scotland caused sundry of his people to swear *on his soul* (!) that he would observe the treaty with England.²⁹⁰ In the same year we find that arch-perjurer Henry III. "protesting with his usual oath";²⁹¹ whereat his nobles complained that he had broken his promises, "paying no regard to the oath he had taken."²⁹² Abroad too the Emperor retracted the terms of his reconciliation with the Pope, although of course he had sworn to observe them:²⁹³ and in 1245 the Pope in general council retaliated by absolving everyone from his oath of allegiance to the Emperor.²⁹⁴ The Pope also preached the seventh crusade; and, renewing Gregory's decree of 1234, made the usual order that any crusaders bound by oath to pay interest should be released by their creditors.²⁹⁵ The frequent repetition of this infamous papal decree must have greatly conduced to that mutual confidence which is the basis and result of commercial morality: but these were among the varied means by which Christ's vicars fought hard through the centuries to destroy every safeguard of morality, and to reduce Christendom to a level far below that of the Pagan Norse pirates. Even sincere Catholics could not but feel that the main props of society were sapped by the papal cult of systematic perjury; and in 1246 the English Parliament, complaining of the papal extortions and oppressions from which this country suffered, declared *inter alia* that "it is oppressed by the reiterated appearance of that infamous message *notwithstanding*, by which the

²⁹⁰ *Ibid.*, II., p. 25.

²⁹² *Ibid.*, p. 12.

²⁹⁴ *Ibid.*, II., p. 85.

²⁹¹ *Ibid.*, p. 11.

²⁹³ *Ibid.*, I., p. 522.

²⁹⁵ *Ibid.*, p. 89.

religious bond of an oath, old customs, the strength of the scriptures, the authority of grants and concessions, and established laws and privileges, are weakened and destroyed."²⁹⁶ These medieval Catholics knew far better than the theorizing modern apologists how much influence religion has upon the maintenance of the plighted word: and still the tide of perjury rolled on. In 1248 we find Henry III. blamed because, "contrary to the first and chief oath which he made at his coronation," he impoverished the bishoprics and abbacies, etc.:²⁹⁷ and in 1249 we find another example of systematic and deliberate training in perjury afforded by the friars,²⁹⁸ who were accustomed to preach the crusade, and confer the cross, and immediately afterwards receive it back, and release the recipient from his vow—for a sum of money.²⁹⁹

Under the date of 1250 Paris again returns to the well-worn theme of King Henry's perjury; and tells us that the Gascons had not allowed that monarch to depart, until they "extorted from him a grant of 40,000 marks, for the fulfilment of which they also forced from him his pledged word, his oath, and also a charter."³⁰⁰ Since Henry proceeded to screw this money out of the English prelates, I thought that I had at last hit upon an instance in which, for some reason, he did keep his oath: but unluckily I presently found Paris explaining that "he believed that he could deceive them by such large promises; but the deceiver at last found himself caught in a trap; for the Gascons, in proof of the transaction,

²⁹⁶ *Ibid.*, p. 149.

²⁹⁷ *Ibid.*, p. 256.

²⁹⁸ There are various other instances of this proceeding in M. Paris.

²⁹⁹ *Ibid.*, p. 300.

³⁰⁰ *Ibid.*, p. 332.

kept the sealed papers of the king.”³⁰¹ Perjury seems to have run in the Angevin blood: for in 1251 the King’s half-brother, Guy, arrived in England penniless, and borrowed horses from the abbat of Feversham, *swearing* that on reaching London he would return them with thanks; but, arrived there, he kept the horses, and sent back the abbat’s servants after “unmentionable insults.”³⁰²

In 1253 there were again complaints of Henry’s past and present perjuries:³⁰³ but in that year he *most solemnly swore* to the charters, and joined in a frightful curse upon himself if he should break them. Immediately afterwards, however, he, “taking the worst of advice, sought to invalidate all the aforesaid proceedings. His friends said:—‘Do not trouble yourself if you do incur this sentence: *for one or two hundred pounds the Pope will absolve you.*’”³⁰⁴ Accordingly Henry did not “scruple to violate many of the conditions of the charters, for the observance of which such an awful sentence had so recently been pronounced:”³⁰⁵ and in the following year we are again told that “he hesitated not to violate and infringe them, *believing that for a sum of money* he could obtain absolution for the transgression.”³⁰⁶ Any comment whatever upon this aspect of religious influence really seems superfluous; for the bare facts are in themselves the most significant and conclusive moral: and we must heartily sympathise with Paris’s quaint remark that “the prelates and nobles did not know how to secure their Proteus, meaning the

³⁰¹ *Ibid.*, p. 490.

³⁰² *Ibid.*, p. 417. (In 1253 we hear of the perjury of Gaston of Bearn—but apparently at some earlier date [*Ibid.*, III., p. 20]).

³⁰³ *Ibid.*, III., pp. 12, 13.

³⁰⁴ *Ibid.*, pp. 26–27.

³⁰⁵ *Ibid.*, pp. 29–30.

³⁰⁶ *Ibid.*, p. 83.

King;.....for in all his actions he exceeded the bounds of truth: and where there is no truth, no fixed and certain reliance can be placed."³⁰⁷

In 1258 we have again a really appalling example of the systematic and deliberate manner in which men were educated and incited to perjury by religion: for in this year a Minorite friar arrived in England with extensive papal powers, of which Paris gives us the following account:—"His power indeed was such that, as it was stated, he absolved the partizans of the King, whoever they might be, when changing their vows [to join the crusade], and when excommunicated; and even justified false-speakers and perjurers: *in consequence of which many assumed boldness in sinning; for the facility of obtaining pardon gave reason for sinning:* but among wise and prudent persons this only gave rise to ridicule and derision."³⁰⁸ I do not know whether this open white-washing of perjury encouraged Henry; for indeed he needed no encouragement or example: but in this same year he again obtained papal absolution from his oath to observe the ordinances:³⁰⁹ and naturally there were again complaints of his frequent perjuries and of the impossibility of keeping him to his word.³¹⁰ In 1260 again this miserable king, who "had sworn inviolably to observe the provisions made at Oxford, already repented having taken such an oath; and, fearing that he should incur the charge of perjury if he did not observe them [!], sent privately to the Pope, begging him to absolve him from his oath: *which favour he very easily obtained.*"³¹¹ Prince

³⁰⁷ *Ibid.*, p. 120.

³⁰⁸ *Ibid.*, p. 271.

³⁰⁹ *Edwards*, II., p. cxiv. of Appendix (apparently from Barling's Chronicle).

³¹⁰ *Paris*, III., p. 279. Cf. *Green's Hist.*, I., pp. 292, 293.

³¹¹ Cf. *Paris*, III., p. 333.

Edward, however, kept his oath, and therefore in 1261 joined de Montfort and the barons:³¹² and Green speaks enthusiastically of de Montfort's unswerving constancy to the oath which he had taken³¹³—in which connection, however, we cannot forget the unpleasant episode already mentioned, which unhappily prevents us from thinking of the great reformer as a man who had never paltered with his oath.³¹⁴ In 1262 Paris tells us that "the King, now conceiving himself in security, determined openly to withdraw from the oath he had made, as he was absolved from it by the Pope";³¹⁵ and in 1263, after Louis of France had arbitrated and decided against the barons, "many of the nobles perjured themselves, and withdrew from their allegiance to the Earl of Leicester."³¹⁶ Finally it would seem from the Chronicler's account as though several of those who joined Edward after his escape in 1265 thereby broke their oath to de Montfort.³¹⁷

Here at last, then, we finish the long story of English perjury during the reign of Henry III.; and at this point it may be remarked that Boccaccio, who wrote nearly a hundred years after this time, represents oaths as being held in great respect in France at apparently this period:³¹⁸ but, as we have already learned, the contemporary Saracen princes found that Frenchmen of this age were embodiments

³¹² *Ibid.*, pp. 336-337; Green's *Hist.*, I., p. 294.

³¹³ Green's *Hist.*, I., p. 292.

³¹⁴ *Supra*, p. 81.

³¹⁵ *Paris*, III., p. 338.

³¹⁶ *Ibid.*, p. 339.

³¹⁷ *Edwards*, I., p. 68.

³¹⁸ *Boccaccio*, I., pp. 23-24. (Boccaccio says that he is speaking of the time of Charles Sansterre, brother to the King of France, who came into Tuscany on the invitation of Pope Boniface. I have assumed that he refers to Charles of Anjou; in which case the period in question will be that of 1266-82: *but* there is the difficulty that there was no Pope *Boniface* at this time! See *infra* p. 89.)

of falsehood and perjury—the good King Louis, of course, always excepted.

After such examples of perjury as I have recounted, it can scarcely surprise us to learn that a deputation of Florentine citizens, addressing the Signory in 1371 on the troubles of their city, remarked that, “as the knowledge of religion and the fear of God seem to be alike extinct, oaths and promises have lost their validity and are kept as long as it is found expedient: they are adopted only as a means of deception; and he is most applauded and respected whose cunning is most efficient and secure.”³¹⁹ We may certainly accept the Florentines’ testimony to the uselessness of oaths in their time, while forming our own opinion as to the cause of such perjury. Upon this matter I have perhaps already spoken sufficiently: but we may note as very significant, and very characteristic of a century marked by the upgrowth of the new papal system, that Aquinas, the great Catholic doctor, who died in 1274, “pronounces that, from the moment of the issue of an authoritative excommunication against a sovereign, he is deprived of the right to rule, and his subjects are released from their oath of allegiance.”³²⁰ The issue of such absolutions of subjects from their allegiance was a very favourite trick with the popes: and in 1282 we find Martin IV. excommunicating Pedro of Aragon—for making war upon a fief of the holy see—and absolving his subjects from their oath of allegiance.³²¹ There is—in a sense—some satisfaction in learning that, through successive generations, the popes themselves suffered from the perjury

³¹⁹ Machiavelli’s *Hist.*, p. 114.

³²⁰ Lane Poole, p. 241.

³²¹ Smith’s *France*, p. 176.

in which they taught Christendom to indulge. They had vainly compelled Otho IV.³²² and Frederic II.³²³ to promise that they would renounce those imperial pretensions over which popes and emperors had wrangled so long; for, as soon as those Christian emperors had received the imperial crown in Rome, they had renewed their pretensions in defiance of their promises: and now the Emperor Rudolph,³²⁴ who had similarly bound himself by the usual promise, attempted to revive the imperial authority in Italy.³²⁵ Rudolph himself, however, suffered from the perjury of others; for, during the war between him and Ottocar, the latter "bound himself by oath to fulfil the Articles of the Peace," but broke faith immediately upon the departure of the imperial ambassador.³²⁶ It would be amusing, were it not so painful, to learn that Ottocar the perjurer also suffered from perjury: for, when this war broke out, the Archbishop of Salzburg, siding with Rudolph, had absolved the people of his diocese from their oath of allegiance to Ottocar.³²⁷

Resuming again the strict chronological sequence, we find that in 1282 the Welsh princes raided the Marches, contrary to their oath;³²⁸ and that, after Charles of Anjou, son of the ex-king of Sicily, had been liberated from prison in 1288 on certain conditions to which he swore, he went to Rome, where Pope Nicholas absolved him from his oath to King Alfonso, and crowned him King of Sicily. Milman styled this act of the Pope's "the most monstrous exercise of the absolving power which had ever been advanced in the face of Christendom": but I should

³²² Reigned 1208-1215.

³²⁵ *Coxe*, I., p. 43.

³²³ 1215-1246.

³²⁶ *Ibid.*, pp. 34-35.

³²⁸ *Edwards*, I., p. 90.

³²⁴ 1273-1291.

³²⁷ *Ibid.*, p. 30.

think that innumerable preceding examples are on practically the same level.³²⁹ The next pope, the infamous Boniface, absolved Baliol from his oath to Edward;³³⁰ and, having quarrelled with Albert, the Emperor-elect,³³¹ he wrote to the ecclesiastical Electors of Germany, absolving the vassals, subjects, and Electors, of the Empire from their oaths to Albert.³³² Boniface similarly released the French from their allegiance to Philip le Bel:³³³ but his quarrel with that monarch happily ended in his own ruin and death. I may conveniently mention here that Guido, Earl of Flanders, was twice taken prisoner, notwithstanding the promises of safe-conduct made to him by this same Philip of France; and that "Albrecht, Earl of Franconia, was betrayed by Otho, Bishop of Maintz; [and] John of Aragon was slain by Albertus Bavarus, Earl of Hainault and Flanders, notwithstanding he had given him a passport and engaged his honour as a security for his person."³³⁴

The reader will probably think that the repeated exercise of the papal claim to absolve princes and subjects and clerics and private persons from their most solemn oaths and promises—a practice that had now been in use for centuries, and the repetition of which could usually be assured by the offer of a sufficient bribe to the Pope, in cases where his own private ambition or malice did not cause him to take

³²⁹ *Walsingham*, I., pp. 30-31. *Commines*, II., p. 96. *E. B., Nicholas IV.* (De Commines says that the arrangement with the King of Aragon had been made through the Pope's influence—a statement which places the Pope's perfidy in even a worse light! *Walsingham* says that Charles owed his liberation to King Edward's good offices.)

³³⁰ *Green's Hist.*, I., p. 363.

³³¹ Elected 1298.

³³² *Coxe*, I., p. 69.

³³³ *Howitt's Prtctft.*, p. 97.

³³⁴ Editor's note to *Commines*, I., p. 116. (I have not the exact dates of these incidents.)

the initiative—suffices amply to justify all that I have said as to the direct, deliberate, and systematic, demoralization of mankind by the Christian religion: but the fact cannot be too strongly emphasized that such papal procedure constituted only one among several factors by which the cause of truth was steadily depraved. The exaltation of grotesquely superstitious rites as all-sufficient to wipe out any sin; the cult of relics, with their attendant impostures of the most brazen impudence; the dissemination of lying legends of the saints; and the inculcation of the supreme duty of blind faith; all conspired most powerfully to destroy the sense of truth: and, in addition to all these factors, the standing procedure of the ecclesiastical courts involved such an object-lesson in the practice and glorification of deliberate perjury as inevitably to render the oath a mere laughing stock to mankind. As proof of this last statement, let us hear Blackstone's account of the procedure in these courts, and his remarks thereon. After the conviction of a criminal clerk in the King's court, the prisoner "was delivered over to the ordinary to be dealt with according to the ecclesiastical courts: whereupon the ordinary, not satisfied with the proofs adduced in the profane secular court, set himself formally to work to make a purgation of the offender by a new canonical trial—although he had previously been convicted by his country *or perhaps by his own confession*. This trial was held before the bishop in person or his deputy, and by a jury of twelve clerks: and there first *the party himself was required to make oath of his own innocence*: next there was to be the oath of twelve compurgators, who swore they believed he spoke the truth: then witnesses were to be examined upon oath,

but on behalf of the prisoner only: and lastly the jury were to bring in their verdict upon oath, which usually acquitted the prisoner.....A learned judge, in the beginning of the last century,³³⁵ remarks with much indignation the vast complication of perjury and subornation of perjury in this solemn farce of a mock trial—the witnesses, the compurgators, and the jury, being all of them partakers in the guilt: the delinquent party also, although convicted before on the clearest evidence, and conscious of his own offence, yet was permitted, *and almost compelled, to swear himself not guilty*: nor was the good Bishop himself, under whose countenance this scene of wickedness was daily transacted, by any means exempt from a share of it.....This scandalous prostitution of oaths and the forms of justice in the almost constant acquittal of felonious clerks by purgation was the occasion that, upon very heinous and notorious circumstances of guilt, the temporal courts would not trust the ordinary with the trial of the offender, but delivered over to him the convicted clerk *absque purgatione facienda, etc.*"³³⁶

Leaving the reader to digest these facts, I will add that Langland specifically charged pilgrimages also with deteriorating the truthfulness of the pilgrims, who

.....wenten forth in hire way with many wise tales,
*And hadden leve to lyen all hire lif after.*³³⁷

Here too a word may be said about the systematic and very deliberate perjury of which the Franciscan

³³⁵ *I.e.*, of the seventeenth century.

