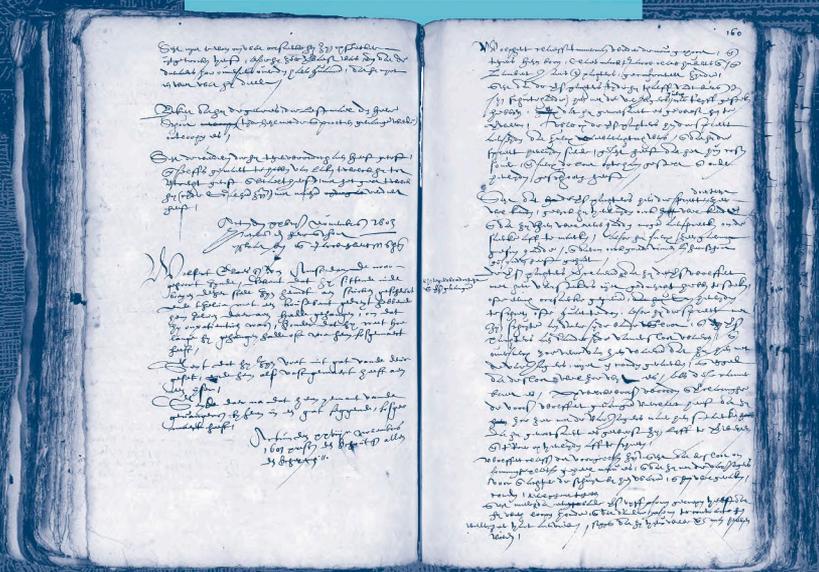


Edited by
Michaël Green, Lars Cyril Nørgaard
and Mette Birkedal Bruun

Early Modern Privacy

Sources and Approaches



~~Intersections~~

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Notes on the Editors

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Past Privacy

Lars Cyril Nørgaard

Privacy is viewed as a feature of the modern era of communication.¹ In 1844, the telegraph was introduced, while inventions such as newspaper-folding machines, the typewriter, the gramophone, the telephone, and cinematography all were in place by the century's end. Together with the rise of the tabloid press, these technological developments enabled an increasing commodification of individual lives: the nineteenth-century phenomenon of celebrity chimes with the increasingly precarious position of the individual vis-à-vis the public and its prying eyes. Within this context, the Bostonians Louis D. Brandeis (1856–1941) and Samuel D. Warren (1852–1910) composed a most influential response to the new challenges to the domain of the private sphere. Published in the *Harvard Law Review* in 1890, their piece identifies photography as a medium that infringes upon privacy and potentially subjects it to public interests: this new invention facilitates an intrusion into the home, which can document private affairs and put them into public circulation. Indeed, the world's first photography had been produced in 1826, and the Eastman Kodak Company would proceed to sell the first commercial camera in 1888 – just two years prior to Warren and Brandeis's seminal formulation of the right to privacy, which imagines a stable balance between the private and the public; the former isolated from the latter unless extraordinary circumstances apply and the common good requires a temporary invasion of privacy.

In its basic outline, this understanding is still the dominant view, even though communication has entered into a new digital era, bringing with it novel privacy challenges. It is important to notice, however, that Warren and Brandeis locate privacy to the home. The right to be let alone concerns life in the family; living such a life constitutes a universal value to society which should be protected by law. This more than implies a perception of personal experiences as something that is not a means to an end, but rather an end in itself. Accordingly, the 1890 formulation of a right to privacy is relative to

1 I would like to thank Michaël Green and especially Mette Birkedal Bruun for reading through this introduction and generously sharing their ideas with me. I also owe thanks to Frank Ejby Poulsen for sharing a survey article on privacy in intellectual history that he is preparing together with Mette Birkedal Bruun.

historical understandings of selfhood and, especially, of the family. Indeed, this understanding of privacy was prepared in legal cases of the nineteenth century, where similar understandings had been voiced.² Warren and Brandeis also evoke jurisprudence of the late eighteenth century, thereby bringing the historical contours of privacy into fuller view. Their formulation of the concept has its origins in a historical process, where civic identity came into being and separated itself from the workings of the state apparatus and from the intimacy of the family. According to its Habermasian representation, this process began in the seventeenth century and further developed during the eighteenth century, when the private was positioned outside the grip of political authority: the latter instead became fully entangled with the sphere of public deliberation.³ The historical accuracy of Habermas's identification of a process of social differentiation has since been called into question. Moreover, the development of a fully-fledged public sphere in the late nineteenth century and the early twentieth century did not entail a clear disassociation of the private life from public concerns. The ideal of a right to privacy was voiced in response to a reality, where the public took a growing interest in disclosing what took place in private. Just like the railway and the postal system supported the circulation of information, the tabloid press and cheap prints made private lives and secret scandals part of the public sphere. Private affairs were also subjected to different modes of analytical reasoning, and the same period that unequivocally allocated sexual behaviour to the nuclear family saw the emergence of a science of such behaviours, that is, a public discourse on private affairs.⁴

Thus, privacy is a constitutive feature of the modern era of communication. From a scholarly perspective, it would nevertheless be a grave mistake if we were to isolate this phenomenon to the nineteenth century. Although the Habermasian analysis of the public sphere has left historians of the seventeenth and eighteenth centuries with more questions than answers, he was surely right to insist that the public is no modern invention: this concept has a long and rich history. The same holds true for privacy. The right to privacy is part of this history and, as it seems today to be slipping out of our hands, we might ask what came before its modern formulation. What was privacy before the right to privacy? What is it, in this perspective, that we still want to protect?

2 This prehistory of the right to privacy is explicitly evoked by Warren and Brandeis and it has been traced by, e.g., Richardson M., *The Right to Privacy. Origins and Influence of a Nineteenth-Century Idea* (Cambridge: 2017).

3 Habermas J., *Strukturwandel der Öffentlichkeit* (Frankfurt a.M.: 1962).

4 On the mistaken claim that the Victorian era went silent on matters of sex, see the famous critique by Foucault M., *La Volonté de Savoir* (Paris: 1976).

To answer this question, we need to propose a departure from overarching narratives of historical development, and to focus on specific situations and worldviews conjured up in particular sources. We need to tackle the difficult issue that, more often than not, early modern sources further a conceptual framework that has its roots in medieval times and in classical authors of Antiquity. Thus, we face a dual risk of anachronism and atomisation. No right to privacy existed before the nineteenth century, and we are ill-advised to fit the complexities of past societies into the Procrustean bed of universality: privacy is no constant of human history, but rather subject to the changing winds of time. Measuring the scope of such changes is difficult but allows us better to understand our present condition, where we seem of our own volition to give up on our right to privacy. Historically speaking, this paradox is not new, and we encounter several historical situations and practices, where individuals freely disclose their most intimate states in the pursuit of perceived benefits or a sense of communal belonging. Detailing variations and analysing the specifics of past privacies, historical research must abide by the strict standards of scientific communities and express its findings in the technical language that pertains to specific research fields. This implies the risk of an unrestricted relativity, where privacy becomes relative to as many sources within which it can be investigated. It also implies the negative outcome, where privacy is discussed in disciplinary monologue but rarely enters into a dialogue between different disciplinary perspectives.

Past privacy pertains to particular individuals and the lives they lived in specific families, groups, communities, and other collectives. Historically, the forging of such a particularity was entirely circumscribed by public concerns, and the idea of a free development of personality seems a purely modern conception. However, freedom is also a central albeit contested feature of early modern privacy, and we might again say that historical scrutiny greatly improves our understanding of what we say and what we intend to say, when we define present matters of privacy.

1 The Study of Early Modern Privacy

In the opening chapter to this volume, METTE BIRKEDAL BRUUN deploys the case of *le Grand Condé* as a lens for an introduction to the historical study of privacy. Her chapter centres on the two-pronged approach of the Centre for Privacy Studies (PRIVACY): the historical study of terms and the historical study of a phenomenon. A survey of terms, no matter how exhaustive, cannot convey the meaning of words, while the description of a phenomenon – understood

as the representation of experiential content – falls short of the phenomenon itself. Accordingly, any terminological analysis must focus on several clusters of terms like leisure, withdrawal, solitude, and so on, which in specific sources connect to *priv** words, that is, words that derive from the Latin *privatus*. In addition, the study of a phenomenon cannot access the content of experiences: past phenomena, like privacy, are communicated to us through stylised accounts that convey not the experience itself but an idealised version of a set of meanings that are relevant in a particular societal context. The study of early modern privacy focuses on the analysis of sources as well as on their argumentative conventions and social circumstances. By way of introduction, the complex case of the Prince of Condé illustrates these levels in historical analysis. On one level, the classical understanding of *privatus* as an individual without civic office remains intact, but, on another level, this understanding is expanded and linked to multiple semantic fields: it lends itself especially to a religious discourse on retreat, which flourished in seventeenth-century France and added layers to the meaning of the *priv** word in focus; the *vie privée*. Thus, the representation of Condé illustrates a multifaceted discourse that offers several different levels of meaning, and which positions the private and the public not as opposites but rather as interconnected spheres of action. On this interpretation, the religious discourse seems especially important to the study of early modern privacy.

At PRIVACY, several researchers pursue the type of research profiled in the introductory chapter. At the same time, we are reaching out to other scholarly communities in order to pursue particular dimensions of early modern privacy, some of which are present in this volume too. The elusive pockets or privacy at court, the networks that rely on more or less private communication and the question of the mediality of early modern privacy as well as its situational character and contextual embeddedness are topics that upcoming publications foreground: *Privacy at Sea* (ed. Natacha Klein Käfer), *Privacy at Court* (ed. Dustin Michael Neighbors, Lars Cyril Nørgaard, Ellie Woodacre, and Mette Birkedal Bruun), *Privacy in Letter Writing* (ed. Michaël Green and Lars Cyril Nørgaard), and *Privacy in the Early Modern Low Countries* (ed. Ineke Huysman and Michaël Green).

2 Essays

The essays of this volume trace instances of the early modern history of privacy in a wide range of sources. We have organised the essays in four subtopics, each of which highlights particular features of early modern privacy as well as

the relevant sources and the analytical approaches fit to examine them. Part 1 focuses on different approaches to notions of privacy and the private, highlighting issues of methodology and vocabulary. HEIDE WUNDER takes up the question of gender in relation to notions of privacy. Outlining the complex historiography and its (mis-)representations of the term, Wunder centres on the early modern household as a political unity that, ideally, was to mirror the governmental structure of society. Inside this societal nucleus, the exercise of authority was based on the *imperium conjugale* and the *patria potestas*, but authority was also private when it targeted individuals outside of the public arena. This level of privacy did not come with an allocation of separate spaces, where members of the family could entertain private affairs. It was rather a matter of controlling members of this societal body, which seems to exclude privacy understood as individual agency. Instead, the household becomes a discrete entity within the social world: conjugal collaboration and degrees of female agency have to be evaluated on this background.

Within the historical study of privacy, words derived from the Latin *privatus* take on especial importance: these offer a framework for analysing past notions of privacy as these come to the fore in specific texts. HÉLÈNE MERLIN-KAJMAN warns against anachronism, but also remarks how past meanings that linger in language offer an opportunity to elucidate what privacy might entail. Outlining the meaning of the 'vie privée' in seventeenth-century France, Merlin-Kajman examines a number of textual examples, where she corroborates the broader semantic field of 'privé' as it relates to terms like 'intime', 'familier', and 'particulier'. Maintaining its negative connotation, the private remains a designation of the individual who holds no public office; the term implies a level of suspicion that targets types of relegation, secrecy, withdrawal, and retreat. Individuals renowned for their part in public affairs can entertain a 'vie privée', but these moments of leisure and the locations where they unfold are not situated completely outside the public arena. In comparison to such leisure, the particular identity implies a mereology, where the individual is a part included in the whole. Such an inclusion could be accomplished in the seventeenth century, but the later disjunction of the self and the sphere of the family looms large.

WILLEM FRIJHOFF approaches privacy from a micro-historical perspective on members of the Eelkens family from Bois-le-Duc: these individuals were engaged in the fur trade and active promoters of the Catholic Church. Jacques Eelkens is the first case: he established close connections to the Native Americans and negotiated various agreements; these private relations were put to strategic usage and could readily be disregarded, if this benefited what was perceived to be a greater good. His younger brother, François Eelkens, embodies the family's active stance for Catholicism and the ideal of re-catholicising

their country: his position within the Oratory of Jesus and his support of the growth of this society spring from what we might call private sentiments, but they implied a conception of the public good. Depending upon the social context, such a conception could be pursued in public or kept out of view: a distinction between private understandings and public appearances comes to the fore in both instances where social identities had to be negotiated. Turning to the case of Swaentgen Joosten and her marriage with Wouter Willemsz, Frijhoff shows how this connection seems initially to have damaged the family's public image. Private decisions had implications for shared identities and therefore had to be resolved publicly.

MIA KORPIOLA considers the differences between the present legal definition of the right to privacy and past notions of privacy: following von Moos, she defines this consideration as a controlled anachronism. Tracing the terminological development by medieval and early modern jurists, Korpiola shows how the early modern legal scholar David Nehrman illustrates the porous dividing lines between private and public, readily allowing the latter to override the former. Places and spaces could legally be defined as private, but this designation did not entail universal protection: this could immediately be reworked with reference to public concerns. This precarious privacy extends to issues of secrecy and confidentiality, where the circulation of information had to be protected without any formal framework for such protection being in place. The same applies to the household, where owners were protected against a breach into their private space, but such breaches were defined in a polyvalent terminology. Likewise, family life was surrounded by an embryonic level of protection during the early modern period, if we evaluate it by the light of later developments.

Part 2 focuses on specific instances that seemingly highlight privacy and the private by way of traversals and transgressions: the sources discussed in this part are characterised by their direct or indirect representations of the private as truths about the self that remain forever hidden or are disclosed to strategic ends.

LEE PALMER WANDEL reads the moment of Communion as it comes to the fore in the *Siebenhürter Hours*. The receiving of the Eucharist constitutes a composite event with a variety of possible outcomes for its recipient; the image implies an understanding of the matter of the host as instable, as relative to the question of the votary's worthiness. This question of worthiness unfolds in a sequence of nested zones, ranging from the church space to the mouth of the individual recipient. These zones integrate inside with outside, sacred with secular, private with public. During the medieval period and the early modern period, levels of such integration were central to the Mass. Turning

to William Durand's hermeneutics elaborated in the *Rationale divinatorum officiorum*, Wandel shows how the depicted figures in the *Siebenhirter Hours* can be identified as three recipients and four men vested with different levels of sacerdotal authority. Within the visual argument, the first three show that the words of consecration – represented by the other four figures – cannot ensure that Christ is present in the Host: the public setting of this ritual implies a private element, where the worthiness of individual communicant remains indiscernible and is activated only in the intimate moment when mouth and host, believer and God touch.

ANNE RÉGENT-SUSINI takes up the genre of funeral sermons in early modern France. The *oraisons funèbres* move beyond the private-public divide, and this transgression comes to the fore in their inherent proxemics: linguistic markers appeal to both their immediate addressees (the listeners) and to other spheres of addressees (readers). This epideictic genre also involves a biographical element, where the life of the deceased has to be measured by the standards of the common good. This ancient rhetorical exercise takes on new meaning, however. The growing suspicions towards public appearances inform preachers, as they recognise how the simulation of virtues looms large in all public appearances: the site where virtues can be verified becomes the domestic domain and the self's interior space. Régent-Susini thus shows how, long before the nineteenth century, private lives are privileged as having a particular authenticity, but also that this authenticity is ambiguous: it is located in an interior that is not transparent and cannot straightforwardly be described in words. The private resides in the zone between the inaccessible secrets of the self and its public show of virtue.

MATHIEU LAFLAMME explores eighteenth-century legal complaints by pregnant women, who had been abandoned by their lovers. Such documents, *in casu* from the city of Toulouse, uncover intimate details about the lives of couples and premarital sexuality. As historical sources, the complaints and the ensuing legal proceedings document how servants, families, and neighbours could trespass on the private lives of individuals. However, the complaints themselves also follow an apparently fixed itinerary, where the couples' sexual relations are tolerated within the community because these relations are seen in light of a future marriage: sexual intimacy becomes problematic, when this future turns out to have been an empty promise. In this situation, the complaints and their disclosure of private states can be seen as a rudimentary level of female agency. Subjecting themselves and their emotional lives to the standards of a legal process, the women's filing of complaints testifies to the attempt to protect social dignity and restore financial stability.

Focusing on three egodocuments written by early modern Jewish Amsterdammers, MICHAËL GREEN explores notions of privacy within the urban milieu of this specific religious minority. Egodocuments offer a personal perspective that allows for the understanding of how privacy was perceived by an individual. Isaac de Pinto, Abraham Chaim Braatbard, and Moses Salomon Asser respectively wrote a family history, a chronicle of daily events, and an autobiography. The situation of the Jews in the United Provinces was rather comfortable – they were free of persecution and generally enjoyed a peaceful life. Yet, they felt that their situation could easily change. Jewish leaders, who were well aware of the dangers, made every effort to prevent persecution, often by allowing gentiles into their religious services and homes. These three egodocuments demonstrate precisely such strategies at work: how Jews maintained their privacy within the community on the one hand, and how they were willing to sacrifice it in order to secure their position in the country over time on the other.

Part 3 explores the private and privacy in relation to secrecy, knowledge, and authority. The legitimacy and success of, for example, merchants, scholars, and healers relied on careful wielding of secrecy and disclosure, on the distribution of information and its necessary protection. In societal structures, where interactions were highly controlled, the private attracted suspicion, but also facilitated levels of influence upon the public.

THOMAS MAX SAFLEY poses a question about the irony of secrecy within the business community of the early modern period. This community required a level of secrecy, but also recognised the strategic value of disclosing secret matters, while the surrounding world viewed such disclosures as an attack on the very fabric of society. In the late medieval period and during the sixteenth century, business charters rarely held a secrecy clause, though these clauses would become increasingly common during the ensuing century. An early example is the 1515 charter for the Höchstetter company, and Safley demonstrates how this universal prescription of secrecy was nevertheless applied in a very selective manner; special circumstances could also allow for the disclosure of secrets. As such, the historical analysis of the management of secrets turns out to be a slippery topic that obstructs overarching narratives of societal development. It remains intrinsically linked to personal perspectives, and the private interest here becomes a historical level of analysis that must be elucidated in the scrutiny of specific sources.

IVANA BIČAK explores early modern the culture surrounding early modern scientific experimentation and its entanglement of the private and the public. According to Thomas Sprat, scientific trials are private events that become a real experiment, when the set-up is displayed before witnesses for scientific

validation: this spectatorship verifies the public and scholarly value of private undertakings. However, some experiments were not fitting for the public because they required an environment that made public viewership difficult. Therefore, semi-public experiments could be undertaken. In Robert Boyle's written accounts of scientific trials, the author fashions a different solution to this very problem: he publishes private observations and thereby secures an audience for his trials. This virtual mode of witnessing would also provide ample material for satire, and Bičák demonstrates that the same attention to detail, which was required to ensure public credibility, could be turned on its satirical head; the private become a locus of parody.

NATACHA KLEIN KÄFER analyses the complex relation between healer and patient and its paradoxes of confidentiality. Her late medieval and early modern cases show how women would provide communities with expertise, but how their profession as healers could also make them subject to accusations of witchcraft and infanticide. In such instances, knowledge became precarious: healers possessed private information about their patients, and trial records show how confidentiality was construed but also how it could be breached with a view to strategical ends. During investigations that might well have involved torture sensitive details about private lives would be exposed. To save themselves from the stake, the accused could disregard confidentiality, essentially putting private information into public circulation.

HANG LIN identifies two types of prints that date to the late Ming dynasty and illustrate changing understandings of the public and the private. Collections of examination essays support the creation of a community of intellectuals, who served the political end of reproducing the empire's cultural and social ideology. During the first half of the seventeenth century, the publication of such essays would develop and begin to undermine imperial authority in the intellectual realm: the essays in their original form became accessible to the public, and the orthodox ideal fragmented into several private interpretations. With the ensuing proliferation of unorthodox commentaries, the Ministry of Rites imposed regulations that publishers attempted to work around by means of paratextual devices. The printing boom in Ming China reshaped and enhanced the public realm of deliberation and knowledge production, which made private opinions and small communities more present in the social world.

Part 4 engages with a spatial approach to privacy and the private. The contributions in the volume's final part target physical, mental, and represented spaces that exemplify forms of segregation and throw light on early modern notions of privacy and the private – be that by negation or affirmation.

How and why did Catholic votaries reflect on the relation between the public and private lives of Christ? WALTER S. MELION unpacks this question on

the basis of the *Vita S. Ioseph beatissimae Virginis sponsi patriarcharum maximi iconibus delineata ac versiculis ornata*. This manuscript interpolates two print series: the *Cor Iesu amanti sacrum* that shows how Jesus comes to dwell within the human heart, making it indistinguishable from his own, and Adriaen Collaert's *Vita S. Ioseph*, which chronicles the life of the Holy Family, showing how Joseph and Mary instructed Jesus in the use of household and workshop implements. By way of this interpolation, familiarity with material things proves crucial to the heart's familiarity with Jesus; the artisan Joseph, assisted by Mary, passes on his manual skills in the public setting of the workshop-home, and conversely, Jesus skillfully fashions his father's heart into a spiritual home and workshop within the privacy of which he comes eternally to dwell. The descriptive, public imagery of the *Vita S. Ioseph* is seen to lead to the allegorical, private imagery of the *Cor Iesu*; and *mutatis mutandis*, the symbolic allegory of the heart infuses or, better, saturates the scenography of the *Vita*.

MAARTEN DELBEKE investigates the architectural underpinnings of private devotion and public edification as these come the fore in Bernini's programme for the Cornaro-chapel. This investigation is framed by a reading of the Gabriele Paleotti's *Discorso intorno alle immagine sacre e profane* that discusses the public function of religious art and places this function on different levels of social reality. Paleotti remarks how any painting of a sacred subject transcends the reasons why it was commissioned: religious art cannot be reduced to private interest; neither the patron's wishes nor the artist's intention exhaust its purpose. Instead, this art form always speaks to the public concern and shared human obligation to glorify God. Delbeke's analysis of Bernini's architectural decisions furthers this observation. The transverberation of Teresa of Avila relates a most intimate experience, and this intimacy translates into a niche that is placed under stress of transformation: this niche also evokes the use of architectural metaphors in textual representations of mystical experiences, which Teresa masterfully utilised in her writings. Furthermore, the effigies of male members of the Cornaro family, including the patron of the chapel, frame the transverberation, but these male figures work in support of the private quality of the saint's experience.

LARS CYRIL NØRGAARD offers a close analysis of a funeral sermon by the bishop of Zealand, Jesper Rasmussen Brochmand. Transitioning from a public event – an oration delivered to an audience – to a published event, this speech makes private information available to the public. This transition, however, filters such information through a social model of identity. A list of rhetorical *loci* allows the speaker to praise past actions and make them into manifestations of virtues. Based on this epideictic genus, the sermon introduces reported speech that is not in the public domain: Brochmand shows the dying individual where nobody would otherwise have seen him; and private moments of intense

soteriological importance confirms a public image. Individualised by death, personal experiences are evoked in support of exemplarity.

VALERIA VIOLA scrutinises the complex renovation of the Palazzo di Valdina in Palermo, where boundaries between different structures had to be reconfigured. Political interests and social concerns heavily influenced the general scope of this reconfiguration, but it also involved the construction of new locations that seem places for intimacy and privacy. These locations were developed for a palace that consisted of a complex of pre-existing houses: a new apartment facilitated what appears as isolation, but close examination reveals that this space secured an important linkage of the palace and the church room of San Tomaso. Issues of visibility circumscribe this opening into the sacred space, and private devotion becomes part of the political staging of identity. Furthermore, the apartment's withdrawn position within the palace reproduces a number of social hierarchies relating to rank and gender. Thus, the private cannot be isolated from political realities and strategies; it is part of the public sphere.

Entering into what she describes as a lost world, MARIAN ROTHSTEIN concludes the volume with an elaborate reflection on the limits imposed on the private in sixteenth-century France, following the undeniable observation that privacies of the past did not belong to the domestic sphere. A terminological approach further reveals that particularity in its sixteenth-century usage was no synonym for the private. This notion rather denotes belonging to a shared identity, whereby private and public intersect in multifarious ways, and the former appear entirely circumscribed by the latter. However, Rothstein maintains that early modern intimacy, while difficult to trace, nonetheless existed. Likewise, the realm of the private existed, but it has a narrow scope if measured by the fluctuating standards of modern customs.

Working through widely different sources, and deploying the analytical approaches of different scholarly fields, the scholars contributing to this volume show that early modern notions of privacy and the private are not fixated, stable, or clear-cut, but rather malleable, ephemeral, and situational. Before the right to privacy of the late nineteenth century, a plurality of privacies existed that had no legal protection but permeated the cultural imaginary. Rather than aiming to reach conceptual models or robust definitions, we need carefully to reconstruct the scope and scale of such privacies. In different ways, the contributions in this volume testify to the fact that instances of early modern privacy must be examined with such a precise view to the individual sources and their respective contexts. The concept of privacy has no universal application, but its concrete elaboration is revealing of particular social interests and concerns: notions, instances, spaces, and sources pertaining to early modern privacy and the private, open a multitude of facets of early modern existence.

Towards an Approach to Early Modern Privacy: The Retirement of the Great Condé

Mette Birkedal Bruun

1 Prologue

In 1676 the Prince de Condé, Louis II de Bourbon-Condé, known as *le Grand Condé* (1621–1686) retired from his position as general in the army of Louis XIV (1638–1715) and withdrew to his country seat, the Château de Chantilly. Several contemporary commentators described Condé's move as a withdrawal into a *vie privée*.¹ The biographers' choice of words invites the question whether Condé's retirement can be said to be a case of private life, let alone an instance of privacy. The answer to this question is a hearty 'no'. In his retirement Condé was neither alone nor enveloped by secrecy nor protected from prying

* This research has been conducted at the Danish National Research Foundation Centre for Privacy Studies (DNRF 138). I am thankful to my colleagues whose research into notions of privacy and the private in the early modern period is a constant source of inspiration; a special thank you goes to Frank Ejby Poulsen and Lars Nørgaard. Thanks are due also to Lee Palmer Wandel as well as Michael Moriarty, Emma Gilby, Nicholas Hammond, John O'Brien, and the participants of the Early Modern French seminar at the University of Cambridge for a fruitful discussion of an early stage of the study of Condé.

1 In print, the first association of *vie privée* with Condé seems to have been made in Rapin René, *Du grand ou du sublime dans les mœurs et dans les différentes conditions des hommes* (Paris, Sebastien Mabre-Cramoisy: 1686) 51–66. The term was also applied in Guillaume Daubenton's funerary oration, *Oraison funebre de tres-haut, et tres-puissant prince Louis de Bourbon prince de Condé* (Dijon, Jean Ressayre: 1687) 24–25, while *vita privata* appeared in the Latin version of the two letters on the life and death of Condé that were written in French by François Bergier and translated into Latin by Saligny Louis de, *De morte Ludovici Borbonii Principis Condæi primi regio sanguine principis; et de præclare ab eodem in vitâ gestis, epistolæ duæ* (Paris, Jean François Dubois: 1689). Finally two biographies of the early 1690s saw in Condé's *vie privée* a highpoint of his, somewhat meandering, trajectory, Coste Pierre, *Histoire de la vie de Louis de Bourbon, prince de Condé*, vol. 2 (Cologne, F*****: 1693) 564–580, here 565, 571; La Brune Jean de, *Mémoires pour servir à l'histoire de Louis de Bourbon, prince de Condé*, vol. 2 (Cologne: Pierre Marteau, 1693) 356–406, here 357. We shall return to these texts below. Other key representations of Condé's retreat without the epithet *privée*, appear in Saint-Evremond Charles, "Sur la retraite de Mr. le Prince de Condé à Chantilly. Stances irregulières", in *Oeuvres meslées*, vol. 4 (London: 1711) 263–264; La Fontaine Jean de, "Comparaison d'Alexandre, de César et de Monsieur le Prince", ed. P. Clarac, *Œuvres diverses* (Paris: 1942) 680–692.

gazes – whichever way we want to define privacy. In Condé's world, *vie privée* was a quasi-technical term the meaning of which came close to the Latin *privatus* understood as being without civic office. The words 'privacy' and 'private life' sit uncomfortably with a historical study of early modern France because of their heavy twenty-first-century charge. Nonetheless I propose that the representations of Condé in his *vie privée* offer a significant contribution to the history of the notion of privacy and that one representation even features an instance of what we may choose to call early modern privacy.

In 1890 the jurists Warren and Brandeis famously defined privacy as 'the right to be let alone'.² This definition, itself a product of historical circumstances, became legally and, to some extent conceptually, normative and still serves as a reference point.³ Warren and Brandeis's definition is but one moment in the history of privacy,⁴ but it may serve as an epochal moment which brings together, on the one hand, a term that derives from the Latin *privatus* and has travelled through centuries in linguistically varied shapes, and, on the other hand, a human phenomenon that is to do with experiences of withdrawal, boundary drawing, and control of access.⁵ The term and the

2 Warren S.D. – Brandeis L.D., "The Right to Privacy", *Harvard Law Review* 4.5 (1890) 193–220. As Vincent has noticed, this definition is not particularly relevant for a longer historical perspective, Vincent D., *Privacy: A short History* (Cambridge: 2016) 8. For a discussion of Warren and Brandeis's definition by the light of the early modern situation, see Korpiola's chapter in this volume.

3 For the context of Warren and Brandeis's article, the interest of the press in the lives of prominent citizens and the technological potential to pry into these lives offered by cameras, as well as its legal consequences, see Glancy D.J., "The Invention of the Right to Privacy", *Arizona Law Review* 21.1 (1979) 1–39; Prosser W., "Privacy", *California Law Review* 48.3 (1960) 383–423.

4 For example, the definition of privacy as the right to be let alone had already been couched two years earlier by Judge Cooley, Warren – Brandeis, "The Right to Privacy" 195.

5 The absence of a stable definition of privacy easily leads us into a cul-de-sac of definitory attempts, assumptions, and hairsplitting. Roughly speaking, definitions fall in two categories. On the one hand, we have efforts to define what privacy is, e.g., Altman's open understanding that 'privacy is a boundary control process whereby people sometimes make themselves open and accessible to others and sometimes close themselves off from others' Altman I., "Privacy Regulation: Culturally Universal or Cultural Specific?", *Journal of Social Issues* 33.3 (1977) 66–84, here 67 or Margulis's more directed and specific argument that 'Privacy, as a whole or in part, represents control over transactions between person(s) and other(s), the ultimate aim of which is to enhance autonomy and/or to minimize vulnerability' Margulis S.T., "Conceptions of privacy: Current Status and next Steps", *Journal of Social Issues* 33.3 (1977) 5–21, here 10; Nissenbaum's more socially embedded definition of the right to privacy as the 'right to appropriate flow of personal information' determined by a 'contextual integrity' which honours the importance of context for the determination of the notion of appropriateness from case to case, Nissenbaum H., *Privacy in Context: Technology, policy, and the integrity of social life* (Stanford, CA: 2010) 127–243, here 127 (Nissenbaum's italics).

phenomenon have distinct histories, and each of these histories is prolific and multifaceted. The history of the *term* ‘privacy’ hinges on words in a variety of languages which derive from the Latin *privatus*, their cognates, their direct or indirect definitions and deployments as well as their connotations in specific linguistic and cultural conditions; we trace this history of the term in texts. Each occurrence comes with a context tinged with historical circumstances, intertextual references, and specific chains of transmission and translation.⁶ With its Latin roots and its transmission in Western languages, socio-political circumstances and institutions, the terminology of privacy can arguably be understood as having a Western origin and character which is based on the development of, not least but not only, the distinction of public and private.⁷ Some of the terms related to privacy and the private become concepts in their own right. This applies, for example, to *vie privée*. The history of the *phenomenon* that we sometimes call ‘privacy’, that is, the practice and experience of withdrawal, boundary drawing, and control of access, goes by way of artifacts, spatial markers, and vestiges of social practices; we trace it in a wide array of historical signs of human lives, actions, and experiences. The phenomenon

On the other hand, we have efforts to distinguish categories of privacy in order to reach a comprehensive, yet subtle mapping, such as the decisional, informational, and local privacy defined in Roessler B., *The Value of Privacy* (Cambridge: 2005 [German 2001]), paraphrased in Roessler B., “Three Dimensions of Privacy”, in Van Der Sloot B. – Groot A. de (eds.), *The Handbook of Privacy Studies: An Interdisciplinary Introduction* (Amsterdam: 2018) 138–141. See also the four types of privacy identified by A.F. Westin in the classic *Privacy and Freedom* (New York: 1967): solitude, intimacy, anonymity, and reserve.

- 6 For a perceptive view of terminological and semantic fluctuations embedded in particular periods and languages and the impact of such fluctuations on research into notions of the private in imperial Rome, see Winterling A., “‘Öffentlich’ und ‘privat’ im kaiserzeitlichen Rom”, in Schmidt T. – Schmitz W. – Winterling A. (eds.), *Gegenwärtige Antike – antike Gegenwart. Kolloquium zum 60. Geburtstag von Rolf Rilinger* (Munich: 2005) 223–244, here 226–235.
- 7 See, e.g., Weintraub’s claim that ‘Drawing the lines between public and private – both practically and theoretically – has been a central preoccupation of Western thought since classical antiquity’ Weintraub J., “Preface”, in Weintraub J. – Kumar K. (eds.), *Public and Private in Thought and Practice: Perspectives on a Grand Dichotomy* (Chicago – London: 1997) xi–xvii, here xi, elaborated in Weintraub J., “The Theory and Politics of the Public/Private Distinction”, in Weintraub – Kumar (eds.), *Public and Private* 1–42. Viewing this dichotomy from a non-Western perspective, scholars have suggested that the notion of privacy is poorly compatible with, e.g., the African regard for *ubuntu*, Makulilo A.B., “The Context of Data Privacy in Africa”, in Makulilo A.B. (ed.), *African Data Privacy Laws* (Cham: 2016) 3–23, or the Japanese esteem for self-denial, Nakada M. – Takanori T., “Japanese Conceptions of Privacy: An Intercultural Perspective”, *Ethics and Information Technology* 7.1 (2005) 27–36.

of privacy can possibly be understood as having some universal resonance, albeit with widely diverse manifestations and implications.⁸

In some instances, the history of the term and the history of the phenomenon converge, but often they run in separate tracks, each of them multifarious. If we want to study historical notions of privacy, we need to be clear whether we study the history of the term or the history of the phenomenon. In this chapter I sketch approaches that support each of these two avenues. The first part of the chapter traces themes and figureheads in the research on the term and the phenomenon, ending in a presentation of the dual work method of the Centre for Privacy Studies. In the second and third parts, I exemplify this dual approach through an examination of the representations of Condé's *vie privée*.

2 Part I: Approaching Privacy

2.1 *Approaching the Private*

Research into the history of the term 'privacy' is linked to research into the private and related notions. There is no dearth of sociological and philosophical analyses that touch upon privacy and the private as well as the implications and historical evolution of these concepts. Such approaches share a tendency to deploy the notion of '(the) private' and its counterparts, most often 'public', as a vehicle for the identification of, for example, societal dynamics or practices in a given historical period, a *longue durée* development, or epochal shifts that herald the early stages of modernity. A quick overview will give us an idea of the legacies that principal paradigms among such analyses leave students of privacy to tackle.

For Norbert Elias (1897–1990), a still keener delineation of a private sphere is inherent to the process of civilisation. Elias engages the distinction between private and public in his analysis of the ways in which the courtly ideals of the centralised early modern state spurred on the identification of a private realm. This realm, according to Elias, was the result of an increasing sensitivity to the actions and manners that were deemed shameful and disgusting and of the refinement of techniques fit to curb and isolate such actions and manners.⁹ In

8 As discussed in Altman, "Privacy Regulation"; this is also the assumption underlying the socio-historical case studies of privacy in Moore Jr B., *Privacy: Studies in Social and Cultural History* (Armonk, NY: 1984); see also Westin's two chapters on "Privacy in the Animal World" and "Privacy in the Primitive World", *Privacy and Freedom* 8–19.

9 Elias's seminal *longue durée* analysis was published in German in 1939 as *Wandlungen des Verhaltens in den Weltlichen Oberschichten des Abendlandes* (vol. 1) and *Wandlungen der*

Elias, the segregation of the private becomes one vehicle for the identification of such techniques.¹⁰

Hannah Arendt (1906–1975), in her *The Human Condition* (1958), takes a gendered approach to the distinction of *polis* and *oikos* (city-state and home or household), and identifies the latter as a sphere of inequality and thus the less honourable of the two.¹¹ Arendt's distinction forms the basis of a wider discussion which is not our concern here; suffice it to notice the foundational reaffirmation of the Aristotelian association of the domestic sphere with female agency, spurring on a host of scholarship that tends to equal privacy with domesticity and female chores and interests.¹²

Jürgen Habermas (1929–) builds on Arendt in his seminal propagation of the eighteenth-century emergence of the public sphere which came with an inherent, almost off-hand, definition of *Privatheit* as 'saturated and free interiority':

Das Selbstverständnis des öffentlichen Rasonnements ist spezifisch von solchen private Erfahrungen geleitet, die aus der publikumsbezogenen Subjektivität der kleinfamilialen Intimsphäre stammen. Diese ist der geschichtliche Ursprungsort von Privatheit, im moderne Sinne gesättigter und freier Innerlichkeit.¹³

The public's understanding of the public use of reason was guided specifically by such private experiences as grew out of the audience-oriented (*publikumsbezogen*) subjectivity of the conjugal family's intimate domain

Gesellschaft: Entwurf zu einer Theorie der Zivilisation (vol. 2). It was republished in German in 1969 as *Über den Prozess der Zivilisation*.

10 See, e.g., his description of how the bedroom 'ist zu einem der "privatesten" und "intimsten" Bezirke des menschlichen Lebens geworden' ('one of the most "private" and "intimate" areas of human life') and his statement that the visible and invisible walls of the nuclear family 'entziehen das "privateste", "intimste"', 'das ununterdrückbar "Tierische" im Dasein des einen Menschen den Blicken der anderen' ('withdraw the most "private", "intimate", insuppressibly "animal" aspects of human existence from the sight of others'), Elias N., *Über den Prozeß der Zivilisation: Soziogenetische und psychogenetische Untersuchungen*, vol. 1 (Frankfurt a.M.: 1981 [1969]) 222; transl. E. Jephcott, Elias N., *On the Process of Civilisation: Sociogenetic and Psychogenetic Investigations* (Dublin: 2012) 160.