³³⁶ Blackstone, IV., pp. 368ⁱ. – 368ⁱⁱ. He is speaking specifically of the general procedure after the time of Henry VI.: but it is obvious that the procedure of the ecclesiastical courts, when they got the prisoner, must have been the same for centuries.

³³⁷ *E. B., Pilgrimage*, p. 95.

friars were guilty. "Every friar, on entry, *swore* obedience to the Rule which contained these words written by S. Francis and solemnly ratified by the Pope: 'I strictly command all my brethren to receive in no wise either money or coin, whether directly or through any third person.' The brethren were further forbidden to possess houses of their own: and on his deathbed the Saint solemnly laid it on their consciences never to explain away these plain words, nor to obtain papal letters of interpretation, whether directly or indirectly. Each novice, as he was admitted, swore obedience to this Rule; and received in return a solemn and official assurance that by keeping it he would earn eternal life." Notwithstanding these solemn oaths, however, the friars soon began to accumulate wealth and to purchase palatial buildings; and even so soon as in 1238, only twelve years after Francis's death, accepted the gift of a palace from a Moorish king: while "dozens of cases might be quoted to show how rapidly and how completely the Order disobeyed their master's solemn precepts on this point."³³⁸ Similarly too they utterly disobeyed their Rule as to dress, and justified (*sic*) this infraction by "appalling quibbles."³³⁹

* * * *

Resuming our history at the beginning of the fourteenth century, we find Edward I.—I am sorry to say—applying to Pope Clement for absolution from the oath, which he had unwillingly taken, to observe the forest-charters, and thus—as Walsingham bitterly remarks—"following the habit and caution of his father, who, as often as necessity urged, readily

³³⁸ Coulton's *Salimbene*, pp. 312-313.

³³⁹ *Ibid.*, p. 314.

consented to swear that he would satisfy their demands, and with the same facility would break away whenever times were propitious to him, pretending always that he had a papal absolution from the oath which he had taken." The facts in this case are that in 1298, and again in 1305, Edward had been forced to sign the forest-charters; and that in the latter year he applied to the Pope for a dispensation from his oath. Clement was particularly prompt in gratifying so good a son of the Church: and "the bulls were expedited before the end of the year. On the twenty-ninth of December the King was released from his oath; and on the first of January 1306 a formal prohibition was issued, by which it was decreed that no sentence of excommunication, suspension, or interdict, should be issued against him without special leave from the Pope." The bull absolving the King from his oath was publicly read at St. Paul's.³⁴⁰

Edward's worthless son, as we all know, was soon in conflict with his barons over his favourite Piers Gaveston: and it is evident that an oath had been taken by Gaveston and the King that he should remain away; for in 1309 the Bishop of Norwich came to London from the papal curia with a bull of absolution from this oath.³⁴¹ In 1312 Gaveston at last surrendered to the Earl of Pembroke, who swore by the cross and the gospels to return him safe and sound to his camp if he could not reconcile him with the barons. Gaveston, however, was captured by Gloucester; whereupon Pembroke went to the latter, and implored him to restore Gaveston safely: but

³⁴⁰ *Walsingham*, I., p. 110. *Edwards*, I., pp. cv., cvi. of *Introdn.*; and p. 146. *Green's Hist.*, I., p. 395.

³⁴¹ *Edwards*, I., p. 267.

Gloucester flouted this proposal ; and Pembroke then laid the affair before the University and burghers of Oxford—both of whom declined to interfere. The question now arises whether Pembroke was guilty of complicity in Gaveston's capture, and of hypocrisy in his subsequent appeal—in short, of gross perjury. One chronicler merely says that he was suspected by some of being privy to the capture of Gaveston : but de la Moore clearly charges him with perjury³⁴²—and the morals of medievalism were such that it is usually safe to hold that everyone was a perjurer whose innocence is not clearly proved. In 1317 Edward II. applied to the Pope to absolve him from his oath to keep the ordinances : but the Pope refused³⁴³—surely, however, not from any moral objection ; for Pope John was destitute of the slightest suspicion of morality.

Meantime another dispute had arisen over the imperial crown, which was claimed by Frederic of Austria in 1314. Louis of Bavaria had engaged himself to support Frederic's candidature : but the opposition party, including the Archbishop of Mainz, offered the crown to Louis himself ; “ and, after some difficulty, they *overcame his scruples* in regard to the fulfilment of his promise to Frederic.”³⁴⁴ In the war that ensued between Frederic and Louis, Frederic was taken prisoner ; but eventually he was liberated after swearing to observe the Treaty of Trausnitz. “ The Pope dissolved the Treaty of Trausnitz as extorted by force, and exhorted Frederic to re-assert his claims to the imperial crown ” : but for once the characteristic perfidy and perjury of Christ's viceregent were rebuked by the noble conscientiousness and loyalty of a layman ;

³⁴² *Ibid.*, II., pp. 43, 178–179, 298.

³⁴³ *Ibid.*, pp. 227–228.

³⁴⁴ *Coxe*, I., p. 87.

for Frederic "observed a fidelity almost unparalleled in the records of history, and, being unable to fulfil the articles of the Treaty, again surrendered himself a prisoner."³⁴⁵

In 1324 the Scotch made certain proposals as conditions of a general peace with the English, which the latter rejected; but it was agreed that the existing truce should be observed:³⁴⁶ and in 1340 it was stipulated by the Truce of Tournay, between England and France, that prisoners of war should be released on their oath to return to their prisons, if not previously ransomed, in the event of the failure of the truce; and that, if any prisoner made default, his lord should force him to return.³⁴⁷ Whether these two examples should be considered as indications of a somewhat higher standard of good faith, I do not know—although the implication appears to me somewhat to the contrary: but in 1346 the French besieged Aiguillon; and John of France "swore sacramentally" not to raise the siege until he had taken the town and brought the garrison to an evil death—in spite of which oath he abandoned the siege without taking the town.³⁴⁸ Again in 1360 the French Regent and the Black Prince both swore to the preliminaries of peace on the host and the gospels;³⁴⁹ and in 1361 the treaty was similarly confirmed on the host and the gospels with great solemnity:³⁵⁰ but in 1368, according to the English account, the French treacherously broke the peace.³⁵¹ In 1362, moreover, the wool-staple was moved to Calais, "notwithstanding the oath of

³⁴⁵ *Ibid.*, pp. 97-98.

³⁴⁶ *Edwards*, II., p. 278.

³⁴⁷ *Avesbury*, p. 322.

³⁴⁸ *Murimuth*, p. 249.

³⁴⁹ *Walsingham*, I., p. 289.

³⁵⁰ *Ibid.*, pp. 294-295; *Moberly*, p. 29. Both kings, and twenty-four French and twenty-seven English barons, took the same oath to the treaty.

³⁵¹ *Walsingham*, I., pp. 306-307.

the King and the other magnates of England":³⁵² and in 1363 the Duke of Anjou broke his parole, and joined the French army.³⁵³ These facts certainly do not betoken any improvement in the morality of the age: but, on the other hand, to the year 1364 belongs the classic story of King John of France—a worthy compeer of the Austrian Frederic—whose chivalrous honour was such that he returned to England, and surrendered himself prisoner again, because his son, who was hostage for him, broke his parole and escaped.³⁵⁴ John was a *preux chevalier*; and his conduct notably exemplifies what chivalry had done to educate the sense of truthfulness and fidelity among some laymen, while popes and prelates, priests and friars, were wallowing in perjury.

About a dozen years later the English Court was the scene of some very scandalous perjury. The Reform-party had succeeded in removing the King's mistress, Alice Perrers; who, in lieu of being exiled, swore to keep away from the Court. The reformation was short-lived, however; and, "as soon as her friends returned to power, she resumed her place by the King. The bishops, who had undertaken in Parliament to excommunicate her if she broke her oath, allowed her to return uncensured."³⁵⁵

In 1378 the infamous Urban VI. became Pope. He it was who, as head of the Church, "*made a solemn and general declaration against keeping faith with heretics.*"³⁵⁶ Again we can set off the noble fidelity of a layman against the perjury of Christ's vicerent; for we read with pleasure that Rudolph IV.³⁵⁷

³⁵² *Ibid.*, p. 297. ³⁵³ *Moberly*, p. 73. ³⁵⁴ *Smith's France*, p. 214.

³⁵⁵ *Trevelyan*, pp. 32-33; *Walsingham*, I., p. 322. (*Moberly* doubts the story of the oath.—*Moberly*, p. 121.)

³⁵⁶ *Hallam's Medism.*, II., p. 297.

³⁵⁷ Reigned 1357-1394.

“maintained with unshaken fidelity” his truce with the Swiss.³⁵⁸ Then too there is the beautiful story of the Count de Denia, who had been taken prisoner of war by John Schakel. This latter was sent to the Tower in 1379, because he refused to hand over his captive to the higher powers; whereupon Denia went with him, disguised as his servant, and so assisted him to maintain his rights. When the circumstances became known, the English expressed great admiration of Denia’s fidelity, and seem to have felt rather ashamed of themselves: and Walsingham takes the opportunity, while praising him, to hold him up as an example to the English, whom he reproaches, bidding them learn how noble is good faith and how base are perfidy and treachery.³⁵⁹ On the other hand, in the same year, Edmund Brunfelde, a monk of Edmundsbury, who had been sent to Rome as proctor of the abbey—after swearing on the sacrament that he would never avail himself of the opportunity to obtain any benefice of the abbey for himself, or to do anything to the prejudice of the abbey—now, on the death of the abbat, succeeded, by bribery and corruption in the curia, in obtaining the abbacy for himself.³⁶⁰ In 1380 the Pope ordered an enquiry into this business; whereupon Brunfelde’s advocate brought forward a Cistercian monk and a priest, who had lately come from England, and who *swore* before the Pope that they knew for certain that Brunfelde had been received into the King’s grace, and was in high favour, and had been invested with the temporalities, and that they had seen him riding through London in great state as became an abbat. Of

³⁵⁸ *Coxe*, I., p. 118.³⁵⁹ *Walsingham*, I., pp. 411, 412.³⁶⁰ *Ibid.*, pp. 414-415.

course their whole story was a parcel of lies.³⁶¹ The oaths of priests and monks and abbats being of so little value, we cannot wonder that, when in 1381 the abbat of St. Albans offered to swear publicly to the revolters upon the sacrament, whilst he was celebrating mass, that he knew nothing of the charter which they declared to be in his keeping, they replied that they would trust to no oath³⁶²—although eventually they consented to let him take this oath if he could not find the charter.³⁶³ So too the East Anglian insurgents gave very little credit to the oath of the monks of Edmundsbury:³⁶⁴ and the King, by compelling all the Hertfordshire men between fifteen and sixty years of age to swear that they would never rise against his peace again,³⁶⁵ practically incited a whole county to perjury. When the Duke of Lancaster heard of the peasant-revolt, he hastened to make a two years' truce with the Scots before they could get the news. When the Scots learned the state of affairs, they regretted having sworn to the truce, but nevertheless offered Lancaster their assistance³⁶⁶—a very honourable example of fidelity to an oath.

In 1383 the King admitted Tymworth to the abbey of Bury in accordance with the papal provision, although Tymworth, "a little before, had sworn that he would never consent to enjoy the pastoral honour unless the Pope would simply confirm his election"³⁶⁷—*i.e.*, would acknowledge the monks' right of electing an abbat, instead of appointing one himself. Again in contrast to the churchman's perjury we find that the Scotch invaded England in 1388 *as soon as the truce was up*.³⁶⁸

³⁶¹ *Ibid.*, p. 429.

³⁶² *Ibid.*, pp. 476-477.

³⁶³ *Ibid.*, p. 482.

³⁶⁴ *Ibid.*, II., p. 4.

³⁶⁵ *Ibid.*, p. 39.

³⁶⁶ *Ibid.*, pp. 41-42.

³⁶⁷ *Ibid.*, p. 97.

³⁶⁸ *Ibid.*, p. 175.

The English record of the century closes in a cloud of perjury: for in 1397 the King, "against the oath which he had taken," recalled the banished justiciars from Ireland;³⁶⁹ and, having ordered the primate to absent himself from Parliament, and sworn to him that nothing would be accepted to his prejudice, he sentenced him to exile "against all justice."³⁷⁰ It was apparently in this same parliament that certain abominable Acts were enacted, in defiance of the statutes of a former and upright parliament: and "these violent ordinances"—says Hallam—"as if the precedent they were then overturning had not shielded itself with the same sanction—were sworn to by Parliament upon the cross of Canterbury, and confirmed by a national oath, with the penalty of excommunication denounced against its infringers. Of those recorded to have bound themselves by this adjuration to Richard, by far the greater part had touched the same relics for Gloucester and Arundel ten years before, and two years afterwards swore allegiance to Henry of Lancaster."³⁷¹

On the Continent, in one of the incessant Italian wars towards the close of the century, Carrara surrendered Padua provisionally and on certain terms to Dal Verme, who "swore on the sacrament to observe these terms inviolably," but immediately took possession of the surrendered posts "with more than six times the numbers that had been arranged by the treaty."³⁷² Similarly Carrara senior, having demanded a safe-conduct, was granted it by the Chief Envoy Spineta, who "swore to observe its conditions, as—we are told—he would have sworn

³⁶⁹ *Ibid.*, p. 222.

³⁷⁰ *Ibid.*, p. 224.

³⁷¹ Hallam's *Medlsm.*, III., pp. 114-115.

³⁷² *Ven. Hist.*, I., p. 372.

to observe any others which might have been proposed." Of course the sworn safe-conduct was broken.³⁷³

Here we may pause for a moment to note two facts which can be assigned to no specific year. In a fourteenth-century manual for parish-priests, perjury and false swearing are very properly condemned, along with all other kinds of sin:³⁷⁴ but in the *Canterbury Tales* the scoundrelly pardoner—who is drawn so faithfully to life—delivers a very hypocritical rebuke of perjury.³⁷⁵

VII.

The record of the fifteenth century shews no improvement, but repeats the same old story of incessant perjury.

In 1403 the English ambassadors complained to the Duke of Burgundy of breaches of the sworn truce by the Duke of Orleans and the Count of S. Pol;³⁷⁶ and they similarly complained to the Flemish deputies that the men of Flanders had broken their oaths by seizing English property after swearing to abstain from such acts:³⁷⁷ whilst in 1404 the Lieutenant of Calais complained of the sack of Plymouth, Jersey, and Guernsey, by the French, in breach of the sworn truce.³⁷⁸ All such perjuries were, however, as usually, eclipsed by the vicar of Christ: for in 1408 Pope Gregory, having taken a most solemn oath to renounce the papacy if the anti-pope would do the same, now broke his oath by throwing obstacles in the way of the proposed pacification and reunion—

³⁷³ *Ibid.*, p. 373.

³⁷⁴ *Parish Priests*, p. 27; *et postea*.

³⁷⁵ *Chaucer*, II., pp. 95-96.

³⁷⁶ *Henry IV.'s Letters*, I., pp. 171-174.

³⁷⁷ *Ibid.*, pp. 178-179.

³⁷⁸ *Ibid.*, p. 220.

whereupon a cardinal went to England and France to denounce the Pope's bad faith.³⁷⁹ It can hardly be maintained that Henry V. advocated an excessive penalty when, in his coronation-speech of 1413, he denounced perjurers as worthy of death:³⁸⁰ for the very basis of society was sapped through and through by perjury; and it is difficult to believe that any man could have trusted almost any other man's word or oath.

Soon afterwards we meet with one of the most notorious examples of French perjury—although the perjury in this case was no more flagrant than in scores or hundreds of other cases which are less well known. The Dukes of Orleans and Burgundy had terminated their quarrel by a reconciliation, and had sworn to terms of friendship; and, that their oaths might be the more binding, they had, according to the usual custom in such cases, taken the sacrament together. "In the midst of this outward harmony the Duke of Orleans was assassinated.....Burgundy avowed and boasted of the crime."³⁸¹

Shortly after this we come to some peculiarly flagrant examples of perjury—and of perjury authoritatively approved. The Council of Constance sat from 1414 to 1418; and Huss, the reformer, attended it with a safe-conduct from the Emperor. Immediately after his arrival he was treacherously arrested, brought before the Council in chains, and condemned by the Council—*without a single dissenting voice*—to be burned. The Council endorsed and sanctioned this execrable perjury by a solemn decree, declaring that Huss's obstinate adherence to heresy rendered

³⁷⁹ *Walsingham*, II., p. 279.

³⁸⁰ *Redmayne*, p. 14.

³⁸¹ *Hallam's Medlsm.*, I., p. 96.

him unworthy of any privilege, and that *neither by natural, divine, nor human, law ought any faith or promise to be kept with him to the prejudice of the Catholic religion.*³⁸² Now one such instance as this is, for our purpose, worth hundreds of examples of perjury by individual men. According to the Catholic creed, the decisions of a General Council are infallible—because the Holy Ghost is sitting thereat, and directs the decisions: and here we find a General Council explicitly deciding that, when perjury advances the interests of Catholicism, oaths shall be broken with impunity; while we see how continually throughout history they have been broken. Alike then by infallible precept and by very fallible practice does not this religion stand condemned as a corrupter and perverter of mankind's regard for truthfulness and fidelity to promises? There is a grim irony in the fact that this Council of Constance condemned Wycliff for asserting that "oaths are unlawful which are intended to strengthen human contracts and civil intercourse:"³⁸³ as if any moralist with his eyes open could do otherwise than endeavour to sweep away that custom of swearing which gave birth to endless perjury! Moreover, it was this same infallible Council that excommunicated Frederic of the Tyrol—who had sided with the deposed pontiff—and absolved his subjects from their allegiance to him:³⁸⁴ for to councils, popes, bishops, and priests, oaths were only playthings—mere counters in the game of worldliness!

Flagrant examples continue to attract our notice. Thus in 1419 the Dauphin murdered the Duke of

³⁸² *Ibid.*, II., p. 354. *Coxe*, I., p. 150. *Draper's Devpmt.*, II., pp. 100-101.

³⁸³ *Buckley*, p. 326.

³⁸⁴ *Coxe*, I., p. 196.

Burgundy, after swearing on the sacrament that he should not be hurt.³⁸⁵ The murder of Huss was followed by the Hussite wars, which eventually led in 1435 to an agreement between the Catholics and the moderate Hussites: "but this compact, though concluded by the Council of Basel,"³⁸⁶ was annulled by the perfidy of Pope Eugenius IV.,³⁸⁷ who released the Catholics from their oaths: and, at the suggestion of the papal legate, the King endeavoured to restore the Catholic worship and abrogate the toleration granted to the Hussites. What rendered this perfidy the more flagrant was that, after the confirmation of the Compacts by the Council and the Pope, deputies from the Council had attended the Bohemian Diet and sworn to observe the Compacts.³⁸⁸

Here is another example of Eugenius's handiwork. Piccinino had promised not to attack Francis Sforza, who was now engaged in war against the Pope: but Eugenius absolved him from his promise "on the express ground that a treaty disadvantageous to the Church ought not to be kept."³⁸⁹

In 1436, by the death of the Countess Jacqueline, her husband, Philip *the Good* of Burgundy, became sole ruler of the Netherlands. He had sworn to maintain all the privileges and constitutions of the Netherlands; but, after Jacqueline's death, he issued a declaration stating that these were null and void unless confirmed anew by him. "At a single blow he thus severed the whole knot of pledges, oaths, and other political complications, by which he had entangled himself during his cautious advance to

³⁸⁵ *Walsingham*, II., p. 330.

³⁸⁶ Sat 1431-1443.

³⁸⁷ Elected 1431; deposed 1439; but re-entered Rome 1443; died early 1447.

³⁸⁸ *Coxe*, I., pp. 155-157. *Hallam's Medlsm*, II., pp. 146, 297.

³⁸⁹ *Hallam's Medlsm.*, II., pp. 296, 297.

power.”³⁹⁰ Contrast with this the conduct of Albert V. of Austria, who was elected King of Hungary in 1437 upon condition that he should never accept the imperial crown. Immediately afterwards he was elected Emperor, but declined the crown from regard for his oath : the Hungarian States, however, liberated him from his engagement ; the Council of Basel absolved him from his oath : and he was thus enabled to accept the imperial dignity.³⁹¹

In 1444 the war between Hungary and Turkey was closed by a ten years’ truce, to the observance of which King Ladislaus swore upon the Gospel, and the Turks upon the Koran. Immediately following upon this interchange of solemn pledges came the news of Turkish reverses in other quarters ; whereupon the legate, Cardinal Julian, who had bitterly resented the conclusion of the truce, urged Ladislaus to break his oath, saying : “ It is to your allies, your God, and your fellow Christians, that you have pledged your faith ; and that prior obligation *annuls a rash and sacrilegious oath to the enemies of Christ*. His vicar on earth is the Roman pontiff, without whose sanction you can neither promise nor perform. *In his name I absolve your perjury* and sanctify your arms.....and, if still you have scruples, devolve on my head the punishment and the sin.” The tempter prevailed : Ladislaus broke his oath : and the result on Varna’s field was such as must cause satisfaction to every honest man.³⁹² This is how the Catholic

³⁹⁰ Motley, I., pp. 40-41.

³⁹¹ Coxe, I., pp. 162-163.

³⁹² Gibbon, VII., pp. 272-273. “Æneas Sylvius lays this perfidy on Pope Eugenius IV.,” and says that he wrote to the legate to observe no treaty with the infidels, on which he should not have been consulted. “The words in italics (*se consulto*) are slipped in to give a slight pretext for breaking the treaty.” Hallam’s *Medism.*, II., p. 148 ; and cf. p. 297.

Church has steadily demoralised human nature, and has trained Europe to perjury ; and, as Gibbon says, "the falsehood of Ladislaus to his word and his oath was palliated by the religion of the times."³⁹³ Such falsehood was very easily palliated without invoking the principle that faith must not be kept with the infidels : for, in connection with the history of this fifteenth century, we are told that the constant domestic quarrels of the Albanians could be suspended neither by the claims of kinship, nor by the pressure of necessity, nor by "the oaths which they repeatedly pledged in the communion and before the altar."³⁹⁴ On the other hand, it does one good to read of that Federigo da Montefeltro, who became Duke of Urbino in 1444 ; for he was a noble-minded and tender-hearted gentleman, who, in addition to his other virtues, was "true to his word in an age of liars," and even "refused to break his word with the most faithless of his enemies." To this may be added that "he had also the honour of being excommunicated by Pope Eugene IV. for adhering to an unfortunate friend."³⁹⁵

Such a man, however, was a rare prodigy in this age : and, for the rest, the sordid tale of perjury, sanctified by religion, still goes on. In 1453 Gambacorti was plotting a conspiracy against Florence : and the Signory therefore sent ambassadors to warn him. Gambacorti "affected the greatest astonishment, assured the ambassador with solemn oaths that no such treacherous thought had ever entered his head" ; and hastened on the plot.³⁹⁶

In 1458 died Ladislaus Posthumus, King of

³⁹³ *Gibbon*, VII., p. 273.

³⁹⁴ *Ibid.*, p. 334.

³⁹⁵ Editor's note to *Communes*, II., p. 30.

³⁹⁶ *Machiavelli's Hist.*, p. 294.

Hungary, a most deeply religious and bigoted man. On his death-bed "he underwent the ceremonies of the Church; and, as a renunciation of worldly vanities, ordered his golden locks, which he cherished with extravagant fondness, to be cut off: then, casting his eyes on the crucifix, he devoutly repeated the Lord's Prayer." Now let us see how this excellent Catholic had kept his oaths. In 1457 he solemnly promised his favour and protection to the sons of the great Hungarian leader Hunniades,³⁹⁷ and "sanctified these promises by the reception of the sacrament:" but shortly afterwards he treacherously arrested them, and caused the elder to be beheaded.³⁹⁸ Yet some people are angry with those who deny that a religious education is the only, and an adequate, safeguard of morality.

In 1458, too, Æneas Sylvius became Pope under the title of Pius II., and at once took up the record of papal perjury. He it was who, as legate from the Council of Basel, had presided over the establishment of those *Compacts* which closed the Hussite wars in Bohemia, and which the Council of Basel and Pope Eugenius had confirmed—although that Pope had characteristically broken faith at once. Now, however, instead of repeating the confirmation, Pius at once set about destroying these solemn pledges: and "almost the first act of his reign was accordingly directed to abolish the Calixtin tenets in Bohemia, and to restore the pristine doctrines of the Catholic Church." The new king, George Podiebrad, being hardly pressed by Catholics to annul the *Compacts*, or to obtain a new ratification thereof from the Pope, "sent an embassy to Rome requesting a

³⁹⁷ Who died in 1455.

³⁹⁸ *Coxe*, I., p. 186. Cf. pp. 184-185.

confirmation of the *Compacts*: but Pius, under the pretence that the *Compacts* gave occasion to heresy, refused his ratification"; and sent his legate to Prague to persuade the King into a breach of the *Compacts*. Once again the honour of a layman rebuked the perfidy of a pope: the King rejected the perfidious counsel, and, being insulted by the legate, imprisoned him on bread and water: whereupon the Pope annulled the *Compacts* and excommunicated the King.³⁹⁹

We must now turn our attention to Western Europe, where perjury was still as rife as in the South. In 1460 the Duke of York formally claimed the crown of England, and pleaded that neither Acts of Parliament *nor oaths* could invalidate his hereditary title:⁴⁰⁰ and in 1464—of course, "regardless of his oath"—Ferdinand of Naples threw his son-in-law, the Prince of Rosario, into prison and detained him there for twenty-two years⁴⁰¹—but, since de Commynes denounces Ferdinand as an irreligious villain,⁴⁰² perhaps we must not lay any stress on this example of perjury in the count against religion. On the other hand, since in 1465 we find the French offering to despatch commissioners to Burgundy, provided that passports were furnished;⁴⁰³ and since about this period we find various other examples of reliance upon such passports or safe-conducts;⁴⁰⁴ we must suppose that these secular safeguards were respected reasonably often. Of the general prevalence of perjury, however, and of the general distrust of oaths, and especially of the influence of Christ's vicar upon the regard for the most solemnly sworn compacts, no more striking evidence could be found

³⁹⁹ *Ibid.*, pp. 245-246.

⁴⁰¹ *Commynes*, II., p. 150, and Editor's note.

⁴⁰³ *Troyes*, p. 317.

⁴⁰⁰ Green's *Hist.*, II., p. 553.

⁴⁰² *Ibid.*, p. 152.

⁴⁰⁴ *Commynes*, *passim*.

than the fact that, in the treaty of 1465 between Louis XI. and his revolted vassals, the penultimate article stipulated that "both parties shall swear a promise that they will not seek for a dispensation of their said oaths and promises."⁴⁰⁵ Nothing could more clearly demonstrate how completely Europe had been demoralized, all confidence in the most solemn oaths shaken, and all trust between man and man destroyed, by the Church's practice of dispensing men from their sworn agreements: and it is difficult to believe that any agent more potent than the Catholic Church for educating mankind to perjury, and destroying the very sense of truth, has ever existed. How utterly every prince distrusted every other, and how useless were all oaths of safety, is suggested, moreover, by the practice, so common at this time, of arranging that princes, who met to discuss terms of peace, should be placed one on each side of an impassable barrier upon a bridge—various examples of which dignified arrangement are quoted by de Commynes. Princes, who adopted this method of safeguarding themselves from one another's treachery, may have taken warning from the fate of any one of a whole series of victims who had been assassinated while they were discussing the terms of a treaty:⁴⁰⁶ and de Commynes, who lived in these treacherous times, remarks that "it is the highest act of imprudence for any prince to put himself into the power of another, especially if they be at war;.....for history shows.....the frauds, artifices, and perjuries, wherewith they have inveigled,

⁴⁰⁵ *Ibid.*, I., pp. 82-83.

⁴⁰⁶ *Ibid.*, I., Editor's note to p. 115 for a series of such examples—all without dates. The Editor adds that "it would be endless to reckon up all the villainous and barbarous murders that have been committed at these interviews between great princes": but half-a-dozen dates would have been worth far more than this generality.

imprisoned, and killed, such as, relying upon the honour of their enemies, have put themselves into their hands. I do not say"—continues de Commynes—"that *everybody* has met with such treacherous dealings: but one example is sufficient to make many people more wise.....Our age is impaired.....and, as our bodies are degenerated and grown weaker, so is our faith and fidelity towards one another—especially among princes."⁴⁰⁷ On the other hand, as already mentioned, since this writer so frequently speaks of passports and safe-conducts being granted, we may suppose that these were usually respected.

In 1468 Louis XI. paid that celebrated visit to Charles of Burgundy at Peronne, with which Scott's *Quentin Durward* has made all of us familiar: and immediately after his arrival came the news of that insurrection of the Liègois against Charles, which Louis had been inciting, but which he by no means intended should occur at so fatally inopportune a moment. De Commynes says that during two or three generations the Liègois had never kept any promise, nor observed any peace that they made; and that by now the Duke of Burgundy had made peace with them five times; and each time they had broken the peace the following year.⁴⁰⁸ This last insurrection so infuriated the Duke that it nearly cost Louis his life: and he had to swear upon the cross of S. Lô—a celebrated relic, for which he was known to entertain the most superstitious respect—to the terms which Charles dictated.

The course of our chronology now takes us back to Bohemia and Hungary, which were very happy

⁴⁰⁷ *Ibid.*, pp. 115–116.

⁴⁰⁸ *Ibid.*, p. 161. See also pp. 90 and 93 for previous breaches of treaties by the Liègois.

hunting grounds for the papacy. In 1466, Matthias, King of Hungary, having invaded Bohemia in consequence of the religious wars provoked by the Pope, an armistice was eventually concluded, and a treaty of peace agreed to : "but Matthias, influenced by the perfidious maxim *that no faith should be kept with heretics*, was persuaded by the papal legate to resume hostilities."⁴⁰⁹ Merely noting that in 1470 Neville, Marquis Montagu, who had sworn fealty to Edward IV., treacherously entered into a conspiracy to seize the King,⁴¹⁰ we may return to that rascally but humorous monarch Louis XI., of whom we are told that he was "seldom restrained by superstition from any crime," except "when he swore by the cross of S. Lô, after which he feared to violate his oath."⁴¹¹ That he did indeed respect *this particular oath* we learn too from his letter of 13th November, 1472, wherein he writes—"I have sworn to M. de Lescun, on the true cross of S. Lô, that he may come to me in safety ; wherefore I beseech you to set no ambushes ; for I would not wish to be in danger on account of breaking that oath !" ⁴¹²

In what manner, however, Louis's regard for this special oath affected his conduct is evidenced by his answer to the Constable of France in 1475 : for, when that worthy required Louis to swear upon the cross of S. Lô to do him no harm, "the King replied that he would never take *that oath* again for any man whatever : but let him propose any other, and he would take it."⁴¹³ This exactly recalls the conduct of the Hindus with regard to their sacred banyan-tree.