11 Arendt H., *The Human Condition* (Chicago – London: 2018 [1958/1998]).

12 For a historical nuancing of Arendt's view, see Becker A., *Gendering the Renaissance Commonwealth* (Cambridge: 2019) and its discussion of home and marriage as a political topos in the early modern period.

13 Habermas J., *Strukturwandel der Öffentlichkeit: Untersuchungen zu einer Kategorie der bürgerlichen Gesellschaft* (1962) (Frankfurt a.M.: 2018 [1990]) 87.

(*Intimsphäre*). Historically, the latter was the source of privateness in the modern sense of a saturated and free interiority.¹⁴

Habermas links this domestic and nuclear-family cradle of privacy to the Roman notion of *privatus*, and defines the home as the primary locus of the citizen who is without public office. Any notion of privacy or the private that features in Habermas's mapping of an *Öffentlichkeit* is but a residual category of his main project, but while the Habermasian *Privatsphäre*, its agents, and their businesses remain on the horizon as factors that influence the public sphere and shape its discourses, he generally segregates the private sphere as a zone which is of little interest to the powers that rule, implicitly or explicitly, the public dimension of society. Nowhere is this more explicit than in his somewhat basic diagnosis of early modern religion as something that, in the aftermath of the sixteenth-century reformations, became a *Privatsache*.¹⁵

Elias, Arendt, and Habermas share, albeit variously, the tendency to deploy notions of privacy and the private as, at once, an analytical catalyst which supports their *longue durée* expositions and also a form of result, the emergence or reemergence of which is a component in their overall identification of historical signifiers of modernity. Habermas and Elias are particularly important foils for this volume given their shared conviction that the eighteenth century, that is, the latest part of our chronological focus, is a watershed for the distinction of public and private.¹⁶ Without necessarily challenging their position, several chapters may be said to explore instances related to a pre-history of this watershed.

14 Translation by Burger T. – Lawrence F., *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society* (Cambridge: 1989) 28, parentheses from the translation.

15 Habermas, questionably, avers that 'Die sogenannte Religionsfreiheit sichert geschichtlich die erste Sphäre privater Autonomie' ('The so-called freedom of religion historically secured the first sphere of private autonomy'), Habermas, *Strukturwandel* 67; transl. Burger – Lawrence, *The Structural Transformation* 11–12.

16 A view corroborated by Koselleck who, in the *Kritik und Krise: eine Studie zur Pathogenese der bürgerlichen Welt* (Freiburg – Munich: 1959), defines the sixteenth-century wars of religion as the source of the segregation of public and private, agreeing with Habermas's view that the peace of Westphalia was instrumental in delineating a private space of unhindered beliefs and practices. For a paraphrase and discussion of Habermas and Koselleck from the point of view of privacy studies, see Brewer J.D., "This, That and the Other: Public, Social and Private in the Seventeenth and Eighteenth Centuries", in Castiglione D. – Sharpe L. (eds.), *Shifting the Boundaries: Transformation of the Languages of Public and Private in the Eighteenth Century* (Exeter: 1995) 1–21, here 1–8.

A fourth paradigmatic sociological foil is Foucault's scrutiny of the encounter of individuals with themselves, each other, the powers that be, and techniques wielded in this encounter. While neither Habermas nor Elias has much time for religion, throughout his oeuvre Foucault has a keen eye on the religious dimension of (self)surveillance and its inherent negotiation and transgression of some form of privacy. The segregation of public and private and the ruptures of this segregation are not his primary focus, but emerge as an accompanying interest. This finds a word for word expression in his charting of the extension of the direction of souls (*la conduction des âmes*) from pastoral to political power. Speaking of the sixteenth-century development of the government of human beings beyond the realm of pastoral authority, Foucault avers that it is exactly the problematisation and specification of different forms of conduct that spur on the segregation of public and private.¹⁷ However, a dynamic between public or publicised and private or interior may also be said to underlie his interest in the techniques of self inherent in the Christian confession.¹⁸

This sketch reminds us that distinctions of public and private are pertinent landmarks in grand-scale chartings of societal structures and their fluctuations. Such distinctions offer structural insights that may inspire and enlighten our historical analysis even when the historical conjectures may seem inadequate. The private is a useful analytical category because it is heavily laden with meaning and yet pliable enough to denote conditions that are personal, domestic, family-related, hidden from public view, interior, and so forth. Sociological and philosophical analyses as those noted here rely on generalisations that can provoke historians who tend to shun grand narratives in preference of in-depth analysis attuned to nuances and particularities.¹⁹ Some historians have

17 Foucault M., *Sécurité, territoire, population: Cours au Collège de France (1977–1978)* (Paris: 2004) 235–236, here 236.

18 See, e.g., Foucault M., "About the Beginning of the Hermeneutics of the Self: Two Lectures at Dartmouth", *Political Theory* 21.2 (1993) 198–227.

19 A historian may wince when, e.g., in his investigation of the dichotomy private/public, Bobbio avers that "Through constant and continuous use, and *without any substantial changes*, they have since become one of the "great dichotomies" used by several disciplines [...] to define, represent and order their particular fields of investigation". Bobbio N., "The Great Dichotomy: Public/Private", in Bobbio N., *Democracy and Dictatorship: The Nature and Limits of State Power* (Minneapolis, MN: 1989 [Italian 1985]) 1–21, here 1, my underlining. Historians have pointed out that Habermas's theory of the public sphere is inconsistent with historical insights, see for a feminist evaluation, e.g., Francus M., *Monstrous Motherhood: Eighteenth-Century Culture and the Ideology of Domesticity* (Baltimore, MD: 2012) and Landes J.B., *Women and the Public Sphere in the Age of the French Revolution* (Ithaca: 1988); for sharp warnings against deploying Habermas's

however, ventured into sweeping overviews of privacy and the private in ways that pay some respect to this disciplinary demand for detail. Ariès and Duby's seminal five-volume *Histoire de la vie privée* holds pride of place.²⁰ This collective work offers a *longue durée* bird's eye view of the phenomenon of privacy. It brings together a broad array of themes rooted in a twentieth-century understanding of private life, and each volume presents figures, texts, and images pasted together in a thought-provoking study of domesticity, hygiene, sex, interiority, family, space, religion, leisure, and the like. Other historians have followed suit, generally tending to move directly from some notion of privacy,

philosophical approach as a yardstick for *historical* studies, see, e.g., Bellany A., *The Politics of Court Scandal in Early Modern England: News Culture and the Overbury Affair, 1603–1660* (Cambridge: 2012) and Cowan B., "Rethinking Habermas, Gender and Sociability in Early Modern French and British Historiography", in Vanhaelen A. – Ward J.P. (eds.) *Making Space Public in Early Modern Europe: Geography, Performance, Privacy* (New York: 2013) 41–53; see also the historical nuances suggested in the essays in Wilson B. – Yachnin P. (eds.), *Making Publics in Early Modern Europe: People, Things, Forms of Knowledge* (New York: 2011); for an overturning of Habermas's observations regarding early modern salons and coffeehouses, see, Lilti A., *Le Monde des Salons: Sociabilité et Mondanité à Paris au XVIII^e siècle* (Paris: 2005) and Cowan B., *The Social Life of Coffee: The Emergence of the British Coffeehouse* (New Haven, CT: 2005). But Habermas's work has also inspired more sympathetic modification such as Merlin-Kajman H., *Public et littérature en France au XVII^e siècle* (Paris: 1994) which adds historical nuance and conceptual sophistication to the blanket notion of the public; see also Merlin-Kajman's chapter in this volume. For historical studies inspired by Habermas, see also Freise F., "Einleitung", in Emmelius C. – Freise F. – von Mallinckrodt R. – Paschinger P. – Sittig C. – Toepfer R. (eds.), *Offen und Verborgen: Vorstellungen und Praktiken des Öffentlichen und Privaten in Mittelalter und Früher Neuzeit* (Göttingen: 2004) 9–32 and the essays in Castiglione D. – Sharpe L. (eds.), *Shifting the Boundaries: Transformation of the Languages of Public and Private in the Eighteenth Century* (Exeter: 1995). Mention must finally be made of the momentous investigation of the seventeenth- and eighteenth-century emergence of the public-private divide, offering a prehistory, as it were, to the Habermasian notion with an English focus, in McKeon M., *The Secret History of Domesticity: Public, Private, and the Division of Knowledge* (Baltimore, MD: 2005) as well as the discussions and extensions of McKeon's insights in Cowan B. – Yetter L. (eds.), *Publicity and Privacy in Early Modern Europe: Reflections on Michael McKeon's The Secret History of Domesticity*, special issue of *History Compass* 10.9 (2012).

- 20 Ariès P. – Duby G. – Chartier R. (eds.), *Histoire de la vie privée*, 5 vols. (Paris: 1985–1987). Of particular interest in our context is the third volume: Chartier R. (ed.), *De la Renaissance aux Lumières* (Paris: 1986). Medieval and early modern instances of private and the private have since then been analysed in Melville G. – von Moos P. (eds.), *Das öffentliche und private in der Vormoderne* (Cologne – Weimar – Vienna: 1998), and the history of privacy as self-determination, viewed as the prehistory of privacy as data protection, has been traced in Schmale W. – Tinnefeld M.-T., *Privatheit im digitalen Zeitalter* (Cologne: 2014). See also the chapters by Merlin-Kajman and Wunder in this volume.

or the absence thereof, into the archive and back again without necessarily engaging in much conceptual mediation.²¹

Notions of privacy and the private remain fascinating to historians and historically inclined sociologists. It is a token of the catalytic potency of the term and the phenomenon that they continue to lend themselves as analytical keys to studies of core dimensions of historical societies and existences. Seen from the perspective of early modern studies, it is no less interesting that the conclusions of such studies vary. Some studies identify a wide array of early modern instances of a heuristically defined understanding of the private life; some present substantiated convictions that there is no such thing as early modern privacy.²² It seems to be a general challenge to approach early modern notions of privacy in a way that keeps in mind overall societal structures as well as diachronic changes and continuities, while paying heed to the historical details and specificities that emerge from particular archives, prints, cases, contexts, and circumstances.

2.2 *Centre for Privacy Studies*

This methodological quandary is one of the spurs for the scholars at the Centre for Privacy Studies.²³ Rather than beginning from an overall interest in societal

21 See in particular the collaboratively ambitious Pardailhé-Galabrun A., *La naissance de l'intime: 3000 foyers parisiens XVII^e-XVIII^e siècles* (Paris: 1988) which appeared in English under the suggestive title *The Birth of Intimacy: Privacy and Domestic Life in Early Modern Paris* (1992). This comprehensive work proposes to document a revolution in the perception and furnishing of the home 1725–1775. It is illuminating on the level of social detail, but engages quite a straddle in its argumentative movement from archival minutiae to grand conclusions. Less strain is employed in Orlin L.C., *Locating Privacy in Tudor London* (Oxford: 2008). Orlin sets out her dynamic understanding of privacy from the beginning 'Personal privacy takes many forms: interiority, atomization, spatial control, intimacy, urban anonymity, secrecy, withholding, solitude', *Locating Privacy* 1. She continues with a sobering review of Ariès, Chartier, and Duby's more ebullient approach to the sources. Instead she turns to a specific case and the related legal and municipal records in search for the boundaries and possibilities of privacy, mapping the limits of spatial and informational privacy, desired and distrusted, with a critical eye to anachronistic assumptions regarding past people's motives. For studies of privacy, and the lack thereof, viewed through legal documents, see the chapters by Klein Käfer, Korpiola, and Laflamme in this volume.

22 For an example of the latter, see Rothstein's contribution to this volume.

23 The Centre for Privacy Studies is funded by the Danish National Research Foundation (DNRF 138) and housed at the Theological Faculty of the University of Copenhagen in collaboration with the Royal Danish Academy – Architecture, Design, Conservation in Copenhagen. The Centre was founded in 2017 and is directed by Mette Birkedal Bruun; in April 2021 it houses some 23 postdoctoral scholars and PhD-students from architectural history, church history, history of political ideas, legal history, and social history.

structures, we take our point of departure in the historical documents. When we set out from cases and sources rather than from a more or less subtle definition, we gain and we lose scholarly precision.²⁴ We gain a proximity to the historical material and an access that is not mediated by more or less fortunate definitory efforts. An approach that takes its semantic apparatus entirely from the sources, however, loses the conceptual precision honed in a definition. In order to avoid atomisation, we need to linger over the questions: What are we looking for when we are looking for notions of privacy and the private? How do we recognise them when we find them?

A terminological approach is an immediate response to this question. This approach is concerned with *priv** words, that is, words that derive from *privatus*, and it owes something to the methods of the *Begriffsgeschichte* outlined by Reinhart Koselleck and his colleagues, with the immediate caveat that a term is not necessarily a concept.²⁵ Are we to approach the matter systematically, we may, as Koselleck reminds us, take our point of departure either in the semasiological concern with the array of meanings of a given term or a set of terms, or in the onomasiological focus on the array of terms used to denote a particular phenomenon.²⁶ Taking the semasiological route, we look for words such as *privacie*, *privautez*, *in privato*, and *Privatperson*, but with a view to semantic cognates related to, e.g., secrecy and intimacy. Such words give us coordinates

The principal research focus is directed to notions of privacy and the private in Western Europe (1500–1800), but we reach out to a geographically and chronologically wider span of research interests through seminars and collaborations. The Centre is driven by a vision of collaborative and interdisciplinary research, and the scholars approach eleven research cases in teams, working from their individual disciplinary perspective, but within an overall methodological horizon sketched in this chapter. The work on the cases relies on site-based analysis which is, however, not the concern here. The aim of the Centre for Privacy Studies is not to reach a conceptual definition or theory of privacy, but to gain insights pertaining to the interactive influence of a wide array of historical factors on terms and phenomena related to privacy, be they stable and robust or ephemeral and malleable.

- 24 I am indebted to the keen analysis of the distinction of public and private in von Moos P., *‘Öffentlich’ und ‘privat’ im Mittelalter: Zu einem Problem der historischen Begriffsbildung* (Heidelberg: 2004); see also the studies in von Moos, *Öffentliches und Privates, Gemeinsames und Eigenes* (Berlin: 2007).
- 25 Koselleck R., “Einleitung”, in Brunner O. – Conze W. – Koselleck R. (eds.), *Geschichtliche Grundbegriffe: Historisches Lexicon zur politisch-sozialen Sprache in Deutschland*, vol. 1 (Stuttgart: 1972) XIII–XXV, here XX–XXI. See, for a first presentation of the approach of the Centre for Privacy Studies, Bruun M.B., “Privacy in Early Modern Christianity and Beyond: Traces and Approaches”, *Annali Istituto storico italo-germanico/Jahrbuch des italienisch-deutschen historischen Instituts in Trient* 44.2 (2018) 33–54.
- 26 Koselleck, “Einleitung” XXI–XXII.

in a diverse and open-ended multi-lingual vocabulary which, etymologically and in some instances semantically, is connected to the term 'privacy'.

The Latin roots of this terminology have a key aspect of negation. *Privatus* is, above all, deployed to indicate the opposite of that which is public, official, professional, communal, or evident.²⁷ The English term *privacy* emerges in the mid-fourteenth century,²⁸ but German, Dutch, French, Italian, and the Scandinavian languages do not have a substantive which covers the same implications; instead we get composite words based on adjectival combinations such as *Privatsphäre*, *Privatandacht*, and *Privatperson*²⁹ or *vie privée*, *oraison privée*, and *droit privé*.³⁰ The terminological approach is purist and reductionist in that it grasps only one dimension of the field we are interested in, but as Peter von Moos reminds us, it is less exposed to anachronism with its firm grounding in the *Quellensprache*, the language of the source.³¹

*Priv** words do not necessarily bring us to the *phenomenon* of privacy. In order to encircle this dimension, we need a different take. We may detect in the historical sources instances that smack of creating, invading, or protecting some form of privacy. Given the airy definitory status of 'privacy', an onomasiological approach is not quite to hand. At the Centre for Privacy Studies we study the segregations and distinctions that happen in particular zones and at the thresholds between them, be they lasting or ephemeral.³² These heuristic zones serve as an analytical tool that helps us to examine the early modern phenomena, practices, and experiences of withdrawal, boundary drawing, and control of access that we may, for operational ease, subsume under the term

27 According to Lewis and Short, *privatus* derives from the verb *privo*, 'to bereave, deprive, rob, strip of anything' or 'to free, release, deliver from anything'; its principal meaning is related to being 'apart from the State, peculiar to one's self, of or belonging to an individual, private (opp. *publicus* or *communis*; cf. *domesticus*)' and the term denotes persons who are not in office and things, such as houses, that are isolated from State affairs, Lewis C.T. – Short C., *A Latin Dictionary* (Oxford: 1891 [1879]) 1447. According to Russell, the earliest datable distinction of *publicus* and *privatus* appears in Plautus (ca. 254–184 BC), Russell A., *The Politics of Public Space in Republican Rome* (Cambridge: 2015) 30.

28 Huebert R., "Privacy: The Early Social history of a Word", *The Sewanee Review* 105 (1997) 21–38, here 28.

29 See Zedler Johann Heinrich, *Grosses vollständiges Universal-Lexicon aller Wissenschaften und Künste*, vol. 29 (Halle – Leipzig, Verlegt Johann Heinrich Zedler: 1741) cols. 559–585.

30 For the French language, see Merlin-Kajman's chapter in this volume.

31 Von Moos P., "Die Begriffe 'öffentlich' und 'privat'", *Saeculum* 49 (1998) 161–192, here 163.

32 Scholarship on theories and principles of privacy and the private, some of which has been discussed above, help us to define these zones. For a more extensive description, see Bruun M.B., "Work Method". https://teol.ku.dk/privacy/research/work-method/privacy_work_method.pdf, accessed on 15 October 2020.

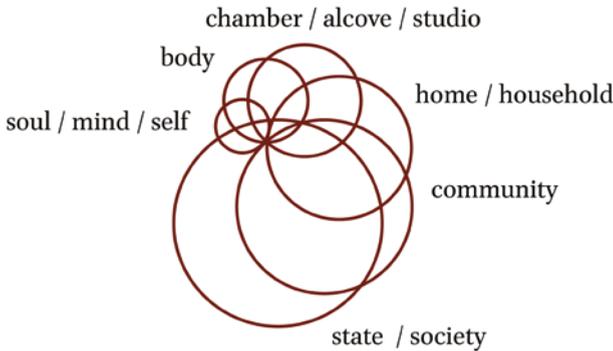


FIGURE 2.1 The heuristic zones

privacy, and the ways in which these phenomena are delineated, negotiated, and curbed.³³

The heuristic zones are shaped on the basis of a concentric structure [Fig. 2.1]. This structure bears resemblance to Roessler's onion model and its layers of personal/bodily intimacy, family, society, and the state as the public realm,³⁴ but it is more attuned to the early modern period with its distinction of body and soul and the chamber as separate zones. When we fan out the circles or layers, however, we achieve a more intricate grid which is better fitted to ferreting out finer details, since the heuristic zones then offer not only the distinct domains of society, community, household, and so forth, but also thresholds and overlaps between them. Rather than providing answers, the zones help us to ask questions such as: What happens at a given threshold, say, between community and home? Who is allowed to cross the threshold and when? Who controls this access and by which technologies (doors, locks, keys, but also invitations, hierarchically diversified rights of access etc.)? Is it an escalation of privacy when someone enters a chamber? Is the chamber restricted in terms of, for example, access, activities, and knowledge? The zones also prompt us to pay heed to overlaps. Again, the aim is less to find answers than to hone the questions. Is there a difference between forging rebellion in the body, that is, in action, and having rebellion in mind? By what means and how forcefully does, say, a given ruler of a state regulate each of these two zones?

33 The heuristic zones may be considered a graphic pendant to Brewer's insight that a fruitful analysis of the public and the private must pay attention not to the polarity of public and private, but 'to the spaces in between – those areas, borders or boundaries which repeatedly shift and which are repeatedly crossed', Brewer, "This, that and the other" 10.

34 Roessler B., *The Value of Privacy* (Cambridge: 2005) 13.

Where are the boundaries of some form of privacy and by what means are they created?³⁵ Asking such questions does not lead us directly to historical notions of privacy, but they do help us to understand when, why, and how phenomena of withdrawal and boundary control are negotiated, reinforced, or abolished in specific early modern cases.

Neither the terminological approach, nor the analytical deployment of the heuristic zones offers a direct path to historical knowledge. But these two methods help scholars from different research fields to establish a joint and quite pragmatic apparatus for the joint scrutiny of a composite source material, and thus they offer a common analytical lens that is fit to bring out and analyse historical insight from various disciplinary angles. Since these two approaches are but work methods, it takes historical cases, figures, and contexts to discover their strengths and weaknesses. The descriptions of the great Condé's retirement provide one such case.

3 Part II: *The vie privée of le grand Condé*

3.1 *Condé: A Biographical Sketch*

We are interested in the implications of *vie privée* in select texts on the Great Condé, the Prince de Condé, Louis II de Bourbon-Condé, not in Condé as a historical person,³⁶ not in the fabrication of Condé as a *grand-siècle*

35 This is the focus of PRIVACY scholar Anni Haahr Henriksen's research on the mind as an inward private space in Elizabethan England, Henriksen A.H., "Consciences are not to be forced, but to be wonne': The Inward Turn in Elizabethan Homiletic Discourse and the Legal Debate over the *Ex Officio* Oath in the Court of High Commission, 1570–1593", in Skouvig L. – Marklund A. (eds.), *Histories of Surveillance from Antiquity to the Digital Age: The Eyes and Ears of Power* (Abingdon: 2021) 37–52.

36 The great Condé has been the subject of a steady stream of biographies of a more or less literary character. The first were closely connected to the house of Condé; Joseph Louis Ripault-Desormeaux, the librarian of a later prince of Condé authored the four-volume *Histoire de Louis de Bourbon, prince de Condé* (1766–1768); Henri d'Orléans Aumale, who inherited the castle of Chantilly and its archive wrote the nine-volume *Histoire des princes de Condé aux XVI^e et XVII^e siècle* (Paris: 1863–1896); and Henri Malo, curator at Chantilly authored *Le Grand Condé* (Paris: 1937). Among more recent biographies are Bertière S., *Condé: Le héros fourvoyé* (2011); Pujos B., *Le grand Condé* (Paris: 1995); Blancpain M., *Monsieur le Prince: La vie illustre de Louis de Condé, héros et cousin du Grand roi* (Paris: 1986); and Duhamel P., *Le Grand Condé ou l'orgueil* (Paris: 1981). For a socio-economical analysis of the seventeenth-century Condé clan, see Béguin K., *Les princes de Condé: Rebelles, courtisans et mécènes du Grand siècle* (Seysssel: 1999). These works share an interest in Condé's character and historical circumstances while we are above all interested in the representation of the prince. Bannister's important study of

hero.³⁷ That said, a brief sketch of our protagonist is in order. Until the birth of the later Louis XIV in 1638, the great Condé was third in the royal succession, and he remained a powerful, and problematic, factor in the state hierarchy.³⁸ His triumph at the age of 21 in the battle at Rocroi in 1643 launched his reputation as a war hero, which was consolidated through a series of victories in the Thirty Years War. His palace in Paris and his chateau in Chantilly some 50 km north of Paris became centres of Condé's scientifically and culturally precocious court characterised by libertine interests and outlooks.³⁹ The Fronde saw Condé wavering in his allegiance to the king, leading to his imprisonment in 1650; eventually, he offered his service to the Spanish king. In our context, these turbulent years are mainly of interest as the jarring backdrop for later portrayals of his loyalty. Condé returned to France and the grace of Louis XIV in 1659 and was once again put in charge of the royal army, celebrating victories in the Franco-Dutch war alongside the second great commander of the time, Turenne.

The period of interest here begins in 1676 when Condé withdrew from his military career and settled at Chantilly. The king's principal gardener and landscape architect André Le Nôtre (1613–1700) had worked on the park since the early 1660s, and in the early 1670s Condé turned to the castle with the assistance of Jules Hardouin-Mansart (1646–1708).⁴⁰ Condé succeeded where Nicolas Fouquet (1615–1680) had failed. He developed a splendid mansion with

the representations of Condé, has two chapters dedicated to portrayals during his retirement and immediately after his death; these chapters, however, do not ponder the notion of *vie privée* which Bannister translates straightforwardly as 'his private life', Bannister M., *Condé in Context: Ideological Change in Seventeenth-Century France* (Oxford: 2000) 174–213, esp. 187–213, here 190. I owe several references to Bannister's work.

- 37 This facet has been examined in Bannister, *Condé in Context*. For Condé's self-staging, see Kühner C., "Il va de ma vie, de mon honneur et par conséquent de tout. Die Selbstinszenierung des Grand Condé", in Asch R.G. – Emich B. – Engels J.I. (eds.), *Legitimation – Integration – Korruption: Politische Patronage in Früher Neuzeit und Moderne* (Darmstadt: 2011) 115–130.
- 38 For implications and manifestations of this position, see Kühner C., *Politische Freundschaft bei Hofe: Repräsentation und Praxis einer sozialen Beziehung im französischen Adel des 17. Jahrhunderts* (Göttingen: 2013) 77 and Kühner, "Il va de ma vie".
- 39 Béguin K., "L'académie du Grand Condé: un asile de la liberté scientifique?", in Demeulenaere-Douyère C. – Brian É. (eds.), *Règlement, usages et science dans la France de l'absolutisme* (Paris – London – New York: 2002) 25–35.
- 40 This elaborate renovation of gardens and buildings is described in Aumale, *Histoire des princes de Condé* vol. 7, 701–708. For Mansart's work at Chantilly, see Jestaz B., "Documents sur l'œuvre de Jules Hardouin-Mansart à Chantilly", *Bulletin Monumental* 149.1 (1991) 7–75. For a representation of the castle and its gardens at its most lavish, see the report of the feast given by Condé's son to the Dauphin in 1688, i.e. two years after Condé's death in Visé Jean Donneau de, *La Feste de Chantilly. Contenant tout ce qui s'est paßé pendant le*

lavish waterworks the construction of which dovetailed with, and inspired, the works at Versailles, without challenging the king.⁴¹ At Chantilly Condé continued to gather around him a vivacious, diverse, and anti-dogmatic court of artists, scientists, theologians, philosophers, and poets.⁴² Madame de Sévigné observed that ‘Monsieur le Prince est dans son apothéose de Chantilly’ (‘at Chantilly M. le Prince is at his high point’).⁴³ While theological debates were the order of the day, and religious figureheads flocked to his court, piety was not a hallmark of this life.

This was to change. At Easter 1685 Condé sought out the Jesuit Étienne-Agard Deschamps (1613–1710), an acquaintance from the military past, and after five days in seclusion with the priest, the prince allegedly received Communion and apologised to his staff for having been such a bad example. According to the memorialist Louis François du Bouchet de Sourches (1645–1716), this caused surprise, for it had been 17 years since Condé’s last Communion.⁴⁴ The last year of his life Condé spent increasingly tormented by gout and adamantly working to secure a good standing with the king for his heirs. These efforts culminated in the union of his grandson Louis de Bourbon (1668–1710) with Louis XIV’s natural daughter with Mme de Montespan, Louise-Françoise, Mlle de Nantes (1673–1743). The marriage was celebrated at Versailles in 1685. It was Louise-Françoise’s sickness from smallpox that drew Condé to Fontainebleau where he died on 11 December 1686 – but only after having sent to the king a letter that attested to his respect, his devotedness, and his tenderness for the majesty.⁴⁵

3.2 *Retraite in Seventeenth-Century France*

Our study of representations of Condé’s *vie privée* adds to a body of research into *grand-siècle* spaces, practices, and ideals of retreat.⁴⁶ Bernard Beugnot,

sejour que Monseigneur le Dauphin y a fait, avec une description exacte du Chasteau & des Fontaines (Lyon, Thomas Amaulry: 1688).

41 Kühner, “Il va de ma vie” 127.

42 Béguin, “L’académie du Grand Condé”. The diverse circle and its spirited exchanges as well as Condé’s artworks and books are described in detail and with verve in Aumale, *Histoire des princes de Condé*, vol. 7, 686–701.

43 Letter to Mme de Grignan of 21 July 1677, in Madame de Sévigné, *Correspondance*, ed. R. Duchêne, vol. 2 (Paris: 1978) 501.

44 Bernier A. (ed.), *Mémoires secrets et inédits de la cour de France sur la fin du règne de Louis XIV par le Marquis de Sourches*, vol. 1 (Paris: 1836) 88–90.

45 The letter is printed in La Brune, *Mémoires*, book 7, vol. 2, 380.

46 See, e.g., Beugnot B., *Loin du monde et du bruit: Le discours de la retraite au XVII^e siècle*, 2nd ed. (Paris: 2015 [1996]); “Loisir, retraite, solitude: de l’espace privé à la littérature”, in Fumaroli M. – Salazar P.J. – Bury E. (eds.), *Le loisir lettré à l’âge classique* (Geneva: 1996)

who looms large in this research field, pursues the seventeenth-century French discourses of retreat and *solitude* along three tracks. He considers them partly as the resurfacing of an inherited trope which is retrieved in order to fulfil a particular cultural function; partly as a phenomenon that is lived and expressed in particular socio-political contexts; and, finally, as a literary theme which has the power to inform the organisation and rhythm of a text,⁴⁷ averring that in seventeenth-century French poetry, *la solitude* is a genre that comes with a particular horizon of expectations. Most studies of retreat are either indifferent to, and silent on, the notion of the *vie privée* or treat it as a past parallel to presentist understandings.⁴⁸ Even Beugnot's chapter 'Fores et genres de l'espace privé'⁴⁹ does not delineate this private space, and none of the quotations given in the chapter features the word *privé(e)*. He does, however, come close to a definition of *privé* in his description of religious poetry as belonging to the 'sphère des genres privés' ('the sphere of private genres') in its capacity as a genre that does not address a group (society, court, salon), but rather

173–195; and “Y a-t-il une problématique féminine de la retraite?”, in Leiner W. (ed.), *Onze études sur l'image de la femme dans la littérature française du dix-septième siècle* (Tübingen: 1978) 29–49. For *solitude* as a literary, religious, and philosophical trope, see Beauvalet-Boutouyrie S., *La solitude: XVII^e–XVIII^e siècle* (Paris: 2008) and Naudin P., *L'expérience et le sentiment de la solitude dans la littérature française de l'aube des Lumières à la Révolution* (Paris: 1995); for solitude as the politically tinged locus of a world-renunciation connected to as diverse motives as the pursuit of inner peace, the religious renunciation of the civic corollaries of the Fall, and the libertin quest for a natural moral code, see Battista A.M., “Morale ‘privée’ et utilitarisme politique en France au XVII^e siècle”, in Lazzari C. – Reynié D. (eds.), *Le pouvoir de la raison d'État* (Paris: 1992) 191–230, here 198–200; for *otium* and the ethos of retreat as a driver of critical literary engagement from the sideline, as it were, see Schneider R.A., *Dignified Retreat: Writers and Intellectuals in the Age of Richelieu* (Oxford: 2019); for religious implications of solitude see, finally, my “Prayer, Meditation, and Retreat”, in Lyons J.D. (ed.), *The Oxford Handbook of the Baroque* (Oxford: 2018) and “A Solitude of Permeable Boundaries: The Abbey of La Trappe between Isolation and Engagement”, in Göttler C. – Enenkel K.A.E. (eds.), *Solitudo: Spaces, Places, and Times of Solitude in Late Medieval and Early Modern Europe* (Leiden: 2018) 451–479. See for a critical overview of research, Goodman D., “Public Sphere and Private Life: Toward a Synthesis of Current Historiographical Approaches to the Old Regime”, *History and Theory* 31.1 (1992) 1–20.

47 Beugnot, *Loin du monde* 30–31.

48 As when Fumaroli observes that the seventeenth-century Parisian *hôtels* were dedicated to the private life (*la vie privée*) and the intimate leisure involved in this life, Fumaroli M., “Otium, convivium, sermo: La conversation comme lieu commun”, in Fumaroli M. – Salazar P.J. – Bury E. (eds.), *Le loisir lettré à l'âge classique* (Geneva: 1996) 29–52, here 46; or when Beugnot succinctly identifies the tensions in the opening of Corneille's *l'Illusion comique* (1636) between ‘deux espaces, l'extérieur et l'intérieur, le public et le privé’ (‘two spaces: the exterior and the interior, the public and the private’) Beugnot, *Loin du monde* 2.

49 Beugnot, *Loin du monde* 71–82.

the inner life of individuals who practise their religion in the secrecy of their chamber or oratory.⁵⁰

Instead of attempting to throw light on a general phenomenon, drawing on a diverse sample of sources, this chapter uses a particular example as a paradigmatic prism for some of the early modern associations of the term *privé(e)*. The occurrences of the term *privé(e)* that we shall encounter in the selected sources are but few and of a somewhat contingent nature. At the same time occurrences such as these accumulate in the *Imaginaire* of notions of the private in seventeenth-century France and beyond.⁵¹ The representations of Condé's retirement as a *vie privée* refer to a model, but they also contribute to the tracing of that model's pliable contours.

3.3 *Condé's Vie Privée: The Motifs*

We shall look briefly at three texts on Condé which have in common the deployment of the term *vie privée*. Being different in character and genre, they will give us a first idea of a stock repository of connotations of *vie privée* as well as the scope of variation. The earliest work in focus is René Rapin's *Du Grand ou du Sublime dans les mœurs* (1686).⁵² In this text, Rapin (1621–1687), one among a significant number of Jesuits in Condé's circle,⁵³ takes Condé as the key example of the sublime *vie privée* over against the king's sublime *vie publique* in one of the juxtapositions of life-forms so dear to the age.⁵⁴ Rapin is

50 Ibidem, 81.

51 For the concept of the *imaginaire*, see Le Goff J., *L'imaginaire médiéval: essais* (Paris: 1985) I–VIII. Le Goff uses the term to denote a psychologically coded register concerned with images which are collectively relevant. I use it in a sense more attuned to the literary and rhetorical set of tropes than to a shared psychological repository or to the profound societal claims made in Castoriadis C., *L'Institution imaginaire de la société* (Paris: 1975).

52 Rapin René, *Du grand ou du sublime dans les mœurs et dans les différentes conditions des hommes* (Paris, Sébastien Mabre-Cramoisy: 1686).

53 For Rapin's proximity with Condé, see, e.g., Dubois E., *René Rapin: L'homme et l'œuvre* (Lille: 1970) 77–84; Bannister, *Condé in Context* 193, 203. While his sister, the duchesse de Longueville, Anne-Geneviève de Bourbon (1619–1679), ended her life as a friend of Port-Royal, Condé, who began his education at a Jesuit college, and would commend the education of his son and grandson to that same Order, ever verged towards the Jesuits, Dubois, *René Rapin* 77. His Jesuit circle included, among others, Nicolas Talon (1601–1691) who was since long associated with Condé's family, as well as François Bergier and Étienne-Agard Deschamps, whom we shall return to.

54 See, for Rapin's work on this text and its inspiration from Longinus, Dubois E., *René Rapin* 567–581; the year after, in 1686, Rapin expanded his portrait of Condé in *Le Magnanime* in response to criticism that his praise of Condé's military pursuits had not been sufficiently rich, Dubois, *Renée Rapin* 81–84, 581–587. For the genre of *vies comparées*, see Beugnot, *Loïn du monde* 53–65; Rapin's work is not among Beugnot's examples.

interested in the sublime as a moral rather than a rhetorical category, averring that it is better to explore how people can perfect the mores in their respective conditions than to learn how to speak well.⁵⁵ He conjures up an image of the ideal heroic *vie privée*, evoking several cognates along the way, for example, ‘glorieux repos’ (‘honourable repose’) and ‘vie particuliere & retirée’ (‘individual and withdrawn life’).⁵⁶ For Rapin, the sublime nature of Condé’s retreat is intimately connected to its public recognition, and he concludes the opening of his section on Condé with the following phrase:

Cette vie douce & paisible que mene ce Prince en sa retraite, est un nouveau genre de Sublime qui peut-estre n’a pas d’exemple: & je ne sçay si le lait & le village ont jamais esté dans une si haute considération, qu’il les a mis. Car toute la France va faire sa cour à ce village [...].⁵⁷

This sweet and peaceful life that this Prince undertakes during his retreat is a new version of the sublime, which perhaps has not been seen before: I do not know if the milk and the village have ever been valued so much as he has made them be; all of France wants to settle their court in this village.

The next text is a funeral sermon. On 11 December 1686, Condé died at Fontainebleau. His death elicited a series of memorial services and accompanying eulogies. A lavish ceremony was held in Notre-Dame on 10 March 1687;

55 Rapin, *Du Grand ou du Sublime* unpaginated ‘Avertissement’. For a brief condensation of Rapin’s sense of the sublime, but with a focus on his *Réflexions sur la poétique de ce temps* (1675), see Martin E.M., “The ‘Prehistory’ of the Sublime in Early Modern France: An Interdisciplinary Perspective”, in Costelloe T.M. (ed.), *The Sublime: From Antiquity to the Present* (Cambridge: 2012) 77–102, here 77. The discussion of the sublime becomes an argument in the debate between, on the one hand, Boileau and his view of the sublime as a rhetorical category and, on the other hand, Huet, but also Rapin, and the view that the epithet sublime can be applied to things and morals. For the positions in this debate, see Declercq G., “Boileau-Huet: La querelle du *Fiat Lux*”, in Guellou S. (ed.), *Pierre-Daniel Huet (1630–1721). Actes du colloque de Caen* (Tübingen: 1994) 237–262; Gilby E., *Sublime Worlds: Early Modern French Literature* (London: 2006); Lyons J.D., “Sublime Accidents”, in Wine K. – Lyons J.D. (eds.), *Chance, Literature, and Culture in Early Modern France* (Farnham: 2013) 95–109.

56 Rapin, *Du Grand ou du Sublime* 64–65.

57 Ibidem, 51–52. Rapin had followed Condé’s retreat with critical interest and already in 1676 commented in a letter to Bussy that his retreat was that of a philosopher, not that of a Christian, Dubois, *René Rapin* 78. Condé followed a diet that relied heavily on cow’s milk on account of his gout, La Brune, *Mémoires*, book 7, 362; Dubois, *René Rapin* 577. Translations are mine unless otherwise stated.

at it, Jacques-Bénigne Bossuet (1627–1704) delivered his famous panegyric.⁵⁸ On 26 April 1687, Condé's heart was interred at the Jesuit Church in Rue Saint-Antoine in Paris. The event was accompanied by a sermon held by another chief orator, Louis Bourdaloue (1632–1704) that was much praised at the time.⁵⁹ A host of memorial services and funerary orations waxed eloquent on Condé's retreat to Chantilly and its ultimate penitential flavour,⁶⁰ but only Guillaume Daubenton (1648–1723) who had delivered his sermon in the Jesuit church in Dijon on 28 February 1687 talked about it as a *vie privée*.⁶¹ Daubenton is particularly intent on showing Condé's progressive evolution towards becoming a penitent Christian who died the good death. He links the *vie privée* with terms related to religious retreat, thus evoking a prevailing discourse in the religious temper of the period.