⁴⁰⁹ *Coxe*, I., p. 247.

⁴¹⁰ *Croyland*, p. 462. (This was when Neville heard that his brother, the King-Maker, had returned.)

⁴¹¹ Hallam's *Medlsm.*, I., p. 134.

⁴¹² *Communes*, I., Editor's note to p. 255.

⁴¹³ *Ibid.*, p. 255.

I should add that this Constable of France—the Count of S. Paul—had played so fast and loose with both Louis and Charles that at last these two enemies agreed upon his destruction: so in 1475 Charles seized the Constable, “*contrary to his solemn promise and engagement*, delivered him to the King to be put to death, and sent all his letters and contracts to serve as an evidence against him at his trial.”⁴¹⁴ De Commynes remarks upon this treachery that, though Charles had just reason to hate this Count and seek his death, “yet he should have done it without breaking his faith: nor can all the reasons that could be alleged in this case extenuate the crime, or cover the dishonour that will always be a stain and a blot on the Duke’s character.”⁴¹⁵ From this we may conclude—as from other evidence—that the morality of de Commynes was somewhat in advance of that of his age—which indeed must have been very bad indeed when such a writer, whilst admitting the repeated attempts of Louis and Charles to over-reach and circumvent one another, should yet maintain that they were noble and conspicuous examples by comparison with other European rulers!”⁴¹⁶ I should mention, in this connection, that in this same year 1475 occurred that interview at Picquigny between the Frenchman and Edward IV. of England, of which de Commynes says that “scarce anything was performed that was promised there; but all the whole business was hypocrisy and dissimulation.”⁴¹⁷ In the same year the Duke of Burgundy broke a truce immediately after he had made it.⁴¹⁸ Can we wonder then, after so many examples of perjury and treachery, that Machiavelli, writing of the year 1480, and summing

⁴¹⁴ *Ibid.*, p. 327.⁴¹⁵ *Ibid.*, p. 327.⁴¹⁶ *Ibid.*, p. 213.⁴¹⁷ *Ibid.*, p. 126; and cf. II., p. 7.⁴¹⁸ *Troyes*, p. 376.

up the reasons which induced a certain Italian prince to observe the conditions of a treaty, added—"It is thus evident that force and necessity, not deeds and obligations, induce princes to keep faith."⁴¹⁹ Louis, however, in restoring certain towns in accordance with the Treaty of Trèves signed in 1478, told de Commynes that he had two reasons for surrendering these towns—one being that "there had been solemn oaths and great confederacies between the Emperors and the Kings of France not to invade or usurp upon one another's dominions:"⁴²⁰ but it were absurd to suppose that a mere regard for such oaths would have influenced Louis had not prudence dictated the same course.

In 1483, as we all know, Richard III. first swore fealty to Edward V.—in fact, took the lead in doing so—and then usurped the crown.⁴²¹ The garrison of Calais had similarly taken the oath: but Richard sent instructions through Lord Mountjoy that, as the oath had been taken in ignorance of his own good title to the crown, they were bound to disregard it and swear allegiance to him. He added that the same oath to Edward had similarly been taken by many persons in England—which means, I suppose, and similarly broken.⁴²²

In 1488 Maximilian—who subsequently became Emperor—was in sore straits with his new Flemish

⁴¹⁹ Machiavelli's *Hist.*, p. 381. Besides the examples noted in the text, the reader may find other instances of breaches of treaties and promises by Louis in 1469 and 1470; by Charles in 1472; by both French and Burgundians in 1475; by the Duke of Milan in 1476; by Descordes and also by the French in 1477—in *Commynes*, I., pp. 164 and 169; 215, 244, and 295-296; 309; 361 and 364: also examples of the observance of treaties in 1474 by Burgundy, and by Louis and his sister—in *ibid.*, pp. 236 and 320.

⁴²⁰ *Commynes*, II., p. 18.

⁴²¹ *Ibid.*, p. 63; *Croyland*, p. 486.

⁴²² *Richd. and Hy.*, I., pp. xxi. and 11.

subjects ; and, in order to escape from his captors, he made terms with them, and publicly "swore to their observance on the consecrated host, the gospel, and the relics of the saints, which were placed on the altar." He swore also to dismiss all his foreign troops within four days : and, after giving hostages for his fidelity, he was set at liberty : but "what"—asks Motley—"are oaths and hostages when prerogative and the people are contending?" In a sense Maximilian kept the letter of his oath ; but to all intents and purposes this solemn oath might as well have never been taken. His father, the Emperor Frederic, and the States of the Empire, *annulled his oath* : Frederic sent him an army : "the oaths are broken ; the hostages left to their fate" : and Maximilian obtained absolute dominion over the Netherlands. "Step by step he had trampled out the liberties which his wife and himself had sworn to protect."⁴²³

About 1494 we find Sir Piers Butler complaining to the Earl of Ormond that Sir James Ormond had imprisoned him contrary to his oath on "the holy cross and other great relics, upon surety whereof I then came to him :"⁴²⁴ but just at this time Italy was the great theatre of perjury. In 1494 Charles VIII. of France entered Florence, where he swore upon the altar to restore to the Florentines, within a few months, all the towns which they had put into his possession ; and at Asti he repeated this oath : but—as de Commynes drily remarks—"matters happened otherwise" ; and indeed Charles promised the Pisans to liberate them from Florence, although this promise was a violation of his solemn oath to the Florentines.⁴²⁵

⁴²³ *Coxe*, I., p. 262 ; *Motley*, I., p. 51.

⁴²⁴ *Richd. and Hy.*, II., p. xli. of *Introdn.*

⁴²⁵ *Commynes*, II., pp. 144 and 258 ; *Roscoe*, I., pp. 101, 107, 130.

The latter sent Savonarola to him—hoping that the preacher's influence might prevail, and secure the return of Pisa and the other towns according to his oath. "The persuasions of Savonarola were accompanied by threats and denunciations that, if the King violated the oath, which he had sworn with his hand on the evangelists and in the sight of God, he would incur the wrath of Heaven, and meet with a merited punishment: but these representations.....seem to have been little regarded by Charles, who at some times undertook to restore the places, and at others alleged that, prior to his oath, he had promised the citizens of Pisa to maintain their liberty—thus availing himself of the inconsistent engagements made with each of the contending parties to frustrate the requisitions of both."⁴²⁶

Charles was, however, no worse than the Italians: for in 1495 the Milanese ambassadors, when charged by de Commynes with intriguing against the French, "swore.....with many imprecations, that they had no such thoughts: but they did but equivocate; for they came thither on purpose to negotiate this alliance;"⁴²⁷ and the Duke of Milan himself, after swearing to a treaty with the French,⁴²⁸ sent assistance to their enemies.⁴²⁹ In this year too Ferdinand the Catholic, of Aragon, sent a powerful army to attack the French when the latter seized Naples; although previously "he had indeed engaged by a solemn oath not to interfere in this contest: but, on examining the purport of this engagement, it was discovered that it contained a reservation of the rights of the Church, which it was contended would be materially affected by the proceedings of Charles VIII.; and, besides,

⁴²⁶ *Roscoe*, I., p. 131.

⁴²⁸ *Ibid.*, p. 246.

⁴²⁷ *Commynes*, II., p. 175.

⁴²⁹ *Ibid.*, p. 248.

the restriction against the interference of the Spanish monarch was on condition that Charles was rightfully entitled to the crown of Naples—a proposition which it was as easy to deny as to assert!"⁴³⁰ Ferdinand, however, was notorious for his perfidy even in this age of perfidy:⁴³¹ and in this connection it is worth while to repeat the report of the English ambassador at his court—that Ferdinand was accustomed to hear two masses every day before eight o'clock.⁴³²

Fresh light is thrown upon the distrust, that every man necessarily felt of every other man's most solemn oaths in this very religious age, by the instructions issued in 1497 by Henry VII. for the negotiations with Scotland. Henry demanded that the Scotch King should be bound to the treaty, not only by his letter and great seal and "solemn oath, but also upon pain of the censures of the Holy Church, and in an obligation of *Nisi* of the intent that, upon a light information or suggestion, like breach as hath been of late time had should not ensue." If, however, the Scotch King would not consent to these terms, Henry was ready to take his solemn oath on the gospels rather than fail in obtaining the treaty!⁴³³ Apparently this mere solemn oath, unsupported by temporal sanctions, was a *pis aller*: but, as a matter of fact, James of Scotland, although he was "a strict observer of the ordinances of the Church," also had so high a regard for veracity that "even in joke he seldom uttered an untruth."⁴³⁴ Another honourable man of this period was Sir Hugh Conway, who gave the King information of Lord Lovel's intrigues, but

⁴³⁰ Roscoe, I., p. 123.

⁴³¹ *Supra*, p. 80; *infra*, pp. 123–124.

⁴³² André (appendix), p. 277. (This report was made in 1505.)

⁴³³ Richd. and Hy., I., pp. 106–107.

⁴³⁴ *Ibid.*, II., p. lxviii. of Editor's *Introd.*

steadily refused, at whatever risk, to name his informant—because he had sworn to keep this secret—and thereby incurred the King's anger.⁴³⁵

Such men as James and Conway were, however, striking exceptions: and once again we can match the perjury of Western and Southern Europe by an example from Russia, where Ivan III.,⁴³⁶ in order to forward one of his schemes, took an oath to apostatize from his religion: but from this oath he was released by the heads of his Church⁴³⁷—the Eastern communion having as little regard for oaths as had the Roman.

In bringing to a close my account of this century, I may add one or two examples of the general and systematic perjury that prevailed through all the centuries of later medievalism. The priests' vows of celibacy were, of course, habitually broken: and it was the *general practice* for priests to take out a bishop's license to keep concubines.⁴³⁸ One of the stories of the *Heptameron* relates that, at the end of this century, a priest, who had committed incest with his sister, caused her to swear, apparently on the host, to her innocence: but when the guilt was proven, and he was asked how he had dared administer this false oath to her, he replied that he really gave her, not the host, but unconsecrated bread!⁴³⁹

Among mechanics, at any rate in England, perjury was equally common; for Mrs. Green tells us that "journeymen were invariably bound by oath not to

⁴³⁵ *Ibid.*, I., p. 234. (The statement is on Conway's own authority.)

⁴³⁶ Reigned 1462–1505.

⁴³⁷ *Kelly*, I., p. 124.

⁴³⁸ Hallam's *Const.*, I., p. 91. Hallam adds that Collier says that these *concubines* were usually their *wives*, but that this statement can hardly be correct. From the point of view of this chapter, however, it is immaterial whether priests broke their vows by marrying or by keeping concubines.

⁴³⁹ *Valois*, II., p. 4.

make any sort of confederation among themselves—a precaution which State and Town and Guild were equally vigilant in enforcing.....Neither oaths nor laws nor public opinion, however, could permanently prevent men from combining to better their position.”⁴⁴⁰

Finally, as a farewell to this evil century, we are reminded by Archdeacon Coxe, *à propos* this epoch, that the Venetian Republic was notorious for its perfidy.⁴⁴¹

VIII.

We may consider the Middle Ages to have ended with the last years of the fifteenth century: but perjury was still to be as rife as ever; and the opening of the sixteenth century was marked by a peculiarly atrocious example. Christianity had now triumphed in Spain; and the Crescent was conquered by the Cross. “Granada had surrendered under the solemn guarantee of the full enjoyment of civil and religious liberty”: but the enforcement of that infamous Catholic maxim—that no faith should be kept with infidels—wrought the Moslem’s ruin. “At the instigation of Cardinal Ximenes, the pledge was broken”: the Inquisition was established: and the Moriscos were the victims of that perjury to which fervid religious belief inevitably leads.⁴⁴²

While this crime was in progress, there was war between France and Naples; and the Neapolitan king appealed for help to “his perfidious relative”—this Ferdinand the Catholic, of Aragon, who was so apt a pupil of Ximenes. “After the most solemn

⁴⁴⁰ Green’s *Town Life*, II., pp. 122–123. An example is given on pp. 124–125 of the shoemakers’ perjury in this way in 1387.

⁴⁴¹ Coxe, I., 348.

⁴⁴² Draper’s *Confl.*, p. 148.

engagements, he delivered to Gonsalvo de Cordova, the Spanish General, the principal fortresses of Apulia"; whereupon the Spanish troops united with the French against him. His son was taken prisoner by Gonsalvo, "and, in violation of the most solemn promises, sent into Spain." Well may it be said that the compact between this eminently Catholic king and the French against Naples was "one of the worst instances of deliberate barefaced treachery to be found in history."⁴⁴³ Moreover, that brave soldier Gonsalvo was himself infected by the all-pervading virus of perjury; for he obtained the surrender of Tarentum by swearing on the holy sacrament that the Duke of Calabria, who was in that city, should be at liberty to go wherever he pleased: in spite of which oath Gonsalvo sent the Duke as a prisoner to Spain.⁴⁴⁴ In later life Gonsalvo repented of this act of perfidy, and of a similar breach of faith to Cæsar Borgia: but it is most instructive to observe that his biographer, Bishop Jovius, has attempted to justify these acts of perfidy, and especially that to Borgia. "It is indeed extremely singular"—says Roscoe, with remarkable *naïveté*—"that the Bishop of Nocera should attempt to justify the Spanish general in a transaction in which he could not justify himself. Thus the historian sinks below the soldier, who redeemed his crime by his contrition.....but the vindication of Jovius is intended to recommend to future imitation that guilt of which Gonsalvo repented, and to set up motives of temporary expediency against the eternal laws of morality and truth."⁴⁴⁵

Gonsalvo's expedition to Naples took place in 1501; and in the same year Henry VII. endeavoured, by

⁴⁴³ *Coxe*, p. 326.

⁴⁴⁴ *Roscoe*, I., p. 185.

⁴⁴⁵ *Ibid.*, pp. 223-224.

means of his ambassadors, to persuade Maximilian to revoke the safe-conducts to the English rebels then in his territories—giving them due notice of the revocation : but it would appear as though the bindingness and validity of secular safe-conducts were fully recognised.⁴⁴⁶ At the same time Henry's ambassadors reported to him that Maximilian refused to be bound by a treaty with Henry under sanction of the censures of the Church ; and that therefore he was little likely to keep any treaty not so safeguarded, as he had broken treaties in the past—sworn treaties of course, I presume !⁴⁴⁷ Maximilian's commissioners told the English ambassadors that he would be as faithful to a treaty without the desired sanction as to one possessing it—for no one had ever known sentence to be executed against any who had broken treaties thus safeguarded by the sanction of ecclesiastical censures !⁴⁴⁸ Maximilian, as we know, was a shifty liar ; but he in turn suffered from the bad faith of others ; and in 1506 he complained to Henry that Louis XII. had married his daughter to François of Valois in violation of his oath to give her to Charles of Austria—the said oath having been sworn on the sacrament and the cross and the four gospels, enforced by his good faith and kingly word, and all these guarantees additionally guaranteed by the sanction of the censures of the holy see !⁴⁴⁹ It would seem that these censures were the newest addition to the rotten hierarchy of frail oaths.

Moreover, in this affair Louis had played false, not only to Maximilian, but also to Philip of Spain, to

⁴⁴⁶ *Richd. and Hy.*, I., p. 166.

⁴⁴⁷ *Ibid.*, p. 172.

⁴⁴⁸ *Ibid.*, p. 173. In 1502 Henry's ambassadors, Somerset and Warham, represented themselves to the Emperor's envoys as being prevented by an oath from giving certain information which the latter desired (*ibid.*, II., p. 108).

⁴⁴⁹ *Ibid.*, I., p. 301.

whom he was "bound by the most solemn engagements" according to the Treaty of Blois; but, as soon as he had attained his object, he "broke the Treaty of Blois, which he had never intended to fulfil."⁴⁵⁰

Once again, however, the studied perjury of all these eminently Catholic kings was emulated by that of the head of the Catholic Church. In 1508 Pope Julius formed the League of Cambrai, and sought the aid of the Emperor Maximilian against the Venetians. Maximilian had only just signed and sworn to a treaty of peace with Venice, and had neither justification nor excuse for breaking it; but the Pope "called upon him by name, as the defender of the rights of the Church, to enter the Venetian territories in arms within forty days"—this summons being merely a hollow sham devised to save Maximilian's *honour*. The whole history of the League of Cambrai and the resulting combinations is, however, simply a wearisome record of perfidy and treachery in every quarter;⁴⁵¹ and Julius II., who before his election "had obtained a reputation for probity and good faith," displayed, during his pontificate, "the same disregard of his word, and the same contempt of the most solemn engagements," as had his predecessor Alexander Borgia.⁴⁵²

Roscoe sarcastically remarks of the device for satisfying Maximilian's "honour and conscience," that Pope Julius, "it seems, stood in no need of any pretext for infringing the treaty which he had himself entered into": and he proceeds to say that when

⁴⁵⁰ *Coxe*, I., pp. 338-339.

⁴⁵¹ *Ibid.*, pp. 350-358 and 365; *Roscoe*, I., p. 232; *Ven. Hist.*, II., p. 171.

⁴⁵² *Coxe*, I., p. 343. Borgia sought to aggrandize himself; Julius to aggrandize the Papacy.

the Venetians, becoming suspicious, instructed their ambassador in France to obtain assurances from the cardinal of Rouen, "the cardinal attempted for a time to impose on the Venetian envoy by equivocal assurances and crafty representations; but, finding these would not avail, he had recourse to direct falsehood, and assured the envoy, on the faith of a cardinal and a prime minister, that the King would still adhere to the Treaty of Blois, and that nothing had occurred at Cambrai which would be injurious to the Venetian republic." It is asserted, moreover, that these assurances were confirmed by the King himself on his pledged faith.⁴⁵³

A few years later Pope Leo followed in the perfidious steps of Pope Julius; for, after giving a safe-conduct to cardinal Petrucci, and "at the same time undertaking, by his solemn promise to the Spanish ambassador, not to violate his own act," he threw Petrucci into prison immediately upon his arrival at Rome, and finally put him to death. Leo, moreover, justified his own perfidy by maintaining that no safe-conduct, "however full and explicit," could bind him in such a case—for Petrucci had conspired against his life—"unless the crime was therein expressly mentioned."⁴⁵⁴ Apparently one might trust laymen's safe-conducts, but not papal ones.

Merely noting that the Treaty styled the *Paix Perpetuelle*, between France and Switzerland, remained unbroken from its signature in 1516 until 1792⁴⁵⁵—an example of fidelity that constitutes a record in history—we may again turn to Machiavelli, who, writing in this first quarter of the century, bears mournful witness to the universality of perjury in Christendom.

⁴⁵³ Roscoe, I., pp. 232-233.

⁴⁵⁴ *Ibid.*, II., pp. 70-75.

⁴⁵⁵ Smith's *France*, p. 294.

In a letter to Vettori he wrote that "fidelity to engagements, and gratitude for services rendered, afford no security which can be relied on in the present day :⁴⁵⁶ and elsewhere he says that "it is unquestionably very praiseworthy in princes to be faithful to their engagements ; but, among those of the present day who have been distinguished for great exploits, few indeed have been remarkable for this virtue, or have scrupled to deceive others who may have relied on their good faith."⁴⁵⁷ Yet again, after explaining that a prince must not keep his word if it prove injurious to him to do so, Machiavelli adds : "but as the generality of mankind are wicked and are ready to break their words, a prince should not pique himself upon keeping his more scrupulously.....I could..... show numberless engagements and treaties which have been violated by the treachery of princes, and that those who have enacted the part of the fox have always succeeded best in their affairs.....One example taken from the history of our own times will be sufficient. Pope Alexander VI. played, during his whole life, a game of deception ; and, notwithstanding that his faithless conduct was extremely well known, his artifices always proved successful. Oaths and protestations cost him nothing : never did a prince so often break his word, or pay less regard to his engagements.....There is a prince now alive..... who ever preaches the doctrines of peace and good faith ; but, if he had observed either the one or the other, he would long ago have lost both his reputation and dominions."⁴⁵⁸ This "prince now alive" was Ferdinand the Catholic, of Aragon, of whom Roscoe

⁴⁵⁶ *Machiavelli* ; Appendix, p. 502.

⁴⁵⁷ *Machiavelli's Prince*, p. 459.

⁴⁵⁸ *Ibid.*, pp. 460-461.

remarks that "those talents, which were dignified by the name of wisdom and prudence, would have been better characterized by the appellations of craft, of avarice, and of fraud." His treacherous conduct to his kinsmen of Naples was an indelible infamy: "in England his name was odious for breach of faith: and the French had still greater cause to complain of his perfidy. To reproaches of this kind he was himself indifferent: and, provided he could accomplish his purpose, he rather gloried in his talents than blushed for his crime"—as when he boasted that he had cheated Louis XII. upwards of ten times.⁴⁵⁹ I have already mentioned his scrupulous daily attendance at Mass: and I am not at all sure that those historians judge him correctly who look upon his piety and religious zeal as a mere pretence.

In 1521 we again find Pope Leo violating a safe-conduct which he had sent to Baglioni in order to entrap him to Rome, where he was promptly put to the torture and executed. Roscoe remarks that "the violation of such an assurance was a crime, which even the guilty mind of Baglioni could not conceive; and he accordingly hastened to Rome":⁴⁶⁰ but surely, in an age when popes were systematically perjurers, it was almost incredible folly on Baglioni's part to trust a papal safe-conduct—especially one granted by a pope who had already violated a safe-conduct four years earlier! That Baglioni was a scoundrel and a monster was, of course, no justification of Leo's perfidy. In the same year Luther came to the Diet of Worms with a safe-conduct from the Emperor Charles V. On his refusal to recant, "the papal legate and some of the members of the Diet.....

⁴⁵⁹ *Roscoe*, II., p. 48.

⁴⁶⁰ *Ibid.*, p. 356.

exhorted the Emperor to imitate the example of his predecessor Sigismund by withdrawing his protection from a heretic : but Charles rejected this advice with becoming disdain."⁴⁶¹

It must not be supposed, however, that this act of good faith was typical of Charles : for, in view of his general line of conduct, we must assume that he was actuated by fear of Protestant public opinion, and by policy, rather than by any regard for the sacredness of a promise. Charles was a most fervent and sincere Catholic, and strove hard to bring back the Protestants into the fold of the Church : indeed, of his fervent religiosity there can be no question whatever⁴⁶²—although Motley, who did not understand the religious diathesis, apparently thought him insincere and hypocritical.⁴⁶³ As in so many other instances recorded by history, however, his falsity appears to have been exactly proportional to his religious fervour. Coxe describes him as "noted for duplicity":⁴⁶⁴ and Motley tells us that he "was as false as water"; and says that "the contemporary world knew full well the history of his frauds.....and called him familiarly *Charles qui triche!*"⁴⁶⁵

On one occasion he made terms with the Protestant Elector Maurice of Saxony, whose scruples he quieted "by solemn asseverations that he harboured no hostile views against the religion of the Protestants"; and he "endeavoured to delude the allies of Smalkalde"⁴⁶⁶

⁴⁶¹ Coxe, I., 417.

⁴⁶² See *Ritual, Faith, and Morals*, p. 212.

⁴⁶³ Motley, I., pp. 108-109.

⁴⁶⁴ Coxe, I., p. 484.

⁴⁶⁵ Motley, I., p. 112. (Buckle, relying upon Dunham's *History of Spain*, describes Charles as faithful to his word; and speaks of the prejudiced accounts of French and Protestant writers (*Buckle*, II., p. 449): but Dunham's account of Charles's character seems to tally ill with the facts recorded of that monarch.)

⁴⁶⁶ *I.e.*, the Protestant League.

with the most solemn professions of his pacific intentions—hoping to surprise the League and take them unawares; for he was quietly collecting troops and taking subsidies from the Pope all the while! So too, in the war between himself and the Protestants, the Landgrave of Hesse Cassel accepted the mediation of the Electors Maurice and Brandenburg, and surrendered on the faith of “the positive assurances of the two mediators who, on the faith of private promises from the Emperor and his ministers, became sureties that he should not be detained a prisoner.” However, they all three “found themselves duped by the ambiguous expressions of Charles, who disclaimed all ties except written engagements, and detained him in custody.....The partizans of Charles endeavour to exculpate this perfidious breach of his promise by urging that he duped the mediators by ambiguous assurances, and that his ministers secretly substituted a word⁴⁶⁷ in the treaty—which entirely changed its import—before it was ratified by the Landgrave.”⁴⁶⁸ Motley justly denounced this forgery—perpetrated by the Bishop of Arras, and “connived at” by Charles—as “a villany worse than many for which humbler rogues have suffered by thousands upon the gallows.”⁴⁶⁹

Of a far more noble character by nature was Charles’s kinsman Ferdinand of Bohemia. In many respects he was one of those naturally good men whose native virtues light up the gloomy pages of history, and to read of whom is as grateful to the wearied and disheartened student as is each oasis to the traveller through the desert: and, had Ferdinand only been

⁴⁶⁷ *Ewiger* (perpetual) for *einiger* (any) imprisonment.

⁴⁶⁸ *Coxe*, I., pp. 450–451, 461–462; *Ascham*, p. 161.

⁴⁶⁹ *Motley*, I., p. 112.

left to follow the dictates of his own noble nature, possibly our pleasure in reading of him would be less alloyed with pain ; but unhappily, as has so often been the case, his native virtue was partly corrupted by a religious education. Generally speaking, he was "remarkable for strict adherence to truth":⁴⁷⁰ but although, on ascending the throne of Bohemia in 1586, he had acknowledged the people's right of electing their kings, he afterwards formally revoked this declaration, and proclaimed himself hereditary sovereign—"a glaring breach of faith."⁴⁷¹

The foregoing remarks have rather overshot our chronology; and we must now revert to the year 1526, when King Francis, after his defeat by the Spaniards, signed the Treaty of Madrid—which treaty he not only broke, but also was encouraged to break by that holy league which owed its origin to the papacy.⁴⁷² Vettori, the friend of Machiavelli, maintained that "Francis did a very proper and suitable thing in making large promises without any purpose of fulfilling them, that he might put himself in a condition to defend his country."⁴⁷³ I must add, however, that in 1535 Francis entered into a certain engagement with Henry VIII. with regard to the latter's divorce of Catherine and re-marriage to Anne, and the papal claims in the matter: "and he kept his word; for even in the war he afterwards had with King Henry he never falsified this engagement."⁴⁷⁴ Pasquier⁴⁷⁵ says, however, "that, in the time of Francis I., the French used to call their creditors *des Anglais*—from the facility with which the English

⁴⁷⁰ Curious that "strict adherence to truth" should be "remarkable" in a Christian!

⁴⁷² *Ibid.*, I., p. 429.

⁴⁷⁴ *Burnet*, II., p. 206.

⁴⁷¹ *Coxe*, I., p. 513; II., p. 16.

⁴⁷³ *Ranke*, III., p. 92.

⁴⁷⁵ 1529-1615.

gave credit to them in all treaties, though they had broken so many."⁴⁷⁶

We must now turn for a moment from Catholics to Protestants or semi-Protestants, among whom again we shall meet with that perjury which really seems to be inseparable from religion. It is comparatively a trifle that the oaths taken to the King and the Pope by the English bishops in 1532 were such "that they could not keep both those oaths in case a breach should fall out between the King and the Pope"⁴⁷⁷—and by the bye these bishops were not yet even semi-Protestants: but the conduct of Cranmer was far more scandalous. When in 1533 Henry appointed Cranmer to the archbishopric of Canterbury, "his policy required that the new archbishop should solicit the usual bulls from the Pope, and take the oath of canonical obedience to him. Cranmer, already a rebel from that dominion in his heart, had recourse to the disingenuous shift of a protest, before his consecration, that 'he did not intend to restrain himself thereby from anything to which he was bound by his duty to God or the King, or from taking part in any reformation of the English Church which he might judge to be required.'" As Hallam rightly adds—"It is of no importance to enquire whether the protest was made publicly or privately: nothing can possibly turn upon this: it was, on either supposition, unknown to the promisee—the Pope at Rome. The question is whether, having obtained the bulls from Rome on an express stipulation that he should take a certain oath, he had a right to offer a limitation, not explanatory, but entirely inconsistent with it. We are sure that Cranmer's

⁴⁷⁶ *Walpole*, II., p. 371.

⁴⁷⁷ *Burnet*, I., p. 73.

views and intentions, which he very soon carried into effect, were irreconcilable with any sort of obedience to the Pope : and if, under all the circumstances, his conduct was justifiable, there would be an end of all promissory obligations whatever."⁴⁷⁸

On the other side of the Channel, the history of Erasmus affords us an example of the steady training in hypocrisy which we must charge Catholicism with exercising : although, in common fairness, it must be remembered that Erasmus's equivocation was attributable, not to his own religious fervour, but to religious indifference. He had no fancy for martyring himself, and was moved by none of that feeling which induced the early Christians to suffer death and tortures rather than act even a small lie. In this sense, therefore, we must say that, had Erasmus been more fervidly religious, he would not have played the hypocrite : but my point is that his hypocrisy was the direct outcome of the whole teaching of the Roman Church on exclusive salvation, and of its consequent practice of unrelenting persecution : and it is in this sense that I charge religion with producing the horrible hypocrisy, which we find illustrated by the conduct of Erasmus and Descartes and Galileo, and which depraved the characters of tens and hundreds of thousands of unknown men, who were driven by fear of persecution to profess a belief that they loathed. Erasmus "easily endured that he should not be permitted to say what he could not be prevented from thinking. His controversies with the theologians of the Sorbonne—the vigilant guardians of orthodoxy—are very instructive in this respect. 'The arguments of criticism, estimated by the rules

⁴⁷⁸ Hallam's *Const.*, I., pp. 98-99. *Burnet*, I., p. 77. (Burnet actually says that Cranmer acted "fair and above board" !)

of logic, lead me'—he says—'to disbelieve that the Epistle to the Hebrews is by Paul or Luke, or that the Second of Peter is the work of that apostle, or that the Apocalypse was written by the evangelist John.....If, however, the Church were to declare the titles they bear to be as canonical as their contents, then I would condemn my doubts: for the opinion formulated by the Church has more value in my eyes than human reasons, whatever they may be.'"⁴⁷⁹ We shall have to note similar examples of Church-enforced hypocrisy in the next century: but we must now return to the strict chronological record again.

In 1534 a compulsory oath of allegiance to Anne Boleyn, and an oath to hold Princess Mary a bastard, were demanded of the clergy and laymen of England generally;⁴⁸⁰ and various clergy and laymen were sent to the Tower for refusing these oaths.⁴⁸¹ Anyone who reflects on the vicissitudes of the following twenty years will realise what a load of perjury was thus put on the conscience of the nation—or would have been, had it possessed a conscience.