58 It was printed as *Oraison funèbre de tres-haut et tres-puissant prince Louis de Bourbon, prince de Condé, premier prince du sang. Prononcée dans l'église de Notre-Dame de Paris, le 10. jour de mars 1687* (Paris, Sébastien Mabre-Cramoisy: 1687). Mme de Sévigné details the abundant furnishing of the church in a letter to Bussy-Rabutin of 10 March 1687, in *Correspondance*, vol. 3, 283–284.

59 It was printed as *Oraison funèbre de tres-haut et tres-puissant prince Louis de Bourbon, prince de Condé, premier prince du sang* (Paris, E. Michallet: 1687). Mme de Sévigné gives an enchanted paraphrase in a letter to Bussy-Rabutin begun on 25 April 1687, *Correspondance*, vol. 3, 290–293.

60 See the list of the primary orations in Bannister, *Condé in Context* 212–213.

61 It was printed as *Oraison funèbre de tres-haut, et tres-puissant prince Louis de Bourbon prince de Condé* (Dijon, Jean Ressayre: 1687). Daubenton was a rising star when he delivered his oration. Since 1680 he was confessor to Louis XIV's daughter-in-law Marie Anne Christine de Bavière (1660–1690); he was considered as confessor for her oldest son, the Dauphin (1682–1712) and would later become confessor to her second son, Philippe V of Spain (1683–1746) and play an active part in the Roman flanks of the campaign against the Jansenists. When he held his funeral oration for Condé, he was assisting various Jesuit houses as preacher and confessor, known, among other feats, for his funeral orations; he spent 1686 in Dijon. For Daubenton's biography, see Désos C., *Biographie du P. Guillaume Daubenton, confesseur de Philippe V d'Espagne (1643–1723)* 4–5. *Projet PLUTARCO XXI. 2010*. fhal-01861658f. <https://hal.archives-ouvertes.fr/hal-01861658/documnet> (accessed on 29 July 2020). Condé inherited the post as governor of Burgundy from his father, but following the arrest of the prince in 1650, Mazarin removed him from office. The prince returned in 1660, but never stayed much in Dijon and ceded the office to his son in the late 1660s, see Breen M.P., *Law, City, and King: Legal Culture, Municipal Politics, and State Formation in Early Modern Dijon* (Rochester: 2007) 97–127; Nachison B., "Absentee Government and Provincial Governors in Early Modern France: The Princes of Condé and Burgundy, 1660–1720", *French Historical Studies* 21.2 (1998) 265–297, here 269–270. Daubenton makes as much as he can of Condé's attachment to Dijon, mentioning that the prince brought several banners to one of the Dijonnais churches after his illustrious victory at Rocroi in 1643 and boasting Condé's lingering bonds to the region, *Oraison funèbre* 12, 32–33.

In the early 1690s appeared a pair of Condé's biographies authored by two Protestants, Pierre Coste (1668–1747) and Jean de La Brune (or Labrune) (1653–1736).⁶² Condé's relationship to Protestants is not our interest here.⁶³ Suffice it to say that he welcomed Protestant figures at his court, but that he also seems to have taken an interest to secure conversions in the aftermath of the Revocation of the Edict of Nantes, and received from friends and staff reports about conversions among his old company,⁶⁴ the staff of his houses,⁶⁵ and the inhabitants on his land.⁶⁶ As our third example, we shall concentrate on Jean de La Brune's *Mémoires*, one book of which is dedicated to how Condé retreated to Chantilly 'pour y mener une vie privée' ('in order to entertain a private life there').⁶⁷ La Brune sees himself as a compiler rather than an author.⁶⁸

62 Coste Pierre, *Histoire de la vie de Louis de Bourbon, prince de Condé*, 2 vols. (Cologne, F*****, 1693); La Brune Jean de, *Mémoires pour servir à l'histoire de Louis de Bourbon, prince de Condé*, 2 vols. (Cologne, Pierre Marteau: 1693).

63 See, for one side of this story, the dispatches that concern the revocation of the Edict of Nantes in Gonin F. – Delteil F., "La Révocation de l'Edit de Nantes vue par les informateurs du Grand Condé", *Bulletin de la Société de l'Histoire du Protestantisme Français* 118 (1972) 115–117, 118–172, and 354–382 and *Bulletin de la Société de l'Histoire du Protestantisme Français* 119 (1973) 90–115, 287–301, and 400–418. The Protestant past of the clan may underlie Coste's choice of topic, which is misrepresented in Rumbold's claim that Coste's biography of Condé was 'undoubtedly' spurred on by Condé being Protestant, Rumbold M.E., *Traducteur huguenot: Pierre Coste* (New York: 1991) 36–37. Coste does not recoil from mentioning that Condé's first education was in the hands of two Jesuits, Coste, *Histoire* 10. La Brune is more explicit. He mentions the execrable murder of Condé's grandfather Louis I who, in La Brune's words, headed the discontent faction in the wars of religion. He continues with a description of the conversion of Condé's father, Henri, in the suit of the conversion of King Henry IV which made him so zealous for his new religion that, according to his posthumous reputation, the main purpose of his birth was to reestablish the Catholic religion that his father had wanted to destroy. As La Brune remarks, it is not surprising that Henri sent Condé to the Jesuit *collège* in Bourges at the age of eight, La Brune, *Mémoires*, book 1, vol. 1, 10.

64 See, e.g., Letter 142, from de Puysieux to Condé of 10 January 1686, in Gonin – Delteil, "La Révocation" 370.

65 See, e.g., Letter 246, from Guerard to Condé of 18 January 1686, in *ibidem*, 381–382.

66 See, e.g., Letter 202, from Richard to Condé of 4 December 1685, in *ibidem*, 156; Letter 51, from La Proustière to Condé of 4 January 1686, in *ibidem*, 359.

67 La Brune, *Mémoires*, book 7, 357.

68 He explains that his work is based on memoirs of members of Condé's staff and letters by people with access to Chantilly as well as a collection of historical texts, some of which have been published before, La Brune, *Mémoires*, vol. 1, Avertissement, unpaginated [3, 8]. Before the Revocation, La Brune had been minister to Mme de Vignoles close to Montpellier, and afterwards he became minister in the Netherlands. He published a *Traité de la justification* based on a translation of Calvin's *Institutes* (1693), Stelling-Michaud S. (ed.), *Le livre du recteur de l'Académie de Genève (1559–1878)*, vol. 4 (Geneva: 1975) 233; Krumenacker Y., "Les églises de la barrière", in Krumenacker Y. (ed.), *Entre calvinistes et*

Among the sources listed in the *avertissement* only Rapin, François Bergier, and the funeral orations deal with Condé's retreat, and it is probably Rapin's treatment of Condé's *vie privée* that above all resonates in de La Brune's text. If Rapin is bent on exalting Condé, de La Brune declares it his ambition to draw a *fidèle* portrait.⁶⁹ We learn not only of the prince's genius for warfare, but also of his bad and irregular teeth, frequent but unpleasant laughter, and the bitter, difficult, and stormy temper that tended to ruin the gifts that fortune and nature had bestowed upon him.⁷⁰

The funerary orations were not the last attempt to secure a pious reputation for the sometime libertine Condé. Three years after his death appeared *De morte Ludovici Borbonii Principis Condæi*, written in French by François Bergier (1622–1688) and translated into Latin by Louis de Saligny (1657–1723), both Jesuits.⁷¹ The French text, our fourth example, does not speak of *vie privée*, but instead allows us to compare a French and a Latin terminology employed to speak about Condé's withdrawal. Where Bergier had *vie retirée*, Saligny put *vita privata*, reminding us that *vie privée* has cognates worth including in our search and that translations broaden the terminological scope.⁷²

The selected texts exemplify key clusters of connotations evoked by the term *vie privée*. These representations may be, to use Agnès Walch's term, medialisations of the *vie privée*, but they are a far cry from any revelation of scandals, secrets, and intimate details.⁷³ Their aim is not to stir but to confirm; less to pry open than to augment the contours of a stylised ideal. While much in Condé's *libertine* life and penchant for intellectual pleasures resembles Epicureanism,⁷⁴ it is above all Ciceronian tenets of civic virtue and retreat as

catholiques: les relations religieuses entre la France et les Pays-Bas du Nord: XVI^e–XVIII^e siècles (Rennes: 2010) 345–365, here 351.

69 La Brune, *Mémoires*, book 7, 393.

70 Ibidem, 393–395.

71 Bergier – de Saligny, *De morte Ludovici Borbonii*. For the close relationship between Condé and Bergier and the work, see Bannister, *Condé in Context* 205–206.

72 Bergier – de Saligny, *De morte Ludovici Borbonii* 310–311, 170–171. See also the description of Condé's attempts to convert his Protestant servants by talking to them *privatim/en particulier* 182–183.

73 See Walch A. (ed.), *La médiatisation de la vie privée (XV^e–XX^e siècle)* (Arras: 2012).

74 Charles de Saint-Evremond was in Condé's military service and belonged to his circle of interlocutors in the period 1642–1648, which, according to Potts, was the natural precursor of Saint-Evremond's turn to Epicurism, Potts D., *Saint-Evremond: A Voice from Exile – Unpublished Letters to Madame De Gouville and the Abbe De Hautefeuille 1697–1701* (Abingdon – New York: 2017 [Oxford: 2002]) 1–4; see also Manning Hope Q., *Saint-Evremond and his Friends* (Geneva: 1999) 37–60. For the seventeenth-century *libertins* as heirs to Epicureanism, see Ford, P., "Lucretius in early modern France", in Gillespie S. – Hardie P. (eds.), *The Cambridge Companion to Lucretius* (Cambridge: 2010 [2007]) 227–241.

a fertile soil for such virtues that resonate in the representation of Condé's retirement in our, prevalently Jesuit, authors.⁷⁵ The occurrence of such direct and indirect references is to some extent connected, as products and producers, to the seventeenth-century revitalisations of the classical tradition, contributing to its delineation as well as to what Beugnot has called its mobilisation and actualisation.⁷⁶ The selected texts are not primarily voices in the ongoing discussion of the merit or dangers of classical philosophical schools and position.⁷⁷ While some of the ideas of self-mastery resonate with Stoic ideals, none of the texts come close to, for example, François de Sales's explicit endorsement of the practices of self-insight that were proposed by the

75 Cicero had a central place in the Jesuit *ratio studiorum* (from 1599), and was favoured not least because of the civic values of his *oeuvre*; contrary to Ambrose and Jerome who had seen the Ciceronian *otium* as a withdrawn observation of the world, the Jesuits viewed it as the foundation of action, Maryks R.A., *Saint Cicero and the Jesuits: The Influence of the Liberal Arts on the Adoption of Moral Probabilism*, (Aldershot: 2008) 83–97. See also O'Malley's statement that *De officiis* was a work well-known by any Jesuit and treasured for its message of civic harmony, O'Malley J.W., "Introduction: The Pastoral, Social, Ecclesiastical, Civic and Cultural Mission of the Society of Jesus", in O'Malley J.W. – Bailey G.A. – Harris S.J. – Kennedy T.F. (eds.), *The Jesuits II: Cultures, Sciences, and the Arts, 1540–1773* (Toronto: 2006) xxiii–xxxvi, here xxxii. Cicero's independence of philosophical schools is propagated in, e.g., Rapin René, *Reflexions sur la philosophie ancienne et moderne, Et sur l'usage qu'on en doit faire pour la Religion* (Paris, François Muguet and Claude Barbin: 1676) 27, 150–151.

76 Beugnot, *Loin du monde* 77.

77 Rapin lashes out at the Stoics as epitomes of showy pride, excepting Epictetus as the most reasonable and sincere Stoic; he also charges Epicurus with having put on a show of austerity to gloss over his voluptuous doctrine and appear more palatable, Rapin, *Reflexions sur la philosophie* 139–143 (on Zenon and the stoics); 143–148 (on Epicurus); 151 (on Epictetus). Furthermore, he takes Lipsius to task for his ready Christianisation of Stoic ideals (142). Rapin's stance is in contrast to the Jesuit predilection for the Stoics argued in, e.g., d'Angers, J.-E., "Le stoïcisme d'après l'*Humanitas theologica* de Pierre Lescapelier (1660)", *Bulletin de littérature ecclésiastique* 56 (1955) 23–36, 147–161. The stoic *apatheia* was generally a bone of contention for Christian commentators, but especially difficult to accept for the staunchest Augustinians who found that Stoicism led to Pelagianism, see d'Angers, "Le stoïcisme" 147, see also 149, 153–58; Brooke C., *Philosophic Pride: Stoicism and Political Thought from Lipsius to Rousseau* (Princeton NJ: 2012) 78, but also Rapin trots out the view the Stoicism is redolent of pride, and we should stay wary of too easy factioning, Rapin, *Reflexions sur la philosophie* 142–143. For seventeenth-century philosophical and, above all, Christian appropriations of Stoicism, see the *œuvre* of Julien-Eymard d'Angers. For seventeenth-century, French anti-Stoic currents based in Augustinianism and thus related to, but not restricted to, Port-Royal, see Brooke, *Philosophic Pride* 76–100; see also Moriarty M., *Early Modern French Thought: The Age of Suspicion* (Oxford: 2010 [2003]) 198, pointing to the anti-stoic sentiment of Malebranche, Pascal, La Rochefoucauld, and La Bruyère.

philosophical traditions.⁷⁸ The casual glance at classical antecedents on the following pages does not equal any strong claim of direct references to the said antecedents, since this would require substantial analyses of book holdings and documented reading. Such references serve merely to underline the longevity and modulations of the discourse of the private life.

A swift scan of three general themes will give us a first sense of just how charged and kaleidoscopic the semantic scope of the notion of *vie privée* is. Thus we now turn to Condé's *vie privée* as a locus of, respectively, retirement from civic duties, self-mastery, and penitential solitude.

3.3.1 Retirement from Civic and Military Duties

The etymological origins of *vie privée* rest with the Roman *civitas*. The term *vie privée* refers to the meaning of *privatus* as being without a civic office,⁷⁹ and in our context it denotes Condé's situation as retired; when he withdraws from his military office, he does, in Bergier and Saligny's terms, become a private person (*privatum hominem | un particulier*).⁸⁰ The *vie privée* is twinned with the term *retraite*, retreat, which sits comfortably with the military ambience of his life and grandeur.⁸¹ Arguably exploiting the military connotations of retreat, La Brune lists three potential *motifs* for Condé's *retraite* which featured in contemporary speculation – all of them strategic.⁸² Some people claimed that the princely general withdrew because his bodily frailty prevented him

78 De Sales underlines the value of the *examen de conscience* recommended by Seneca, Plutarch, and the Pythagoreans, de Sales François, *Traité de l'amour de Dieu*, book 2, chap. 18 (Lyon, Pierre Rigaud: 1616) 196. He calls the Stoics the most virtuous of the philosophers, *ibidem*, 198. The Stoics, according to de Sales, and in particular his preferred Stoic Epictetus, base their entire philosophy on abstention and renunciation of pleasures and worldly honours and train themselves to bear labours and lack of comfort; but the Christian teaching, which is the only true philosophy, bases all exercises on three principles: to exercise self-denial, to carry one's cross, and to follow Christ in all sorts of good deeds. Christ's passion is the apex of these principles, *ibidem*, book 9, chap. 2, 472. De Sales's discussion of the Stoics goes via Augustine's representation in *De civitate Dei*, books IX and XIX. For de Sales's Christian appropriation of Stoic viewpoints, see d'Angers J.-E., *L'Humanisme Chrétien au XVII^e siècle: s. François de Sales et Yves de Paris* (The Hague: 1970).

79 Von Moos, "'Öffentlich' und 'privat' im Mittelalter" 13; Winterling "'Öffentlich' und 'privat' im kaiserzeitlichen Rom" 224.

80 Bergier – de Saligny, *De morte Ludovici Borbonii* 312–315.

81 See, for example, Rapin, *Du Grand ou du Sublime* 50; Daubenton, *Oraison funèbre*, e.g., 25–26, featuring six mentions of 'retraite' in two pages; see also La Brune, *Mémoires*, book 7, 261.

82 As a general, Condé was known for his genial *fougue*, his impetuous fire, rather than for any strategic caution, the latter being rather the hallmark of Condé's fellow commander, Turenne, Bannister, *Condé in Context* 211.

from paying the king due respect at court which might be deemed a lack of veneration.⁸³ Others suspected that having won much glory on the battlefield, he was now aiming for the glory of solitude. Yet others believed that, since the king had not forgotten Condé's treason and sometimes showed signs of resentment, Condé decided to remove himself from the royal gaze so as to avoid hampering the fortune of his son, the duke d'Enghien.⁸⁴ In harmony with this military tenor, our texts are at pains to show that Condé's retirement is a heroic feat on a par with, or even superior to, his triumphs in war, and Rapin is representative of all our authors when he ascribes to Condé's withdrawal an organic addition of honour, avowing that 'après avoir aquis tout l'honneur qu'on peut aquerir dans la guerre, il a eû encore le bonheur d'aquerir par sa retraite tout celuy que peut faire la paix'⁸⁵ ('after having achieved all the honour that can be gained in war, he had also had the fortune to achieve, by his retreat, all that [honour] which peace can bring about').

Just like his martial feats, Condé's retreat elicits commonplace comparisons. While allusions to Alexander the Great ornament portrayals of his military endeavours,⁸⁶ the definitive model of his retirement becomes the Roman general Scipio Africanus the Elder (236–183 BC), a preeminent paradigm of the Roman *otium* in its positive variant. Scipio retreated to Liternum in Campania close to Naples around 185 BC and spent the last years of his life there. The identification of Scipio's retreat as an almost mythical origin of the discourse of retreat has some historical footing,⁸⁷ but it was not least the ensuing centuries of representations that led to his status as an icon of withdrawal which

83 I owe the awareness to the strategic implications of non-military retreat to Judith Frömmer and the SFB 1015: *Muße: Grenzen, Raumllichkeit, Praktiken* at the Albert-Ludwigs-Universität Freiburg; sincere thanks for a first exchange are due to Prof. Frömmer and to her colleague Andrea Guidi.

84 La Brune, *Mémoires*, book 7, 357–359. None of our texts compare retirement from office to military retreat, but the comparison does appear in Girardot de Nozeroy, *Raisonnement fait par le Conseiller G. de N. retiré en sa maison où il mourut*, edited in 1638–1650, published in Perrod, M., *Le livre de la retraite du sieur Girardot de Nozeroy* (Lons-le-Saunier: 1900), and discussed in Beugnot, *Loin du monde* 75–76.

85 Rapin, *Du Grand ou du Sublime* 54. Loyal to the eulogistic genre, Menestrier explains that the retired general was more heroic in his penitential preparations for death than he had been on the battlefield, Ménestrier Claude-François, *La Source glorieuse du sang de l'auguste maison de Bourbon dans le coeur de saint Louis, roy de France. Sujet de l'appareil funèbre pour l'inhumation du coeur de très-haut [...] prince Louis de Bourbon, prince de Condé* (Paris, E. Michallet: 1687) 15.

86 Bannister, *Condé in Context* e.g. 33–34, 85.

87 André identifies the historical Scipio as a first mover in the deployment of the *otium* as a period dedicated to physical repose for his soldiers; his own exercise of *otium* also entailed a purification of the mind that prepared him for action, André J.-M., *L'Otium*

underlies Rapin's allusion. In this tradition, the Ciceronian mention of the general's regular, and temporary, retreat into self-reflection merged with Livy's portrait of Scipio's daily retreats and Seneca's epithet of the general's last and lasting retirement into that spartan lodging in Liternum. A quick overview of these landmarks will give a foil for Rapin's allusion while adding a few important elements from the classical basis for notions of privacy and the private. Cicero (106 BC–43 BC) opens the last book of *De officiis* with a reference to Cato's remark that Scipio was never less at leisure (*otiosum*) than when in leisure, and never less alone (*solum*) than when alone, as a cue for a discussion of public life and its contrasts. Cicero describes the Scipionic *otium* as a series of regular withdrawals, narrating how '[i]lle enim requiescens a rei publicae pulcherrimis muneribus otium sibi sumebat aliquando et e coetu hominum frequentiaque interdum tamquam in portum se in solitudinem recipiebat' ('For he, to find leisure from his splendid services to his country, used to take a vacation now and then and to retreat from the assemblies and the throngs of men into solitude, as into a haven of rest').⁸⁸ In Livy (59 BC–17 AD), these retreats occur on a daily basis: 'nullo die prius ullam publicam privatamque rem egit quam in Capitolium iret ingressusque aedem consideret et plerumque solus in secreto ibi tempus tereret'. ('there was not a day on which he did any business public or private without going first to the Capitol, and after he had entered the temple, sitting down and usually passing the time there alone in seclusion').⁸⁹ Seneca (ca. 4 BC–65 AD) had lasting influence with his awed report from the general's tomb and austere villa in Liternum, describing the spartan bathing house as a token of the retired general's ascetic habits.⁹⁰ Scipio remained an example of honourable retreat,⁹¹ and, as Leopoldine Prosperetti shows, for

dans la vie morale et intellectuelle à Rome des origines à l'époque augustéenne (Paris: 1966) 58–65.

- 88 Cicero, *De officiis* III.1.3, in *Cicero: On Duties*, trans. W. Miller (Cambridge, MA: 1913) 270–272.
- 89 Titus Livius *Ab urbe condita* 26.19, in Livy, *History of Rome*, trans. F.G. Moore, vol. 7 (Cambridge, MA: 1943) 72–73.
- 90 Seneca, "Epistula 86", in Seneca *Epistles*, trans. R. Gummere, vol. 1 (Cambridge, MA: 1917) 310–318. For Seneca's identification with Scipio, see Ker J., *The Deaths of Seneca* (Oxford: 2010 [2009]) 325–358.
- 91 For example, Scipio is one of several key examples of *otium* and solitude in the second book of Petrarch's *De vita solitaria*. Bondanella J.C., "Petrarch's Rereading of 'Otium' in 'De vita solitaria'", *Comparative Literature* 60.1 (2008) 14–28, here 22, 24–25. As Enenkel observes, it is particularly Scipio's ability to commune with himself (*secum loqui*) that interests Petrarch, in Petrarca Francesco, *De vita solitaria, Buch I: Kritische Textausgabe und ideengeschichtlicher Kommentar*, ed. and comm. K.A.E. Enenkel (Leiden – New York – Copenhagen – Cologne: 1990) 290–296. For the notion of *otium honestum*, see

sixteenth-century humanists the African general became a Neo-Stoic protagonist of an *otium* that lent itself readily to Christian adaptation.⁹²

The Scipionic austerity, however, fits poorly with Rapin's sublime version of Condé's *vie privée*, and the Jesuit engages the model negatively: 'La retraite du grand Scipion en sa maison de campagne proche Capouë après avoir conquis l'Affrique & l'Asie, n'a rien de comparable à celle de Monsieur le Prince de Condé en sa maison de Chantilly'⁹³ ('The great Scipio's retreat to his country house close to Capua after having conquered Africa and Asia had nothing comparable to that of M. le Prince of Condé in his house in Chantilly'). He remarks that Scipio's retreat after his victories had no glory that Condé's did not outshine and that there is no comparison between a Roman citizen and a prince of blood stemming from one of the world's most ancient and illustrious houses. Daubenton, in turn, underlines not the difference, but the similarity between Condé and Scipio in one sweeping glance at Condé in action and retirement: 'Son premier soin dans la solitude, fut de former son esprit, tel dans les Armées & à Chantilly, que fut l'illustre Scipion au Camp de Cartage, & dans sa retraite de Capouë'⁹⁴ ('His first concern in solitude was to form his spirit: in the army and at Chantilly, just as the illustrious Scipio did it in his camp at Carthage and in his retreat in Capua'). The difference reminds us that for these authors, tradition serves as a foil for the description of the private life. This foil may be engaged in concord or disagreement, depending on the genre and authorial aims.

Condé's house and gardens in Chantilly are key components in the representations of his retirement. The representations draw somewhat in the direction of popular pastoral tropes, albeit in a courtly and highly groomed variant, praising not only horticultural and architectural pleasures of the rural mansion, but also Condé's capacity for shaping them. According to La Brune, 'Le Prince de Condé ne fut pas plutôt retiré à Chantilly, qu'il s'attacha à orner & embellir sa solitude de toutes les manières possibles: en quoy il réussit admirablement'⁹⁵ ('No sooner had the prince of Condé withdrawn to Chantilly than he devoted himself to decorating and embellishing his solitude in all possible manners: in which regard he succeeded excellently'). A keyword here is *solitude* which may

Vickers B., "Leisure and Idleness in the Renaissance: The Ambivalence of *Otium I*", *Renaissance Studies* 4.1 (1990) 1–37, here 10–12; Schneider, *Dignified Retreat*.

92 Prosperetti L., *Landscape and Philosophy in the Art of Jan Brueghel the Elder (1568–1625)* (Farnham: 2009) esp. 143–155.

93 Rapin, *Du Grand ou du Sublime* 50–51.

94 Daubenton, *Oraison funèbre* 27.

95 La Brune, *Mémoires*, book 7, 362.

not seem to us the most precise description of Chantilly's magnificence, but does evoke a whole set of associations related to rural retreat.⁹⁶

Loyal to his project to display this *vie privée* as sublime, Rapin resorts to even grander expressions in his description of Condé's ingenious and perfectly balanced plan for his house and garden:

Il falloit qu'il en fist luy-mesme le plan, qu'il en conceust le dessein, & qu'il en fust l'ouvrier. Cette maison n'auroit eû rien digne de luy, si ce qu'il falloit pour l'orner & pour l'embellir n'est passé par sa teste, & s'il n'en eust esté luy-mesme l'ordonnateur. C'est aussi pour cela que dans l'œconomie de cette admirable solitude on voit jusques dans les ruisseaux, dans les bocages, dans les berceaux, dans les fontaines, dans les canaux, & dans ces grand réservoirs d'eau quelques traits de la grandeur de son génie: tout y respire l'élévation de son ame, & la politesse de son esprit, [...]. Les pensées qu'il a eûës pour parer son hermitage, sont à proportion aussi sublimes que les grandes actions qu'il a faites dans ses compagnes pour sa gloire & pour celle de l'Estat.⁹⁷

He had to make the plan himself, to conceive of the design, and to be the worker. This house would have been in no way worthy of him if what it took to decorate and embellish it had not passed through his mind and if he had not himself been the manager of it all. It is also for this reason that we see traces of the magnitude of his genius in the outline of this excellent solitude – even in the streams, the groves, the arches, the fountains, the canals, the great water reservoirs – everything there breathes his soul's elevated state and the civility of his spirit [...]. The ideas that he

96 The beginning of the century saw a poetic turn to the rural retreats of Horace and Ovid; the forest, the meadow and the leafy grove were in vogue. The poetic idyll changes in character and connotations across the century; see Taormina M., "Noble Selfhood and Saint-Amant's Nature Poetry", in Sabean D.W. – Stefanovska M. (eds.), *Spaces of the Self in Early Modern Culture* (Toronto: 2012) 134–150. The trend was augmented with Honoré d'Urfé's *Astrée* (1607–1627) as the key type and most influential manifestation of pastoral solitude. Towards the end of the century retreat was endowed with more complex psychological qualities, see Stanton D., "The Ideal of 'repos' in Seventeenth-Century French Literature", *L'Esprit Créateur* 15.1–2 (1975) 79–104, here 95–97.

97 Rapin, *Du Grand ou du Sublime* 57–58. It lies beyond our scope to pursue the question whether philosophical structures underlie Le Nôtre's design, propagated in Weiss A.S., *Mirrors of Infinity: The French Formal Garden and 17th-Century Metaphysics* (New York: 1995 [French 1992]) 79–92 and challenged in Conan M., "The New Horizons of Baroque Garden Cultures", in Conan M. (ed.), *Baroque Garden Cultures: Emulation, Sublimation, Subversion* (Washington DC: 2005) 1–35, here 1–3.

had for adorning his hermitage are of the same proportion of sublimity as the great deeds that he did in his military campaigns for his own glory and that of the state.

The portrayal of Chantilly evokes the trope of the *locus amoenus* which, according to Curtius's classical typology, holds, as a minimum, a tree, a meadow, and a source or brook, with birdsong and flowers as possible addenda.⁹⁸ As Justus Lipsius (1547–1606) had reminded his readers, such a garden is the perfect setting for an *otium* busy with reflection.⁹⁹ Before his eulogy of Condé Rapin had pondered the garden as an ideal site for the *vie privée* in his *Hortorum libri VI* (1665), whose four songs were dedicated to the flowers, the trees, the water, and the fruits of an ideal garden. Here he describes a man who settled at the banks of the Seine outside of Paris and there cultivated his garden, 'carpens privatae gaudia vitae' ('capturing the joys of the private life').¹⁰⁰ In Rapin's description of Condé, these horticultural joys are perfectly compatible with the spirited courtly activities of the prince and his circle: 'Ses entretiens, ses promenades, ses chasses, & tous les autres divertissemens y ont un caractere de grandeur: tout s'y fait noblement, pour répondre mieux à la noblesse de celui qui est l'ame d'un lieu si charmant'¹⁰¹ ('His conversations, his promenades, his hunts,

98 Curtius E.R., *Europäische Literatur und lateinisches Mittelalter*, 11th ed. (Tübingen – Basel: 1993 [1948]) 202.

99 Lipsius Justus, *De constantia*, book 2, chap. 3 (Antwerp, Plantin: 1586 [1584]) 79–84; the example is mentioned in Prosperetti, *Landscape and Philosophy* 144. For the renaissance garden as a site of 'new forms of self-fashioning, leisure and pleasure', see Samson A., "Locus amoenus: gardens and horticulture in the Renaissance", in Samson A. (ed.), *Locus amoenus: Gardens and Horticulture in the Renaissance* (Hoboken, NJ: 2012) 1–23, here 1.

100 Rapin René, *Hortorum libri IV cum disputatione de cultura hortensi* (Paris, Typographia Regia: 1665) 26. The descriptions of the freedom on the rural estate withdrawn from public duty seems reminiscent of *De officiis* 1.20 and the description of the *otiosis*: 'Multi autem et sunt et fuerunt, qui eam, quam dico, tranquillitatem expetentes a negotiis publicis se removerint ad otiumque perfugerint; in his et nobilissimi philosophi longeque principes et quidam homines severi et graves nec populi nec principum mores ferre potuerunt, vixeruntque non nulli in agris delectati re sua familiari. His idem propositum fuit, quod regibus, ut ne qua re egerent, ne cui parent, libertate uterentur, cuius proprium est sic vivere, ut velis' ('But there have been many and still are many who, while pursuing that calm of soul of which I speak, have withdrawn from civic duty and taken refuge in retirement. Among such have been found the most famous and by far the foremost philosophers and certain other earnest, thoughtful men who could not endure the conduct of either the people or their leaders; some of them, too, lived in the country and found their pleasure in the management of their private estates. Such men have had the same aims as kings – to suffer no want, to be subject to no authority, to enjoy their liberty, that is, in its essence, to live just as they please'), Cicero, *De officiis* 1.20, 70–71.

101 Rapin, *Du Grand ou du Sublime* 60.

and all the other entertainments there have a mark of splendour: everything there is done in a noble way, in order better to agree with the nobility of him who is the soul of such a delightful place’).

To conclude, our first theme concerns the formal and spatial implications of *vie privée*. Condé retires from office and he does so at his rural castle in Chantilly which affords a pleasurable, peaceful, and honourable life in congenial circumstances. This is by no means a hidden retreat. In fact La Brune avers that ‘l’éclat de sa retraite & de ses éminentes qualitez attira de toutes les Provinces de la France & des Etats les plus éloignez une infinité de gens qui voulurent voir les merveilles qu’on en publioit’¹⁰² (‘the lustre of his retreat and of his eminent qualities drew from all the French provinces and the most remote realms a host of people who wanted to see the marvels that were disseminated about it’).

3.3.2 Self-Mastery

The connotations of *vie privée* diverge in a basic polarisation. One strand is associated with idleness and self-indulgence, while the other is associated with insight and self-mastery.¹⁰³ This doubleness joins the *vie privée* to other notions of leisure,¹⁰⁴ and gives Condé’s biographers the task of rooting out ominous connotations of his *vie privée*. As the paradigm of a life without civic office, the private condition is haunted by a shadow of idleness, egotism, and luxury that looms over *otium* as the paradigmatic counterpart to *negotium* or *nec-otium* (business) or *officium* (civic obligations).¹⁰⁵ Daubenton, for one, is watchful of evil associations:

¹⁰² La Brune, *Mémoires*, book 7, 366.

¹⁰³ This double set of connotations appears emphatically in the method proposed by the Oratorian Louis Thomassin (1619–1695) for teaching classical topics in a way that is in harmony with Christianity. In chapter 8, Thomassin discusses ‘La vie privée, la retraite, la solitude le silence, preferables à toutes les grandeurs humaines’; in chapter 20 he turns to *loisiveté, l’intemperance de langue, curiosité* and ‘quelques autres defauts de la vie privée’, Thomassin Louis, *La methode d’étudier et d’enseigner Chrétiennement & solidement les lettres humaines par rapport aux lettres divines et aux écritures*, book 3, ch. 2.8 and book 3, ch. 2.20, vol. 3 (Paris, François Muguet: 1682 [1681]) 452–460, here 452; 612–626, here 612.

¹⁰⁴ For the classical implications of *otium* as leisure, tranquility, carefreeness et al. – be that in a negative or a positive sense – see above all André, *L’Otium*; for the Renaissance appropriation, see Vickers B., ‘Leisure and idleness in the Renaissance: the ambivalence of *otium* I’, *Renaissance Studies* 4.1 (1990) 1–37; idem, ‘Leisure and idleness in the Renaissance: the ambivalence of *otium* II’, *Renaissance Studies* 4.2 (1990) 57–104. For a literary perspective, see, e.g., Krause V., *Idle Pursuits: Literature and Oisiveté in the French Renaissance* (Newark, NJ: 2003).

¹⁰⁵ Our texts are likely flavoured by Renaissance appropriations of classical discourses rather than classical discourses per se, see for these appropriations above all Vickers, ‘Leisure and idleness in the Renaissance I–II’.

Ne pensés pas CHRETIENS que ce repos fut oisif; si nôtre Prince aime la retraite, ce ne fût pas comme ces ames paresseuses pour goûter les méprisables douceurs d'un repos obscur & méprisé; ce fut pour s'apliquer à lui-même, pour travailler, & sur son esprit & sur son cœur; pour enrichir son esprit des plus belles connoissances, pour orner son cœur des sentimens les plus nobles de la vertu.¹⁰⁶

Do not think, Christians, that this rest was idle. If our prince loves retreat, the aim was not, like for those lazy souls, to enjoy the despicable pleasures of shady and contemptuous repose. Rather, the aim was to apply himself to himself, to work both on his spirit and his heart; to enrich his spirit with the most beautiful insights; to embellish his heart with the noblest sentiments of virtue.

Instead, the authors delve into the positive associations of the *otium*. For Rapin, the repose afforded at Chantilly supports Condé's magnanimity and noble reason in a passage which seems to echo the discussion of the retired versus the active life in Cicero's *De officiis*:

Pour moy, je trouve dans le Sublime de la gloire du repos de la vie douce & tranquille de Chantilly, une grandeur d'ame, & une noblesse de raison qui passera dans l'esprit de tous les sages pour bien plus digne du Prince, que tout ce qu'il a fait de grand dans la guerre.¹⁰⁷

I, for my part, find in the sublime glory of the repose of the sweet and calm life of Chantilly a greatness of soul and a nobility of reasoning that will run in the spirit of all the sages, which is much more worthy of the prince than all of his accomplishments in war.

106 Daubenton, *Oraison funèbre* 26–27. This passage taps into the longevous discussion of whether the private life is idle and thus by necessity useless to society; this discussion also resonates in de La Mothe Le Vayer François, “Dialogue sur le sujet de la vie privée”, in La Mothe Le Vayer François, *Dialogues faits à l'imitation des anciens par Oratius Tubero* (Mons, Paul de La Fleche: 1671 [1630]) where Philoponus (from *Φιλόπονος* ‘lover of toil’) and Hesychius (from *ἡσυχία* ‘rest, stillness, tranquility’) discuss the societal and philosophical value of the *vie privée*.

107 Rapin, *Du Grand ou du Sublime* 65. Cicero, *De officiis* 1.20–21 features a discussion of the merits of an active over a retired life, but ascribes the possibility of a courageous and disciplined soul to both states. The 1670 translation of Cicero's works by Pierre du Ryer (1605–1658), however, translated ‘fortis animus et magnus’ as ‘un courage grand & genereux’ (‘a strong and generous courage’), in *Les oeuvres de Cicéron de la traduction de Monsieur du Ryer*, vol. 9 (Paris, Au Palais: 1670) 112.

This is a life free of pain and passion,

Mais la souveraine perfection d'un lieu si charmant est la douceur qu'on y gouste. Car ce n'est pas de mesme des autres Cours: on ne peut en approcher, que l'on ne ressente du trouble, de l'inquietude, de l'agitation, & toutes ces sortes de mouvemens que produit l'ambition, qui saisissent le cœur, & le pénètrent. C'est l'esprit du grand monde où regnent d'ordinaire les défiances, les soupçons, les jalousies, & tout ce qu'il y a de plus violent dans les passions [...].¹⁰⁸

But the highest perfection of such a delightful place is the sweetness that one enjoys there. Because it is unlike that of other courts: we cannot be part of it unless we let go of worry, concern, turmoil, and all those kinds of inclinations that produce ambition, which seize the heart and penetrate it. This is the spirit of the great world where, normally, conflicts, suspicions, jealousies, and all the most violent passions rule.