In 1538 Forest, a friar observant, was arrested because in secret confession he had told many that the King was not supreme head of the Church; whereas before he had been sworn in the Supremacy.⁴⁸² Upon this point he was examined; and answered that he took his oath with his outward man, but his inward man never consented thereto.⁴⁸³ Here we have Cranmer's attitude again, but in the opposite cause. It must be admitted that the perjuries of Henry's reign alone would prove that the early

⁴⁷⁹ Reuss's *Canon*, p. 272.

⁴⁸⁰ *Wriothesley*, I., p. 24.

⁴⁸¹ *Ibid.*, p. 25.

⁴⁸² The Act of Supremacy was passed in 1534.

⁴⁸³ *Wriothesley*, I., p. 78. (Editor's note quoting Stow.) *Burnet*, I., p. 260.

Baptists were well advised in forbidding the use of oaths.⁴⁸⁴

In 1548 Philip of Spain came to the Netherland provinces "to exchange oaths of mutual fidelity with them all." He successively swore allegiance to the various constitutions and charters of the Provinces, swearing to support all their rights and privileges without any reservation. As we shall see, every word of his oaths was a perjury: but it was his habitual practice to swear "without reserve," and to break his most solemn oaths without the faintest scruple. On his journey to the Netherlands, he promised to intercede with the Emperor for the imprisoned Landgrave: and he kept his promise "as sacredly as most of the vows plighted by him during this memorable year."⁴⁸⁵

In 1550 the English and French kings swore on the sacraments to the articles of peace concerning the delivery of Boulogne.⁴⁸⁶ Perhaps this oath was kept, as I find no record of trouble arising from its breach.

In 1553, after King Edward VI. had signed his will, twenty-four counsellors and judges signed an accompanying deed, "by which they obliged themselves by their hands and seals and oaths and honours to observe every article in that writing; and, whatever the King should declare by his last will touching the limitation of the crown, to defend and maintain it to the utmost of their power, and to prosecute and punish to their uttermost any that should depart from it." Cranmer strongly opposed these proceedings, remarking that "he could not without perjury subscribe it, having sworn to observe King Henry's will:" but at length he yielded to Edward's

⁴⁸⁴ *E. B., Baptists*, p. 353.

⁴⁸⁵ *Motley*, I., pp. 125-126.

⁴⁸⁶ *Wriothesley*, II., p. 39.

entreaties.⁴⁸⁷ A few weeks after the death of Edward and the accession of Mary, Cranmer was severely reprimanded by the Council, and confined to his own house, "probably for signing King Edward's will; *which many that were then sitting at the Council had done*, and so were ashamed to proceed farther against him who had opposed it so much."⁴⁸⁸ In the following year Cardinal Pole received from the Pope extensive powers for dealing with English affairs; which powers enabled him, *inter alia*, "to absolve communities from unlawful pactions though confirmed with oaths"⁴⁸⁹—the old old story once more.

In 1555 occurred the dramatic abdication of the Emperor Charles V., who conclusively demonstrated the fervour and sincerity of his religious professions by retiring into a monastery. In this retreat he was afflicted with "bitter regrets that he should have kept his word with Luther—as if he had not broken faith enough to reflect upon in his retirement."⁴⁹⁰

His son Philip II., who succeeded to his hereditary dominions, was a more fanatical Catholic than Charles, and even a more unscrupulous liar. He "was never so thoroughly happy or at home as when elaborating the ingredients of a composite falsehood:"⁴⁹¹ and he lied with equal readiness to aggrandise himself or to advance his religion. On ascending the throne, he repeated his oaths of six years previously to the Netherlands provinces, whose charters he had thus made "faster than any of the princes of his House had ever done—so far as oath and signature could accomplish that purpose:"⁴⁹² but he spent his whole

⁴⁸⁷ Burnet, II., pp. 301–302.

⁴⁸⁸ *Ibid.*, p. 305.

⁴⁸⁹ *Ibid.*, p. 316.

⁴⁹⁰ Motley, I., p. 123. *Curios*, II., p. 480; III., p. 269.

⁴⁹¹ Motley, I., p. 369; 248.

⁴⁹² *Ibid.*, p. 247.

life in persecuting and massacring his subjects, and in trampling their dearest rights under foot: and, in order to enable Philip thus to persecute and murder the Netherlanders, the Pope dispensed him from observing the solemn engagements into which he had entered.⁴⁹³ The opening of Philip's reign was marked by a war with France and the Pope,⁴⁹⁴ which was apparently terminated in February, 1556, by a five years' truce between France and Spain, in which the Pope was expressly included. Two months previously, however, a secret treaty between France and the Pope had been signed, "by which this solemn armistice was rendered an egregious farce." The Pope was furiously indignant at finding that he was included in the armistice of February, and soon sent his legate to France to procure the breach of the truce. The legate assured the King, "as by full papal authority, that, in respecting the recent truce with Spain, His Majesty would violate both human and divine law.....The cardinal, by virtue of powers received and brought with him from his Holiness, absolved the King from all obligations to keep his faith with Spain: he also gave him a dispensation from the duty of prefacing hostilities by a declaration of war." This was tolerably complete perjury, in all conscience: but the Spaniards had shown equally bad faith: and each party charged the violation of the treaty against the other "with equal justice..... Both had been equally faithless in their professions of amity."⁴⁹⁵

War between France and Spain was thus renewed:

⁴⁹³ *Coxe*, II., p. 34.

⁴⁹⁴ Such hostilities between so staunch a Catholic and his spiritual father appeal to the unregenerate man's sense of humour.

⁴⁹⁵ *Motley*, I., pp. 142-155. *Burnet*, II., pp. 89-90 and 342.

and in 1557 Philip, in express defiance of all the stipulations made upon his marriage with Mary, crossed to England for the purpose "of cajoling his wife, and browbeating her ministers, into supporting Spain in the war against France."⁴⁹⁶ Well may Motley speak of "that pit of duplicity—the Spanish Court!"⁴⁹⁷

In 1558 Elizabeth succeeded to the English throne; and—admirable sovereign though she was, and gratefully to be remembered by all Englishmen—she was an unscrupulous liar. "Nothing is more revolting in the Queen"—says Green—"but nothing is more characteristic, than her shameless mendacity. It was an age of political lying: but in the profusion and recklessness of her lies Elizabeth stood without a peer in Christendom."⁴⁹⁸ Elizabeth was by no means a religious woman—at any rate as religion went in those days—and therefore we cannot lay any stress on her mendacity in the argument against religion: but Mary Queen of Scots was religious; and she told the Earl of Glencairn, who remonstrated against her breach of faith, that "princes were bound only to observe their promises so far as they found it convenient for them to do it"; and, on a very flagrant repetition of her offence, she again said that "princes were not to be strictly charged with their promises, *especially when they were made to heretics*."⁴⁹⁹

A word must here be said about the attitude of the infallible Council of Trent towards the great question of keeping or breaking faith with heretics. In 1551 the Council had issued a formal safe-conduct or guarantee to any Protestants from Germany who

⁴⁹⁶ Green's *Hist.*, II., p. 731. Motley, I., p. 157. This cost us the loss of Calais.

⁴⁹⁸ Green's *Hist.*, II., pp. 738–739.

⁴⁹⁷ Motley, III., p. 117.

⁴⁹⁹ Burnet, II., pp. 140–141.

should attend. So little trust, however—and rightly—was placed in the solemn promises of an infallible Council that in 1552 the assembled prelates repeated and enlarged the safe-conduct. Finally in March, 1562, after the resumption of the sittings, the Council once more issued a safe-conduct, in which it declared that “yet farther it promises in true and good faith, *all guilt and deceit being excluded*, that the said Synod will neither openly nor covertly seek for any opportunity; nor make use of, nor suffer anyone to make use of, any authority, power, right, or statute, privilege of law, or canons, *or of any Councils soever, especially those of Constance and Siena*, under what form of words soever expressed; to the prejudice in any way of this public faith.....as it derogates from the aforesaid, in this instance and for this occasion.”⁵⁰⁰

Upon this tumid invitation one may remark:—

(i) That it testifies both to the general indisposition of Protestants to give any credit to the Council's solemn pledges; and to that Council's own vivid realisation of the facts that perjury comes home to roost, and that Churches, like individuals, which glorify lying, perjury, and treachery, cannot expect to be believed or trusted:

(ii) That we have here the testimony of an infallible Council that the equally infallible Council of Constance—besides a conceivably fallible synod of Siena—had enacted the lawfulness or duty of breaking faith with heretics:

And (iii) that, as the privilege of breaking faith was waived “in this instance and for this occasion,” the Council of Trent implicitly, if not indeed actually

⁵⁰⁰ Buckley, pp. 128; 85-86; 113-116; 125-128.

explicitly, reasserted the infamous doctrine that sworn faith should not be kept with heretics.

The Council appropriately closed its sessions in a cloud of papal perfidy. The Emperor Ferdinand, in urging the Pope and the Council to permit the marriage of priests, declared that, in consequence of the prohibition of marriage to the clergy, fornication and concubinage had been tolerated; and he quoted the "common observation" that priests, living in concubinage, were guilty of greater sin than priests who married.⁵⁰¹ Here, then, we have yet one more proof that the perjury of the clergy continued unabated into the sixteenth century; and that not even so peculiarly solemn an oath as a priest's vow of chastity possessed any binding force. It does not seem, however, that Pope Pius was at all troubled either by the perjury of others or by his own: for, although Ferdinand's consent to the dissolution of the Council had been obtained on the faith of the legate's "*most solemn assurances*" that the Pope himself would concede the right of marriage to the priests, and communion in both kinds to the laity; yet the Pope granted the latter concession only after much difficulty, and refused the former entirely.⁵⁰² The marvel is, however, that either Ferdinand or anyone else could have been so besottedly credulous as to place the smallest reliance on the promises or oaths of any pope or legate—since they all alike systematically traded in perjury.

In 1567 Philip of Spain sent Count Egmont a friendly and laudatory letter "full of affection and confidence." This was "one of the most striking monuments of Philip's cold-blooded perfidy;" for

⁵⁰¹ *Coxe*, II., pp. 12-13.

⁵⁰² *Ibid.*, p. 34.

he had already signed Egmont's death-warrant.⁵⁰³ What a contrast to this perjurer is afforded by the noble fidelity of William of Orange, a man who respected his oaths, and actually refused to swear to terms that he could not, or might not be able to, fulfil. Especially noteworthy is the fact that, at this time, Orange did not trouble about religion, and was not a religious man.⁵⁰⁴

In 1568 Count Egmont was put to death. He was a knight of the Golden Fleece: and his imprisonment, *trial* (*sic*), and execution, were in absolute contravention of the statutes of that Order, of which Philip was the head: but "Philip had no more difficulty in violating his oath as head of the Fleece than he had as Duke of Brabant."⁵⁰⁵

Another accomplished liar of the same race was Margaret of Parma, Philip's half-sister and his regent in the Netherlands. Motley describes her as "carefully educated in the Machiavellian and Medicean school of politics," and well versed in dissimulation: and she was indeed one of the most arrant liars that ever lived. She breathed and moved and had her being in an atmosphere of falsehood; and her secret letters to the King were "a tissue of most extravagant and improbable falsehoods" and "infamous calumnies." Of her conduct on one occasion the historian says that it "had been marked with more than her usual treachery: she had been disowning acts which the men, upon whom she relied in her utmost need, had been doing by her authority; she had been affecting to praise their conduct, while she was secretly misrepresenting their actions and maligning

⁵⁰³ Motley, II., p. 81.

⁵⁰⁴ *Ibid.*, pp. 49 and *antea passim*.

⁵⁰⁵ *Ibid.*, p. 152.

their motives." After this picture of her falsity and treachery, the reader will be quite prepared to hear that "she was an *enthusiastic Catholic*, and had sat at the feet of Loyola, who had been her confessor and spiritual guide;" and that "she was most strenuous in her observance of Roman rites."⁵⁰⁶

In 1566 Pius V. became Pope: he it was who repeated the old medieval trick, and published a bull absolving Elizabeth's subjects from their allegiance.⁵⁰⁷

About 1569 the Spanish bishop Simancas once more asserted the Catholic principle that *faith is not to be kept with heretics*: "for if with tyrants, pirates, and other robbers, who kill the body, faith is not to be kept, far less with confirmed heretics who kill souls." I may add that this revolting maxim, "that heretics are so intensely criminal as to have no moral rights," is stated to be still "a favourite doctrine in Catholic countries, where no Protestant or sceptical public opinion exists."⁵⁰⁸ What more damning evidence could one desire of the essential tendencies of Catholicism?

Once again, however, we can find the perfidy of the Church rebuked by the honour of a layman. Maximilian II. had concluded in 1467 an armistice with the Turks: and this he refused to break in 1471, "notwithstanding the urgent exhortations of the Pope, the King of Spain, and the ever-perfidious Venetians. When Cardinal Commendon pressed him with all the specious arguments by which the Church of Rome attempted to justify the breach of the most solemn engagements with infidels," Maximilian's native honour was proof against even the insidiously

⁵⁰⁶ *Ibid.*, I., pp. 211, 212, 382; II., pp. 9, 10, 22.

⁵⁰⁷ Hallam's *Const.*, I., pp. 134-135.

⁵⁰⁸ Lecky's *Ratlsn.*, I., pp. 396-398.

corrupting influence of religion : and he replied that "the faith of treaties ought to be considered as inviolable ; and a Christian can never be justified in breaking an oath."⁵⁰⁹ When we thus find secular virtue so often triumphant over, and rebuking, religious perfidy, we may well ask where does the sanctifying influence of religion—that supposed *only safeguard of virtue*—come in !

In 1572 Pope Pius was succeeded by Gregory XIII., who published "what was called an *explanation* of his predecessor's bull absolving Englishmen from their allegiance." This explanation set forth "that the bull should be considered as always in force against Elizabeth and the heretics, but should only be binding on Catholics when due execution of it could be had. This was designed to satisfy the consciences of some papists in submitting to her government and taking the oath of allegiance : " and many English Catholics availed themselves of this convenient *explanation* :⁵¹⁰ but obviously it was an undisguised incitement to them to perjure themselves at the first convenient opportunity. In this year too the throne of Poland fell vacant ; and Henri, Duke of Anjou—afterwards Henri III. of France—was elected king on certain conditions, which included a disavowal of the massacre of S. Bartholomew, the punishment of its authors, and religious toleration. The French plenipotentiary, Bishop Montluc, preferred to assent rather than to sacrifice a crown ; but, "after signing these conditions, wrote to his master that he was not bound by them, because they did not concern Poland in general, and that they had compelled him to sign what, at the same

⁵⁰⁹ *Coxe*, II., p. 50.

⁵¹⁰ *Hallam's Const.*, I., p. 147.

time, he had informed them his instructions did not authorise."⁵¹¹

In 1574 the Prince of Orange, in reply to the Spanish commissioners, issued an indignant manifesto upon the habitual perfidy and treachery of the Spanish Government. "The Prince declared it almost impossible for himself or the Estates to hold any formal communication with the Spanish Government; as such communications were not safe. No trust could be reposed either in safe-conducts or in hostages: faith had been too often broken by the Administration. The promise made by the Duchess of Parma to the nobles, and afterwards violated; the recent treachery of Mondragon;⁵¹² the return of three exchanged prisoners from the Hague, who died next day of poison administered before their release; the frequent attempts upon his own life—all such constantly recurring crimes made it doubtful, in the opinion of the Prince, whether it would be possible to find commissioners to treat with His Majesty's Government. All would fear assassination, afterwards to be disowned by the King and pardoned by the Pope."⁵¹³ I should add that the Spanish commanders so repeatedly and habitually violated the solemn pledges, by which they induced the Dutch cities to surrender, that I have not had the patience to record any of their treasons in this chapter.⁵¹⁴

In 1577 Don John was installed as Governor of the Netherlands; on which occasion he took "the

⁵¹¹ *Curios*, III., p. 399.