The passage evokes Stoic *apatheia* (ἀπάθεια, without passion) and Epicurean *ataraxia* (ἀταραξία, without perturbation, equanimity), but probably these allusions are to be read in the lightest of veins, and Rapin is at pains to stress that Condé did not feign philosophical knowledge.¹⁰⁹ Instead he alludes to a much more general motif of self-mastery, observing that the tranquillity that Condé enjoyed in his *vie privée* rendered him a master of himself – ‘cette tranquillité dont il jouït en sa vie privée, qui le rend maistre de luy-mesme’.¹¹⁰ These descriptions are in chime with a view of leisure as a condition of labour characterised by exercises in self-discipline and intellectual pursuits,¹¹¹ and they evoke the classical trope of being with oneself (*secum esse*) as a starting

108 Rapin, *Du Grand ou du Sublime* 59. Similar chords are struck in Bergier – de Saligny, *De morte Ludovici Borbonii* 312–315.

109 Rapin, *Du Grand ou du Sublime* 62.

110 Ibidem, 55. Condé's self-mastery is also rehearsed in Charles Saint-Evremond's brief stances *irregulières* “Sur la Retraite de M^r. Le Prince de Condé à Chantilly” which opens: ‘Après avoir réduit mille Peuples divers / Par l'effort glorieux d'une Valeur extrême, / Pour vaincre tout dans ce triste Univers / Il ne te restoit plus qu'à te vaincre toi-même’ (‘Having crushed a thousand different peoples, by the glorious effort of an immense valour, in order to vanquish everything in this miserable univers, remained only for him to vanquish himself’) (*Œuvres meslées de M^r. De Saint-Evremond*, vol. 2 (London, Jacob Tonson: 1705) 391. The second stance lauds the success of this effort, ‘Le Vainqueur s'est vaincu, c'est la grande Victoire’ (‘The vanquisher vanquished himself; this is the great victory’). See also Bannister, *Condé in Context* 188.

111 Bondanella, “Petarch's Rereading of ‘Otium’” 19–20.

point for self-improvement.¹¹² La Brune underlines the reflexive element: Condé ‘faisoit, dans les heures destinées à la retraite, des reflexions continuelles sur tous les événemens de sa vie, & en retiroit les leçons tres-importantes pour la conduite de la vie’¹¹³ (‘during the hours of the day allocated for retreat, he engaged in continual reflections upon all the events of his life, gleaning from it very important lessons for the conduct of life’). He did not keep this insight to himself but generously doled out counsel based on it.¹¹⁴

Consistency is one aspect of this self-mastery. Daubenton underlines that the character of the prince remained the same, whether engaged in military pursuits or in leisurely activities. The preacher opens the description of Condé’s retreat with the potent statement that ‘La Scene change, mais le Prince ne change pas’¹¹⁵ (‘the stage changes, but the prince does not change’). Bergier and Saligny also highlight this consistency in character, informing us that Condé’s concern for the poor was the same in his retirement (*privato / dans sa vie retirée*) as it had been when he was leading the army.¹¹⁶ This stability of character, however, competes with a sense of ascent, epitomised in Daubenton’s announcement that ‘après avoir surmonté tout dans sa vie publique, il s’est surpassé lui-même dans sa vie privée’¹¹⁷ (‘after having overcome everything in his public life, he surpassed himself in his private life’).

Somewhat paradoxically, the self-knowledge and self-mastery that, according to our biographers, characterise Condé’s retreat turn him into a savvy *homme politique*: ‘Dans sa retraite, il reconnut lui-même ces défauts & ces fautes. Il en gemît, & par ses sages reflexions il devint un nouvel homme. Il devint grand Politique, prudent, doux, civil, & obligeant’ (‘in his withdrawal, he himself acknowledged these failings and mistakes. He bemoaned them and, by his wise reflections, he became a new man. He became a great politician, prudent, civil, and accommodating’). According to La Brune, this was in sharp contrast to his previous inclinations which prompted him to behave in the cabinet and at court as if he were at war.¹¹⁸ While adding dramatic spice to the portrait, these civic rewards of Condé’s retreat play into the general claim that his was an honourable form of leisure. This second theme, self-mastery, thus points us to the existential benefits of the *vie privée* as a condition that is

112 Enenkel (comm.), Petrarca, *De vita solitaria* 287–296, 330–333.

113 La Brune, *Mémoires*, book 7, 364.

114 Ibidem.

115 Daubenton, *Oraison funèbre* 24. For the topos of consistency between private and public life, see the chapters by Merlin-Kajman and Régent-Susini.

116 Bergier – de Saligny, *De morte Ludovici Borbonii* 170–171.

117 Daubenton, *Oraison funèbre* 24.

118 La Brune, *Mémoires*, book 7, 399.

conducive to self-insight and self-control, drawing heavily on classical associations of the *otium honestum*.

3.3.3 Religious Retreat

Early modern religious discourses are one of the domains where *priv** words do occur. These words denote the private devotion in the general sense of devotion that is conducted by lay persons rather than the clergy,¹¹⁹ or they are more specifically related to the piety of the closet (and the *cubiculum*, the *Kämmerlein*, the *chambre*, and so on) as a spiritual and material place related to the ongoing reappropriation of *Matthew* 6:6: 'But whenever you pray, go into your room and shut the door and pray to your Father who is in secret; and your Father who sees in secret will reward you'.¹²⁰ Much scholarly interest related to private devotion turns to the home, often with an Arendtian slant towards

119 See the definition of 'prière vocale priuée' in Suffren Jean, *L'année chrestienne ov Le saint et profictable employ du temps pour gagner l'Eternité: Où sont enseignées diuerses pratiques & moyens pour saintement s'occuper durant tout le cours de l'Année, conformément à l'ordre de l'année, inspiré par le S. Esprit à l'Eglise Chrestienne*, vol. 1.1 (Paris: Claude Sonnius, 1640–41) 197, discussed in Bruun M.B., "Time Well Spent: Scheduling Private Devotion in Early Modern France", in Maber R. – Barker J. (eds.), *Managing Time: Literature and Devotion in Early Modern France* (Oxford et al.: 2017) 35–68, here 35. See also the problematisation of the conflation of private and domestic in Longfellow E., "Public, Private, and the Household in Early Seventeenth-Century England", *Journal of British Studies* 45.2 (2006) 313–334.

120 Biblical references are quoted according to the New Revised Standard Version. Particularly rich in terminological markers is Wettenhall Edward, *Enter Into Thy Closet: or, A Method and Order for Private Devotion*, 3rd ed. (London, John Martyn: 1670 [1666]) which, for example, reports as a preparation for prayer: 'And when I am now come home [from the Sunday service], I forthwith retire to my privacy for a small space, where my business is *Inquiry* into my self and suitable *address* to Heaven', Wettenhall, *Enter Into Thy Closet* 407, italics from the edition; Vincent mentions Wettenhall's work and devotional books of a similar ilk in Vincent, *Privacy: A short History* 47–48, but does not dwell upon the deployment of the term 'privacy'. As a second example and as a representative of the Puritan predilection for privacy as a precondition for sincere devotion, Flavel John, *Pneumatologia: A Treatise on the Soul of Man* (London, J.D. for Tho. Parkhurst: 1698 [1685]), where, among several mentions of privacy, we read: 'I can tell you when and where I have found poor Servants hard at work for Salvation, labouring for Christ, some in the Fields, others in Barns and Stables, where they could find any privacy to pour out their Souls to God in Prayer' Flavel, *Pneumatologia* 369. For a close analysis of seventeenth-century British closet culture, see Rambuss R., *Closet Devotions* (Durham – London: 1998). As Cowen Orlin reminds us, not all closets were religious, Orlin, *Locating Privacy* 296–326. For individual religious experience and practice as conditioned by circumstances that may be read as an early modern form of privacy, see the chapters by Melion and Wandel in this volume; for the representation of private devotion in public discourse, see the chapters by Nørgaard and Régent-Susini.

feminine practices.¹²¹ However, while sometimes taking place in homes, the piety denoted with *priv** words is basically related to the individual believer as opposed to the community or the congregation.

In our texts it is not Condé's religious life that is identified with a *priv** word. The circumstances of his *vie privée* as a *retraite*, however, readily lend themselves to the religious coding related to the notion of *solitude* so central to seventeenth-century French devotion. *La solitude* is a place and a state that comes in many forms, from the ephemeral solitude cut out for prayer in the course of the day carried out in a chamber or a corner of one's home,¹²² or for a longer period of time, in a rural lodging,¹²³ to the temporary or life-long withdrawal to a monastery.¹²⁴ *Solitude* is a temperament or a mindset that potentially involves penitential self-reflection, contemplative absorption, and ascetic practices. The religious benefits of *solitude* converge somewhat with

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- 121 See, e.g., Corry M. – Faini M. – Meneghin A. (eds.), *Domestic Devotions in Early Modern Italy* (Leiden: 2018); Ryan S. (ed.), *Domestic Devotions in Medieval and Early Modern Europe* (Basel: 2020); Brundin A. – Howard D. – Laven M., *The Sacred Home in Renaissance Italy* (Oxford: 2018); Martin J. – Ryrie A. (eds.), *Private and Domestic Devotion in Early Modern Britain* (London – New York: 2016); see also the early modern section in Doran J. – Methuen C. – Walsham A. (eds.), *Religion and the Household* (Woodbridge: 2014).
- 122 Catechisms and devotional manuals encourage believers to withdraw for morning and evening prayers and examination of conscience, Vialart de Herse Felix, *L'Escole chretienne, ou l'on apprend a devenir bon Chretien, & à faire son salut* (Châlons, Jacques Seneuze: 1670 [1660]) 588; Cerné Simon, *Le pedagogue des familles chretiennes. Contenant vn Recueil de plusieurs Instructions sur diuerses Matieres* (Paris, Pierre de Bresche: 1662) 41; Gondrin Louis Henri de, *Catechisme ou instruction chrétienne pour le diocese de Sens* (Sens, L. Prussurot: 1669) 41. See also Bruun, "Prayer, Meditation, and Retreat".
- 123 Aristocratic devout might stage sojourns at their castles in the provinces as religious retreats, see, e.g., Hillman's description of the pious stays at various country estates, as hosts and guests, of the duchesses de Longueville and Liancourt and the princess de Conti, Hillman J., *Female Piety and the Catholic Reformation in France* (Abingdon: 2014) 101–125. Funeral orations may cast rural seigniorial life as an instance of religious retreat, as is the case in the description of Leon Bouthillier, Comte de Chavigny (1608–1652) in Noulleau Jean-Baptiste, *Le grand Homme d'Etat selon toutes les maximes de la politique chretienne, la seule vraie politique du monde* (Rennes, J. Durand: 1653) 22; see also Bruun M.B., "A Private Mystery: Looking at Philippe de Champagne's Annunciation for the Hôtel de Chavigny", in Melion W.S. – Pastan E. – Wandel L.P. (eds.), *Quid est sacramentum?: Visual Representation of Sacred Mysteries in Early Modern Europe, 1400–1700* (Leiden: 2019) 606–655, here 617–618.
- 124 For the annual retreats, see Suffren, *L'année chretienne*, vol. 2.1, 676–840; Cerné, *Le pedagogue*, 298–305, here 299. Some devout aristocrats took up lodging on cloistered precincts; the friends of Port-Royal, men and women, are the most prominent examples of lay people who lodged at or by abbeys, but also other branches of monastic life attracted such blended life-forms, Bruun, "A Solitude" 453.

the classical virtues of self-knowledge and self-mastery, discussed above, but add to this the sincere turn to God in pious self-reflection.¹²⁵

Among our texts, these chords are struck most vigorously in Daubenton's funeral sermon. The rhetorical countdown to Condé's death begins with the prince hovering at the threshold of withdrawal from the world, but still short of a sincere withdrawal from sinful carnality:

Le Prince vivoit ainsi dans la retraite, pratiquant tous les offices de la vie civile, irréprochable à la Cour même, où les vertus les plus pures ne sont pas à couvert de la censure, lors que la grace consuma ce qui restoit en lui des cupidités humaines, & acheva de détacher son cœur du monde, où il tenoit encore un peu; alors le moment tant désiré, le moment du salut arrive.¹²⁶

Thus the prince lived in his withdrawal, practising all the obligations of the civic life [to the extent] of being irreproachable even at court and with not even the purest virtues exempt from correction, when grace consumed what remained in him of human avarice and managed to detach his heart from the world, where he still had some attachment. Then comes the moment so ardently desired, the moment of salvation.

The master-narrative shifts. Condé becomes the penitent Emperor Theodosius to Daubenton's Ambrose,¹²⁷ as Daubenton arrives at the moment when Condé shuts himself up with Père Deschamp for days, reevaluating his life with a broken and lamenting heart.¹²⁸ Daubenton recounts how, from that moment, Condé's disposition changed completely, 'degoûté des vanités mondaines,

125 For the contemplative associations of *otium* developed in the Christian, above all monastic, tradition, see Leclercq J., *Otia monastica: Études sur le vocabulaire de la contemplation au moyen âge* (Rome: 1963). See also Enenkel's observation that in the late antique and medieval Christian tradition the classical trope of conversing with oneself in solitude morphed into a conversation with God in prayer and contemplation, Enenkel (comm.), Petrarca, *De vita solitaria* 291–294.

126 Daubenton, *Oraison funèbre* 40.

127 In 390 Emperor Theodosius (347–395) revenged an uproar in Thessaloniki by massacring thousands of inhabitants. As a result, Ambrose of Milan (ca. 340–397) excommunicated the Emperor who had to go through a period of penance in order to obtain episcopal forgiveness. In his funeral oration for Theodosius, *De obitu Theodosii*, Ambrose expounds the need to overcome anger with humility. Theodosius is one of the paradigmatic examples of penitence in Godeau Antoine, *Les Tableaux de la penitence* (Paris, Augustin Courbé: 1654) 566–586.

128 Daubenton, *Oraison funèbre* 40.

jusqu'à faire aux autres des leçons du mépris du monde, il commença à ne plus goûter que vous dans la solitude'¹²⁹ ('so disgusted by worldly vanities that he taught others the contempt of the world, he began to enjoy nothing but you [God] in his solitude'). He was not shy of this development. Indeed,

[c]e que les ames vulgaires ont honte de faire, le Prince de CONDÉ, comme le grand Theodose, ne rougit pas de donner des marques publiques de son changement, *quod privati erubescunt non erubuit imperator publicè agere pœnitentiam*[.]¹³⁰

while the base souls are ashamed to do, the prince of Condé like the great Theodosius is not ashamed to give public displays of his change: 'What private citizens blush to do, the emperor did not blush to do, to perform his penitence in public'.

Most conversions, Daubenton avers, are superficial, but like Theodosius Condé persevered in his conversion until the end, and once the world was banished from his heart, it never came back.¹³¹ Daubenton takes Condé's retreat as his point of departure for a religious discourse on the military hero's conversion into a lover of solitude, conjuring up the vision of the withdrawn prince:

[C]'est le dernier comble de sa grandeur d'avoir été un Prince d'un mérite universel, qui a soutenu le caractère de Héros jusques dans sa vie privée, par des qualités vives et extraordinaires, toutes dans le degré plus héroïque. Arrêtés ici vos regards, CHRESTIENS, & admirés encore une fois dans un seul homme toutes les vertus, soit morales ou Chrétiennes; ce qu'on doit le plus admirer dans sa retraite, est sa retraite même, l'amour de la solitude, ce noble repos si digne de lui & rempli de tant de dignité[.]¹³²

It is the ultimate culmination of his greatness to have been a prince of universal merit, who maintained his heroic character even into his private life by vivid and extraordinary qualities which all came in the most

129 Ibidem.

130 Ibidem, 41. The Latin quotation is from Ambrose's *De obitu Theodosii* 34 (*Patrologia Latina*, vol. 16, col. 1398) which adds the aspect of publicising to a reference on King David's penance from Ambrose's *De apologia prophetae David* IV.15 (*Patrologia Latina*, vol. 14, col. 858) which was dedicated to Theodosius.

131 Daubenton, *Oraison funèbre* 42.

132 Ibidem, 25.

heroic degree. Behold, Christians, and admire yet again in a single man all the virtues, be they moral or Christian: what should be admired most in his withdrawal, is his withdrawal itself: the love of solitude, this noble repose, so worthy of him and filled with such dignity.

The seventeenth-century devout *solitude* comes in many shapes.¹³³ Desert allusions do not necessarily connote the world-renouncing severity of the early hermits, and Rapin's description of Chantilly as a *hermitage*, for one, plays on pleasurable rather than ascetic solitude.¹³⁴ Daubenton focuses on the virtue and peace of Condé's *solitude*. In his underlining of the princely dignity he thus forgoes the penitential tenor that characterises many contemporary descriptions of religious *solitude*.¹³⁵

Condé's libertine past was an obstacle for the fully-fledged religious coding of his *vie privée*, and Daubenton and Bergier are at pains to underline that he made a pious end. Daubenton avers that the prince approached death 'avec une fermeté plus qu'humains, ni du froid stoïque des esprits hautains, ni de l'insensibilité stupide des ames dures' ('with a superhuman resolve [that came] neither from the stoic cold of proud spirits nor from the stupid ruggedness of hardened souls') because he had known death already, when dying to himself ('en mourant à lui-même').¹³⁶ Bergier adds that Condé was 'mourant en Prince Chrestien & Catholique, & non pas en Philosophe Stoïque' ('dying as a Christian and Catholic prince and not as a Stoic philosopher').¹³⁷ As we have

133 See Bruun, "A Solitude" 452–455.

134 Rapin, *Du Grand ou du Sublime* 52, 58. Furetière gives two primary meanings of *hermitage*, the desert-dwelling of a hermit and the isolated rural abode, built for pleasure and solitary living, Furetière Antoine, *Dictionnaire universel, Contenant generalement tous le mots françois tant vieux que modernes, & les Termes de toutes les sciences et des arts*, vol. 2 (The Hague – Rotterdam, Arnout et Reinier Leers: 1690) 255.

135 The entire religious spectrum of seventeenth-century France seems bent on *solitude*. At one end, the Port-Royalist solitude is above all a locus of world-renunciation and unmediated encounters with one's own sin, see, e.g., Le Roy Guillaume, *La solitude chrétienne: Où l'on apprendra par les sentiments des saints peres, combien on doit désirer de se séparer du monde, autant qu'on le peut, lors qu'on veut travailler serieusement à son salut*, 2nd ed. (Paris, C. Savreux: 1659). See also Nicole Pierre, *De la connoissance de soi-même* in *Essais de Morale contenus en divers traités sur plusieurs devoirs importants*, vol. 3 (Paris, Guillaume Desprez and Jean Desessartz: 1714 [1671]) 10. Jesuit piety was more interested in *solitude* as a locus of spiritual and meditative exercises modelled on Ignatius of Loyola's, see, e.g., the translation of Alfonso Rodriguez's popular exercises in *Les exercices de la vertu et de la perfection chrétienne, nouvelle traduction* (Paris, Jean Baptiste Coignard: 1674 [Spanish 1609]).

136 Daubenton, *Oraison funèbre* 45.

137 Bergier – de Saligny, *De morte Ludovici Borbonii* 119.

seen, the notion of *vie privée* can evoke and be joined to a wide array of different connotations, and for an author who wants to convey a clear message, it is important to make clear-cut distinctions and purge unwanted associations.

This third motif, religious retreat, shows yet another cluster of associations readily activated in connection with Condé's *vie privée*. The segregation of motifs such as retirement, self-mastery, and religious retreat helps us to gain an overview of associative shades of *vie privée*. The segregation, however, remains artificial and strained, and we should not forget that in the selected texts these motifs are intertwined, showing that the associations of *vie privée* are not only mouldable, but also open to mergers with other semantic clusters, be they related to self-insight or world-forsaking.

4 Part III: Condé's Ultimate Privacy

So far our study of the representations of Condé's withdrawal and thus the notion of privacy has hinged on terminology. The examination revolving around the term *vie privée* targets the term and, secondarily, its semantic charge and context, but, as we have seen, does not necessarily grasp the phenomenon of privacy as an experience of withdrawal and boundary-keeping. I venture, however, to suggest that an instance of the phenomenon of early modern privacy is present in the description of Condé's death.

As Condé, drawn to Fontainebleau by the illness of his grandson's wife, felt death approaching, he called for his confessor Père Deschamps.¹³⁸ In his funeral oration Deschamps's fellow Jesuit, Daubenton, presents Condé's last hours in great detail for the moral benefit of his audience.

Typical of the genre, Daubenton invites his listeners and readers to observe Condé as he models himself on the grandest paragon of retreat: the desert saints and their emulators in abbeys and cells: 'Acourés donc, Chrêtiens à ce spectacle, & admirés un Prince qui meurt à la Cour comme l'on meurt dans les deserts & dans les lieux les plus saints'¹³⁹ ('Then approach, Christians, this

¹³⁸ See, e.g., Mme de Sévigné's letter to Philippe Moulceau of 13 December 1686, *Correspondance*, vol. 3, 265. In a letter to her cousin Bussy-Rabutin Sévigné describes how in the course of 24 hours, Condé ordered his obligations as Christian, royal subject, father, and master, facing death with stamina, peace of mind, mellowness, and the esprit that characterised him on the battlefield, letter to Bussy-Rabutin of 15 January 1687, *Correspondance*, vol. 3, 273.

¹³⁹ Daubenton, *Oraison funèbre* 44. For the presentation of intimate devotion as a spectacle in funeral orations, see the chapters by Nørgaard and Régent-Susini.

spectacle and admire a prince who dies at court in the same way as they die in the desert and in the most saintly places’).

Having thus cued himself, the preacher conjures up the last hours of Condé’s life. First the prince honoured his obligations of charity to the poor, to his servants, and to his friends. Then he received the Communion in his room, trembling as soon as he perceived the presence of the host and thus his God ‘dans sa chambre’.¹⁴⁰ The last eight hours of his life he spent in fond conversations with God.¹⁴¹ He sent out his grieving son and daughter-in-law, in order that nothing worldly vied for his affection so that God alone might fill his heart. This sacrificial separation from these two loved ones was the last sacrifice that he offered to the Lord (‘il le prie de se retirer afin que rien de créé ne partage ses affections, que Dieu seul domine dans son cœur. [...] cét sacrifice éloignement, dis-je, de ces deux personnes si cheres, fut le dernier sacrifice qu’il offrit au Seigneur’).¹⁴² In this state of absolute detachment Condé turned to God, exclaiming his last words: *videbimus eum sicuti est* – ‘I shall see him as he is’ – which, according to the preacher, undoubtedly opened the heavenly gates for him.¹⁴³ We almost forget that Daubenton was not there with Condé at his ultimate threshold.

With Daubenton’s description of Condé’s final withdrawal into his chamber in seclusion with God, we approach the notion of privacy from another angle. There are no *priv** words in these paragraphs, and we follow instead Daubenton’s account of the gradual withdrawal in which Condé sheds, as it were, one existential dimension after another. First he concludes his obligations as the centre of a courtly circle and the master of his household; then he takes leave of his kin, epitomised in his son, closing off his chamber and his heart to terrestrial attachments; eventually he is alone with God, preparing for the ultimate transition into eternity. Daubenton’s description of Condé’s death differs from that of La Brune. For example, the latter alternates between Condé’s deathbed and Louis xv’s reading of the princé’s final submissive letter, achieving a dramatic effect in chime with his overall focus on Condé’s tension-filled relationship to the king,¹⁴⁴ just as he features a good deal more

140 Daubenton, *Oraison funèbre* 46. It is worth remembering that this chamber was at Fontainebleau and thus not Condé’s chambre in any strictly proprietary sense.

141 Ibidem.

142 Ibidem, 49. This withdrawal from kin may well be a rhetorical trope; at least La Brune underlines that Condé sent away his son, but longed so much for him that he called him back, La Brune, *Mémoires*, book 7, 387.

143 Daubenton, *Oraison funèbre* 49. The exclamation evokes *1John* 3:2b: ‘What we do know is this: when he is revealed, we will be like him, for we will see him as he is’.

144 La Brune, *Mémoires*, book 7, 376–378, 380 (the wording); 388 (the reading).

back-and-forth of kin and advisors.¹⁴⁵ There may be many reasons for these differences, but it seems clear that Daubenton has prioritised the progressive withdrawal, perhaps owing to his ambition to offer a condensed *ars moriendi*, showing the ideal steps of departure from the world without any set-backs.¹⁴⁶

Looking at Daubenton's text with the heuristic zones in mind helps us to see the thresholds that Condé crosses in his final quasi-ritualised hours. The zones alert us to Daubenton's presentation of this terminal chain of events as a traversal of different, yet related, realms of his life: from Condé's charitable obligations vis-à-vis the community, via his rehearsal of the responsible master of the household to the entry into his chamber and further into a spiritual communication with God. These steps are marked by acts of charity, words of farewell, and a closing of doors. Highly localised in character, these thresholds, however, also concern Condé's relations and obligations. Eventually his obligation is only to God. It may seem like a straightforward, progressive peeling off of layers, as it were, of Roessler's onion model.¹⁴⁷ However, the heuristic zones offer attention to thresholds that the onion does not afford. They also remind

145 Ibidem, 385–388.

146 The good death displayed in the funeral sermon is a mark of the genre that connects it to the abundance of contemporary works aimed to prepare for death such as the Recollect Antoine Lalande's *Méthode affective pour assister les malades à mourir saintement* (1663), the Capuchin Bernardin de Paris's *La Mort des chrestiens formée sur la mort de N.S. Jésus-Christ crucifié* (1682), Pasquier Quesnel's *Le bonheur de la mort chrétienne: Retraite de huit jours* (1689), and Jean Girard de Villethierry's *Le chrétien dans la tribulation et dans l'adversité: Le chrétien malade et mourant* (1704). To this can be added instructions on dying well embedded in books of spiritual exercises such as Louis-François d'Argentan's *Les exercices du chrestien intérieur* (1664) whose seventh exercise should be practised monthly to prepare for the good death, or Hubert Jaspert's *Solitude intérieure* (1678) the thirteenth chapter of which is dedicated to the soul approaching death, see Jaspert Hubert, *Solitude intérieure dans laquelle le solitaire fidèle, comme aussi tout Chrestien [...] trouvera le moyen d'estre, vivre, mourir et operer en Dieu. Nouvelle édition* (Paris, Christophe Remy: 1785 [1678]) 157–165. For the genre of *ars moriendi*, see Rudolf R., *Ars moriendi: von der Kunst des heilsamen Lebens und Sterbens* (Cologne – Graz: 1957); Chartier R., “Les arts de mourir, 1450–1600”, *Annales: Histoire, Sciences Sociales* 31.1 (1976) 51–75; Roche D., “La Mémoire de la Mort’: Recherche sur la place des arts de mourir dans la Librairie et la lecture en France aux XVII^e et XVIII^e siècles”, *Annales: Histoire, Sciences Sociales* 31.1 (1976) 76–119. Seen as the pinnacle of the self-reflection ascribed to Condé's *vie privée*, this allegedly calm and conscious preparation for death seems to exemplify, albeit in a later period, Schönberger's observation that in the late medieval period the relation to death is an integral moment of human *Selbstdeutung* (‘self-interpretation’), see Schönberger R., “Von der *meditatio mortis* zur *ars moriendi*: Das Problem des Todes im Denken des Jean Gerson”, in Aertsen J.A. – Pickavé M. (eds.), *Ende und Vollendung: Eschatologische Perspektiven im Mittelalter* (Berlin: 2002) 721–734, here 727.

147 Roessler, *The Value* 13. See above.

us that there are overlaps. When Daubenton invites the audience to the *spectacle* of death in Condé's chamber, he activates a link between the individual, indeed private, death and the community of listeners and readers. By allowing the audience to peer into Condé's imagined intimacy with God, the preacher partly imagines Condé's pious end and devout consistency and partly teaches an instance of privacy and the ideal conduct in privacy. Daubenton's exhibition thus affirms this privacy while disrupting it. The privacy portrayed is a spatially segregated and spiritually concentrated intimacy with God. In this intimacy Condé is turned unconditionally to his creator, unhampered by competing attachments, and his situation thus resembles what seventeenth-century believers would recognise as the condition of the prelapsarian, paradisaical self before it became curved towards its own carnal urges in the Fall. While this privacy may be a place, *in casu* the chamber, it is thus above all a state, that is, the intimacy with God, reminiscent of the original, unsevered bond of God and human.

5 Conclusion

The representations of Condé's withdrawal help us to distinguish the term *privé(e)*, the concept of privacy, and the phenomenon of privacy. The occurrence of the term *vie privée* is an undeniable given. We can trace the term and the cognates appended to it, *vie particulière*, *vie retirée*, *solitude*, *retraite*, and so on in texts, and we can study the characteristics ascribed to this life without office denoted in the term *vie privée*. When searching for the concept of privacy, we enter into more uneven terrain. I suggest that the qualities associated with Condé's *vie privée* give us a set of components that belong to the composite, but evasive history of this concept. Thus the withdrawal from a form of hustle and bustle, *in casu* the royal court; a spatial trope, *in casu* the horticultural delights of Chantilly; and the alleged knowledge and mastery of self all tap into – and contribute to – the seventeenth-century French imaginary of the *vie privée*. They do, however, also tap into and contribute to a concept of privacy that is accumulated and nuanced across different periods and circumstances. The definitions of privacy as, for example, a right to be let alone, a control of access, or a question of decisional, informational, and localised autonomy feed on this history.

While this *vie privée* does not equal privacy, I do suggest that Daubenton's representation of Condé's dying hours and his severance of one bond to the exterior, worldly conditions after another offers an early modern instance of

privacy. Condé's ultimate privacy is but one example of a copious and multi-faceted discourse which suggests that the religious realm may be one of the areas best fitted for searches for early modern privacy – without forgetting that this is a form of privacy that is intensely surveyed by God and his earthly representatives.

What do we gain by identifying the representation of Condé's death as an instance of 'privacy' rather than simply, for example, as a portrayal of a 'death-bed', a 'chamber', or a 'prayer'? When we apply the notion of privacy, we enable an analytical move from the particularity of Daubenton's text to more general insights based on comparisons across chronological, regional, confessional, as well as class- or gender-related specificities. Such comparisons may evoke the discourse of the prayer in the closet mentioned above or comparisons with death-bed scenes from other funerary sermons. However, it might also make sense to compare this religious privacy with other forms of privacy, be they related to, say, intellectual pursuits in the studiolo, to sexual intimacy, or to conversational secrecy. Invested in such a comparison, Daubenton's presentation of Condé's shedding of obligations and the inherent augmentation of religious authenticity prompts us to look for examples of detachment and achievements in other versions of privacy – even contemporary versions – bearing in mind the question: what is sought, what is shed, and what is gained when we enter privacy?

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PART 1

Approaching Notions of Privacy and the Private



Considering ‘Privacy’ and Gender in Early Modern German-Speaking Countries

Heide Wunder

In order to study ‘privacy’ (‘Privatheit’) in early modern society, it is essential to understand and reflect the social setting of modern ‘privacy’.¹ Due to the digital revolution and the widespread use of social media, the common boundaries between public and private have been shifted by the exposure of the private, which threatens the integrity of the personal sphere.² The value of ‘privacy’ (‘Privatheit’) has thus been recognised and privacy has become a field of historical research in its own right.³ Before this development, its counterpart, ‘the public’ (‘Öffentlichkeit’), had attracted scholarly historical interest because it is closely connected to ‘res gestae’ and political power. Unsurprisingly, neither the noun ‘Privatheit’ nor the adjective ‘privat’ are counted among relevant political and social terms in the German lexicon *Geschichtliche Grundbegriffe*.⁴ Both are only mentioned several times in the article on ‘Öffentlichkeit’, which confirms the asymmetrical construction of ‘public-private’, with ‘the private’ defined merely as the non-public.⁵ The investigation of the semantic field of ‘public’ and ‘private’ both in Latin and vernacular languages has brought to light a broad spectrum of usages, depending on the topic and its treatment in different types of written evidence over time.⁶ Gert Melville and Peter von

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- 1 In writing this article, I am confronted with the problem of translating German terminology into English. ‘Öffentlichkeit’, for example, differs from ‘the public’. Cf. von Moos P., “Der Begriff ‘öffentlich’ und ‘privat’ in der Geschichte und bei den Historikern”, *Saeculum* 49 (1998) 161–192, here 167–169; cf. Emmelius C. et al. (eds.), *Offen und Verborgen. Vorstellungen und Praktiken des Öffentlichen und Privaten in Mittelalter und Früher Neuzeit* (Göttingen: 2004). The Introduction by Fridrun Freise (9–32) gives a useful overview of research to date.
 - 2 Von Moos P., “Das Öffentliche und das Private im Mittelalter. Für einen kontrollierten Anachronismus”, in Melville G. – von Moos P. (eds.), *Das Öffentliche und Private in der Vormoderne* (Vienna – Cologne – Weimar: 1998) 3–83.
 - 3 Roessler B., *Der Wert der Privatheit* (Frankfurt a.M.: 2001).
 - 4 Brunner O. – Conze W. – Koselleck R. (eds.), *Geschichtliche Grundbegriffe: Historisches Lexikon zur politisch-sozialen Sprache in Deutschland*, vols. 1–8/2 (Stuttgart: 1972–1997).
 - 5 Hölscher L., “Öffentlichkeit”, in *ibidem*, vol. 4 (1978) 413–467.
 - 6 Von Moos P., “‘Öffentlich’ und ‘privat’ im Mittelalter. Zu einem Problem der historischen Begriffsbildung” (Heidelberg: 2004).

Moos have discerned several dimensions of 'the public' and 'the private': (1) the social, political, and legal dimension, (2) religion, and (3) literature.⁷ These dimensions require the competences of different disciplines and, even more, their mutual acknowledgment.

The double term ('Begriffspaar') *publicus-privatus* goes back to the Roman Republic, when it marked the difference between persons who held public offices in contrast to the majority of people who acted in their own – *private* – interest. The contempt of (manual) labour ('negotium') and the high value of leisure ('otium') was part of this concept. This explains why the vast field of economics – the household, agrarian and industrial production, commerce – was excluded from 'the public' in Rome. Yet, Roman private law testifies to the enormous importance of economics for the Roman society. An officer was at the same time a private person, who as *pater familias* held *patria potestas* in his household, indicating that in Rome *publicus-privatus* was a complementary term and not an antithetical and asymmetrical construct as is the modern term. The latter developed its antithetical and asymmetrical character only in the eighteenth and nineteenth centuries – in the Age of Enlightenment and the French Revolution. The semantic changes from Roman times to the eighteenth century are partly hidden by the continuity of Latin terminology from antiquity to the Middle Ages, the early modern period, and the modern period notwithstanding the changing political and social contexts and their terminology in the vernacular languages. In German-speaking countries, the semantic field of 'offen'/'verborgen', 'geheim', 'heimlich' referred to what could be seen and observed by everybody as opposed to that which was hidden, secret, clandestine. It seems significant that the modern term 'Öffentlichkeit'⁸ developed from the adjectives 'offen/öffentlich', while no generalising term originated in 'verborgen, geheim, heimlich'. Instead, 'privat' from Latin *privatus* was introduced through the reception of Roman law in the sixteenth century and subsequently combined with nouns, as in 'Privatmann' and 'Privatperson'.⁹

The asymmetrical construction of public-private, which signals the irrelevance of 'the private', and the seemingly diffuse semantic field may explain why historical research on 'the private' is rare. 'The private', however, has its place in the history of medieval and early modern religion and piety when it comes to analysing the individual's relationship with God. Here, pietism is the most

7 Melville G. – von Moos P. (eds.), *Das Öffentliche und Private in der Vormoderne* (Vienna – Cologne – Weimar: 1998) XIV–XVI.

8 Habermas J., *Strukturwandel der Öffentlichkeit* (Frankfurt a.M.: 1990 [1962]).

9 Grimm J. – Grimm W., *Deutsches Wörterbuch*, vol. 13 (Leipzig: 1889) 2137–2140. See also Safley's contribution to this volume.

prominent example.¹⁰ Rudolf Schlögl has linked public worship and private belief ('Öffentliche Gottesverehrung und privater Glaube') within the context of early modern church discipline.¹¹ He used the ample material of church courts concerning cases such as marriages, which he includes in 'Privatheit' following Niklas Luhmann's *systems theory*,¹² but thereby neglecting the public aspects of marriage in the early modern period in favour of intimacy. In contrast, Mette Birkedal Bruun develops her approach to *privacy* by 'spotting notions of privacy' in the field of religion, but then raises the question: 'How do we, then, ferret out notions of privacy that are not called "privacy"?' This question asks for a new conceptual framework besides the linguistic approach and large-scale interdisciplinary cooperation.¹³

In the field of social history, gender as a category for analysing social inequality (Joan Scott)¹⁴ offers a promising approach suitable to elucidate and evaluate the imbalance of public-private. 'The private is public' was a central slogan of the Feminist movement in the 1970s and 1980s, when women protested against being normatively and socially allocated to the 'private sphere' of home and family. In Germany, women won the right to vote and to be elected after World War I. They gained equal rights to men (*Gleichberechtigung*) in both German states after World War II, yet in Western Germany they continued to be discriminated against in the educational system and in the labour market. In matrimony, women's work ('care') was not valued as work because it was unpaid. Women were not seen as competent to represent their children in court and their individual civil rights were not respected. Women's ambivalent experiences of the marital status did not fit the general notion of *family* constructed as a sphere of love and harmony, which needed no regulations.¹⁵

10 Brecht M. – Deppermann K. – Lehmann H. – Gäbler U. (eds.), *Geschichte des Pietismus* 1–4 (Göttingen: 1993–2004).

11 Schlögl R., "Öffentliche Gottesverehrung und privater Glaube in der frühen Neuzeit. Beobachtungen zur Bedeutung von Kirchenzucht und Frömmigkeit für die Abgrenzung privater Sozialräume", in Melville – von Moos (eds.), *Das Öffentliche und Private* 165–209.

12 Ibidem, 170–175; for a critique of Luhmann, cf. Rohmann G., "Kinship as Catalyst of Individuation in Sixteenth-Century German House-Books: A Reconsideration of Niklas Luhmann's Approach in Pre-Modern Individuality", in Arlinghaus F.-J. (ed.), *Forms of Individuality and Literacy in the Medieval and Early Modern Periods* (Turnhout: 2015) 199–232.

13 Bruun M.B., "Privacy in Early Modern Christianity and Beyond", *Annali/Jahrbuch ISIG* 44.2 (2018) 33–54.

14 Scott J.W., "Gender: A Useful Category of Historical Analysis", *American Historical Review* 91.5 (1986) 1053–1075; cf. Becker A., "Gender in the History of Early Modern Political Thought", *Historical Journal* 60.4 (2017) 843–863.

15 Schwab D., "Familie", in Brunner – Conze – Koselleck, *Geschichtliche Grundbegriffe*, vol. 2 (1975) 253–301, here 286–289.

Instead, family was the sphere of ‘private domination’ (‘private Herrschaft’) of men as husbands and heads of households/*families*, while the agency of married women was restricted until 1976/1979.¹⁶ ‘Private Herrschaft’ was regarded as characteristic of premodern domination and therefore *family* was excluded from Hans-Ulrich Wehler’s *Deutsche Gesellschaftsgeschichte*.¹⁷ Consequently, the antithetical construction of *public-private* based on the exercise of legitimate *power* as a distinctive criterion cannot be maintained because this power was not reserved for public authorities only but it was also held by married men with respect to *family*.¹⁸ Thus, the essential parts of the private sphere – matrimony and family – were defined by power relations and legitimated by matrimonial law, private law, and family law. Although not every man and every woman were married, matrimony was central in the normative (hierarchical) regulation of gender relations.

In the 1970s and 1980s, gender discourse in philosophy, political theory, and theology seemed to prove the long continuity of gender hierarchy and women’s allocation to the domestic sphere since antiquity. Mainstream German historiography mirrored these ideas following especially the gender concepts of the Enlightenment, which had based gender differences on ‘nature’. As a consequence, women, gender relations, and family were regarded as part of the human condition (‘anthropologische Konstante’) without history, being rather the object of ‘Kulturgeschichte’. ‘Political women’ – such as successful queens – were constructed as ‘exceptions to their sex’. In reaction to these perceptions, Women’s History, prompted by the Women’s Movement, attempted to restore women to history, which in those years meant restoring them to the public sphere. This strategy was successful in rewriting the history of the early modern period to some extent:¹⁹ matrimony and household were established as public institutions assuring a status of authority for wives and widows, and women’s participation in dynastic rule was acknowledged.²⁰ Recent research in the history of political ideas has confirmed these early findings of social and

16 Schwab D., “Gleichberechtigung und Familienrecht im 20. Jahrhundert”, in Gerhard U. (ed.), *Frauen in der Geschichte des Rechts. Von der Frühen Neuzeit bis zur Gegenwart* (Munich: 1997) 790–827.

17 Wehler H.U., *Deutsche Gesellschaftsgeschichte* (Munich: 1987–2008).

18 This was also true for factory-discipline.

19 Wiesner M.E., *Women and Gender in Early Modern Europe* (Cambridge: 1993).

20 Wunder H., “Einleitung. Dynastie und Herrschaftssicherung in der Frühen Neuzeit: Geschlechter und Geschlecht”, in Wunder H. (ed.), *Dynastie und Herrschaftssicherung in der Frühen Neuzeit. Geschlechter und Geschlecht* (Berlin: 2002) 9–27.

legal historians by analysing Pseudo-Aristotelian concepts of household and marriage as they were discussed in the fifteenth and sixteenth centuries.²¹

These revisions of anachronistic concepts of the early modern 'domestic sphere' dealt with 'private domination', its physical spaces, interpersonal relations, and legal devices (private law), but also with the affirmative and emancipatory role of religion in gender relations. Further aspects of what we are accustomed to associate with 'the private' – its individual, emotional, and imaginative dimensions – were mainly the subjects of literary and art historians until Philippe Ariès published his volume of *Histoire de la vie privée*.²² The latter, however, is explicitly inspired by Ariès's idea of 'socialité', not by reflections about 'the private' and privacy.

In my attempt to explore aspects of 'privacy' and gender in the early modern period, it is imperative to explain first the modern notions of privacy and their origins in the eighteenth and nineteenth centuries with the focus on gender relations in family and home. Secondly, I shall compare the modern concept of family and home with the early modern household (*oconomia*) and its model of partly shared authority of the married couple in order to detect spaces of individual agency. Thirdly, further aspects of individual freedom for shaping marriage (love) and other associations (friendship) will be investigated.

1 Notions of Modern Privacy: Family and Home

Today, 'privacy' is a physical, mental, intellectual, and emotional space protected by law as part of human rights granted to every human being by the 1948 *Universal Declaration of Human Rights*.²³ Article 12 states that 'No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks'. In the articles 13 to 19 the notion of 'privacy' is specified in more detail: integrity of the body, freedom of thought, speech, and religion, freedom to marry, freedom of movement, and property rights. 'Privacy' thus covers a wide spectrum of individual

21 Becker A., "Der Haushalt in der politischen Theorie der Frühen Neuzeit", in Eibach J. – Schmidt-Voges I. (eds.), *Das Haus in der Geschichte Europas. Ein Handbuch* (Oldenburg: 2015) 667–684.

22 Ariès Ph. – Duby G. – Chartier R. (eds.), *Histoire de la vie privée*, vol. 3: *De la Renaissance aux Lumières* (Paris: 1986).

23 *Universal Declaration of Human Rights*, Article 12, on *United Nations* website. Online edition. <https://www.un.org/en/universal-declaration-human-rights>, accessed on 15 November 2020.

agency ('freedom') in the ways the individual develops his/her personality and forms his/her relationships with other individuals.

As the title and the first article indicate, the *Universal Declaration of Human Rights* adopts the tradition of the 1789 *Déclaration des Droits de l'Homme et du Citoyen*, which became the social and political programme of the French Revolution. But while Human Rights in 1948 were granted to every individual human being without respect to sex, 'Human and civil rights' of 1789 only addressed men in their political role as *citoyen*, while women, according to the gender concepts of the Enlightenment, were 'by nature' allocated to the domestic sphere without any agency in the political sphere. So what at first sight seems to be a universal concept of human rights turns out to be heavily gendered and not in accordance with the first article of the *Déclaration*, which asserts that 'all human beings are born free and equal in dignity and rights'.²⁴ While 'born free' referred to both men and women, following early notions of the Enlightenment, the same cannot be said about 'equal in dignity and rights', which took up Rousseau's notion of 'natural' differences between the sexes. This was due to the fact that *patria potestas*, abolished as part of the old feudal system in the early years of the French Revolution, was reintroduced by the Code civil of 1804. Olympe de Gouges protested in vain against women's exclusion from human rights and citizenship by claiming equal rights with men in her 1791 *Déclaration des droits de la Femme et de la Citoyenne*. And by adding a form of a marriage contract under these new conditions she demonstrated the consequences: the marriage contract would no longer imply the bride's subjection to male authority, but marriage would be constituted as a union of two free and equal partners who consented to it freely, i.e. as a true 'contrat social'.

As a propertied tax payer, the *citoyen* participated in the exercise of legitimate political power in the nation state. At the same time, his status as *père de famille* ensured him *private* domination (*la puissance maritale et paternelle*) over his wife, children, and dependent persons in his family. 'By nature', women had no agency in the *public* sphere. According to law, a married woman was under total control of her husband, who was entitled to control her property, correspondence, friends, and mobility in order to ensure her sexual fidelity.

24 *Déclaration des Droits de l'Homme et du Citoyen*, Article 1: 'Les hommes naissent et demeurent libres et égaux en droits. Les distinctions sociales ne peuvent être fondées que sur l'utilité commune'. Article 2: 'Le but de toute association politique est la conservation des droits naturels et imprescriptibles de l'homme. Ces droits sont la liberté, la propriété, la sûreté et la résistance à l'oppression'. Taken from *Légifrance. Le service public de la diffusion du droit*. Online edition. <https://www.legifrance.gouv.fr/contenu/menu/droit-national-en-vigueur/constitution/declaration-des-droits-de-l-homme-et-du-citoyen-de-1789>, accessed on 15 November 2020.

The wife's individual rights were not protected – not even the integrity of her body.²⁵ Her status was defined by the *family* as *the little fatherland* mirroring the 'grande nation'. This process was accompanied by the dissociation of home and work, which transferred wage labour and professional work to offices and factories, leaving unpaid housework and childcare to the housewife. Thus, the *family* was the citizen's private sphere protected from the intervention by the state and co-citizens, a place where the individual was supposed to develop freely as an autonomous personality in order to act as a responsible citizen ('mündiger Bürger'). Married women were enclosed in their husbands' private sphere without any legal agency of their own and without respected individual privacy, except piety.²⁶

'Private domination' in the family was first established by the Code civil, but it was more or less characteristic of all private law systems in Western Europe. It is telling that 'private domination' was intimately connected with the concept of romantic love – the epitome of intimacy and 'the private' – as a precondition of marriage.

2 The Early Modern Household

Sociologists have characterised 'private domination' in the nineteenth-century family as 'secondary bourgeois patriarchy',²⁷ suggesting the continuity of early modern *patriarchalism*. Indeed, *patria potestas* existed in the early modern period, but it was neither situated in the 'family' in the modern sense of the nuclear family nor was it the centre of 'private domination'. Rather, it was just one element of authority in the 'household' (*oeconomia*). The difference is best expressed by comparing the relation between family and household and the larger political unit: while the family as 'le petit patrie' mirrored the fatherland of the nation, the household in early modern political philosophy was regarded as the origin and model of good government.²⁸ In the German context this

25 Vogel U., "Gleichheit und Herrschaft in der ehelichen Vertragsgesellschaft – Widersprüche der Aufklärung", in Gerhard U. (ed.), *Frauen in der Geschichte des Rechts. Von der Frühen Neuzeit bis zur Gegenwart* (Munich: 1997) 265–292.

26 Gerhard U., "Civil Law and Gender in Nineteenth-Century Europe", *Clio. Women, Gender, History* 43,1 (2016) 250–273.

27 König R., "Familie und Autorität. Der deutsche Vater im Jahre 1955", in König R. (ed.), *Materialien zur Soziologie der Familie* (Cologne: 1974) 211–230, here 217–219.

28 Becker, "Der Haushalt in der politischen Theorie der Frühen Neuzeit" 667–684; cf. Dürr R., *Mägde in der Stadt. Das Beispiel Schwäbisch Hall in der Frühen Neuzeit* (Frankfurt – New York: 1995) 17.

meant that the territorial prince (*Landesherr*) was regarded as 'Landesvater' and his consort as 'Landesmutter', both of whom took care of their court as their household but also of their subjects all over the country.

The model household comprised the married couple, their children, and servants. As the house was not only a piece of property and a precondition to be accepted as a burgher or member of a rural community, but also – besides land – the most important site of household and market production and of retail, children as well as maids, farm labourers, apprentices, and journeymen working and living in the household fell under the *patria potestas* of the *paterfamilias*. He had to care for them and represent them in court. The second aspect of 'private domination' concerns the married couple as the household's centre. Bride and bridegroom promised to share good and bad times. Still, the husband was 'das Haupt der Frau', who represented her in court and administered her property (*cura sexu*), while the wife was obliged to obey him and to contribute to the household with her work. He had to protect her, but was also entitled to punish her 'modestly' in case of disobedience. At the same time, the married couple shared authority over their children and as *paterfamilias* and *materfamilias* they were held responsible by the local authorities to keep peace and order inside the house, as prescribed in the *Policeyordnungen*. Shared conjugal authority is expressed by the term 'the ruling couple' ('das regierende Paar'), a term used not only for the prince and his consort, but also for peasant couples. A notion of equality of husband and wife can be detected even in the traditional division of labour between them, which was merely functional and could be changed when necessary: the husband could delegate his authority to his wife in cases of illness or absence, and the widow was both mother and father of underage children.

The *paterfamilias* represented the household in the local community, whereas the wife in her church pew represented the 'honour of the house' (*Hausehre*) when the community assembled. In protestant territorial states and imperial cities, the wife's death was commemorated just as her husband's in 'volkreicher Versammlung' ('populous community') by a funeral sermon including her curriculum vitae, which presented her as a good Christian daughter, wife, and *materfamilias*.

The household provided safety to the domestic group by the exercise of 'private domination' of master and mistress. Their property, the house, was a physical space (building), offering shelter and protection from outside intruders and assaults. Nobody was allowed to peep through the windows or overhear what was going on inside the house. Boundaries were eaves and thresholds. The same was true of the members of the household: nobody – especially servants – was allowed to spread information concerning the household that

might weaken the household's position in the neighbourhood or community.²⁹ Yet, in cases of emergency, *paterfamilias* and *materfamilias* had to defend their house in cooperation with their neighbours and the people living with them.³⁰ Private domination ('private Herrschaft') seems to have been instrumental in controlling bodies and social interactions inside the house, but did not provide separate 'private' spaces for its individual members. Rather, moveable property such as one's own bed or objects that could be locked, such as the chest with the wife's dowry and the maids' chests containing their personal belongings, were regarded as 'private' and as an extended space of one's personality.

Despite the transformation of political ideas via the reception of Pseudo-Aristotelian *oeconomia* in the fifteenth century, religion and church law continued to play a central role in social life. On the one hand, the Church established religious legitimation of gender hierarchy by recourse to Genesis, and had succeeded in attaining control over marriage by declaring it as a sacrament in the twelfth century. On the other hand, the laity, the 'privati' by church law,³¹ began to develop practices of personal piety outside the church, preferably 'at home', by using devotional pictures and altars, prayer books, and the Bible in the vernacular. These practices created an inner space of meditation and self-reflection, especially for women, who were excluded from church offices. The Reformation took up popular piety and linked it to Church reform: the divide between priesthood and laity was abolished, all baptised were equal in relation to Christ, and marriage lost its sacramental status. The household was defined as 'oeconomia christiana',³² where *paterfamilias* and *materfamilias* were held to 'christianise daily life' ('den Glauben ins Leben ziehen').³³ Domestic religious instruction and praying was common to all members of the household ('Hauskirche'), but in those households that had enough servants for household work and childcare, spare time and temporal command of space for *private* worship was conceded to the mistress of the house. Many funeral sermons for married women mention that they retired to a separate room to pray, where nobody could disturb their devotional practice.³⁴

29 These aspects are dealt with in local customs. See, for example, Kramer K.S., *Grundriss einer Rechtlichen Volkskunde* (Göttingen: 1974).

30 Institut für evangelisches Kirchenrecht der EKD (ed.), *Landgrafschaft bis 1582. Die gemeinsamen Ordnungen: 1, Die Landgrafschaft Hessen bis zum Tode Philipps des Großmütigen*, vol. 8: *Hessen I* (Göttingen: 1965) 41.

31 Von Moos, "Öffentlich" und "privat" im Mittelalter 37.

32 Menius Justus, *Oeconomia Christiana, das ist, von christlicher Haushaltung* (Wittenberg, Hans Lufft: 1529).

33 Wunder H., *He Is the Sun, She Is the Moon: Women in Early Modern Germany*, trans. T. Dunlap (Cambridge, MA: 1998).

34 Bruun, "Privacy" 41.

Freedom of conscience was another result of the Reformation and the emergence of several confessions by which established forms of domination could be restricted. As the right of 'cujus regio ejus religio' (1555) did not allow forcing the subjects of a territory to convert to the prince's confession, but granted the right to emigrate, the husband could not force his confession on his wife nor the bridegroom on his bride in mixed marriages. Often free exercise of her confession was granted to the bride even in the marriage contract, but this related only to her as a 'private person' ('Privatperson'), not to the children.³⁵ Nevertheless, freedom of conscience encroached upon the husband's *imperium conjugale* and was judged to endanger conjugal peace in the negotiations of aristocratic marriage contracts.³⁶

3 Aspects of Early Modern Privacy

'Gewissensfreiheit' limited the husband's *imperium maritalis*, and practices of piety could interrupt household duties of the mistress of the household, thus creating a spiritual, temporal, and physical space for her, dedicated to a conversation with God. Literary sources and autobiographies offer further insights into individual and intimate aspects of associations such as marriage (love) and household (friendship), which might be qualified as *private* in the modern sense.

3.1 *Love and Matrimony: Burkart Zink's Narrative of His First Marriage*

Burkart Zink (1396–1474/75), citizen of the imperial town of Augsburg, married at the age of 24. He was a servant in a rich merchant's business and his bride, Elisabeth Störklerin, was a maid servant in the merchant's household. Burkart and Elisabeth had decided to marry, and they took each other in 'amicable concord' (*gute freuntschaft*). The bride's mother, a (poor) widow, approved of their union, for she provided her daughter with a small dowry. Thus, the young couple observed a number of formalities for the conclusion of a valid marriage: the mutual consent of the betrothed and the parental consent. Zink had no living parents, siblings, or close kin who would have any say in the matter. He does not even mention any wedding ceremonies. The public informed of this marriage was doubtless very small for the event took the young couple's employer by surprise. He was annoyed that Zink, who lived as a dependent in his

35 Kepsch S., *Dynastie und Konfession: Konfessionsverschiedene Ehen in den Grafenhäusern Nassau, Solms und Isenburg-Büdingen 1580–1648* (Marburg: 2021).

36 Ibidem.

household, had not asked his advice and he dismissed both Zink and his wife without notice. Zink had not anticipated this outcome, believing himself dear to his master since he had proven himself a good servant. Except for Elisabeth's small dowry, the young couple were virtually penniless. Zink had only his clothes and a little money. The couple lived in rented lodgings and had to earn their keep with wage labour. Working tirelessly, they soon succeeded and prospered, a fact that Zink attributed to the symbolic capital of 'honour and virtuousness' ('er und frumkait')³⁷ that he and Elisabeth had brought together, a dowry he estimated to be more valuable than property or money.

Obviously, this marriage was a love match. What were the conditions that allowed transferring a love affair into a legal marriage? Zink's marriage was a clandestine marriage which by canonical law required only the couple's consent, while in town laws marriage was treated differently: the couple needed the parents' consent and there had to be witnesses to their betrothal if they wanted to get the property that was exchanged between their parents. But in Zink's case no family property existed. In other words, as long as a marriage was not accompanied by the transfer of property, young people earning their own living were free to make their own choices. This type of marriage without a written marriage pact only came to scholarly attention by being contested in court. Marriage pacts are only available for propertied people, that is, a social minority.

Nevertheless, affection as the foundation of matrimony is also documented for the propertied classes. Since the fifteenth century, portraits of future marriage partners living in different towns were exchanged and when the courtship was successful, they were combined to represent the married couple. In the sixteenth century, this trend to reveal personal affection is also found in family portraits, which show both the conjugal pair and the loving relation to their children as parents.³⁸ At the beginning of the fifteenth century, Burkart Zink indirectly expressed his affection for his eldest daughter, Anna, by describing how everybody wanted to caress her.³⁹ Zink does not tell anything about Elisabeth's love for her ten children, but 'Mutterliebe' was proverbial. When the future humanist Johannes Butzbach (about 1500) left his home town to become a 'fahrender Schüler', his mother accompanied him for a while. Before they finally said farewell, she secretly gave him some money, called 'mother's

37 Historische Commission bei der Königlichen Academie der Wissenschaften (ed.), *Die Chroniken der schwäbischen Städte. Augsburg*, vol. 2, *Chronik des Burkhard Zink* (Leipzig: 1866) 1–330.

38 Hinz B., "Studien zur Geschichte des Ehepaarbildes", *Marburger Jahrbuch für Kunstwissenschaft* 19 (1974) 139–218.

39 Historische Commission, *Chroniken* 135.

penny' ('Mutterpfennig').⁴⁰ In books on education, though, parents were reproached for indulging their children and admonished to discipline them more strictly or let them be educated by strangers.⁴¹

3.2 *Friendship: 'Von guten und bösen Nachbarn' (1556)*

My second example concerns the (re)formation of an early modern urban household in the context of traditional relations of marriage, kinship ('Freundschaft'), and neighbourhood by true personal friendship. In his 1556 'Histori' 'Von guten und bösen Nachbarn',⁴² Jörg Wickram (1505–1562), a citizen of Colmar and since 1554 town secretary of Burkheim am Kaiserstuhl, tells three interrelated stories of friendship.⁴³ Having lost most of his children and experienced neighbourly malice, the merchant Robertus leaves his home town of Antwerp for Portugal. There he is without kin, 'mutterseelenallein', but by accident meets another foreign merchant, Richardus. They become friends and Robertus cares for Richardus during his illness. Unwilling to leave him, Robertus takes him into his house and makes him his business partner. Finally, Richardus marries Robertus's daughter. Richardus as a foreigner has enemies in Lisbon, who try to murder him, but he is saved by the young goldsmith Lazarus. They become friends and live in neighbouring houses. This friendship is strengthened even more after Richardus liberates Lazarus from the hands of slave traders. After both marry, they decide to make a door in the wall separating their houses so that their wives might communicate whenever they want to without having to leave the house and cross the street, where they could be confronted with malicious neighbours. True friendship, then, is identical with good neighbourhood. The two friends went even further: they planned to perpetuate their friendship by wedding their children, who – of course – had already fallen in love with one another, unnoticed by their parents. But before the wedding, young Lazarus has to leave home, travel in foreign countries, and experience loneliness and the worth of true friendship.

True personal friendship, then, was a precondition of good neighbourhood. The notion of good neighbourhood offers a frame of close social interaction which, however, has to be renewed in every generation by the experience

40 Butzbach Johannes, *Odeporicon. Wanderbüchlein* (Zurich: 1993) 42–43.

41 Ozment S.E., *When Fathers Ruled: Family Life in Reformation Europe* (Cambridge, MA: 1983) 133–134.

42 'Nachbarn' signified both the next-door neighbour and a member of a town or village community.

43 The narration partly follows Müller J.D., "Frühbürgerliche Privatheit und altständische Gemeinschaft. Jörg Wickrams Historie von Guten und Bösen Nachbarn", *Internationales Archiv für Sozialgeschichte der deutschen Literatur* 5 (1980) 1–32.

of bad neighbourhood and lack of neighbourhood in a foreign country. The 'medicine' is to make one's proven personal friend one's neighbour and even a 'friend' (close kin) by intermarriage. In this concept, traditional communality and bonds of kinship are saved by the intimate personal association between true friends, but, conversely, it may suggest that true friendship is not possible when surrounded by bad neighbours and that one's personal resources can only be developed 'in exile'. In any case, both interpretations show the expansion of the self in friendship and the attempt to create a spatial sphere, a territory for intense personal emotions, an island of friendship which might be called 'private'.

When looked at from the gender perspective, it appears that true friendship was a friendship between men and finally served to confirm the position of the *paterfamilias*. Their domestic isle of friendship meant 'splendid isolation' from the outside world for their wives, who were protected, but did not have the possibility of free association with other women. For women, close female kin were still the only 'friends'. Inside the house there were separate rooms, which, however, were not private spaces of individuals. Richardus's daughter had a room of her own, but in the morning its windows and the door were open, so the father could overhear his daughter talking to herself about her being in love with the neighbour's son. Both her parents heavily reproached her for not having communicated to them this news of great import for her future life and for keeping her love secret. Her separate room might have protected her from being watched permanently by servants, but did not protect her from parental control. Nor was she allowed the right to secrecy in her personal affairs because her virtuousness and marriage were no 'private matters' in the eyes of early modern well-to-do merchants.

4 Concluding Remarks

Choosing 'gender' as an analytical category in my attempt to detect aspects of 'privacy' in the early modern period, the focus is on 'private domination' ('private Herrschaft') in institutionalised gender relations (marriage, household, and family). In this context, 'private' refers to the sphere of 'private persons' in contrast to persons holding an office in the public sphere. Legally, 'private domination' was based on *imperium conjugale* over the consort and on *patria potestas* over the children and dependent persons in the household, who were located in the house (building), which provided shelter and protection, but simultaneously constituted 'private property' and the precondition to be accepted as a member of the urban or rural community. In consequence, the

‘private person’ was the role model for a married man and householder, who had agency in personal, economic, and communal (political) matters. At the same time, his wife was the mistress of the house in charge of the household economy and she shared authority with her husband.

This concept of ‘private domination’ which combined control of persons and domestic spaces left no room for ‘privacy’ in the sense of legitimate individual agency. Instead, secrecy and dissimulation formed alliances between the members of the nuclear family and servants as well as alliances of servants against master and mistress, proving the power (‘Macht’) of the dominated (Michel Foucault).⁴⁴ This explains the long tradition of ‘the cunning wife’ in literature and art⁴⁵ as well as the discourse about disloyal servants.⁴⁶ The fact that personal relations not guided by material interest, i.e. ‘true friendship’, could only be developed outside the household and that love could become the foundation of marriage when parental authority and the transfer of property were absent only serve to affirm the validity of ‘private domination’. Women’s individual agency essentially depended on reducing the husband’s *imperium conjugale*, a process that began in the age of Reformation by establishing freedom of conscience for all Christians and ensuring (limited) space and time for the self.

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44 Foucault M., “Subject and Power”, in Dreyfus H. – Rabinov P. (eds.), *Michel Foucault: Beyond Structuralism and Hermeneutics* (Chicago: 1982) 208–226; cf. Honegger C. – Heintz B. (eds.), *Listen der Ohnmacht. Zur Sozialgeschichte weiblicher Widerstandsformen* (Frankfurt a.M.: 1981).

45 Horn K., “List”, in Brednich R.W. et al., *Enzyklopädie des Märchens. Handwörterbuch zur historischen und vergleichenden Erzählforschung*, vol. 8 (Berlin – New York: 1996) 1097–1104; Seemann E.A., “Weiberregiment, Weibermacht, Weiberlisten”, in Olbrich H. (ed.), *Lexikon der Kunst*, vol. 7 (Leipzig: 1994) 739–740; Smith S.I., “The Power of Women Topos on a Fourteenth-Century Embroidery”, *Viator* 21 (1990) 203–227.

46 Dürr, *Mägde in der Stadt* 76–108.

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‘Privé’ and ‘Particulier’ (and Other Words) in Seventeenth-Century France

Hélène Merlin-Kajman

The following reflections follow in the wake of my doctoral dissertation, started in 1983,¹ then taken up again as a book with the title *Public et littérature en France au XVII^e siècle (Public and Literature in France in the Seventeenth Century)*.² This first work, which discussed Jürgen Habermas’s great book, *The Structural Transformation of the Public Sphere*,³ sought to show that, contrary to what the latter wrote regarding France, in the seventeenth century the word ‘public’ did not designate all consumers, spectators, or readers of literary works, and so did not call for an immediate sociological analysis. The word ‘public’ designated the entire paradigm of the *respublica*, and also what Hannah Arendt calls the ‘public domain’:⁴ namely, both the entirety of so-called ‘public’ goods and people (the State and/or the people, according to the context; but sometimes only the royal court); and the scene in which these things, these goods, and these public people appear. Inevitably, I encountered straightaway the antonym of the word ‘public’, that is to say, the ‘particular’ and the epistemological problem of subjectivation.⁵ From there, my later work never stopped gravitating around the question of the articulation between public and particular: how does the individual relate to the public? How do personal, non-public relations link up with relations that are formed or viewed publicly? How are they communicated, through what lexicon, and according to what stakes? And finally, how is the articulation between subjective interiority and the external world conceived, for each person and by each person?⁶

1 Merlin H., “La Cour et la Ville, ou la question du *public* au siècle de Louis XIV”, *Les Cahiers de Fontenay* 30–31 (Paris: 1983) 91–103. All citations in this chapter were translated by Amanda Jane Vredenburg and revised by François Cornilliat, unless otherwise stated.

2 Idem, *Public et littérature en France au XVII^e siècle* (Paris: 1994).

3 Habermas J., *The Structural Transformation of the Public Sphere: An Inquiry into a category of Bourgeois Society* (Cambridge, MA: 1991).

4 Arendt H., *The Human Condition*, 2nd ed. (Chicago: 1998).

5 Foucault M., *The History of Sexuality*, vol. 3, *The Care of the Self* (London: 1990).

6 Merlin-Kajman H., *L’Absolutisme dans les Lettres et la théorie des deux corps. Passions et politique* (Paris: 2000); idem, *L’Excentricité académique. Institution, littérature, société* (Paris: 2001); idem, “Le moi dans l’espace social, Métamorphoses du XVII^e siècle”, in

These questions are homologous and always mutually imbricated. But they are not identical. My aim is to show the value of making distinctions that we are not used to making.

There are at least two very different ways to construct the place of what we today call the private space. The first way is the most usual: it is the one that is connoted by the word 'privacy'. This way clearly and positively defines individual privacy as interiority (interiority of consciousness and emotions): it seems to denote that something is hidden and should not be accessible to public scrutiny; however it can be shared with others in the context of amorous relations, as well as in familial or friendly relationships. The second way understands the private negatively, founded on the term's sense of privation: the private is simply that which is not public. We will see that in the latter meaning, the private sphere can very well be neither strongly individuated, individualised, nor very intimate. It can even go entirely without any reference to an interior space, to one's innermost being. My idea is that in the seventeenth century these two ways joined together thanks to the valorisation and the autonomy of the 'particular'.

In modern French, privacy is translated by 'vie privée', or 'intimité' ('intimacy'). However, the second word, 'intimité', only appeared in French at the very end of the seventeenth century.⁷ Furthermore, during the seventeenth century, 'vie privée' did not exactly mean privacy, as Antoine Furetière's examples make clear.⁸ How, then, might we proceed to study the intimacy in the early modern context? Is privacy what anthropologists call an etic notion? If so, this notion may be useful when we seek to understand specific aspects of

Kaufmann L. – Guilhamou J. (eds.), *Raisons pratiques, L'invention de la société, nominalisme politique et science sociale au XVIII^e siècle* (Paris: 2003) 23–43; idem, "Sentir, ressentir: émotion privée, langage public", *Littératures classiques* 68 (2009) 335–354; idem, "Le privé et l'intimité au XVII^e siècle doivent-ils quelque chose à Horace?", in Delignon B. – Dauvois N. – Cottegnies L. (eds.), *L'invention de la vie privée et le modèle d'Horace* (Paris: 2017) 277–298.

7 'Intimité' is not defined by the dictionaries of that time, but the noun and adjective 'intime' is. Here is the entry from the first monolingual dictionary: 'amy particulier, & à qui on découvre son coeur & ses affaires plus confidemment qu'à tout autre' ('A particular friend, to whom one reveals one's heart and affairs in greater confidence than to all others'), Furetière Antoine, "Intime", *Dictionnaire universel* (The Hague – Rotterdam, Arnoud et Reinier Leers: 1690). This word was rare in the seventeenth century. Accordingly, I do not engage with this meaning in what follows.

8 '[O]n dit qu'un homme mene une vie *privée*, qu'il a une fortune *privée*, quand il vit en retraite & en particulier, sans charge, sans employ, sans se mesler d'affaires; qu'il vit en son *privé*, en homme *privé*' ('It is said that a man leads a private life, has a private fortune, when he lives retired from the world and as a mere individual, when he is free of offices, unemployed, and does not get involved in public affairs, that he lives in his private domain as a private man'), Furetière, "Privé", *Dictionnaire universel*.

seventeenth-century experiences. I would stress, however, that the 'vie privée' is also an emic notion since the syntagm *did exist* as such in early modern France. The private, terminologically speaking, belonged to a semantic cluster of words derived from the Latin *privatus*. Indeed, these words did not originate from Latin in the sense that Latin belonged to the past: the words resonated with meaning in the ways that Latin texts and references were read. This was true for France and for the rest of Europe. Such colinguism was a constituting element of early modern cultures.⁹ Naturally, we must be careful to avoid anachronism: the meaning of the 'vie privée' (the thing and the word) changed over time. Such changes, however, do not preclude that early modern notions and situations can be related to privacy in its contemporary meanings. Indeed, the differences in meaning of the same notion can be productive and spur on the imagination: past meanings, nested in our languages, make us aware of present tendencies as they come to the fore in our usage. I shall return to this point in my conclusion, after we have engaged with what 'vie privée' entailed in seventeenth-century France.

My research on this topic owes much to Reinhart Koselleck's influential book *Critique and Crisis*.¹⁰ Koselleck gives a clear and persuasive analysis of the disjunction between public and private spheres,¹¹ which was key to the monarchy's absolutist structure as it consolidated itself in the seventeenth century. Koselleck explains, largely correctly in my view,¹² that in the sixteenth century the civil wars of religion were fuelled by zeal, defined as a 'passion for the public'¹³ – that is, an ardent feeling encouraged by morality and religion, which prescribes that it is necessary to give everything to the public. According to this perspective, each person is an individual who, as such, should not have

9 Balibar R., *Le colinguisme* (Paris: 1993).

10 Koselleck R., *Critique and Crisis. Enlightenment and the Pathogenesis of Modern Society* (Cambridge, MA: 2000 [1959]).

11 In the French translation of Koselleck's work, 'private sphere' is given as 'sphère privée'. Insofar as the distinction between public and private appears in early modern French texts – and bearing in mind that such a distinction is not only or always to be understood in oppositional terms, as a disjunction – the 'private' is given as 'particulier' rather than as 'privé'.

12 Koselleck's debt to Carl Schmitt has of course led scholars to take a critical view of his analysis. But forty years of research on this so-called 'disjunction between the public sphere and the private sphere' as a kind of silent contract between the sovereign and his subjects allows me to state that his analysis is a remarkable point of departure, presenting as it does the configuration of absolutism at the very beginning of the seventeenth century.

13 See Merlin H., "Fables of the 'Mystical Body' in Seventeenth-Century France", *Yale French Studies* 86 (1994) 126–142; idem, "Conjurer la passion de l'Un", *Rue Descartes* 12–13 (1995) 38–56.

any existence apart from belonging to the collective. In this way, each member of the body politic is supposed to give himself entirely to the public in order to participate in and contribute to the 'public good'. During the Wars of Religion, however, this zeal split: one part of the collective, zealously, opposed what they perceived as contrary to the public good, while another part of the collective, with equal zeal, defended this as the public good. After the assassination of Henry III (1551–1589), a third party – the so-called 'Politiques' – placed the new king, Henry IV (1553–1610), above these conflicts and made him the sole source of and criterion for the public good. Thus, the disjunction between what is public and what is particular reflects the political disengagement of subjects as they entirely abandoned their claim to sovereignty – understood as the responsibility for public affairs – and left it in the hands of the absolute monarch. In return, as illustrated by the Edict of Nantes (1598), all its imperfections and limitations notwithstanding, the sovereign was no longer responsible for his subjects' salvation, turning this, ethically speaking, into a matter of private consciousness.

Of course, things are not so clear-cut for everyone. For example, pious Christians would continue to reject any lack of inclusion between public good and particular interest, contesting the separation between state policies and private morals, because this disjunction is 'libertine' ('blasphemous') in their eyes. Thus, the Church continued to claim for the existence of a superior and all-encompassing public sphere. From this point of view, the *Respublica Christiana* appears as the mystical body of the faithful; it is the organic whole without which individuals would not have meaning. Nevertheless, corporative Catholicism gave way to a more personal, more intimate Catholicism, the first model of which came from the Reformation. The life of 'particuliers' became the probationary place of *true* behaviour. Sincerity, confirmed by interiority, replaced loyalty (which was proved only by exterior actions). Appearance ceased to be a straightforward manifestation of being; instead, and given that everything of value was considered to occur either within each individual or between individuals, concealment and simulation could be legitimised as a means to preserve public order. The emblematic place where this new autonomy came to the fore was the 'cabinet' (the French word for 'studiolo') and the salon. The disjunction between what was public and what was particular creeps in everywhere. In the seventeenth century, individual interiority hidden from the public begins to be an immense source of curiosity that was both satisfied and fuelled by literary fictions.¹⁴ Since visible manifestations of loyalty

14 Merlin-Kajman H., "Curiosité et espace particulier au XVII^e siècle", in Jacques-Chaquin N. – Houdard S. (eds.), *Curiosité et Libido sciendi de la Renaissance aux Lumières*, vol. 1

were no longer held in the same esteem as the hidden sincerity of actions performed, the invisible state of the inner self had to be authenticated. As an example of such modes of authentication, let us consider an astonishing text by the bishop and novelist Jean-Pierre Camus (1584–1652), where he praises François de Sales (1567–1622) and presents him as entirely devoted to the public. But how can Camus know this?

Il faut que je vous dise ici, [...] une de mes ruses, appelez-là malice, si vous voulez, quand il me venait voir en ma résidence [...] j'avais fait à dessein des trous en certains endroits des portes ou du plancher, pour le considérer quand il était tout seul retiré dans sa chambre, pour voir [...] de quelle façon il se comportait [...] aux plus menues contenance et gestes, dont on se licencie souvent quand on est seul. [...] Étant seul il était aussi composé qu'en une grande assemblée.¹⁵

Here, I have to tell you about [...] about one of my tricks – call it mischief, if you will. When he came to see me in my home [...] I had made holes in certain places in the doors and the floorboards in order to observe him, when he was all alone, secluded in his bedroom; to see in which way he behaved [...] up to the slightest attitudes and gestures, in which we often allow ourselves when we are alone. [...] While alone he was just as composed as if in a great assembly.

Even in solitude, the saint behaved *as if* he were in public, and this proves, according to Camus, that he entertained no separate existence. Indeed, François de Sales had entirely dedicated himself to the public. But his dedication had to be authenticated by the observation of his behaviour as 'particulier' and not simply by his public behaviour.

Slowly but surely, this idea grew stronger: the 'particular' became situated within the individual's separate existence and consciousness. One author played an important role in this process: Michel de Montaigne (1533–1592).¹⁶ Repeatedly denounced as a libertine by devout Christians,¹⁷ Montaigne, who secluded himself in his library to write his *Essays*, compares his innermost being to an 'arrière boutique' ('the backroom of a shop'). Equally emblematic with

(Paris: 1998) 109–135.

15 Camus Jean-Pierre, *L'Esprit du bienheureux François de Sales*, vol. 2 (Paris, Gervais Alliot: 1640) 3–5.

16 See Compagnon A., *Nous, Michel de Montaigne* (Paris: 1980).

17 Millet O., *La première réception des Essais de Montaigne (1580–1640)* (Paris: 1995).

regard to this disjunction is the following sentence: ‘Le maire et Montaigne ont toujours été deux, d’une séparation bien claire’¹⁸ (‘the mayor and Montaigne have always been two, with a clear separation’).¹⁹ This sentence appears in a chapter of the *Essays* that expounds a radical critique of zeal. Thus, the ‘clear separation’ is based on the refusal to define the individual by ontologising his belonging to the public. ‘The mayor’ is a public figure; the title designates an individual, who holds a public office, a *dignitas*. ‘Montaigne’, then, is the individual conceived without reference to this public persona. Exploring a kind of subjective meaning of the metaphor of the king’s two bodies,²⁰ Montaigne transfers true dignity from the public status to the individual, to the ‘ego’.