⁵¹² Conditionally released on parole by the Dutch, Mondragon was not allowed to return, although the conditions of his release were refused (*Motley*, II., p. 517).

⁵¹³ *Ibid.*, p. 519.

⁵¹⁴ In Chapter xxxvii. of my complete work there is a long account of these atrocious treasons.

customary oaths—to be kept with the customary conscientiousness.”⁵¹⁵

In 1579 Parma succeeded in breaking up the Netherlands-confederacy, and detached therefrom the Catholic Walloon provinces, by promising the immediate dismissal of his foreign troops. This undertaking he could give “the more easily as he had no intention of keeping the promise.”⁵¹⁶ Philip, on his part, “had granted easy terms to the Walloons; because upon the one great point of religion there was no dispute; and upon the others there was *no intention of keeping faith*.....This is most evident from the correspondence of Parma, both before and after the treaty of Arras.”⁵¹⁷ I need scarcely remind the reader that Parma was a good Catholic.

We know already that the French were as infected as all other nations with this disease of perjury: and in 1580 Montaigne testified to their mendacity. “Our nation is long since taxed with this vice”—he said; and, after quoting Salvian’s rebuke,⁵¹⁸ continued—“He that would endear this testimony might say it is now rather deemed a virtue among them. Men frame and fashion themselves unto it as to an exercise of honour: for dissimulation is one of the notablest qualities of this age. Thus have I often considered whence this custom might arise, which we observe so religiously, that we are more sharply offended with the reproach of this vice, so ordinary in us, than with any other; and that it is the extremest injury may be done us in words, to upbraid and reproach us with a lie. Therein I find that it is natural for a man to

⁵¹⁵ *Motley*, III., p. 116.

⁵¹⁶ *Ibid.*, pp. 319 and 324.

⁵¹⁷ *Ibid.*, p. 349.

⁵¹⁸ Salvian denounced Gaulish manners in the fifth century. *Supra*: p. 38.

defend himself most from such defects as we are most tainted with."⁵¹⁹ Montaigne himself was centuries ahead of his age in his regard for veracity, as similarly in his humanitarianism; and denied the lawfulness of violating even oaths made under compulsion. For instance—"Thieves have taken you; and, on your oath to pay them a certain sum of money, have set you at liberty again. They err that say an honest man is quit of his word and faith without paying, being out of their hands. There is no such matter. What fear and danger hath once forced me to will and consent unto, I am bound to will and perform, being out of danger and fear: and, although it have but forced my tongue and not my will, yet am I bound to make my word good and keep my promise. For my part, when it hath sometimes unadvisedly over-run my thought, yet have I made a conscience to disavow the same. *Otherwise we should by degrees come to abolish all the right a third man taketh and may challenge of our promises.....*'Tis only lawful for our private interest to excuse the breach of promise, if we have rashly promised things in themselves wicked and unjust."⁵²⁰ Surely this plain morality of the sceptical layman was as different from that of the Christian Church as light from darkness, or pure bread from putrefying carrion.

Turning now for a moment to England, we must remark that the greatly increased severity with which "recusants" were treated after 1579 or 1580 "had the usual consequence of persecution—that of multiplying hypocrites: for, in fact, if men will once bring themselves to comply to take all oaths.....it is hardly possible that any Government should not be baffled:"

⁵¹⁹ Montaigne's *Essays*, p. 5.

⁵²⁰ *Ibid.*, pp. 211-212.

and "the laws enacted against popery were precisely calculated to produce this result.....The oath of supremacy was not refused; the worship of the Church was frequented by multitudes who secretly repined for a change."⁵²¹ That many English Catholics, however, were vastly more moral than popes and cardinals and Spanish kings, is proved by a memorial which Burleigh presented to the Queen in 1583, pointing out that many Catholics could not bring themselves to perjury, as was testified by the terrible losses and disgraces which they incurred rather than take the oaths.⁵²² As in the days of chivalry, the proud self-respect of the gentleman exerted an influence as moralising as that of the Catholic Church was demoralising. On the continent this year 1583 witnessed the memorable perjury of the French prince Anjou-Alençon, who was chosen by the Dutch to rule over them. "It is needless to add"—says Motley—"that neither in his own judgment, nor in that of his *mignons*, were the constitutional articles which he had recently sworn to support, or the solemn treaty which he had signed and sealed at Bordeaux, to furnish any obstacles to his seizure of unlimited power." He confided to his friends in his bedroom the plot which he had formed against the constitution, to which he had just sworn; and they applauded it: "whereupon the Duke leaped from his bed, and, kneeling on the floor in his night-gown, raised his eyes and his clasped hands to heaven, and piously invoked the blessing of the Almighty" upon his perjury; vowing also that, if successful in his enterprise, "he would abstain in future from all unchastity!" When charged with

⁵²¹ Hallam's *Const.*, I., p. 153.

⁵²² *Ibid.*, p. 152.

the plot, he denied it, swore to punish his calumniators, and *solemnly promised* Orange to remain in Antwerp during the whole day : but, directly Orange's back was turned, he rode out to his camp, and sent back his troopers to massacre the townsmen and sack the city—having already seized other towns.⁵²³

About 1588 we hear of Charron, the French priest, who seems to have vowed that he would embrace the monastic life. The Carthusians, however, refused to admit him, because he was already about forty-seven years old ; and the Celestines refused him for the same reason : whereupon he was assured by several learned divines that he was thereby released from his oath, and could with a good conscience remain a secular priest, since he had endeavoured to fulfil the said oath.⁵²⁴ One wonders whether he might not first have gone the round of the monastic Orders ; and one has a suspicion that the sceptical Montaigne would have been less easily satisfied.

In 1589 the Sorbonne, "after having examined many and various arguments taken verbally, for the most part, from the sacred scriptures, the canon-law, and papal ordinances," unanimously resolved "that the people of this realm are absolved from the oath of allegiance and fidelity given by them to King Henry."⁵²⁵ A few years later Sigismund, a Catholic, in order to secure the crown of Sweden, swore to maintain the Lutheran religion—for the Jesuits advised him that "he could yield to the heretics what they sought without offending God." The nuncio had not dared go so far as this ; but now his ingenuity was exercised to find "some remedy for

⁵²³ *Motley*, III., 447, 448, 450, 452, 458.

⁵²⁴ *Charron*—Editor's *Introduction* (unpaged),

⁵²⁵ *Ranke*, II., p. 9.

the disorder that had occurred; and he contrived that, *for the security of his conscience*, his Majesty should protest in writing that he had not yielded those things of his will, but of pure force; and he persuaded the most serene king to grant to the Catholics the same promises that he had granted to the heretics, so that, as in the case of the Emperor and as for the kingdom of Poland, *he should be sworn to both sides.*" As Ranke says—"It was a singular expedient. One protest was not thought enough: and, in order to be in some measure freed from an obligation entered into by oath, another oath of a tendency directly opposite is taken to another party. Thus, an engagement being entered into with both parties, equal rights must of necessity be extended to both."⁵²⁶

Thus did the Catholic Church systematically, deliberately, and continuously, teach and exhort mankind to break their most solemn oaths and palter with their plighted faith: and it will be found that in the next century the story is still much the same. Before, however, we proceed to the story of the seventeenth century there are still two or three records to be noted: and we may then conveniently pause to take account of certain general considerations. First then we find a welcome and unusual example of conscientiousness. At the end of 1594 Richard Orrell was appointed an Usher of Chancery; but he scrupled to take the oaths, because a literal observance of them was practically impossible. The Master of the Rolls thereupon issued a memorandum explaining in what sense and with what modifications the oaths were to be construed: and Orrell was thus enabled to swear himself in.⁵²⁷ In 1597 the Anglo-Scotch Commission

⁵²⁶ *Ibid.*, p. 149.

⁵²⁷ *Egerton*, pp. 195-196.

for suppressing Border-troubles recommended that, "for eschewing of perjury in swearing of bills in time to come, it is ordained that every party swear his own bill" ⁵²⁸—a significant recommendation, although we may doubt the efficacy of the cure proposed. In 1600 we find a very bad case of perjury on the part of one John Daniel, who, having stolen letters from the Countess of Essex, extorted a heavy blackmail for their return, and "swore voluntarily upon the Bible" that he had no copies; whereas he had first copied the letters, and had falsified some in the copying. ⁵²⁹

With regard now to some general considerations, it must be pointed out that, since the sixteenth century witnessed that great religious upheaval, from the effects of which the Papacy has never recovered, it is not strange if from this time onward we find fewer records of papal dispensations to kings and others to break their oaths: but Burnet goes too far when he says that the Pope's action in dispensing the King of France from his oath to the King of Spain in 1556 "gave such offence to everybody that it has not been publicly put in practice since that time." ⁵³⁰ I have already mentioned the attempt of Pope Pius to induce Maximilian to break his faith with the Turks; and evidence of papal readiness to dispense Catholics from their oaths to fellow Christians will be found in the records of the seventeenth century: but nevertheless this dispensing power did fall very much into abeyance after the middle of the sixteenth century—and perhaps for more reasons than one. In the first place, it is only just to remember that the effects of the Reformation were far from being confined to Protestantism. The Reformation was, in very large

⁵²⁸ *Ibid.*, p. 234.

⁵²⁹ *Ibid.*, p. 326.

⁵³⁰ *Burnet*, II., p. 342.

part, a great moral rebellion against the unspeakable iniquities of the Papacy and the clergy: and the Roman Church itself was thoroughly frightened into such a moral reformation of its ways as ten centuries of religion had failed to effect, although it was now readily effected by fear and self-interest. After the Reformation the papal biography ceases to be a *Newgate-Calendar*: and one can readily believe that the mere private morality of the popes would disincline them to indulge in dispensations of oaths for the sake of personal gain, although no ordinary morality would guard them against perjury for the good of the faith, if only they were religious enough to be tempted.⁵³¹ In the second place, however, other factors combined to render such open perjury dangerous after the Reformation: for, on the one hand, the Papacy, now menaced by Protestantism, could ill afford to give its foes so deadly a weapon as would be afforded by open and flagrant perjury on its part; and, on the other hand, it was likely enough that even Catholic kings and peoples would manifest considerable contempt for papal dispensations to break an oath. It seems clear therefore that we cannot safely argue from the scarcity, henceforth, of this kind of perjury at the Church's instigation, to an improvement in the influence of religion upon truthfulness: and I shall proceed to show in due course that, directly the Church ceased to encourage one form of lying, her most active members occupied themselves in encouraging another—of course for God's honour. Before studying this phase of her

⁵³¹ Of this latter statement the facts which I have cited are a convincing demonstration—especially convincing to Christians who reverence as saints those fathers by whom lying from zeal to God's honour was systematically applauded.

activity, however, we may note Hallam's summary of the effects of these papal dispensations. "The most important and mischievous species of dispensations"—he says—"was from the observance of promissory oaths. Two principles *are laid down in the Decretals*⁵³²—that an oath disadvantageous to the Church is not binding; and that one extracted by force was of slight obligation, and might be annulled by ecclesiastical authority. As the first of these maxims gave the most unlimited privilege to the popes of breaking all faith of treaties which thwarted their interest or passion—a privilege which they continually exercised—so the second was equally convenient to princes weary of observing engagements towards their subjects or their neighbours..... It was of little consequence that all divines and sound interpreters of the canon-law maintain that the Pope cannot dispense with the divine or moral law—as de Marca tells us; *though he admits that others of less sound judgment assert the contrary.*"⁵³³ Elsewhere too Hallam remarks that "there had not been wanting those who, whatever course they might pursue in the confessional, found the convenience of an accommodating morality in the secular affairs of the Church. Oaths were broken, engagements entered into without faith, for the ends of the clergy or of those whom they favoured in the struggles of the world: and some of the ingenious sophistry by which these breaches of plain rules are usually defended was not unknown before the Reformation"⁵³⁴—*i.e.*, before the time of the Jesuits, who are

⁵³² Mark this! The decretals are part of the canon-law of the Church.

⁵³³ Hallam's *Medlsm.*, pp. 296-297. ("His [the Pope's] power of interpreting the law was of itself a privilege of dispensing with it." *Ibid*, p. 297.)

⁵³⁴ Hallam's *Lit.*, III., pp. 135-137.

popularly credited with inventing such casuistry, whereas they only⁵³⁵ largely developed it.

Such having been the training afforded by religion in both precept and example, it is surely not strange that perjury and falsehood should still be so common, and truth so little prized. The wonder rather seems to be that any regard for truth should have been left in the world. If the question be asked whether the renascence of truthfulness has been a modern phenomenon, or whether there were countervailing factors at work in medieval times, I should be inclined to answer both questions in the affirmative. No doubt the many good and virtuous men, whom even religion failed to corrupt—as, for instance, the doctors and canonists just mentioned—did something to counter-vail the pernicious precepts and examples of the papacy and the clergy: but we may be permitted to doubt whether this influence told very greatly in those days—and indeed history seems to ignore even the existence of any such influence at all.⁵³⁶ That there was during many centuries a considerable mass of ecclesiastical teaching that favoured truthfulness is not to be denied: but in all inquiries of this kind we must ask—(1) Was this *ex cathedra* teaching of any efficacy? did it, as a matter of fact, incline men to truthfulness? and (2) Was there any opposition-teaching in favour of falsehood and perjury? The

⁵³⁵ *Only*—yes! But what an *only*!

⁵³⁶ We have, however, a clear record in history of one influence—and that a secular one—which did much to revive the sense of truthfulness in man: but, as I have already spoken of the reform effected by chivalry, there is no need to say more concerning its influence now. The conversation between King Henry and Fluellen in act iv., scene 7, of *King Henry V.* may perhaps be regarded as indicating that, in Shakespeare's day, the chivalrous regard for a plighted word was notably characteristic of professional soldiers of the very best type.

second question must be answered with an emphatic affirmative ; for I have cited a mass of evidence which proves that, however strongly these upright doctors insisted on the claims of truth, the voices of such students were drowned by the opposite teaching and practice of popes, bishops, clergy, and councils ; and the former question must be answered by an equally emphatic negative. We need not content ourselves with Hallam's judgment that the sound teaching of the canonists "was of little consequence" when opposed by such a weight of authority :⁵³⁷ for the terrible array of facts collected in this chapter proves conclusively that practically the sound teaching was of no consequence whatever. If then we find that the ecclesiastical teaching of truth was useless, while the ecclesiastical teaching of falsehood was only too efficacious, it seems to me that it is of little service to religion to emphasise the preaching of truth by a series of Christian doctors ; although, as a matter of fair-play, I have emphasised it very clearly. I am afraid that I should almost be travelling beyond my record if I suggested that "the rigid casuists went to extravagant lengths," and came to decisions which "were often not only harsh but unsatisfactory"⁵³⁸—although the remarks quoted from Newman⁵³⁹ at the close of this chapter suggest some very significant reflections—for it might perhaps be fairly retorted upon me by a Catholic that, if I charge religion with promoting untruthfulness, I should certainly not be justified also in charging some of its doctors with inculcating exaggerated truthfulness, merely because it is a debated question in utilitarian ethics whether an untruth may not sometimes be a lesser sin than a

⁵³⁷ *Hallam's Medlsm.*, II., pp. 296-297.

⁵³⁸ *Hallam's Lit.*, III., p. 137.

⁵³⁹ *Infra*, note 834.

truthful statement: and indeed this question is so difficult and intricate that I may refrain from discussing it in a simply historical work, leaving the religionists to make what capital they can out of this ethical difficulty.