Montaigne begins this chapter by citing a religious and moralising maxim that supports his father’s virtuous behaviour: ‘Il avait ouï dire qu’il se fallait oublier pour le prochain, que le particulier ne venait en aucune considération au prix du général’²¹ (‘He had heard it said that we must forget ourselves for our neighbour, that the individual was not to be considered at all in comparison with the general’).²² For Montaigne, this maxim is an error, or even a lie. He demonstrates how we are born for our own selves and *not* for the public. Consequently, the *Essays* explores this new territory of the self, as revealed by the famous ‘avis au lecteur’ (‘note to the reader’):

Je l’ai voué à la commodité particulière de mes parents et amis: à ce que m’ayans perdu (ce qu’ils ont à faire bientôt) ils y puissent retrouver aucuns traits de mes conditions et humeurs [...] Si c’eût esté pour rechercher la faveur du monde, je me fusse paré de beautés empruntées. Je veux qu’on m’y voie en ma façon simple, naturelle et ordinaire, sans étude et artifice: car c’est moi que je peins.²³

I have dedicated it to the private convenience of my relatives and friends, so that, when they have lost me (as soon they must), they may recover here some features of my habits and temperament. [...] If I had written to seek the world’s favor, I should have bedecked myself better, and should present myself in a studied posture. I want to be seen here in my simple,

18 Montaigne Michel de, *Les Essais*, book 3, chap. 10, ed. P. Villey, vol. 3 (Paris: 1931) 454.

19 Idem, *The Complete Essays of Montaigne*, trans. D.M. Frame (Stanford, CA: 1976).

20 See Kantorowicz E., *The King’s Two Bodies. A Study on Medieval Political Theology* (Princeton: 1957).

21 Montaigne, *Les Essais*, book 3, chap. 10, vol. 3, 443.

22 Idem, *The Complete Essays of Montaigne* 769.

23 Idem, “Au Lecteur”, in *Les Essais*, ed. P. Villey, vol. 1 (Paris: 1930) 3–4.

natural, ordinary fashion, without straining or artifice: for it is myself that I portray.²⁴

This statement reverses the usual *topoi* used in other paratextual notes to the reader. Montaigne's contemporaries would generally affirm that they were not writing for their own particular interest: authors routinely stated that they offered their work to the public, presenting it as a contribution to the common good. Montaigne states the opposite: 'C'est ici un livre de bonne foi, lecteur. Il t'avertit dès l'entrée que je ne m'y suis proposé aucune fin que domestique et privée. Je n'y ai eu nulle considération de ton service [...]'²⁵ ('This book was written in good faith, reader. It warns you from the outset that in it I have set myself no goal but a domestic and private family one. I have had no thought of serving either you or my own glory [...]').²⁶ And yet, Montaigne proceeded to publish his book! By publishing it, however, he was addressing his readers as other 'particulars', aiming for them to learn how to cultivate their 'selves'. This cultivation, for each person, is the true medium of dignity, his real office. Thus, to know oneself is the task each individual has to undertake. Montaigne's influence was considerable and extended to Camus, who, paradoxically, was one of his admirers. I will now look more closely at a succession of anecdotal scenes, most of them taken from literary texts, in order to evaluate their conception of private life using Montaigne as a guide.

1 The Birth of a King

The following scene is taken from Michèle Fogel's excellent *Rois de France*.²⁷ It does not come from the domain of literature, and seems simple. But far from being only a counter-example, it involves the story of an exceptional experience: that of Marie de Medici when she gave birth to her first child, Louis XIII on 27 September 1601. As she entered labour, Henry IV, according to the midwife's testimony, addressed his wife, who at this date was twenty-six years old, and reminded her that the birth would take place in public – that is, in the presence of the princes of the blood. The presence of these men was required as testimony to the fact that the royal couple's biological son had not been

24 Idem, *The Complete Essays of Montaigne* 2.

25 Idem, "Au Lecteur", in *Les Essais*, vol. 1, 3.

26 Idem, *The Complete Essays of Montaigne* 2.

27 Fogel M., *Roi de France. De Charles VIII à Louis XVI* (Paris: 2014).

substituted with another child. Knowing that the prospect of such publicity would dismay the young queen, the king urges her to overcome this feeling:

Je sçay bien ma mie que vous voulés tout ce que je veux: mais je con-
nais votre naturel qui est timide et honteux; que je crains que si vous ne
prenez une grande résolution les voyant [les princes du sang], cela
ne vous empêche d'accoucher; c'est pourquoi, derechef, je vous prie
de ne vous étonner point, puisque c'est la forme que l'on tient au premier
accouchement des Reines.²⁸

I am well aware, my dear, that you want everything that I want. However, I know your nature, which is shy and bashful; so I fear that if you do not maintain a firm resolution when you see them [the princes], it might prevent you from giving birth: this is why, once again, I urge you not to be stunned,²⁹ since this is the custom that is upheld for the first childbirth of queens.

It is necessary to set the scene. Although the princes of the blood were not exactly next to the queen, their positioning in the room allowed them a direct view of the birth chair, and therefore of her genitals, which were called *pudenda* in Latin and 'parties honteuses' in French ('the shameful parts'). This, then, is how the baby was born. As soon as the king, the queen, and their close relatives learned that the child was a boy, and France had a Dauphin, the doors were ordered to be opened allowing no less than two hundred courtiers to invade the room and huddle around the mother and baby. When the midwife protested as the placenta had not yet been removed, the king replied: 'Tais-toi, sage-femme, ne te fâche point; cet enfant est à tout le monde, il faut que chacun s'en réjouisse' ('be quiet, midwife, and do not get cross: this child belongs to all; everyone must delight in him').³⁰ The same evening Henry IV addressed a letter to the Parisian municipality:

Très-chers et bien aimés. Entre tant de miraculeux témoignages de
l'assistance divine que l'on a pu remarquer en notre faveur depuis notre

28 Quoted by Fogel, *Roi de France* 15. Boursier Louise, *Récit véritable de la naissance de Messeigneurs et dames les enfants de France*, suivi de *Comment et en quel temps la reyne accoucha de monsieur le Dauphin à présent Louis XIII*, eds. F. Rouget – C.H. Winn (Droz: 2000) 73.

29 'Étonner' has a strong meaning in the seventeenth century. Here, the verb means 'to violently strike the imagination'.

30 Boursier, *Récit véritable de la naissance* 163.

avènement à cette couronne, il n'y en a pas un seul qui ne nous ait fait ressentir plus vivement les effets de sa bonté, que l'heureux accouchement de la reine notre très chère et très aimée épouse et compagne qui vient de mettre au monde un fils; dont nous recueillons une joie que nous ne pouvons exprimer. Mais comme les calamités publiques nous ont toujours plus ému durant nos misères passées, que la considération de notre particulier intérêt; aussi ne recevons-nous pas tant de plaisir et contentement pour ce qui nous touche dans cette naissance, que pour le bien général de nos sujets [...].³¹

Most dear and beloved people. Among so much miraculous evidence of the divine assistance that one could remark in our favour since our accession to this crown, there is not a single one that has made us feel the effects of his kindness more deeply than the queen's happy delivery, our dearest and beloved wife and companion who has just brought a son into the world; from which we receive a joy that we cannot express. But just as public calamities always moved us more during our former hardships than the consideration of our particular interest, so we do not receive as much pleasure and satisfaction for our own concern from this birth, as we do for the general benefit of our subjects [...].

Following Fogel's interpretation, the letter situates the history of kings between what it names the particular interest of the king and the common good of his subjects: it presents these two as necessarily and harmoniously linked to each other.³² But here, Henry IV's letter focuses on the general maxim according to which one must place the public interest above one's 'particulier intérêt' ('particular interest'). For a sovereign, even within an absolutist framework, such a lack of self-interest was a theoretical requirement: it is compatible with the metaphor of the king's two bodies, and for the king the distinction between private and public amounts to no disjunction but rather a positing of the private within the public the king dedicates himself to the common good.

However, I think it is clear that Henry IV's dedication to the public is very different from the queen's. In a certain sense, both shame and modesty are public feelings. It is in relation to a public – real or imaginary – that actions are experienced as shameful. Immodesty and impudence are scandalous, and everyone

31 Quoted by Fogel, *Roi de France* 15–16.

32 See Fogel, *Roi de France* 16–17.

knows that the sin of scandal (*scandalum*)³³ is much worse than simple sin because it is public. When Montaigne addresses the reader of his *Essays*, he refuses, on the contrary, to follow such rules of decorum: he explicitly states that he will depict himself as nakedly as public reverence will allow – that is, a lot more naked than what is usually agreed upon and appropriate. Indeed, zealous Christians would go on to be scandalised (in the canonic meaning) because they found Montaigne to have presented himself as far too naked. In this instance, then, the publication of the particular operates against purely public prescriptions of decorum.

Thus, the young queen's public childbirth breaches a boundary other than the one that opposes 'particulier' and 'public'. On the one hand, she is well aware that, by bringing a boy into the world, she is giving the public a royal heir: she could have pronounced the same sentence as Henry IV even without giving birth under the gaze of the princes of the blood. On the other hand, there is a certain asymmetry between the necessity of giving birth in public – that is, dynastic verification – and the intrusion that it implies. We could of course say that the queen had to sacrifice her private modesty for public interest. But it is incidentally something else that was assaulted: it was necessary for the queen to renounce her modesty and shame, qualities and values that are highly public, although attached to one's inner life. This time, the contradiction is in a way situated within the public sphere.

2 Too Familiar

Another anecdote allows us a greater understanding of the complexity of these nuances. Henri de Campion (1613–1663) spent part of his life in the service of François de Bourbon-Vendôme (1616–1669), the duke of Beaufort. In 1643, as Louis XIII lay dying, the queen, who foresaw the king's death, relied upon the duke of Beaufort rather than the princes. For a variety of reasons, this favour did not last. Campion recounts:

[La reine] remarqua que [le duc de Beaufort] faisait trop le familier avec elle devant toute la cour; même un matin, qu'elle était dans le bain, et qu'il n'entraît nul homme dans sa chambre, nous étions dans la pièce précédente avec la plupart des seigneurs qui attendaient l'heure de la voir: le duc, devant tout le monde, s'approcha de la porte de la chambre,

33 Fossier A., "Propter vitandum scandalum: histoire d'une catégorie juridique (XII^e–XV^e siècle)", *Mélanges de l'École française de Rome. Moyen-Age* 121.2 (2009) 317–348.

que l'huissier entrouvrit, et dit qu'on ne voyait point la reine; mais lui, le poussant, entra de force; action dont elle se fâcha si fort qu'elle le fit sortir avec des termes d'extrême colère. Je le vis revenir fort interdit, quoiqu'il fit le railleur.³⁴

[The queen] remarked that [the duke of Beaufort] acted in too familiar a manner with her in front of the entire court. One morning, while she was in the bath and no man could enter her bedroom, we were in the next room with most of the lords, who were waiting for the hour to see her: the duke, in front of everyone, approached the bedroom door, which the usher opened a little saying that no one could see the queen; but he, shoving him [the usher], entered by force. This action, however, angered her so much that she had him sent out with words of extreme ire. I saw him come back very disconcerted, although he pretended to make light of it.

As in our previous example, a boundary is crossed. But this time, the boundary is formulated in terms of 'familiarity': the Duke of Beaufort is *too* familiar with the queen. In being so, the duke, publicly, displays a level of familiarity that is not initiated by the queen. A maxim repeated in every treatise on manners and also present in Furetière's dictionary sheds light on the implicit issue: 'Il ne faut pas abuser de la familiarité dont les Grands nous honorent' ('the familiarity that the *Grands* honour us with must not be abused').³⁵ Beaufort was surely among the *Grands*, but a queen was naturally greater still. Furetière's dictionary further defines familiarity as 'Privauté, accès libre qu'on a chez quelqu'un avec lequel on vit sans façon' ('liberty, the free and informal access one has to someone with whom one lives without a fuss').³⁶ However, in the entry on 'privément' (privately or what is in a very private and familiar way), one finds this example that complicates the maxim quoted above: 'Ce Seigneur est fort affable, il vit privément avec tout le monde, avec ses domestiques' ('this Lord is very friendly, he lives privately with everybody, with his servants').³⁷ Finally, let us recall the definition of 'familièrement' ('familiarily'): 'D'une manière familière. Parler, agir, s'entretenir *familièrement*, en liberté, sans cérémonies' ('In a familiar way. To speak, act, to talk *familiarily* about something, freely, unceremoniously'). This definition is a negative one: to speak familiarly means to speak as if one were not in a ceremonial context – that is, in an official or

34 Champion H. de, *Mémoires* (Paris: 1990) 152.

35 Furetière, "Familiarité", *Dictionnaire universel*.

36 Ibidem.

37 Idem, "Privément", *Dictionnaire universel*.

public context. Nevertheless, it does not imply seclusion or intimacy or in other words: privacy.³⁸

As stated above, Campion's anecdote recounts the crossing of the familiarity boundary. Yet, this boundary is not related to that which separates the particular from the public. First, no 'public' stakes, in a theologico-juridico-political sense of the term, are in play. Second, all actions unfold in public, albeit in a different kind of public sphere, and, as Campion would have us believe, what particularly angers the queen is the public display of the duke's alleged familiarity, perhaps because it compromises her honour. However, this boundary seems devoid of an obvious link to privacy. This is not to say that no such link exists, but the duke seems not to have been aware that he had infringed upon the queen's privacy.

3 Agrippa d'Aubigné

Our next example is borrowed from a text by Agrippa d'Aubigné (1552–1630), a military commander of the Protestant party and the king Henry of Navarre's (the future Henry IV of France) companion in arms. He wrote love poems and a long epic poem, *Les Tragiques* (1616), denouncing Catholic atrocities during the civil wars and lamenting the betrayal of Henry IV when he converted to Catholicism. Aubigné also authored a historical text: although different in tone, the *Histoire universelle* (1616–1618) responded to the same goal and was condemned by the Parliament of Paris in 1620. Finally, a memoir, *Sa vie à ses enfants*, was published posthumously in the eighteenth century. Its dedication, addressed to Aubigné's children, includes the following statement: '[V]oici le discours de ma vie, en la privauté paternelle, qui ne m'a point contraint de cacher ce qui en l'Histoire Universelle eût été de mauvais goût' ('here is the

38 In her book *The Renaissance Rediscovery of Intimacy*, Kathy Eden translates the Latin word 'familiaritas' just like the French word 'familiarité' as 'intimacy'. But, to focus on the French, the popular connotation of the term, to which Bakhtin had drawn our attention by associating it with the culture of Carnival, of the Fair, of the marketplace, a connoted dimension that runs counter to and conveys not all the world of intimacy, is completely lost in this translation. Eden K., *The Renaissance Rediscovery of Intimacy* (Chicago: 2012). On this topic, see Tabeling B., "La langue familière dans les jeux de la conversation. Ambivalence et communauté chez Sorel et Molière", in Stroev A. – Gvozdeva K. (eds.), *Savoirs ludiques. Pratiques de divertissement et émergence d'institutions, doctrines et disciplines dans l'Europe moderne* (Paris: 2014) 105–120; idem, "Un lieu familier. Langue et relations familiales chez Saint Simon", in Hersant M. (ed.), *La Guerre civile des langues: Mémoires de Saint-Simon, année 1710* (Paris: 2011) 235–253; idem, "Émotion de la familiarité publique", *Littératures classiques* 68 (2009) 57–69.

story of my life, written in paternal freedom, which did not force me to hide what would have passed for bad taste in *Universal History*').³⁹ Aubigné proceeds to specify that this life-story comprises both the author's glory and faults: 'je vous conte l'un et l'autre comme si je vous entretenais encore sur mes genoux' ('I will tell you about both as if I still held you on my knees').⁴⁰ Given that Aubigné's children had already reached adulthood, this positioning of the intended readers is surprising, but within this setting, 'privauté' clearly signifies or connotes an attitude that makes it diametrically opposed to public behaviour. This dedication has often been compared to Montaigne's 'Note to the reader':

Mes défauts s'y liront au vif, mes imperfections et ma forme naïve, autant que la révérence publique me l'a permis.⁴¹

My defects will here be read to the life, and also my natural form so far as respect for the public has allowed.⁴²

Montaigne aimed, publicly, to share what was written to a private end. But Aubigné, conversely, draws a distinction between the *Histoire universelle*, which was published and engaged with public affairs, and the hand-written manuscript of *Sa vie à ses enfants*, of which he ordered 'that there only be two copies made'.⁴³

Even if certain episodes from the *Histoire universelle* evoke the role of Aubigné himself, nowhere does this highly public text include the story of Aubigné's life. It includes his actions as a particular individual acting for the public good. No details pertaining to his private life are narrated, however. Unlike Montaigne's note, the dedication to *Sa vie à ses enfants* respects the boundary between, on the one hand, the public that is the subject of the *Histoire universelle* and, on the other, the private life that has no place in such a grand narrative. The gap between public affairs and private affairs is as large as possible. It goes well

39 Aubigné Théodore Agrippa d', "Sa Vie à ses Enfants", ed. H. Weber, *Œuvres* (Paris: 1969) 383. I discuss here Kuperty-Tsur N., *Se dire à la Renaissance* (Paris: 1997) and Thierry A., "Agrippa d'Aubigné: de l'histoire aux mémoires et à l'autobiographie", in Schrenk G. (ed.), *Autour de l'Histoire universelle d'Agrippa d'Aubigné. Mélanges à la mémoire d'André Thierry* (Droz: 2006) 187–201. See also Merlin-Kajman H., "Mauvais goût, privauté, familiarité: le cas de *Sa Vie à ses enfants* d'Agrippa d'Aubigné", in Barbaferri C. – Abramovici J.-C. (eds.), *L'invention du mauvais goût à l'âge classique* (Leuven: 2013) 105–122.

40 Aubigné, "Sa Vie à ses Enfants" 383.

41 Montaigne, *Les Essais*, vol. 1, 4.

42 Idem, *The Complete Essays of Montaigne 2*.

43 Aubigné, "Sa Vie à ses Enfants" 383.

beyond the opposition 'public-particulier', for in the *Histoire universelle*, of course, Aubigné examines, besides his own role as 'particulier' devoted to the public, the interplay of particular interests and the public interest. But with *Sa vie à ses enfants*, written for his children as if they were still sitting on their father's knees, Aubigné penetrates into a purely private realm that is unworthy of history proper. This opposition is also a question of style. Written in an elevated style, often full of indignation, the *Histoire universelle* is concerned with the sphere of royal majesty, public dignities, and corruption. *Sa vie à ses enfants*, on the other hand, is written in an informal style, although in the third person, and concerns the individual body: a person devoid of dignity, who is a mortal, sexual, fallible, and, consequently, a potentially laughable being. In this regard, the different representations of the future Henry IV in the two texts are revealing. The *Histoire universelle* adopts a point of view that is strictly political or theologico-political (even sometimes prophetic). By contrast, the point of view of *Sa vie à ses enfants* shows the familiarity between Aubigné and the king. Aubigné was, after all, Henry's companion in arms. One anecdote serves to illustrate this point. It is presented as one of those 'choses particulières qui n'étaient pas dignes de l'Histoire'⁴⁴ ('particular things that were not worthy of History'), which abound in the private narrative. Henry of Navarre is escaping from the French court where he had been held prisoner since the Saint Bartholomew's Day Massacre. Accompanied by his close friends, including Aubigné, the king stops in a village:

où lui étant arrivé de faire ses affaires dans une maie, une vieille qui l'y surprit lui fendait la tête par derrière d'un coup de serpe sans Aubigné qui l'empêcha et qui dit à son maître pour le faire rire, *Si vous eussiez eu cette honorable fin, je vous eusse donné un tombeau en style de Saint-Innocent; c'était:*

Ci-gît un Roi par merveille,
 Qui mourut, comme Dieu permet,
 D'un coup de serpe et d'une vieille,
 Comme il chiait dans une maie.⁴⁵

where he entered to do his business in a kneading trough, when an old woman, who surprised him there, was about to split his head from behind with a brush hook, if not for Aubigné who stopped her and said to his

44 Ibidem, 401.

45 Ibidem, 401.

master in order to make him laugh, *Had you met with this honourable end, I would have given you this epitaph in Saint-Innocent style:*

Here, surprise, lies a King
 Who died, as God allows,
 From an old woman's hook blow,
 As he was shitting in a trough.

In *Sa vie à ses enfants*, adopting a burlesque tone, Aubigné repeatedly shows such familiarity – his liberty (*privauté*) – with Henry or with the *Grands*. This kind of corporeal lowliness, held so dear by Mikhail Bakhtin,⁴⁶ is nonetheless devoid of transgressive elements: the king laughs as much as his companions. Henry is considered here, and he considers himself, as a physical person caught in a sphere where affairs are neither public nor personal or fully private. Instead, they are private affairs in a more rudimentary sense: these affairs are unworthy of public light, be it ceremonial record or official protocol. What Bakhtin failed to see is that this marketplace culture of familiarity was not, at least not always, in *opposition* to official life, but simply its *other* side: one of relaxation, laughter, and rest. For as the king, his subjects can be conceived as possessing two bodies, the physical one being in a way easier to share than the public one.

4 Cyrano de Bergerac

In 1654, the libertine author Cyrano de Bergerac (1619–1655) published fictive letters entitled *Lettres diverses, satiriques et amoureuses*.⁴⁷ What follows is the beginning and the end of a letter entitled 'D'une maison de campagne' ('From a country house'), where the writer tries to convince his addressee, one of his close friends, to leave the court. This addressee is, as we are quickly given to understand, a *Grand*, who possesses a 'country house' – probably a seignorial estate – where the letter writer is now residing:

Monsieur,

J'ai trouvé le paradis d'Éden, j'ai trouvé l'âge d'or, j'ai trouvé la jeunesse perpétuelle, enfin j'ai trouvé la Nature au maillot. On rit ici de tout son cœur; nous sommes grands cousins, le porcher du village et moi; et toute

46 Bakhtin M.M., *Rabelais and His World*, trans. H.H. Iswolsky (Cambridge, MA: 1968).

47 Cyrano de Bergerac Savinien de, *Œuvres diverses: Lettres satiriques et amoureuses*, ed. F. Lachèvre (Paris: 1933) 5–160.

la paroisse m'assure que j'ai la mine, avec un peu de travail, de bien chanter un jour au lutrin. O Dieux! un philosophe comme vous peut-il préférer au repos d'une si agréable retraite, la vanité, les chagrins et les embarras de la Cour? [...] Résolvez-vous donc une bonne fois à vous dépêtrer des embarras de Paris; votre concierge vous aime tant qu'il jure de ne point tuer son grand cochon que vous ne soyez de retour; il se promet bien de vous faire dépouiller cette gravité dont vous morguez les gens avec vos illustres emplois; hier au soir il nous disait à table, après avoir un peu trinqué, que si vous lui parliez par *tu*, il vous répondrait par *toi* [...].⁴⁸

Sir,

I have found the garden of Eden, I have found the golden age, I have found perpetual youth: in a word I have found Nature in the cradle. Here, one laughs with all one's heart; the village's pig keeper and I are close kinsmen; and the entire parish tells me that I am bound, with a bit of work, to sing at the lectern someday. Oh Gods! Can a philosopher like you prefer the vanity, the sorrows, and the annoyances of the court over the rest of such a pleasant retreat? [...] Resolve, then, to disentangle yourself from Paris's bothers! Your caretaker likes you so much that he swears he will not kill his huge pig until you have returned; he swears he will have you drop the solemn air that you put on to stare down people with your high offices. Yesterday evening he told us at the dinner table, after a drink or two, that if you spoke to him with *tu*, he would answer you with *toi*.

If we focus on the social relations that are represented here, we can see how the text, which is itself written in an informal tone – that is to say, joking and slightly burlesque – describes a freedom and a familiar equality in contradiction to the hierarchical, statutory distance that exists between the protagonists. Here, private life implies that one can speak informally 'à tu et à toi' with the pig keeper and the caretaker. If these same people met again in a procession, they would be separated by dozens of intermediary ranks. It must be noted that the use of the informal 'tu' for 'you' was very rare in seventeenth-century France. Furetière defines the verb 'tutoyer' as follows: 'Traitter quelqu'un avec mespris, ou avec grande familiarité, en luy parlant par tu, et par toy. Il n'y a que les gens rustiques et incivils qui se tutoient. Les honnestes gens ne se plaisent point à être tutoyez' ('To treat someone with scorn, or with great familiarity, by speaking to him with "tu" or with "toi". Only rustic and uncivil people do so. People of standing do not appreciate being addressed in this

48 "D'une maison de campagne" in *ibidem*, 35–38.

way').⁴⁹ The private life described here by Cyrano rests on a form of generalised kinship, almost as if everyone could hold each person on their knees! The public dimension of existence seems totally out of view. It is remarkable, however, that this shared familiarity does not include any level of intimacy. On the contrary, there is an almost farcical element to this scene in which each character indulges in entertainment and diversion, the very theatrical sharing of the simple, lowly, physical life, and the joyful display of belonging to the same species. This undoubtedly fundamental relationship is not unrelated to what anthropologists have called 'joking relationships'.⁵⁰ In the seventeenth century, such relations progressively take on a more personal, more intimate, and consequently much less laughable tone.

In 1624, Jean-Louis Guez de Balzac (1597–1654) publishes a collection of *Letters*,⁵¹ which he does not call 'lettres familières' ('familiar letters'), because, as he claims, their style equals that of great public eloquence. However, the letters speak of his illnesses, of his lovers, and 'joke' with people of a high public status. This publication triggered a long, violent quarrel, where Balzac was accused of libertinism for two reasons. Firstly, he encourages the letter's addressee, and by extension the readers of his collected *Letters*, to be more interested in their individual selves than in public affairs. Secondly, Balzac evokes his own body while also evoking, in the same collection, public affairs treated with a singular mix of mockery and seriousness. His project aligns with Montaigne's, but a Montaigne who would have exaggerated everything less out of concern for authenticity than to display a stylistic virtuosity.⁵² The vanity of this virtuosity was unanimously denounced by his enemies, who attacked the mixture of styles which led him to address his inferiors with a respectful tone, while public figures of high dignity were approached in a playful tone.

The letter from which I am going to quote is addressed to a friend who lived in the noise and confusion of the city, while Balzac himself had retired to the countryside. We therefore find ourselves faced with the same topical city-countryside dichotomy that we observed in Cyrano. Balzac begins by describing his country estate in terms quite similar to Cyrano's.

49 Furetière, "Tutoyer", *Dictionnaire universel*.

50 Mauss M., "Joking Relations", trans. J.I. Guyer, *Journal of Ethnographic Theory* 3.2 (2013) 317–334. See also Merlin-Kajman H., *L'Animal ensorcelé. Traumatismes, littérature, transitionnalité* (Paris: 2016).

51 Balzac Jean-Louis Guez de, *Les premières Lettres de Guez de Balzac, 1618–1627*, eds. H. Bibas – K.-T. Butler (Paris: 1933).

52 See Merlin-Kajman H., "Guez de Balzac ou l'extravagance du *moi* entre Montaigne et Descartes", *Rue Descartes* 27 (2000) 141–158; idem, *L'Excentricité académique*.

Mais le plaisir est que là dedans et par tout où je commande, il n'y a personne qui ne fasse l'amour librement; et quand je vois d'un côté de l'herbe couchée par terre, et de l'autre des épis renversés, je suis assuré que ce n'est, ni le vent, ni la grêle qui ont fait cela, mais que c'est un berger et une bergère.⁵³

However, the delight is that there and in all parts where I am in charge, there is no one who does not freely make love; and when I see flattened grass in one place and in the next see bent ears of grain, I am sure that the culprits are neither wind nor hail, but a shepherd and shepherdess.

The shepherd and the shepherdess may be less realistic than the pig keeper mentioned in Cyrano's letter, yet they are less 'low', in literary terms. This golden-age myth of egalitarian familiarity is coloured by the mention of a more concrete and more credible sociability, which also shows how the country estate served as a private retreat for public men:

Le grand duc d'Épernon est venu ici [...] laisser cette vertu sévère et cet éclat qui éblouit tout le monde pour prendre des qualités plus douces, et une majesté plus tranquille. Ce Cardinal [...] vint ici chercher du soulagement, et recevoir des propres mains de Dieu, qui aime le silence et habite la solitude, ce qui ne se trouve point [...] dans la foule du monde. Je vous apporterais d'autres exemples pour vous montrer que [...] les traces des princes et des grands seigneurs sont encore fraîches dans mes allées [...].⁵⁴

The great duke of Épernon used to come here [...] to leave behind this strict virtue and the brilliance that dazzles everyone to take up gentler qualities and a quieter majesty. This cardinal [de Richelieu] [...] came here to seek relief, and from the very hands of God, who likes silence and resides in solitude, to receive that which cannot be found [...] in the worldly crowd. I would bring you other examples to show you that [...] the footprints of princes and high lords are still fresh in my alleys [...].

Here, then, we are confronted with a private life that has been elevated by the presence of public persons of high dignity. At the end of the seventeenth century, Mme de Sévigné would describe an analogous place of retreat, but this

53 Balzac, *Les premières Lettres* 134–135.

54 *Ibidem*, 135–136.

time completely 'private', full of privacy. Staying on her estate in Brittany, she receives letters from her daughter, Mme de Grignan, married to a *Grand* who is more or less the governor of the region of Provence. Her daughter describes her incessant public activities, the marks of honour, and acts of deference that make up her daily life. She also describes the estate of Grignan, where she lives with her husband. This latter description displeases Sévigné, who finds Grignan to be cold and solemn. Mme de Sévigné refers to her own estate, evidently well-known by her daughter: 'le nôtre est d'une beauté surprenante' ('our [estate] has a surprising beauty') and continues by explaining in detail her work of embellishing the park. She then concludes: 'Pilois est toujours mon favori, et je préfère sa conversation à celle de plusieurs qui ont conservé le titre de chevalier au parlement de Rennes. Je suis libertine plus que vous' ('Pilois [the gardener] is still my favourite, and I prefer his conversation to that of quite a few who cling to their knighthood in the Rennes parliament. I'm more libertine than you').⁵⁵ In calling herself a 'libertine', Sévigné emphasises the positive connotation of the term: it denotes her preference for private freedom over the constraints of public life.

The conversation between Mme de Sévigné and her gardener is clearly more credible, or at least less transitory, than Cyrano's conversation with the caretaker or the pig keeper. Mme de Sévigné does not claim to be on excessively familiar terms ('à tu et à toi') with her gardener. Rather, she finds conversing about her garden and her estate to be part of the pleasure of retreating from ceremonial events. Writing during the assembly of the Estates of Brittany – a significant political moment in the powerful province that zealously guarded what remained of its autonomy from Paris – Sévigné describes the private estate as a symbol of the freedom from public constraints. While there, Mme de Sévigné eats frugally and lives a simple life. It is also the taste for such freedom that brings Mme de Chaulnes, the wife of the governor of Brittany, to the estate:

Mme de Chaulnes, Mlle de Murinais, Mme Fourché [...] vinrent ici jeudi. Mme de Chaulnes entra en me disant qu'elle ne pouvait être plus longtemps sans me voir, que toute la Bretagne lui pesait sur les épaules, et qu'enfin elle se mourait. Là-dessus, elle se jette sur mon lit, on se met autour d'elle, et en un moment la voilà endormie de pure fatigue. Nous causons toujours. Enfin elle se réveille, trouvant plaisante et adorant

55 Sévigné Mme de, Letter 177, "A Mme de Grignan, Aux Rochers, dimanche 28 juin [1671]", in Sévigné Mme de, *Correspondance*, ed. R. Duchêne, vol. 1 (Paris: 1972) 281.

l'aimable liberté des Rochers. Nous allâmes nous promener, nous nous assîmes dans le fond de ces bois.⁵⁶

Mme de Chaulnes, Mlle de Murinais, Mme Fourché [...] came here on Thursday. Mme de Chaulnes walked in telling me that she could not endure not seeing me any longer, that all of Brittany weighed on her shoulders and that in sum she was dying. Whereupon she throws herself on my bed; we gather around her, and in a second she falls asleep from pure fatigue. We chat on. Finally, she wakes up, enjoying and adoring the lovely freedom of the Rochers. We went for a walk; we sat down deep inside the woods.

In this place, hierarchical distances and statutory distinctions cease to matter. However, unlike the two preceding examples, this place is also one of intimate memories, where the heart is free to recognise, express, and analyse itself. This intimacy is fittingly represented in letters addressed to the person she missed the most, her daughter. In another letter, moreover, she will tell her daughter how she was moved to tears by a humble compliment the gardener addressed to her when she announced the birth of her grandson to her servants. In this instance, then, private life is joyful without being laughable and is clearly open to a wide range of emotions. It is worth noting that, unlike Montaigne, Mme de Sévigné never uses, to express these differences, the logical opposition between public and particular.⁵⁷

This does not hold true for her friend, the cardinal of Retz (1613–1679), whose *Mémoires* were probably addressed to her. Retz was one of the leaders of the Fronde, sparked by the rebellion of the Parliament of Paris and certain *Grands* against royal absolutism during Louis XIV's minority. Thus, Retz was at the same time a protagonist of the story that he recounted as well as an observer of the interplay of particular interests. On the one hand, he never stops justifying his actions by professing that he acted for the public good. On the other hand, he accomplishes this without ever proposing a model of action that would sacrifice his particular interest. The following story unfolds

56 Sévigné, Letter 194, "A Mme de Grignan, Aux Rochers, dimanche 23 août [1671]", in *ibidem*, 226–329.

57 See Merlin-Kajman H., "Le partage du sensible dans les lettres de Madame de Sévigné", in Bombart M. (ed.), *Connivences épistolaires? Autour de Mme de Sévigné (Lettres de l'année 1671)*, actes de la journée d'agrégation du 1^{er} décembre 2012, Publications en ligne du GADGES (published online on 5 February 2013) <http://facdeslettres.univ-lyon3.fr/recherche/gadges/publications/le-partage-du-sensibledans-les-lettres-de-l-annee-1671-de-la-correspondance-de-mme-de-sevigne-625308.kjsp>.

after the end of the first Fronde. Retz summarises several recent public events before launching into an explicit digression:

Les affaires publiques ne m'occupaient pas si fort, que je ne fusse obligé de vaquer à des particulières, qui me donnèrent bien de la peine. Mme de Guéméné, qui s'en était allée d'effroi, comme je crois vous avoir déjà dit, dès les premiers jours du siège de Paris, revint de colère à la première nouvelle qu'elle eut de mes visites à l'hôtel de Chevreuse. Je fus assez fou pour la prendre à la gorge sur ce qu'elle m'avait lâchement abandonné; elle fut assez folle pour me jeter un chandelier à la tête sur ce que je ne lui avais pas gardé fidélité à l'égard de Mlle de Chevreuse. Nous nous accordâmes un quart d'heure après ce fracas, et, dès le lendemain, je fis pour son service ce que vous allez voir.⁵⁸

Public affairs did not busy me so much that I was not obliged to attend to particular ones, which gave me quite a lot of trouble. Mme de Guéméné, who – as I believe I already told you – had left out of fear during the first days of the siege of Paris, came back in anger at the first news she received of my visits to the Hôtel de Chevreuse. I was crazy enough to grab her by the throat, because she had spinelessly abandoned me; and she was crazy enough to throw a candlestick at my head, because I had not remained faithful to her with regard to Mlle de Chevreuse. We were reconciled fifteen minutes after this uproar, and the very next day I served her in a manner that you shall soon learn about.⁵⁹

The sequence opens with a clear opposition between public and particular affairs. Unlike Aubigné, Retz recounts both of these types of affairs within the space of the same text. Of course, Retz varies his tone, and particular affairs are treated in a lighter manner than public ones. Mme de Guéméné was Retz's mistress, whereas Mlle de Chevreuse became his mistress as well in Guéméné's absence. Having learned of this liaison, Mme de Guéméné returned to Paris in order to confront Retz. Seemingly, we have a very personalised sequence of private events. The story reports an almost tragic, paroxysmic moment, even if the speed of the narration, along with the parallelism of the formulas that characterise their gestures, give it a shade of retrospective self-mockery. Although this climax could potentially serve as the prelude to a definitive rupture between

58 Retz Cardinal de, *Mémoires précédés de La Conjuration du comte de Fiesque*, ed. S. Bertièrre, vol. 1 (Paris: 1987) 522.

59 Ibidem.

the couple, the ending of this anecdote reveals quite the opposite: the two lovers reconcile fifteen minutes after their confrontation. One possible interpretation of this scenario, and the one perhaps most likely also to occur to seventeenth-century readers, is that the couple reconciled by making love.⁶⁰ Yet, despite the passage's domestic space of cheerfulness and humour, this particular affair, which is hardly in accordance with public morals (Retz was a member of the clergy), is not presented in a burlesque manner: Retz knows that the story will please his addressee, which is why he includes this event in his text despite it not being *worthy* of history proper. At no stage, however, is this private event deemed *unworthy*, low, base, or despicable.

The story continues and recounts a second personal affair ('affaire particulière') that has nothing private about it and that in fact borders on the public. Louis II de Bourbon (1646–1686), the prince of Condé and one of the highest-ranking princes of the age, sought to obtain an honorary privilege for the wife of a protégé. However, this promotion would have set off a chain of events, leading the ladies of the house of Rohan – including Mme de Guéméné, Mme de Chevreuse, Mlle de Chevreuse, and Mme de Montbazon – to lose certain privileges of their own. The ladies in question, led by Mme de Guéméné, asked Retz to intercede on their behalf. Condé accepted: and that, in sum, is the end of the second 'particular' affair. But he imposed a condition, which, this time, is a very clear allusion for Retz, and for the reader as well, to another 'particular' affair:

Mais je vous demande une condition sans laquelle il n'y a rien de fait: c'est que vous disiez, dès aujourd'hui, à Mme de Montbazon que le seul article que je désire pour notre accommodement est que lorsqu'elle coupera je ne sais quoi à M. de La Rochefoucauld, elle ne l'envoie pas dans un bassin d'argent à ma sœur, comme elle l'a dit à vingt personnes depuis deux jours.⁶¹

But I ask you for one condition without which nothing will be done: that this very day you tell Mme de Montbazon that the only item I wish from our compromise is that, when she cuts off Mr. de La Rochefoucauld's *je ne sais quoi*, she does not send it in a silver basin to my sister as she said she would to twenty people over the past two days.

60 This was the interpretation suggested by Michèle Fogel, author of *Roi de France*, in our discussions on the topic.

61 Retz Cardinal de, *Mémoires* 524.

The key to understanding this anecdote is that Condé's sister, Madame de Longueville, had just had a child from an adulterous relationship with the duke of La Rochefoucauld, and Mme de Montbazon said at every opportunity that she would emasculate him. We might say that the occasion allows the circulation of a pun: an emblematic instance of familiarity. Here, the pun, centring on questions of sexuality and therefore of corporeal lowliness, is an insult spread against Condé's sister by Mme de Montbazon, the mistress of the duke of Beaufort, whom we saw demonstrate too much familiarity with the queen in Champion's memoirs. These are far from public affairs, and yet the circulation of the pun itself could hardly be more public, although certainly not in the sense of the *respublica*. There is no promise of intimacy, and no privacy in a modern sense of the term – but a liberty made possible by the equal social status of the two women.

Retz referred to these three affairs that overlap in the narrative sequence with the same term: 'particular affairs' as opposed to 'public affairs'. Yet, the Cardinal could not have called them private affairs. What unites them is that they all involve people who are in no sense 'private' people nor are they leading a 'private life'. Rather, they take place during a pause in public affairs, on the fringes of them. What distinguishes them is that the last example is clearly familiar, whereas the second concerns the particular interests of women from the house of Rohan in a curial quarrel of precedence, very close to the public sphere: they are particular because they concern some members of the court (which was previously called 'le public'), but not all of them. The first example is, on the contrary, secret and intimate. What they all have in common is that none of them concerns the State and its institutions (no one is acting in charge of a public mission), but each one concerns Retz personally: each one concerns his 'particular person' – but on three very different levels.

5 Conclusion

Let us conclude by proposing a hypothesis. The term 'privé' ('private') in the seventeenth century had a negative sense: it presupposes negation or subtraction – relegation, secrecy, withdrawal, or retreat. A private man is a man without public status: even if a man with public status can sometimes live a '*vie privée*', for instance in his country house, this '*vie privée*' lasts only for a limited period of time. 'Particular', on the other hand, maintains a logical tone: the particular is the part included in the whole: every member of the '*respublica*' is a 'particulier'. Consequently, even when the particular separates itself from the public as a result of a process of 'disjunction', the term retains a structural and

constitutive positivity. This positivity will absorb some of the characteristics of the familiar or private that had formerly only been seen as negative, giving them in turn a dignity, and an intimacy that ‘familiarité’ lacked. Until the seventeenth century, what in France was private, or fitted into its paradigm, was far from what we would recognise as privacy. As a sphere protected by law, this notion is the result of long-term historical construction. It is my belief that this construction is slipping away. I am not the only one to entertain this opinion. Facebook might be analogous to a court: a social formation but without a clear public aim. Twitter, on the other hand, is more obviously oriented towards the public, and, as demonstrated by daily examples in the USA, France, and elsewhere, public figures and rulers are speaking in a very *familiar* manner. It seems to me that this must be related to the development of incivility, or the violence referred to by Norbert Elias as the ‘process of decivilisation’.⁶² Even if the Eliasian notion of a process of civilisation remains open to debate, it was nonetheless, to my mind, linked with the development of privacy.⁶³

Translated from French by Amanda Jane Vredenburg, Adam Horsley, and Lars Cyril Nørgaard.

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62 Elias N., *The Civilizing Process* (Oxford: 1997).

63 See Merlin-Kajman H., “‘Une troisième espèce de simple dignité’ ou la civilité entre l’honneur et la familiarité”, in Cosandey F. (ed.), *Dire et Vivre l’Ordre Social en France sous l’Ancien Régime* (Paris: 2005) 231–279; idem, “Civilité, civilisation, pouvoir”, *Annuaire de l’Institut Michel Villey. Droit & Philosophie* 3 (2011). Online edition. <http://www.droitphilosophie.com/article/lecture/civilite-civilisation-pouvoir-34>.

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How to Approach Privacy without Private Sources? Insights from the Franco-Dutch Network of the Eelkens Merchant Family around 1600

Willem Frijhoff

1 Introduction

Privacy is at the heart of the cultural historians' work, but in most cases, they must construct it from sources not meant or intended to present it.¹ This exercise requires a strong amount of empathy and a well-considered effort of interpretation, on top of the layers of interpretation, which every historical research implies. The availability of adequate sources and an accurate reflection on notions and theory are therefore equally important in all forms of research on privacy. This is still more the case in early modern history. Contrary to the medieval period, for which sources are most often unique or have been conserved piecemeal, for the early modern era many serial sources are or have been made progressively available, such as baptismal and marriage registers, notarial deeds, lawsuits, *alba amicorum*,² or private correspondence. Moreover, personal journals, and other so-called ego-documents that have come to the fore in research in the last forty years or so are one of the most obvious sources for research on privacy. They permit a privileged view into many aspects of reconstructed or publicly displayed personal life stories. However, contrary to our current period, relatively few sources permit a direct view into the inner life, the emotional impetus, and the expressed motivations of historical persons. The ambition of the cultural historian is to go beyond the simple facts of life listed in formal documents. They intend to discover, disentangle, and reconstruct meaningfully the experience and agency of the individual in the triple environment of family and kinship, community, and society, and hence to assess the influence of each of these vital dimensions on the subject's life story.

1 All translations are mine unless otherwise stated.

2 An *album amicorum* is a notebook in which dedications to its owner were collected. Such an *album* could be signed at the end of one's studies by fellow students or during the Grand Tour (an educational journey).

This historian's ambition to get a better understanding of the historical character of past societies regards directly the notion of privacy for at least two reasons. Firstly, historical research into what privacy entails permits us to discover the dimension of personal agency as a constituent of an ever more global and general historical analysis. It asks the question of what exactly motivates a person beyond acquired cultural conventions, group constraints, common habits, or instinctive and seemingly self-evident traditions, and how human will, chance, accident, and unplanned circumstances affect the life, thought, and agency of the individual as well as of the community. Secondly, research into privacy always implies the risk of a personal involvement of the historian because privacy as a historical category escapes any general categorisation. Privacy must always be constructed as a subject of history or memory, including in historical sources focused directly on the private dimension of human life. More than other historians, those conducting privacy research must therefore remain particularly aware of their own involvement in their research theme and in the way they construct their argumentation.

Yet, there are levels in the historical analysis of privacy. The first level is that of the construction of the formal distance between an individual and the objective environment in which s/he lives. People do not automatically adopt the structures, conventions, and uses of the society or community in which they have been educated and/or in which they live, but they adapt them and memorise them in accordance with the variety of their experiences and impulses that mark their individual existence in each historical environment. This means that people with a virtually identical background may in fact behave and structure their life in very different private ways, without feeling a substantial gap in the field of their common experiences. This level of objectivated, semi-public privacy is the most easily accessible one for the historian because it can be researched by examining objective or material, often public sources about the data of personal life, writings, work, and social contacts. The second level of privacy is that of the way in which these facts and relations are lived, assimilated, and remembered in the mind of individual persons, and in which they acquire a specific personal meaning and become the starting point of new individual actions and experiences, either consciously or unconsciously. The sources included in this second level are in themselves subject to caution, however, because they do not speak directly or objectively.

For many years, my own research as a cultural historian has focused on the relation between personal agency in the private sphere and social frameworks, networks, and constraints, including both levels.³ I deem it important

3 See Frijhoff W., *Wegen van Evert Willemsz. Een Hollands weeskind op zoek naar zichzelf, 1607–1647* (Nijmegen: 1995) [English version: Frijhoff W., *Fulfilling God's Mission: The Two*

for historians to account publicly for their reconstruction of history and their images of the past, and to explain their personal position in their research fields. In what follows, I will take some elements from my recent ongoing research – an extensive micro-historical study of an early modern Franco-Dutch cluster of families – to illustrate my points on early modern notions of privacy. I will focus on the two levels of privacy defined in the previous paragraph and try to discover how they can be combined for the global analysis of privacy in a specific historical cluster of persons. My analysis will be based on the example of the extended Eelkens family from Bois-le-Duc (‘s-Hertogenbosch, in the Dutch province of Brabant), heavily engaged in the international fur trade of the time. Although citizens of the Dutch Republic, they remained active members of the Catholic Church, which in a formally Protestant state was a first opportunity for privacy arrangements.

The interest of this family cluster lies in the fact that contrary to the documentary basis of many analyses by cultural historians, its members did not leave a substantial volume of writings that would have made it easy to address their life straightforwardly in terms of spiritual experience. We must discover, define, and finally solve the cluster of their individual actions, expressions, and possessions, and of their spiritual, social, and material culture. We must then recombine them into the privacy dimension of a family story. In fact, this is a challenge. It requires ongoing research in several layers of sources and cannot really be achieved in the context of one scholarly article, where just the general trends of the approach can be presented.

Worlds of Dominie Everardus Bogardus 1607–1647 (Leiden – Boston: 2007)]; idem, *Embodied Belief. Ten Essays on Religious Culture in Dutch History* (Hilversum: 2002). On the research method, see Frijhoff W., “Experience and Agency at the Crossroads of Culture, Mentality, and Contextualization. The Biography of Everhardus Bogardus (c. 1607–1647)”, in Bödeker H.E. (ed.), *Biographie schreiben* (Göttingen: 2003) 65–105; idem, “The Improbable Biography: Uncommon Sources, a Moving Identity, a Plural Story?”, in Berghahn V.R. – Lässig S. (eds.), *Biography between Structure and Agency: Central European Lives in International Historiography* (Oxford – New York: 2008) 215–233. Other examples are Frijhoff W., “Seitenwege der Autonomie. Wege und Formen der Erziehung in der Frühen Neuzeit”, in Jacobi J. – Le Cam J.L. – Madoff H.U. (eds.), *Vormoderne Bildungsgänge. Selbst- und Fremdbeschreibungen in der Frühen Neuzeit* (Cologne – Weimar – Vienna: 2010) 25–42; idem, “A Misunderstood Calvinist: The Religious Choices of Bastiaen Jansz Krol, New Netherland’s First Church Servant”, *Journal of Early American History* 1 (2011) 62–95. The work and approaches of Michel de Certeau have inspired me for many decades: idem, “Michel de Certeau (1925–1986)”, in Daileader Ph. – Whalen Ph. (eds.), *French Historians 1900–2000. The New Historical Writing in Twentieth-Century France* (Chichester: 2010) 77–92.

2 Level 1: The Private Dimension of the Public Sphere

2.1 *Jacob Eelkens (1591/92 – in or after 1634)*

Let me start with the figure of Jacob Eelkens – or Jacques, as he commonly called himself, probably because the family identified itself with the French-speaking immigrants in Amsterdam, or perhaps to be distinguished from his homonymous father Jacob senior. The latter, himself a chamois merchant, was born in Bois-le-Duc in 1571 but settled as a fur trader with his family in the heart of Rouen in 1599, at the corner of the central marketplace. In 1610, he founded in Le Havre a company for commerce between France and Canada and he died in Rouen in 1629.⁴ Young Jacob junior was himself an intelligent merchant who owing to his role in the fur trade was one of the first Dutchmen to live among the native Americans in the brand-new colony of New Netherland, the present-day state of New York. He must have decided to settle among them without conserving the links with the family in his fatherland, about which there is no trace in the Dutch archives until his return some years later. He traded with the natives, learned, and spoke their languages, and, as we may infer from his commercial success and the positive image the natives maintained of him until long after his death, he must have adopted their way of life and understood their social intercourse during his prolonged and most probably isolated stay among them in the years 1612–1614. The European traders called the natives ‘Wilden’ (‘Savages’ or ‘The uncivilised’), but in the eyes of young Jacob they were evidently not without regulated conduct, although the parameters of their norms, values, and actions did not conform to those of the European Christians. He proved to be able to adapt, at least temporarily, his world picture and agency to this new social environment. He developed and adapted his private standards for a fruitful exchange in accordance with what the natives expected from him [Fig. 5.1].

Obviously, the question of the relationship between private norms and public appearance looms large in the research for the life story of such an isolated trader in a very new environment. How did he manage to be accepted? How much of his European values and customs did he give up for integration in such foreign cultures? Did this include the semi-private sexual promiscuity customary between members of befriended tribes, and subsequently quite often also between Europeans and natives? Did he share his life with Indian women and perhaps have children with them? Some time later this was notoriously the

4 Most sources of this article are listed in Frijhoff W., “Jacob Eelkens Revisited: A Young Franco-Dutch Entrepreneur in the New World”, *De Halve Maen. Magazine of the Dutch Colonial Period in America* 88.1 (2015) 3–12.



FIGURE 5.1 Adriaen Block, *Kaart van Nieuw-Nederland, benevens een gedeelte van Nova Francia en Virginia* (*The first map of New Netherland [now New York State], between Virginia and New France*), 1614. Map, 0.64 × 0.49 cm. To the left in the middle: the Hudson river and the meeting site of the native nations. Jacob Eelkens probably used this map (or a lost copy of it) during his three-year stay among the natives. The National Archives, The Hague, 4.VEL Inventaris van de verzameling buitenlandse kaarten Leupe, 1584–1865, 520

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case with several other colonists, whose European-Indian children born out of wedlock played a role as interpreters and go-betweens among the ethnic groups, and were even baptised in some cases, although the natives generally remained very reluctant towards European, Christian rituals. At that time Jacob was not yet married and nothing specific is known about any American offspring. During his short stay in Amsterdam in 1619, he married a carpenter's daughter, Grietgen Wolferts (he was 27 and she was 29), but nothing is known about their children either.

However, in 1643, thirty years after Jacob's first stay in North America, a group of Indian chiefs traded with the Dutch merchant David Pietersz de Vries (1593–1655), known among them as a friendly and trustworthy trader, just like Jacob Eelkens, who by then had disappeared from their view. In the autobiographical book De Vries published later, he quoted extensively the speech held at that meeting by an Indian chief who complained about the bad treatment inflicted upon his people by the Europeans.⁵ The chief told how upon the arrival of the first European ships, one generation earlier, the Indians had guarded and sold the ship's load for them, protected the sailors as 'the apple of their eye', and lent them their daughters to sleep with. The chief also claimed that they had had children with them – many natives, said he, were the fruit of a union with a European. Therefore, when Europeans fought and killed natives, they killed their own blood. The chief must have referred here to, among others, Jacob Eelkens, who was one of the leaders of the first expeditions and who was probably the only one that remained settled among the natives during extensive periods. Implicitly, the chief's speech teaches us also that the notion of privacy, if ever it existed, must have had a different meaning among the natives than among the Europeans when it came to intimate relationships for unmarried couples, which formally would be disallowed by Christian teachings.

We know, at any rate, that, together with his ship's captain Hendrick Christiaensz (who died in 1619 during an Algonquian attack), merchant Jacob Eelkens was also the first European to conclude, early in 1613, a formal treaty of commerce and friendship with the native tribes to secure the fur trade. According to local lore, a covenant chain and a wampum band with two rows of shells, one for each of the partners, sealed the treaty. The agreement permitted the 1614 construction of the first European fortress in that area at the site on the Hudson River where the Iroquois and Algonquin tribes had their meeting-place, near present-day Albany. It was called Fort Nassau. Jacob

5 Vries David Pietersz de, *Korte Historiæ ende Journaels aenteyckeninge van verscheyden Voyagiens in de vier deelen des Wereldts-Ronde*, 4 vols. (Hoorn, voor D.P. de Vries: 1655), ed. H.T. Colenbrander (The Hague: 1911).

became commander of that small fortress and would stay there as a merchant for some time. The treaty included the so-called Five Nations, i.e., the Mohawks of the Iroquois confederation on one side of the Hudson, but also their rivals, the Mahicans on the other side. This two-sided covenant was essential for securing peaceful commerce because, contrary to the rather peaceful Mahicans, who were devoted to agriculture, the Iroquois were a belligerent nation. The Iroquois tribes cultivated a rather aggressive attitude towards any competitor and they were known for a culture of refined cruelty towards their rivals. As such, they must have appreciated Jacob's own strong and outspoken personality that reflected their own bravery. In their negotiations with the white colonists at the end of the seventeenth century, three generations later, the Iroquois tribes kept a vivid remembrance of 'a governor called Jacques', the prototype of a good European in terms of conviviality, friendship, and accommodation with the natives, who should be an example for their white neighbours.⁶

Yet, in subsequent years, Jacob engaged in less friendly actions. In 1622, as commander of Fort Orange, the successor of Fort Nassau, he was responsible for the capture of a *sachem* (chief) of the Sequin or the Pequot tribe. He released the chief after ransom was paid in *sewant* or *wampum*, money consisting of shells on a string. But after due reception of the money, the chief was killed nonetheless – proof that the Europeans could not be trusted, as the Dutch chronicler Nicolaes van Wassenauer judged the treacherous behaviour of Jacob himself or his companions some time later.⁷ This public crime made the natives seek vengeance and resulted in years of fear and misery among the immigrants who colonised the Indian territories. In his later life Jacob fought several battles with the Dutch authorities as well as with some Indian tribes, and he probably died in or after 1634, in the service of the English fighting the Dutch in America.⁸ There is in this case an obvious dissonance between the European and the Indian norms of privacy in what concerns sexuality. The trusting relationship Eelkens establishes with the natives at first enables him

6 Richter D.K., "Rediscovered Links in the Covenant Chain: Previously Unpublished Transcripts of New York Indian Treaty Minutes, 1677–1691", *Proceedings of the American Antiquarian Society* 92.1 (1982) 45–85, here 48–49, 75–76, and 81.

7 Wassenauer Nicolaes van, *Historisch verhael alder ghedenck-weerdichste geschiedenisse, die hier en van den beginne des jaers 1621 [tot Octobri des jaers 1632] voorgevallen syn*, vol. 4 (Amsterdam, n.p.: 1626) November 1626.

8 De Vries, *Korte Historiae* (ed. 1911) 174–175; Winthrop John, *A Journal of the Transactions and Occurrences in the Settlement of Massachusetts from the year 1630 to 1644* (Hartford, Elisha Babcock: 1790) 48; O'Callaghan E.B., *Documents Relative to the Colonial History of the State of New York*, vol. 1 (Albany: 1853) 71–81, 91–95.

to enter their 'private' comfort zone and achieve a favourable trade agreement, but does not prevent him from betraying their trust when it is convenient for him.

2.2 *François Eelkens (1595–1665)*

Genealogical research has revealed that Jacob (Jacques) Eelkens was the elder brother of another intriguing personality, François Eelkens, one of the very first members of the new Tridentine congregation of priests called the Oratory of Jesus.⁹ Full of zeal for the conversion of the Protestants and the re-Catholicisation of his Dutch fatherland, he worked in the clandestine Catholic Holland Mission in Leiden, where in the years 1640–1643 he was also the confessor of the army officer and philosopher René Descartes (1596–1650), who, although living his public life in a Protestant state, had conserved his private convictions and rituals as a practising Catholic.¹⁰ Contrary to the ambiguous reputation of Jacob Eelkens as a good European on the one hand, and easily breaking his word on the other hand, his younger brother François won the fame of a 'living saint' as director of his religious community in Brussels. Such intriguing coincidences of exceptionally active lifestyles of seemingly opposite personalities justify the search for public or private elements in their life stories that could explain their diverging life courses and spiritual orientations. Jacob and François were brothers, but did not have the same legal status. Jacob, born before the marriage of his parents, was an illegitimate child and as such could not play any part in his family's legal proceedings nor legally inherit its fortune. Due to this impediment, he lived virtually outside the public sphere of his parents' life. His grandmother left him some money in her will, undoubtedly aware of young Jacob's fragile future, but nothing is known about a possible donation by his parents. Besides, although Jacob worked for some years as a merchant in the corporation of his uncle Hendrick Eelkens (1575–1630) who was trading with North America, he remains totally absent from all those family records in which common family concerns are settled and the family members sign their agreement. I assume that his seclusion, typical of the legal status of illegitimate children, must have been the trigger for his need to develop a private life course far from his family's public life and from any major intervention of its members.

9 Frijhoff W., "The Oratory in the Seventeenth-Century Low Countries", *Revue d'histoire ecclésiastique* 107 (2012) 166–222, here 196.

10 Cf. Baillet Adrien, *Vie de M. Descartes*, 2 vols. (Paris: 2012 [Paris, chez Daniel Horthemels: 1691]). See vol.1, 194; vol. 2, 527.

Jacob's younger brother François did not inherit from his family's fortune either, but for a very different reason. He was a priest and he belonged to a religious congregation that, according to custom, would have seized and used for its own exclusive profit whatever heritage he would have received. From the very start the two boys followed their own path. François's priestly status corresponded well with the family's religious outlook and ambitions. As helper of the victims of the plague in France in the 1620s, as director of the Oratorian college in Louvain, as superior of the noviciate in Brussels, and as an investor in the 1656–1660 land reclamation project on the island of Nordstrand (Holstein) set up by members of his congregation, he figures in several documents regulating the status, the morality, and the future of its members.¹¹ Yet, his personal life story shows a man gifted with a very strong will, open to whatever life might bring him – an openness and a receptive mind similar to what we have just seen of his older brother.

2.3 *Two Brothers in Public and in Private*

To understand the relations between these two private lives, their common family background, and their public representation, at level one, I have reconstructed the entire family, including some generations of the brothers' paternal and maternal ancestors, to discover until what point something like a family habitus, transmitted by education, could be defined, and where personal choices interfered. Next to material factors such as the transmission of money, housing, or an enterprise, and the concern for a suitable education and a marriage with an appropriate partner, family habitus is also a private factor, or at least a factor privately transferred and difficult to retrieve or define in the sources. But in societies with a rather stable social hierarchy like those of early modern Western Europe, family habitus explains much of the good (and occasionally the bad) fortune of a family over time, from generation to generation. In this research, I discovered how tightly the extended Eelkens family and its many members were entangled in a complex kinship of five or six families in Amsterdam and Rouen, closely interrelated by marriage, work, cultural level, social status, and religious choice. This kinship was expressed and duly appreciated in a multiplicity of actions, texts, formulas, situations, and relations, clearly showing that the members of these families shared a common interest and common work for common targets in their public life. They did so

11 Heussen Hugo Franciscus van, *Historia Episcopatum Foederati Belgii*, vol. 1 (Leiden, Christiaan Vermey: 1719) 43; [Swert Pierre de], *Archi-Episcopus Mechliniensis diffusae* (Whitefish, MT: 2010 [Lille, Petrus Matthon: 1740]) 35–36, 73, 81, 85, and 102–103.

in two different areas: professionally, as international merchants, and privately, as practising Catholics who tried to save their faith and re-Catholicise their country in the context of the clandestine exercise of their religion to which they had been forced by the Reformed authorities of the Dutch Republic.

The Eelkens family comes from Bois-le-Duc, in Brabant, where they can be traced back to the early fourteenth century, when they participated in the leather crafts or the fur trade. My reconstruction focuses more specifically on the migration of enterprising family members to the commercial metropolises Amsterdam (Holland) and Rouen (Normandy, France) between 1580 and 1600, of their offspring to Cologne (Holy Roman Empire) and Oslo (Denmark-Norway) in the decades around 1600, and later to Antwerp, Brussels, and Paris. However, this work constantly provokes new questions of a theoretical and methodical nature, such as whether we can imagine and reconstruct what privacy means in an early modern metropolis of tens of thousands of inhabitants, surrounded by city walls, and crowded far beyond the point of reasonable human population [Figs. 5.2–5.3].

By 1600–1625, both Amsterdam and Rouen were crowded, growing cities of probably 60,000 to 80,000 inhabitants, obviously lacking private space.¹² Amsterdam even tripled that number over the century, arriving at more than 220,000 inhabitants. Around 1600, before the great expansion of Amsterdam with the famous circular range of canals, it was nearly impossible to secure intimacy outside the most basic needs. Just like the less affluent burghers, the mighty regents and the richest merchants lived in high and narrow houses in equally narrow commercial streets, like the main artery, the Warmoesstraat – at present the centre of the drugs and sex trade of the city. Persons of different family backgrounds or origins often shared bedrooms and even beds, as I have been able to show in my study on the youth of the Reformed minister Everardus Bogardus (1607–1647), who shared his bed with several children in the orphanage of his small town of Woerden. Hence, they noticed each other's dreams and consequently interacted, as well as exposed these dreams to the authorities when asked.¹³

12 Frijhoff W. – Prak M. (eds.), *Geschiedenis van Amsterdam*, vol. 2–1: *Centrum van de wereld 1578–1650*, 2nd ed. (Amsterdam: 2009 [2004]); Farin François, *Histoire de la ville de Rouen*, 3rd ed. (Rouen, chez Louis du Souillet: 1731).

13 Frijhoff W., *Fulfilling God's Mission* 64–65. Young Bogardus's dreams revolved around religious topics and his own spiritual vocation.



FIGURE 5.2 Israël Silvestre, *Gezicht op de haven van Rouen (View of the Harbour of Rouen)*, ca. 1657. Print, 11.8 × 20 cm. Le Port du Bac was located close to the trading district.
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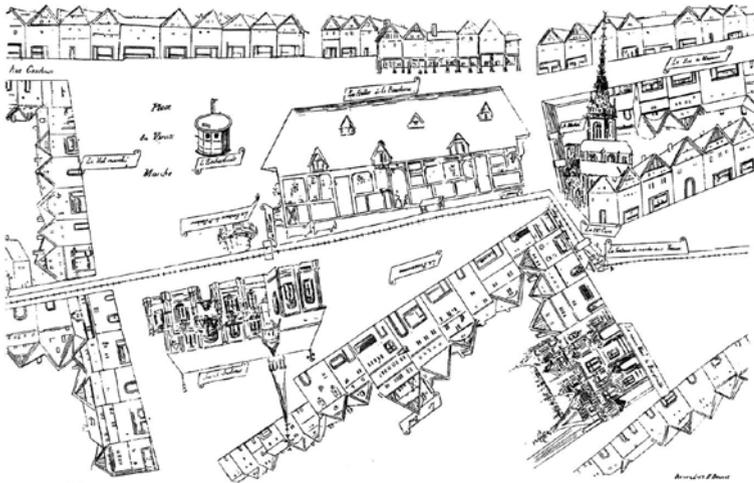


FIGURE 5.3 Helen M. James – Jane E. Cook (illustr.), *Plan of the Vieux-Marché and of the Marché aux Veaux*, 1899. Print. Rouen, the Old Market Place after an early sixteenth-century town map, showing the Butchers Hall and two parish churches, St. Savior and St. Michael (on the right). Next to St. Michael, the Eelkens lived at the angle of the rue du Massacre or the rue du Gros-Horloge, north of the church where Jacques and Pierre Eelkens were treasurers. From: Cook Th.A., *The Story of Rouen* (London: 1899) 209
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2.4 *The Local Setting*

The same density in population marked early modern Amsterdam. This is clearly shown by one particularly rich source, the registers of the 1606 lottery organised throughout the province of Holland for the construction of a charitable institution in Haarlem.¹⁴ Thousands of inhabitants of Amsterdam participated in the lottery: young and old, male and female, masters and servants, who all adored gaming and wagering, as most Dutch people did at that time. Next to a personal rime or a short textual identification, the registers list the address and the name of the proprietor or main tenant. On close analysis, it appears that next to the family with its children and sometimes their grandparents, a sizeable number of servants, co-workers, tenants, lodgers, and other people who did not belong to the nuclear family often shared the family home. Moreover, much space was taken by the warehouse function of all merchant dwellings in the early modern cities before they were extended beyond the old city walls. Finally, the spatial division between work and family life was not self-evident until later in that period [Fig. 5.4].

The probate inventories of the properties, monetary assets, and material possessions of deceased family members constitute another precious source. Sworn women, who were able to identify and describe less common and even rare objects, described room by room the content, furniture, objects, garments, and paintings in the houses of the deceased. The notarial registers indicate overcrowded interiors shared by many co-residents and rooms with a plurality of functions, in which individuals, men and women alike, most often had to conquer space for their private sphere and personal needs. The beautiful images of clean, seventeenth-century Dutch interiors with expensive furniture but nearly void of inhabitants, portrayed by painters like Johannes Vermeer (1632–1675), Nicolaes Maes (1634–1693), or Pieter de Hooch (1629–1684), in fact hardly depict reality. They are emblematic constructions of the theme of ‘domestic intimacy’ that suited the new ideals of familial privacy of the successful bourgeoisie and the upper layers of society.¹⁵

14 See for example: “Registers Haarlemse Loterij 1606 – nrs. 2–3”. Online edition. Accessed 1 April 2021. https://www.vpnd.nl/bronnen/nh/haarlem_loterij1606/haarlem_lot1606_01.pdf/. Such registers of the so-called ‘Haarlem’s Lottery’ existed also for other Dutch cities, including Amsterdam, Delft, Gorcum, and The Hague.

15 One study presenting such new ideals is Stevin Simon, *De Huysbou*. See the edition by Van den Heuvel Ch., *‘De Huysbou’: A Reconstruction of an Unfinished Treatise on Architecture, Town Planning and Civil Engineering by Simon Stevin* (Amsterdam: 2005).



FIGURE 5.4 Cornelis Anthonisz, *Bird's eye view of Amsterdam*, 1544 [reprint published by Ian Iansz. 1557].
Print, 10.7 × 10.9 cm

PUBLIC DOMAIN. WIKIMEDIA COMMONS

2.5 *When Private Turns Public: The Case of Swaentgen Joosten (1579)*

The families I am dealing with counted many illegitimate children, 'bastards' who had to construct their own, personal way of life, often diverging from the prevailing habits of their family. Half-brothers and half-sisters were common in the repeated stream of remarriages due to frequent deaths in childbirth and deaths from the plague and other diseases without a proper diagnosis or treatment. They could put the family cohesion under pressure or even cause splits. Take, for example, the family of Swaentgen van Dulmen (1569–1652), the mother of Jacob and François Eelkens. She was the daughter of the wholesale

merchant in herbs and spices (a grocer, in the terms of that day) and pharmacist Court Jansz van Dulmen (1538/39–1602). He had migrated to Amsterdam from the small Westphalian town of Dülmen, close to the Dutch border, and established his flourishing shop, in fact a small proto-industrial and semi-colonial enterprise, at the corner of the Warmoesstraat and the Dam Square, in the very centre of the city. Court himself was a son of Johann Courdes (ca. 1500–after 1540), one of Dülmen's burgomasters (city magistrates) and probably the grandson of a schoolmaster. Court may have inherited his grandfather's interest in knowledge that he manifested in his donation to Leiden University Library as early as 1597, of a Javanese manuscript on the Mahometan religion brought by his correspondents from their voyage to the isle of Java.¹⁶ Johann Courdes had children from what seems to have been a rapid series of three marriages. They mostly called themselves 'van Dulmen' after their town of origin, or used a patronymic like Jansz, son of Jan, a paternal reference that favoured the links of family intimacy. Johann Courdes's close family included a stepson from a previous marriage of one of his spouses, Michiel (born probably before 1538–died 1607/08), who also called himself Fonteyn. In later years, Michiel Fonteyn migrated to Oslo in Norway where he married and rose to some local fame as a merchant and magistrate. But first all these relatives migrated to Amsterdam in the 1560s and formed a tight clan of immigrants there, acting in close union on many occasions during several decades. Apparently, the individual fate of these family members was largely determined by the family habitus, a pre-existing frame of family interests, modelled after the common image of the family's public trajectory as traders in different goods, such as groceries (spices from other continents), beer, or timber, always with a view to the overseas trade [Fig. 5.5].

Yet, these bonds could be too close, even suffocating, for those who claimed a personal choice for their future and wanted to escape the compelling family habitus. That was the case of Swaentgen Joosten (before 1560–1607), a niece of Court Jansz van Dulmen, daughter of his half-brother Joost Jansz (ca. 1535–1588?). In 1579, she lived in the home of her uncle Court, in the grocery shop near the City Hall of Amsterdam when she wanted to marry young Wouter Willemsz (ca. 1555?–1612), the son of Willem Corsz (who had died in 1572/73). Wouter was an up-and-coming timber merchant who some years later had a popular inn and an auction house in the Zeedijk, the neighbourhood where

16 Leiden University Library, Oriental Ms. 266. On its origin: *ibidem*, Ms. BPL 747, "Letter from Paullus Merula to Conradus van Dulmen", *ibidem*, October 1597; Molhuysen P.C., *Geschiedenis der Universiteits-Bibliotheek te Leiden* (Leiden: 1905) 18, footnote 1.



FIGURE 5.5 Simon Fokke, after Izaak Jansz. de Wit, after Adriaen van Nieulandt, *Koppermaandag met leprozenoptocht te Amsterdam, 1604* (*Plough Monday with Leper Parade in Amsterdam, 1604*), 1769. Print, 19 × 25.5 cm
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the sailors spent their modest wages on drinks.¹⁷ When Swaentgen's uncle Court, who acted as her legal guardian, refused to agree with her choice, she left his house against his will and went to her sweetheart with whom she 'oock alsoo dat sy enige dagen by malcander gegeten, gedroncken, geslapen, ende als getroude luyden geleeft hadden' ('lived, ate, drank, and slept as a married couple during several days'), as the commissioners of marital affairs formally stated.¹⁸ That must have been quite a public scandal. Having lived as husband and wife, as the terms of the formula proved, they claimed the right to be known as a married couple. However, the commissioners refused to accommodate this demand and urged for a reconciliation with her uncle. In vain. When

17 Hell M., *De Amsterdamse herberg 1450–1800. Geestrijk centrum van het openbare leven* (Nijmegen: 2017) 152.

18 Municipal Archives Amsterdam, DTB 762, fol. 8 (4 July 1579).



FIGURE 5.6 Anonymous, *Welvarende calvinistische familie* (*Prosperous Calvinist [?] Family*), 1627. Oil on panel, 22 × 19.1 cm

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the young man persisted in his marriage design, his family brought the affair before the burgomasters. The burgomasters summoned all those involved to the city hall together, and after ample consultation they concluded that the matter had gone too far. While the initial relationship of the couple was private, i.e., involving just the two of them, it had become known to their close relatives and probably also their extended family. At the third stage, when the scandal was brought to the attention of the magistrates, it became truly public. As at this point it would have been known to all, the burgomasters decided that their prolonged near-public concubinage justified a formal marriage with a consummation *in facie ecclesiae* (in the face of the Church). Guardian Court van Dulmen remained opposed to this solution, but once the marriage was formally concluded, the burgomasters achieved his reconciliation with his niece [Fig. 5.6].¹⁹

Swaentgen Joosten may already have been visibly pregnant because her oldest son was born some months later. What seems in this document to have been a purely private affair, involving only the couple and their families, may

¹⁹ Ibidem.

however have entailed a broader background of private choices in a public setting. Indeed, the burgomasters passed judgement on this affair on 4 July 1579, that is, thirteen months after the Alteration – the deposition of the Catholic city government and its replacement by a predominantly Reformed council.²⁰ It appears that the younger children of Swaentgen and Wouter Willemsz were baptised in the Reformed Church, and in later years married there. Court van Dulmen, however, remained a convinced and active Catholic, just like his two daughters: the oldest, also called Swaentgen, married to Jacob Eelkens the elder (the father of Jacob and François mentioned above); the youngest, Lysbeth (1571–1640), living in concubinage with the Catholic merchant Hendrick Buyck (1551–1613), who was unhappily married and lived separated from his stern Anabaptist wife. Nevertheless, blood ties proved to be stronger. When 14 years later, in May 1593, Wouter Willemsz and Swaentgen, now prosperous inn owners, drew up their will in their own home, uncle Court was present and granted his permission as Swaentgen's guardian, together with Wouter's Protestant mother. The merchants Hendrick Buyck and Jacob Eelkens, each of them living with one of Court's daughters, and active Catholics too, signed the document as witnesses.²¹ This shows that the family bond, ruptured by the 'private' relationship of Swaentgen with Wouter Willemsz, was restored. Apparently, family ties in the private sphere were more important than public religious dissent.

3 Level II: Privacy at the Interspace between Public Display and Intimacy

3.1 *Privacy and Religion*

At this point, I must make some more general remarks. Most members of the families under consideration, in particular the next-of-kin of the Eelkens, showed a militant Catholic spirit in the largely Protestant environment of the Netherlands or in the stern Counter-Reformation atmosphere of early seventeenth-century urban France. Religious identity played a significant role in their identity policy, notwithstanding obvious strategies of religious accommodation and practices of toleration in the public everyday life of that multi-confessional society.²² The same holds for their educational strategy,

20 The so-called Alteration (*Alteratie*) of the city government banning from urban life all public expressions of Catholicism occurred on 26 May 1578.

21 Municipal Archives Amsterdam, Notarial Archives, vol. 22, fol. 108 (notary Jacob Gijsberti).

22 Cf. Frijhoff W., "Dimensions de la coexistence confessionnelle", in Berkvens-Stevelinck C. – Israel J. – Posthumus Meyjes G.H.M. (eds.), *The Emergence of Tolerance in the Dutch Republic* (Leiden – New York – Cologne: 1997) 213–237; idem "La coexistence

entailing for some of them a prolonged stay at the Catholic universities of Louvain and Cologne, outside the Dutch Republic. However, most family members were much more doers and go-getters than thinkers or intellectuals. If (international) commerce evidently determined their public fate, how about privacy? To what extent was privacy for them a social matter, regulated by community norms, prescriptions, or unwritten rules in the Catholic community, as an alternative society, obliged to exercise their religion in secret?

An interesting insight into the strength of those norms is a notarial declaration made by a priest still residing privately in Amsterdam in 1596, eighteen years after the Alteration. The declaration was drafted on demand of the widow of Master Maarten Blocklandt, a neighbour in the Warmoesstraat and pensionary (the juridical advisor of the city council of Amsterdam during the Catholic period, from 1564 to 1578) and in the presence of two other priests living clandestinely as burghers in the city. The notary was also known as an active Catholic. Viewed in the light of our interest in privacy, the declaration is exceptional because it implies revealing the secret of the Holy Confession that has always been the best guarded of all forms of private communication in the Catholic Church. Blocklandt was accused of connivance with the King of Spain by the Reformed city council of his birth town Amersfoort. The priest who acted as his confessor for fifteen years declared that Blocklandt had never done so in Amsterdam or elsewhere. On the contrary, when he was dismissed from his municipal charge at the Alteration of Amsterdam, he completely retired from public office and turned to a purely private exercise of his profession as lawyer. In his confessions, Blocklandt had never accused himself of any action against his conscience, against the obedience of the Holy Church, or against the King of Spain, not even when the priest had administered the last sacraments on his deathbed. The confessor knew him as a very scrupulous man who certainly would have accused himself of such sins if he had committed them.²³

For the experienced historian of early modern societies, other, more general but no less seminal, questions also arise during such research. We must avoid projecting modern categories onto historical material and remain close to the sources in a to-and-fro movement between the text and scenarios provided by our sources and our own story, images, or reconstructions. We must therefore always check in which setting and at which level privacy is implied, invoked, or

confessionnelle dans les Provinces-Unies: un régime de connivence à plusieurs vitesses", in Dumont M. (ed.), *Coexistences confessionnelles en Europe à l'époque moderne. Théories et pratiques, XVI^e-XVII^e siècles* (Paris: 2016) 105–124.