Utterly alien from the possibly exaggerated teaching of the rigid canonists—from which indeed it was in some senses a reaction—was that of the Jesuits, who were well in evidence by the middle of the sixteenth century, and whose sinister influence was devoted to perverting the sense of truthfulness, and sapping the foundations of mutual trust and confidence, as steadily from this time forward as that of popes and legates and bishops and friars had been in the medieval and pre-Reformation period. “Indefatigable and unscrupulous”—says Hallam—they were “accustomed to consider veracity and candour, when they weakened an argument, in the light of treason against the cause”:⁵⁴⁰ but, since the teaching of the Jesuits can be more appropriately studied in connection with Pascal’s attack upon them, I will say no more on the subject at present than that they continued their campaign against truthfulness during the seventeenth century, and that they are even charged with having commonly advocated, during the latter part of the sixteenth century, the monstrous doctrine that the Pope can dispense with the divine or moral law.⁵⁴¹

Of the Catholics’ antitheses, the Puritans, we shall find some records at a later stage: but here I feel bound to record a diarist’s remark at the end of 1602—although I attach but little importance to it, since

⁵⁴⁰ Hallam’s *Lit.*, II., p. 64. He adds—“language which might seem harsh were it not almost equally applicable to so many other partisans.”

⁵⁴¹ Hallam’s *Medlsm.*, II., pp. 296–297.

the diarist and his friends were strongly prejudiced against the Puritans. The charge therefore may be mere typical slander: but here it is verbatim—"He told me what dissembling hypocrites these Puritans be, and how slightly they regard an oath:" and our diarist then quotes an instance of flat perjury about a mere trifle.⁵⁴²

IX.

We may commence our study of the seventeenth century with two or three foreign examples before we turn to England. I have already mentioned the regard for good faith attributed to the early Russians: but this truthfulness, if it ever really existed, had by this time practically died out; and we are told that the tyranny of Ivan IV.⁵⁴³ "extinguished the few remaining sparks of the rude honour of the days of old"⁵⁴⁴—of the justice of which mournful judgment there are several examples. The "false Dmitri," who acquired the crown in 1605, was certainly a notable and noble exception; but it must be remembered that he scandalised the Russians by his irreligious behaviour. His regard for his oath was evidenced when he was urged to execute the conspirator Shuiski, and replied—"I have sworn not to shed Christian blood, and I will keep my oath":⁵⁴⁵ although I must add that, in view of Dmitri's noble and benevolent character, it is impossible to avoid the suspicion that the oath was only an excuse, and that Shuiski really owed his life to Dmitri's innate clemency—a suspicion that is confirmed by the fact that Dmitri even revoked his sentence of exile, and restored the

⁵⁴² *Manningham*, pp. 110-111.

⁵⁴⁴ *Kelly*, I., p. 149.

⁵⁴³ Died 1584.

⁵⁴⁵ *Ibid.*, p. 190.

conspirator to all his honours and possessions—a grace to which he was certainly bound by no oath.⁵⁴⁶ On the other hand, Shuiski, “having given a solemn promise never again to take part in any rebellion against his sovereign,” and having been thus pardoned and restored to his honours, immediately re-commenced his conspiracies. He succeeded so well as to secure the crown for himself after the murder of Dmitri: and it is related of him, as a curious defect of intelligence, that, “having made sport of the most solemn oaths” himself, he yet expected to find in others “scruples of conscience which he had never known.” He was indeed an arrant perjurer: but, having gained, whether deservedly or not, a great reputation for orthodoxy, he was in high favour with the clergy—who, of course, will invariably forgive a king any crimes except heresy and ill-will to the priesthood.⁵⁴⁷ In 1612 died the Emperor Rudolph II.—a devout Catholic monarch. He had designed, at one period during his reign, to wreak his vengeance upon the Bohemians by invading their country: but, the people suspecting his intentions when they found the country invaded by his lawless troops, he *called God to witness* that the irruption was made without his knowledge or consent!⁵⁴⁸

On the tendency to perjury in England at the beginning of the century a lurid light is thrown by the history of Carey’s Irish frauds, which were carried on in the closing years of Elizabeth’s reign and in the opening years of James’s reign. We are told that the Treasurer at War “passed the accounts of his dishonest subordinates, and shielded them by his

⁵⁴⁶ *Ibid.*, pp. 156–200, on Dmitri’s character and career.

⁵⁴⁷ *Ibid.*, pp. 190, 200, 201, 207.

⁵⁴⁸ *Coxe*, II., pp. 120, 121.

signature and oath to their discharges.”⁵⁴⁹ One wonders whether such cases were included among those in which the Baptist Confession of 1611 approved of oaths!⁵⁵⁰ Contemporary evidence to the reliance placed upon oaths is afforded by a retort made to Sir Lewis Stucley, whose Judas-like treachery to Rawleigh has made his name and memory to stink. After the execution of Rawleigh in 1618, Stucley was so execrated that “he offered the King, in his own justification, to take the sacrament that whatever he had laid to Rawleigh’s charge was true, and would produce two unexceptionable witnesses to do the like. Sir Thomas Badger, who stood by, observed—‘Let the King take off Stucley’s head, as Stucley has done Sir Walter’s; and let him at his death take the sacrament and his oath upon it; and I’ll believe him: but, till Stucley loses his head, I shall credit Sir Walter Rawleigh’s bare affirmative before a thousand of Stucley’s oaths.’ ”⁵⁵¹

We come now to the character of Charles I., whose whole life, from youth to the end, was so tainted with systematic and unscrupulous perjury that he must be looked upon as the willing victim of a moral disease. As everybody knows, he was also a very religious man. In his young days Hackwell, who was his instructor in divinity, gave him in strict confidence a treatise against marriage with a papist. Charles faithfully promised to keep this absolutely secret; but within two hours he showed it to James—with the result that Hackwell was disgraced, and that Charles’s tutor and Archbishop Abbot also fell into disgrace. This was especially hard on the tutor, who,

⁵⁴⁹ *Hall*, p. 131.

⁵⁵⁰ *E. B., Baptists*, p. 534. (A curious departure from their earlier rule.)

⁵⁵¹ *Curios*, III., pp. 134-135.

knowing his pupil's character, had tried to dissuade Hackwell from trusting Charles, and had warned him—"he will betray you."⁵⁵² As Weldon remarked—"Here was an emblem of his breach of oaths and protestations in future, and of his untrustiness, which in a subject would have been called treachery."⁵⁵³

Then again his whole sojourn in Spain in 1623 was spent in one long course of perjury. He readily agreed to everything demanded of him; since he had no intention of keeping any of his promises: and showed himself "as great in dissimulation as Olivarez himself." After deceiving the Spaniards most thoroughly, "he finally went off, *swearing in the most solemn manner* to the marriage-treaty, and leaving a proxy to Lord Bristol to despatch it: while he privately arranged that it should be broken off as soon as he could get out of Spain." As to Philip's demand for privileges to the English Catholics—"Charles, instead of declaring that the condition was one which the English nation would never endure, and that he must therefore break off the marriage-treaty—with which he was thoroughly disgusted—departed with a lie in his mouth. On August 28th *he took a solemn oath* binding himself to the marriage, and wrote afterwards 'that, even if all the world conjoined were to oppose itself and seek to trouble our friendship, it would have no effect upon my father or myself.'"⁵⁵⁴ It will be observed that in this case there was neither religious zeal nor political theory to "excuse" the perjury of this very religious prince, who lied and perjured himself from sheer unscrupulousness. Weldon

⁵⁵² Weldon, pp. 217-218.

⁵⁵³ *Ibid.*, p. 219.

⁵⁵⁴ Verney, I., pp. 81-82. Cf. Green's *Hist.*, III., p. 1,019, on Charles's duplicity. (Buckingham claimed to have discovered that, under her father's will, the Infanta was designated as the bride of the Emperor's son.—*Curios*, II., pp. 398-399.)

remarks that Charles got out of Spain by a trick, and left "his faith and his proxy" with Lord Digby:⁵⁵⁵ and it may be added here that he accuses Charles—after his accession to the throne—of betraying the Huguenots of Rochelle, "after his fair promises and deep imprecations for their relief."⁵⁵⁶ As a sort of antidote to the evil odour of all this royal perjury, it may be mentioned that the Puritan fanatic and assassin Felton was characterised by such "love of truth and rigid honour" that he was nicknamed "Honest Jack."⁵⁵⁷

That the oath was still regarded by prudent men as an insufficient guarantee is proved by the fact that, when on one occasion about this time there was a question whether certain peers should be sworn or should give their word of honour, "there was one that did whisper that *he had rather take some men upon their honour than upon their religion*, for that he feared they did more respect their honour than their religion."⁵⁵⁸ It would be difficult to find a more practical and convincing proof of the superiority of chivalry to religion as a moralising factor; and I shall have occasion later to quote a similar proof from the close of this century: but I must add in common fairness that, on the accession of James, the Lord Mayor had refused to accept the word of honour of certain Peers that they came to the City to proclaim James, and insisted on taking security from them.⁵⁵⁹ However, it is not on record that he would have had any more confidence in their oath than in their word of honour; and the incident therefore does not affect the relation of chivalry to religion.

In 1628 Ferdinand II., who had previously solemnly

⁵⁵⁵ *Weldon*, p. 149.

⁵⁵⁶ *Ibid.*, p. 219.

⁵⁵⁷ *Curios*, II., p. 412.

⁵⁵⁸ *Goodman*, I., p. 2.

⁵⁵⁹ *Ibid.*, p. 9.

ratified the religious toleration granted to Lower Austria, now violated his promise, and persecuted the Protestants⁵⁶⁰—of course from zeal for God's honour. On the other hand, when Ferdinand's son was elected king of Hungary, the Emperor would not consent to his taking certain oaths, without which the coronation could not then be performed, because he considered, "in accordance with the counsels of his father-confessor, that it would be against conscience if the Archduke should have to swear what his Majesty himself had been compelled to swear in those great dangers which did not now exist."⁵⁶¹ This veto may be interpreted either as indicating a disinclination to take an oath and break it, or as a disinclination to make such concession as the Protestants demanded; or in both ways: but I incline to think that the whole report indicates a regard for oaths—or certainly a disinclination for avoidable perjury.

Let us see how religion trained men to hypocrisy and lying in this first half of the seventeenth century, even when such men were the very reverse of trusting children of the Church. In 1633, as previously in 1615, Galileo was compelled by the Inquisition "to retract, in the most solemn and explicit manner," the astronomical propositions whose truth he had demonstrated, and which both himself and his judges perfectly well knew to be true. The ecclesiastical authorities fully realised that Galileo had demonstrated his theses, and that his retractation was simply a ghastly and blasphemous perjury: but the new truths were very awkward to Catholicism; it was highly desirable to stifle them, or at any rate to check

⁵⁶⁰ *Coxe*, II., p. 207.

⁵⁶¹ *Ranke*, III., pp. 385-386.

their spread as far as possible ; and so—in order to keep up appearances—Galileo was compelled by fear of death to perjure himself.⁵⁶² The final sentence upon Galileo frightened Descartes considerably, and led him to shelter himself behind chicanery and hypocritical subterfuge when he published his works—pretending that there was far more difference between his own views and those of Copernicus than was really the case, and equivocating so successfully concerning the earth's motion that he seemed to deny what it was really his object to assert.⁵⁶³

I may now rapidly summarise a series of examples of political perjury—of which indeed we have a plentiful supply in the history of England at this period.

In the debate⁵⁶⁴ on the proposal to deprive the Queen of that exercise of her religion guaranteed by her marriage-contract, Pym—I am grieved to say—declared that “the public faith is less than that they owe to God, against which no contract can oblige”⁵⁶⁵—a remark quite worthy of a Jesuit or a pope, and which shows that fervid Puritanism is as irreconcilable with truthfulness and fidelity as is Catholicism.

In 1643 the signature to the Covenant was imposed upon all members of the House of Commons who remained at Westminster after the first few months of the Civil War : and of these members Ralph Verney was *the only one* who refused to do violence to his conscience by signing. *He* never faltered for one moment ; but all the rest signed.⁵⁶⁶ The Covenant was also imposed upon the clergy ; and of these

⁵⁶² Hallam's *Lit.*, III., p. 413 ; Draper's *Confl.*, pp. 171–172.

⁵⁶³ Hallam's *Lit.*, III., pp. 95 and 414. ⁵⁶⁴ 1640–1642.

⁵⁶⁵ Hallam's *Const.*, II., p. 137. ⁵⁶⁶ *Verney*, II., pp. 168 and 210.

probably about a quarter were conscientious enough to refuse it, while the rest accepted it.⁵⁶⁷

On the detection of Waller's plot both Houses of Parliament took an oath against the King. "Every individual member of the Peers and Commons took this oath, some of them being in secret concert with the King, and others entertaining intentions—as their conduct very soon evinced—of deserting to his side. Such was the commencement of a *system of perjury which lasted for many years*."⁵⁶⁸

Again, we hear of a certain Allen who admitted that—apparently in 1646—he was taken prisoner by the royal army and was condemned to death, but was released on oath—*i.e.*, on parole not to fight again, I suppose: whereupon he again enlisted in the Parliamentary army.⁵⁶⁹

Of all perjurers of that age, however, the religious monarch was himself *facile princeps*; and his reign, like his Spanish visit, was one long perfidy. History is crowded with examples of his habitual and systematic duplicity, of "his inveterate and useless habit of falsehood:" and Hallam remarks that "he had a fund of casuistry at his command that would always release him from any obligation to respect the laws."⁵⁷⁰ It is not inappropriate that certain modern "Anglican Catholic" clergy, whose lives are spent in breaking and defying those Articles to which they have assented as the condition of their ordination, should inculcate special reverence towards this perjured king and

⁵⁶⁷ Hallam's *Const.*, II., pp. 165-166. The real proportion is, however, *very uncertain*.

⁵⁶⁸ *Ibid.*, pp. 157-158. Hallam said that this perjury "belies the pretended religion of that hypocritical age:" but this noble historian did not quite understand religion, and shared Motley's error.

⁵⁶⁹ *Clarke*, I., p. 431.

⁵⁷⁰ Hallam's *Const.*, II., pp. 95, 176, 194, 216, 229.

"martyr," of whose perjuries I must cite two or three specially atrocious examples.

On one occasion Charles "openly protested before God, with horrid imprecations, that he endeavoured nothing so much as the preservation of the Protestant religion, and rooting out popery: yet in the meantime, underhand, he promised to the Irish rebels an abrogation of the laws against them, which was contrary to his late expressed promises in these words — 'I will never abrogate the laws against the papists.' Again, he said, 'I abhor to think of bringing foreign soldiers into the kingdom:' and yet he solicited the Duke of Lorraine, the French, the Danes, and the very Irish, for assistance."⁵⁷¹ So too, in a letter to his wife, he gave her "power to treat with the English Catholics, promising to take away all penal laws against them as soon as God should enable him to do so:" although, "on taking the sacrament at Oxford some time before, he had solemnly protested that he would maintain the Protestant religion of the Church of England without any connivance at popery. What trust"—continues Hallam—"could be reposed in a prince capable of forfeiting so solemn a pledge? Were it even supposed that he intended to break his word with the Catholics, after obtaining such aid as they could render him, would his insincerity be less flagrant?"⁵⁷² All of this was quite on a par with his gross perfidy and treachery to his Irish subjects in the earlier part of his reign.⁵⁷³

⁵⁷¹ *Ibid.*, p. 192; quoting from May's *Breviate*. Macaulay, I., p. 125.

⁵⁷² Hallam's *Const.*, II., p. 191. Hallam thinks that his intention was to betray the Catholics, though fear of his wife might have prevented this betrayal.

⁵⁷³ *Ibid.*, III., pp. 385, 386.