23 Municipal Archives Amsterdam, Notarial Archives, vol. 32, fols. 390v–391r (notary Jacob Gijberti).

identified: the familial level, the social level, the inter-confessional level, etc. We must also determine whether we are speaking about historical experience or present-day images of history. One of those tricky master-images is that of the 'tolerant society', cherished by most Dutch people and foreign observers as the privileged image of their Golden Age.²⁴ Public toleration would have fostered the rise of individualism and the forms of privacy connected with that image. The main question therefore is whether privacy, defined as the intimate facet of private or public norms and behaviour, really mattered in that society and for the family in its more global activities. Do we, as historians, need the concept of privacy for a global family search? Do the main lines of development, organisation, and evolution not suffice for the historian who wants to obtain an image of a family history in its social setting? Does a search for privacy add anything substantial? At any rate, we must consider the slowly changing relation between the private and the public sphere, a paradigm closely related to the changing perception of the 'self' in history. Therefore, the historian must remain receptive to the changing perception of a fully-fledged sense of individuality in the population of a given historical place and period, or in some of the groups or communities that are part of it.

Applying this demand to the Catholic population of the Dutch cities after the introduction of the Reformation, one of the specific dimensions of privacy in such a secluded community is the need to develop cultural strategies for the construction of the private and the public space within the community itself, that is, in a certain sense, of specific forms of privacy within the generally privatised space of the forbidden religion. There are certainly ways to detect this, for instance via the content of personal libraries, or, still better, in probate *post-mortem* inventories. The latter show how spaces are arranged within the standard seventeenth-century layout of a private house and how objects are reserved for a still more private confessional use. An example in my research are the documents drafted after the death of Lysbeth Courten van Dulmen in 1640. Her probate inventory states expressly that the portraits of her ancestors and of her second partner (her husband, after a first union without marriage) hung in the public sphere in the front rooms of the house, where well-known social relations could safely be shown. They pertained to the semi-private dimension of her personal identity. But the same was true for the images of

24 Frijhoff W., "La tolérance sans édit: la situation dans les Provinces-Unies", in Delumeau J. (ed.), *L'Acceptation de l'autre de l'Édit de Nantes à nos jours* (Paris: 2000) 86–107, 127–128, and 131–134; idem, "Religious Toleration in the United Provinces. From 'Case' to 'Model'", in Po-Chia-Hsia R. – Nierop H. van (eds.), *Calvinism and Religious Toleration in the Dutch Golden Age* (Cambridge: 2002) 27–52.

her former sweetheart outside marriage, his relatives, and their deceased son. However, the portraits of befriended priests and of archduchess Isabella Clara Eugenia (1566–1633), the Catholic sovereign of the Southern Netherlands, who was the enemy of the state but for Lysbeth still must have been the legitimate sovereign, hung in her bedroom. They testified to the permanence of her choice of a more profound private identity, including different values and convictions, and to the desire for another way of life, against the laws of the province.²⁵ In his private space, François Eelkens himself cherished the devotion to the child Jesus, a practice that would become seminal for the new spirituality of the Counter-Reformation. He held his everyday private meditations in front of a human-size Jesus figure of coloured plaster in the centre of his bedroom [Figs. 5.7–5.8].²⁶

Privacy emerges in this religious context in two ways. On the one hand, as the private dimension of the public life of the persons concerned and of public life in general; on the other hand, more particularly, as the secret and clandestine form that Catholics had to adopt in Holland in that period. This was so for the Catholics who had remained in Amsterdam, whereas the family members established in Rouen could actively practise their religion. They did so as witnesses at Catholic baptisms, as guardians of Catholic children, and as churchwardens or treasurers of their parish [Fig. 5.9].

Aeltgen (after 1610–1653), the youngest sister of Jacob and François Eelkens, entered the Ursuline convent in Évreux, a city in Normandy East of Rouen. As a nun under the name of Soeur Alix de Saint-Bernard Elequens she performed semi-public miracles, such as the miraculous multiplication of corn that would have been unthinkable in the cramped and complex confessional context of Holland. According to the chronicle of the convent, her devotion was styled by the Rouen Jesuits and she died in an aura of sanctity, just as her brother who was a priest in Brussels.²⁷ Although the members of the Catholic Eelkens family had to cope with fundamentally different confessional contexts in Amsterdam and in Rouen or Évreux, this seems not to have been felt as a moral or private problem. Indeed, it was after the Alteration of Amsterdam that the Catholic fur trader Frans Eelkens (the elder) left his Catholic town of Bois-le-Duc to establish his trade in booming Reformed Amsterdam – by then a far better place as Amsterdam was the port of departure for merchant

25 Noordhollands Archief Haarlem, Notarial Archives, vol. 153, fols. 55v–60v (notary Jacob Schoudt).

26 Frijhoff, “The Oratory in the Seventeenth-Century Low Countries” 196.

27 Cambounet de La Mothe Jeanne de, *Journal des illustres religieuses de l'ordre de Sainte-Ursule, avec leurs maximes et pratiques spirituelles*, vol. 3 (Bourg-en-Bresse, chez Ioseph Ravoux: 1686) 10–11.

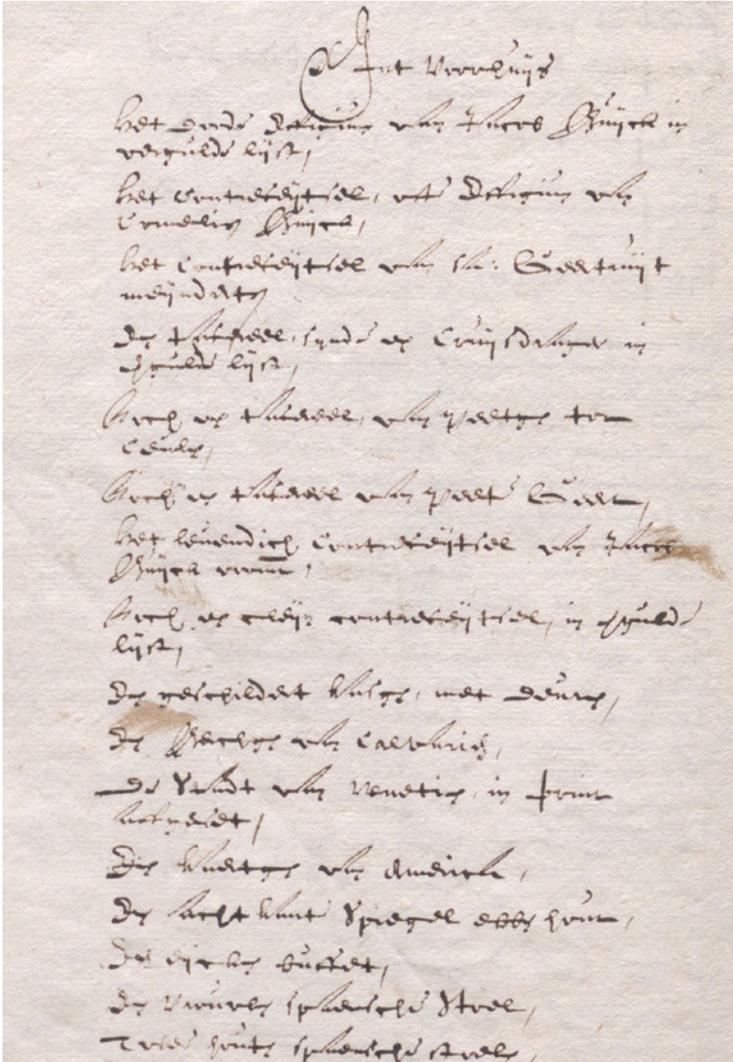
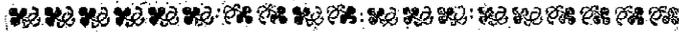


FIGURE 5.8 Noordhollands Archief, Notarieel archief Haarlem 153, f. 55v–60v [notary Jacob Schoudt], here 55v. First page of the probate inventory of Lysbeth Coerten van Dulmen († 1 September 1640); drawn up by her executors, her nephew Hendrick Stockmans (a wholesale merchant) and Cornelis Dirxcs Cool (bookseller). Among the 31 paintings, except those of close family members, several typically Catholic subjects: a Holy Virgin (by Jan van Scorel), a Crucifix, a Christ bearing the Holy Cross, Mount Calvary, an Ecce Homo, the Samaritan Woman, the Four Evangelists, a painting of Jacob and Esau; and also a map of America, and a view of the city of Venice

10. *La V. Sœur Alix de S. Bernard, Elequens. 3. Juillet.*



TROISIÈME JUILLET.

LA VENERABLE SOEUR ALIX DE
Saint Bernard, Elequens, Religieuse
Ursuline d'Evreux.

*Dieu luy avoit mis la parole & la predication à la bouche.
Aux Nombres, Chap. 23. vers. 26.*

N^Otre Sœur ALIX mena une vie toute Religieuse dans le monde ; jusq'au
ce qu'elle se rendit Ursuline ; à peine y fut elle entrée, & envoyée aux classes,
que l'on remarqua que Dieu luy avoit mis la parole à la bouche par l'efficacité
de ses instructions, dont les Pensionnaires étoient si touchés, & en faisoient
un si grand récit que les autres filles par dévotion demandoient l'entendre ;
c'étoit une ame tres-sincere, ennemie des détours, & équivoques ; & ornée
d'une aimable simplicité ; étant Dépositaire lors qu'elle n'avoit point d'argent
elle en alloit demander au petit J E S U S, & ce qu'on luy apportoit après, elle
le recevoit de sa main, disoit elle ; plusieurs fois, jettant de l'eau benite au gren-
nier, & y disant devotement le *Credo*, le bled s'y multiplioit, une fois entre-
autre que la saison n'étoit pas propre à en faire provision, s'apercevant qu'il
alloit manquer, elle alla dire son *Credo* selon sa coutume, & le bled dura plus
de trois mois au delà de ce qu'on en devoit attendre, ce qui étoupa toute la
Communauté.

Elle excelloit en la vertu d'obéissance entre toutes les autres, bien qu'elle fut
aussi tres-exemplaire en la charité, au silence, en la pauvreté, & au respect pour
les choses saintes, elle s'achemina à la bien-heureuse éternité par trois ans de
langueur sous une infirmière d'une humeur facheuse à qui pourtant elle se sou-
mettoit entierement, elle reçut le S. Viatique, & rendit l'ame pendant qu'on
luy administroit l'Extrême-Onction le troisieme Juillet 1653. Il y avoit alors
deux personnes fort à charge dans les Ursulines, & dont elles ne se pouvoient
désfaire, à cause que des hautes puissances les avoient obligées de les recevoir ;
notre Sœur de S. Bernard dans son extrémité pirona à ses Sœurs que la pre-
miere chose qu'elle demanderoit à Notre Seigneur, s'il luy faisoit la grace de
la mettre en son Paradis, ce seroit la sortie de ces filles, & dans la quinzaine
après son décez elles sortirent en effet d'une maniere inespérée, & que la
Communauté tint à une grande grace de Dieu.

FIGURE 5.9 *Journal des illustres religieuses de l'ordre de Sainte-Ursule, avec leurs maximes, pratiques spirituelles*, vol. 3 (Bourg en Bresse, chez Joseph Ravoux, Imprimeur & Libraire: 1686) 10. 'The miracle of the corn multiplication repeatedly performed at the Ursuline convent of Evreux through the devout intercession of Sister Alix de Saint-Bernard [= Aeltgen Eelkens, FW], by prayer, and aspersion of the convent's attic with holy water'

ships that sailed towards the fur paradise of North America. This move meant, however, that henceforth the family's Catholic practice had to be restricted to the private domain.

At closer analysis we can detect in both situations, in Amsterdam and in Rouen, a double identity, private and social. The Catholics in Amsterdam formed essentially a Dutch ethnic and historical community, cherishing traditional public *Dutch* values, but they were limited in their expressions because they had to foster a clandestine *Catholic* identity. This identity was confessional, but it was also marked by personal, private choices and adaptations of the established group practices. This subaltern social position facilitated the development of a more private identity because the persons concerned could more easily withdraw from the public pattern of obligations and silently impose their own values and customs. On the other hand, the family members at Rouen could freely practise their Catholic faith but were limited in their social settings by their Dutch origin, culture, and nationality. In both cases, their private actions show the ardent desire to overcome these limitations. In Amsterdam, they contributed to the creation of a fully-fledged, alternative Catholic stratum of the population with its own internal hierarchy of positions and values, including a secret or clandestine organisation of their Catholic religious life. It was in many respects a parallel society that imitated the rituals and customs of the former, predominantly Catholic situation but reduced to the private sphere the essential marks of religious adhesion: not only baptism, marriage, and assistance at mass, but also education and reading culture. In Rouen, the family members participated as Catholics in the local merchant class, but at the same time they organised their personal life with much more regard to the important group of merchants of Dutch origin, mostly consisting of active Protestants who had to practise their faith in the temple of Quevilly outside the city.²⁸ As early as the second generation, some members of Catholic immigrant families in Rouen invited Protestant Dutch merchants or their family members to be their baptismal witnesses, guardians of their orphans, or participants in other privileged private relations, and vice versa. Apparently, in their view, when it came to maintaining a group cohesion in which private life could also prosper, the merchant community, their origin, and their everyday private relations carried more weight than their religious identity.

28 Frijhoff W., "Entre l'Édit de Nantes et la Révocation: les négociants néerlandais à Rouen face aux divisions religieuses", *Revue d'histoire du protestantisme* 4 (2019) 281–309.

3.2 *Privacy, Secrecy, Illegitimacy*

It is important to maintain in our research the distinction between *privacy* and the *secrecy* to which a clandestine pattern of behaviour or a forbidden group is bound. Privacy pertains to history from below; secrecy might as well pertain to high-level intelligence or political action. In early modern society, with its many religious enclosures, social prohibitions, and political interdictions, there were many reasons for secrecy that do not or only very partially cover the broad domain of privacy. Take, for instance, forbidden churches or religious groups; secret rituals such as clandestine marriages; mysticism, magic, and alchemy; actions of class solidarity against the powerful, and political conspiracy; prostitution, drugs, and organised fraud and crime. All these domains comprise some part of private action but derive their secrecy not from this private character but from the social organisation that has placed them beyond the law. That was the case for the clandestine churches in private houses. In his study of religious toleration, Benjamin Kaplan rightly calls them 'fictions of privacy'.²⁹ Indeed, as centres of the religious practice of a privatised group in the civic community, they were invisible from the outside. Yet, everybody knew of their existence. It could be inferred from the semi-public, barely private stream of Catholic, Lutheran, Remonstrant or Anabaptist churchgoers in the streets on Sundays and holidays. In the cities where such 'house churches' were formally tolerated, their interior could be impressive as can still be seen in the former clandestine Catholic church called 'Our Lord in the Attic' near the Reformed Old Church of Amsterdam, in the Catholic chapel on the Beguinage, and in the huge Remonstrant Church built in 1629–1630 behind the house at Keizersgracht 102 under the sign 'Vrijburg' (now known as 'The Red Hat').³⁰

A case in point for the theme of privacy in a family context is the position of illegitimate children born out of wedlock. For different reasons they were numerous in former centuries: sexual urge, conventions of the youth culture, the 'lack' of women or spouses overseas, the absence of a clear marital ethos, or marriage problems, as we saw in the two cases of concubinage discussed above. Illegitimate children, a consequence of their parents' undue or unforeseen private initiative, had to suffer public dismay and they lacked legal rights, even if for the purposes of their education or work they could remain under their parents' care, included in their family on the same level as the legal

29 Kaplan B.J., "Fictions of Privacy: House Chapels and the Spatial Accommodation of Religious Dissent in Early Modern Europe", in Kaplan B.J., *Reformation and the Practice of Toleration* (Leiden – Boston: 2019) 164–203.

30 Boers Th. – Kiers J., *Ons' Lieve Heer op Solder: Our Lord in the Attic* (Amsterdam: 2015).

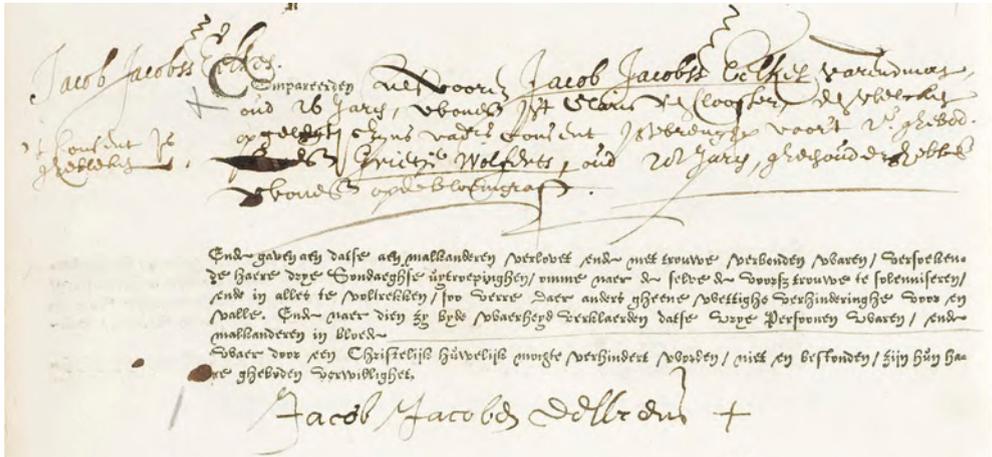


FIGURE 5.10 City Archives Amsterdam, Marriage Records, arch. numb. 5001, inv. numb. 668, f. 258 (fragment). 'Civil marriage in the City Hall of Amsterdam 22 June 1619, of Jacob Jacobs Eelkens [26, WF], "seaman", living in former St. Clare's convent, and Grietje Wolferts [28, signs with a cross, WF], living on the Bloemgracht [both Catholics, WF]'
 © CITY ARCHIVES AMSTERDAM

children. In the case of the ambitious Jacob Eelkens, I presume that his harsh break with his family was his personal answer to the many obstacles caused by his illegitimate status. It was overseas, and later in the service of other nations, that he could establish a public life unhampered by the prohibitions of his illegitimate origin. It is significant that, at the age of 26, during a short stay in Amsterdam after long years of a relatively lonely sojourn in North America, he married a girl of much simpler origin, Grietgen Wolferts (1590/91–after 1619). She came from a lower-class neighbourhood of Amsterdam and she must have been uneducated seeing that she was unable to sign her name. Moreover, her father Wolfert Claess (ca. 1562–1605), a carpenter, had suffered a criminal conviction. On the other hand, all of Jacob's legal brothers and sisters, cousins and nephews made promising marriages involving successful merchants who belonged to the upper layers of the burgher society in Holland and France. The other exception to this general impression is another illegitimate child, Maritgen Eelkens (1622–1650), born out of an unknown but premarital relationship of Jacob's uncle Hendrick Eelkens, the shipowner and international merchant in whose service Jacob had been for some years. She was to remain a simple unmarried schoolmistress who died childless [Figs. 5.10–5.11].

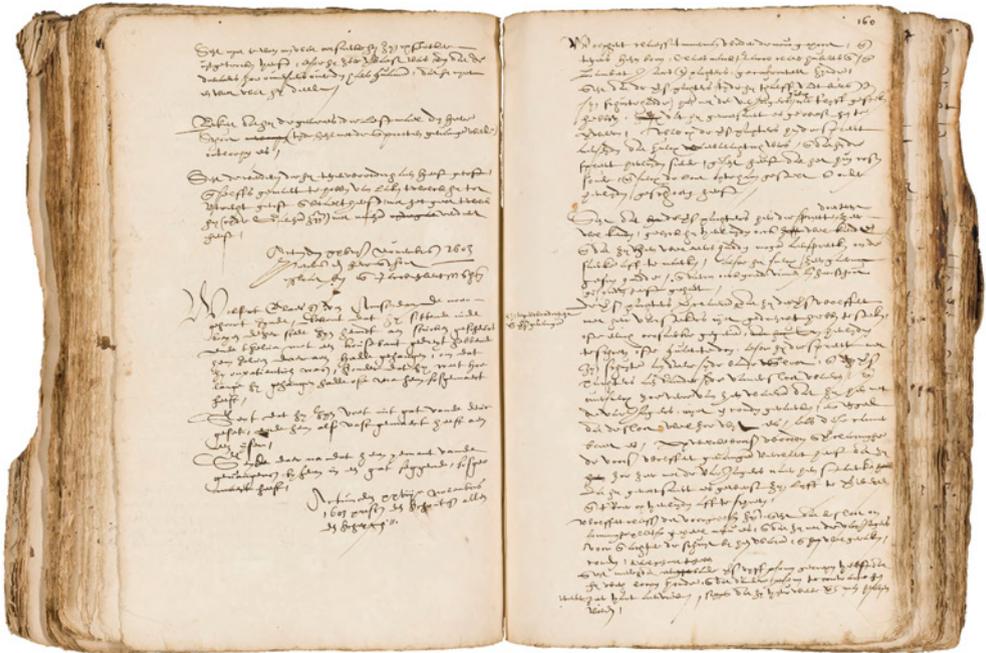


FIGURE 5.11 City Archives Amsterdam, Criminal records of Amsterdam, 20 November to 2 December 1603, arch. numb. 5061, inv. numb. 282–1602 f. 159r–160v. The text tells that Wolfert Claess, house carpenter in Amsterdam [father of Grietgen Wolferts, father-in-law of Jacob Eelkens], is sentenced for issuing death threats to the five collectors of the beer tax who had threatened him. He is imprisoned. Once in prison and desperate, he tried to hang himself, but he was saved in time by a co-prisoner in his cell (summary of the text). © CITY ARCHIVES AMSTERDAM

4 Conclusion

Looking for the private dimension in such a family network implies three fields of observation: experience, emotion, and memory. That is to say, it implies the way people acted, the way they thought, felt motivated, and made decisions, and the way they remembered their life and their past. For the early modern period their private agency must mainly rely on my analysis of other sources related to their actions and experiences as family members, merchants, or Catholics (level II). When close reading the available textual sources, one has to keep in mind that all forms of such reconstruction of meanings need the check of a sound theoretical reflection and of methodical caution. There is no lack of such sources. However, they are not always significant in themselves but derive

their meaning as historical sources above all from their contextualisation – a complex and multi-layered procedure that is the professional secret of the experienced historian. In my case that means the reconstruction, as completely as possible, of a number of families as a kinship network whose members acted privately or together in the service of commercial, social, and religious needs.

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Early Modern Swedish Law and Privacy: A Legal Right in Embryo

Mia Korpiola

1 Introduction

In the English language, seclusion, being apart from company or observation, is the oldest and primary meaning of the medieval word ‘privacy’, also synonymous with private life, solitude, integrity, concealment, and secrecy.¹ Accordingly, privacy has been defined as the ‘voluntary and temporal withdrawal of a person from the general society through physical or psychological means.’² It has also been described as ‘a social ritual by means of which an individual’s moral title to his existence is conferred.’³

Carried into the legal field, the right to privacy has come to consist of three ‘related but interdependent components’ in modern law: secrecy, anonymity, and solitude.⁴ Due to its conceptual vagueness and incoherence, privacy has been called ‘a residual right’ in law.⁵ Ronald Huebert’s definition of privacy as ‘the condition in which other people are deprived of access to either information about or some experience of [a person] to the extent that [this person decides] to exercise control of access’ comes close to these legal components.⁶ Consequently, the legal privacy expert Alan F. Westin has defined it as ‘the claim of individuals, groups, or institutions to determine for themselves when, how and to what extent information of them is communicated to others.’⁷

As a legal term and a human right, privacy is neither medieval nor early modern. Almost unmentioned by eighteenth-century Enlightenment thinkers,

1 E.g. Webb D., *Privacy and Solitude in the Middle Ages* (London – New York: 2007) viii, xv–xvi; Huebert R., *Privacy in the Age of Shakespeare* (Toronto – Buffalo – London: 2016) 17–24.

2 Meyer Spacks P., *Privacy: Concealing the Eighteenth-Century Self* (Chicago – London: 2003) 21.

3 Reiman J.H., “Privacy, Intimacy, and Personhood”, *Philosophy & Public Affairs* 6.1 (1976) 26–44, here 39.

4 Wacks R., *Personal Information: Privacy and the Law* (Oxford: 1989) 15–16.

5 Clapham A., *Human Rights: A Very Short Introduction* (Oxford: 2007) 92. Also Wacks, *Personal Information* 18–19.

6 Huebert, *Privacy* 16.

7 Quoted in Meyer Spacks, *Privacy* 21.

it emerged as a special legal category, a legal interest protected by enforceable rights, only in the nineteenth century.⁸ In fact, our present notions of privacy are influenced by liberalism, which perceives ‘privacy as a set of rights forming a protective bubble around every individual’, guaranteeing them a safeguarded sphere of personal autonomy.⁹ Thus, as this chapter demonstrates, a legal right to privacy presupposes an advanced legal protection of the individual and selfhood, suggesting that it could only develop when the premodern collective value systems and worldviews slowly started to disintegrate.¹⁰

In the eighteenth and nineteenth centuries, the legal concept of privacy started to encompass offences against a person’s home, correspondence, dignity, family, or sexuality. New constitutions protected individuals against state interference with their homes and correspondence, permitting authorities or other individuals to enter or breach the hallowed sphere of privacy only under special circumstances and stringent conditions. The case law discussing e.g. the breaches of confidence, the publication of people’s images, and unlawful entry into one’s private quarters also helped protect what became known as the individual’s rights to privacy or personality. From the mid-nineteenth century onwards, there has been an increase in the complaints of journalists invading private lives to publish scandalous stories.¹¹ The modern press, mass media, and the Internet have further exacerbated privacy-related problems ‘invading the sacred precincts of private and domestic life’.¹² Privacy has now become a human right protected by international treaties and conventions. In its Article 8, the European Convention on Human Rights from 1950 defines that:

8 E.g. Snyder T.J., “Developing Privacy Rights in Nineteenth-Century Germany: A Choice between Dignity and Liberty”, *American Journal of Legal History* 58.2 (2018) 188–207, here esp. 192–207; [Anonymous] “The Right to Privacy in Nineteenth Century America”, *Harvard Law Review* 94.8 (1981) 1892–1910. See also Ågren M., *Domestic Secrets: Women & Property in Sweden 1600–1857* (Chapel Hill, NC: 2009) 15–16.

9 Swanson J.A., *The Public and the Private in Aristotle’s Political Philosophy* (Ithaca – London: 1992) 207.

10 See also Meyer Spacks, *Privacy* 8: ‘privacy marks a point of tension between individual and societal values’.

11 Snyder, “Developing Privacy” 193–204; [Anonymous], “The Right to Privacy”; Smith J.A., “Moral Guardians and the Origins of the Right to Privacy”, *Journalism and Communication Monographs* 10.1 (2008) 63–110; Strömholm S., *Right of Privacy and Rights of the Personality: A Comparative Survey* (Stockholm: 1967) 25–31; Clapham, *Human Rights* 92; Warren S.D. – Brandeis L.D., “The Right to Privacy”, *Harvard Law Review* 4.5 (1890) 193–220.

12 E.g. Strömholm, *Right of Privacy* 16–18. Quotation from Warren – Brandeis, “The Right to Privacy” 195.

1. Everyone has the right to respect for his private and family life, his home and his correspondence.
2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

But what do ‘private life’ and ‘privacy’ in the legal sense entail? The notion of ‘privacy’ is slippery to define, and today, it contains a cluster of aspects such as name and identity, physical, psychological, and moral integrity (including sexuality), honour, reputation, and private communication. In addition, even if freedom of conscience, thought, and religious matters are separately protected (Art. 9), these are closely related to private life and privacy.¹³

This chapter departs from the present-day legal understanding of privacy as discussed above, and it somewhat ahistorically projects some of the threads of the current legal perceptions of privacy back in time into medieval and early modern Sweden. As privacy as a legal and enforceable right is a modern legal concept, we can only use its present-day definition very cautiously when investigating past aspects of privacy and law. While medieval and early modern law in both Sweden and elsewhere distinguished between public and private law, the legal concept of privacy did not exist in the period, as this chapter demonstrates. Although certain legal concepts that are used primarily for the protection of privacy today, such as the peace of the home (Sw. *hemfrid*), have medieval origins, their contents have evolved, as will be analysed below. What today is primarily used for the protection of private life was for centuries limited to cases of forced entry and violent attack by one or several assailants. Consequently, a historical investigation of early modern privacy norms must, in the words of Peter von Moos, necessarily be a ‘controlled anachronism’ (*ein kontrollierter Anachronismus*).¹⁴

I will start this chapter with a few words about how public and private law were defined in early modern Swedish jurisprudence. I will focus especially on the concept of public crime and investigate some instances in which

13 Articles 8–9, The European Convention on Human Rights (1950), accessed online at https://www.echr.coe.int/Documents/Convention_ENG.pdf, last accessed on 13 September 2021.

14 Von Moos P., “Das Öffentliche und Private im Mittelalter: Für einen kontrollierten Anachronismus”, in Melville G. – von Moos P. (eds.), *Das Öffentliche und Private in der Vormoderne* (Cologne – Weimar – Vienna: 1998) 3–83, here 9–10.

publicity or clandestinity had relevance in law. Then, drawing from the above-mentioned cluster of present-day legal aspects of the right to privacy, I will discuss some examples of confidentiality, breaches of the peace of the home, and family life in the context of early modern Swedish law and privacy. As I will demonstrate, the early modern Swedish legal system did not recognise a right to privacy. Granted, certain crimes such as defamation awarded protection to a person's honour and there were, for example, some embryonic notions of secrecy. Nevertheless, as long as the collective mentality and criminal legal doctrine required that all crimes be punishable for the well-being of the society, there was little space for what later became a right to privacy in modernity.

2 The Publicity of Law and Space in the Early Modern Swedish Legal System

In early modern Sweden, 'private' was defined through its opposite, 'public', and vice versa. In mid-sixteenth century examples from the Swedish language, a 'private person' (*en privat person*) in the sense of an ordinary citizen was opposed to a ruler (*regerande*). Thus, a private person was seen in contrast to the crown, the state, the general, or the public. In an early seventeenth-century example, 'public service' was juxtaposed with 'a peaceful private life'.¹⁵

But what, then, was 'private law'? The present-day distinction between private and public law is not identical with that in medieval or early modern law, which had its origins in antiquity, in Greek philosophy and Roman law. The Aristotelian public/private divide differentiated between the more private sphere of the household (*oikos*) and public political life (*polis*).¹⁶ In antiquity, Roman jurists drew the line between public and private law. Public law related to governance, administration and magistrates, as well as to religion and clergy, while everything else belonged to the sphere of private law. Interest formed another criterion: public law regulated the commonwealth and contributed to the public good (*publice utilia, publica utilitas*), while private law regulated and

15 Svenska Akademiens ordbok, entries: "offentlig", https://www.saob.se/artikel/?unik=O_0001-0332.3RZO and "privat", <https://www.saob.se/artikel/?seek=privat&pz=1>, last accessed on 13 September 2021; Laitinen R., *Order, Materiality, and Urban Space in the Early Modern Kingdom of Sweden* (Amsterdam: 2017) 216. For a more thorough discussion of the vocabulary of 'private' and 'public', see Savolainen P., *Teksteistä rakennettu kaupunki: Julkinen ja yksityinen tila turkulaisessa kielenkäytössä ja arkielämässä* (Turku: 2017) 52–59.

16 Swanson, *The Public and the Private*; von Moos, "Das Öffentliche und Private" 4–9.

served private interests (*privatim, privata utilitas*).¹⁷ Medieval and early modern learned jurists developed these distinctions between private and public law, which were then adopted into Swedish law.¹⁸

David Nehrman (ennobled Ehrenstråhle, 1695–1769), the towering legal scholar of early modern Sweden, distinguished between public and private law largely following the classical Roman legal definition. Public law regulated the mutual relationship of the authorities and the subjects according to the ‘fundamental laws of the Realm’, while private law ‘determined what was just and fair between the subjects in their private affairs, rights and property’ (‘Privata, som wisar hwad rätt och skiähl är emillan undersåtare uthi theras enskylte wärf, ährender, rättigheter och ägendom’).¹⁹ Following the customary European definitions, Nehrman went on to describe that private law constituted ‘Jurisprudentia Civilis’, regulating ownership and contracts, and ‘Jurisprudentia Criminalis’, regulating wrongdoings. ‘Jurisprudentia Oeconomica’ was divided into various subfields regulating, e.g. the Church, military, agriculture, mining, and commerce.²⁰ Police ordinances aimed at serving the common good, the governing and ordering of the state, which is why they largely regulated economic activities.²¹ Early modern Swedish criminal jurisprudence, exemplified by Nehrman, categorised crimes using several classifications: there were offences against God, the king, and the Swedish realm; against oneself or dead persons; against the life, health, or body of other

17 Digesta, I.1.1.2., ed. T. Mommsen – P. Krüger, in *Corpus iuris civilis* 1 (Berlin: 1965) 29: ‘Huius studii duae sunt positiones, publicum et privatum. Publicum ius est quod ad statum rei Romanae spectat, privatum quod ad singulorum utilitatem: sunt enim quaedam publice utilia, quaedam privatim. Publicum ius in sacris, in sacerdotibus, in magistratibus constitit. Privatum ius tripartitum est: collectum etenim est ex naturalibus praeceptis aut gentium aut civilibus’; Landau P., “Die Anfänge der Unterscheidung von *ius publicum* und *ius privatum* in der Geschichte des kanonischen Rechts”, in Melville G. – von Moos P. (eds.), *Das Öffentliche und Private in der Vormoderne* (Cologne – Weimar – Vienna: 1998) 629–638.

18 Björne L., *Patrioter och institutionalister: Den nordiska rättsvetenskapens historia 1* (Lund: 1995) esp. 27–39.

19 Nehrman David, *Inledning til Then Swenska Iurisprudentiam civilem, af Naturens Lagh Och Sweriges Rikes äldre och nyare Stadgar uthdragen och vpsatt* (Lund, Ludwig Decreaux: 1729) 23.

20 Idem, *Inledning til Then Swenska Iurisprudentiam civilem* 24.

21 See Kotkas T., *Royal Police Ordinances in Early Modern Sweden: The Emergence of Voluntaristic Understanding of Law* (Leiden: 2014); Pihlajamäki H., “*Executor divinarum et suarum legum*: Criminal Law and the Lutheran Reformation”, in Mäkinen V. (ed.), *Lutheran Reformation and the Law* (Leiden: 2006) 171–204, here 192–202. See also Laitinen R. – Lindström D., “Urban Order and Street Regulation in Seventeenth-Century Sweden”, *Journal of Early Modern History* 12 (2008) 257–287, here 261–271.

persons; against the honour, reputation, and good name of others; against the property of others; and, finally, sexual crimes.²²

Some crimes were considered public and others private. This distinction was largely determined by whether the crime injured the *res publica*, public interests, or individuals and their interests. In early modern Europe, public interest was construed very broadly as the guiding principle of criminal law: it was in the interest of the public good that no crimes remained unpunished (*publicae utilitatis intersit, ne crimina remaneant impunita*).²³ It was in everyone's best interests to guarantee the apprehension and punishment of criminals. Indeed, this principle formed a direct active duty for the crown and its representatives as the guardians of the commonwealth. From the High Middle Ages onwards, this principle of punishment of all criminals, based on Roman and medieval canon law and developed by medieval jurists, served as a catchphrase for all legal reforms that aimed at more effective control of misdeeds and punishment of all crimes and scandalous activities. After the inquisitorial procedure started to spread, certain infractions that had previously been considered 'private', only to be accused by the injured party, became considered public crimes. As such, they were prosecuted *ex officio*, regardless of whether or not the act had actually been mentioned or sanctioned in any criminal norm.²⁴ Should the authorities fail to punish criminals who would then escape with impunity, these would become emboldened. Especially after the Reformation, there was emphasis on the argument of the necessity of punishing criminals to avert God's wrath and punishment of the whole community.²⁵

The dividing line between public and private space in medieval and early modern Europe has generally been described as porous and situational.²⁶

22 Nehrman, D., *Inledning til Then Swenska Jurisprudentiam criminalem efter Sweriges Rikes Lag och Stadgar* (Stockholm – Upsala, Gottfried Kiesewetter: 1756), unpaginated table of contents.

23 Quotation from Pope Innocent III's decretal *Ut famae* from 1203, x [Liber extra] 5.39.35, *Corpus iuris canonici* 2, ed. E. Friedberg (Leipzig: 1881) col. 904.

24 E.g. Fraher R.M., "Criminal Law of the High Middle Ages: 'Rei publicae interest, ne crimina remaneant impunita'", *University of Illinois Law Review* 3 (1984) 577–596, esp. 580–581; Jeruschek G. "Ne crimina remaneant impunita: Auf daß Verbrechen nicht ungestraft bleiben: Überlegungen zur Begründung öffentlicher Strafverfolgung im Mittelalter", *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte, Kanonistische Abteilung* 97 (2003) 323–337; Landau P., "Ne crimina maneant impunita: Zur Entstehung des Öffentlichen Strafanspruchs in der Rechtswissenschaft des 12. Jahrhunderts", in Schmoeckel M. – Condorelli O. – Roumy F. (eds.), *Der Einfluss der Kanonistik auf die europäische Rechtskultur, 3: Straf- und Strafprozessrecht* (Cologne – Weimar – Vienna: 2012) 23–35.

25 E.g. Pihlajamäki, "Executor" 182–192.

26 See Mette Birkedal Bruun's contribution to this volume. See also Laitinen R., "Rajoja ja avoimuutta 1600-luvun kodeissa", *Historiallinen Aikakausikirja* 112.1 (2014) 20–31, here

However, some researchers have stressed the role of legal norms in defining these two. For example, the Swedish ordinance on drunkenness (1733) allowed licensed taverns to serve alcohol until nine o'clock in wintertime and ten in the summertime. After this hour, these spaces – often the less well-off taverner's main living rooms – resumed their character of closed private homes.²⁷

The Swedish law code of 1734 repeatedly defines public/private places. To take a specific case, it refers to cursing publicly 'i samqvem, krog eller källare, eller offentlig på almänna gator och platsar' ('during social gatherings, in alehouses and restaurants or publicly in public streets or places').²⁸ Fines for defamatory acts or speech were doubled if the insulting had taken place 'i stort samqvem, eller å almän gato, ther mycker folk är' ('in a big gathering or on a public street with many people').²⁹ The same applied to assault on public streets and highways, shouting or verbal assault on public streets, highways, or alleys, and damaging or destroying public bridges, milestones, or other things placed there for public utility or decoration.³⁰ Another example of the legal regulation of publicity/clandestinity is the necessity of not keeping a pregnancy and birth private. Both hiding the pregnancy and secret accouchement were constituting elements of infanticide, a serious crime punishable by death. Thus, an unmarried pregnant woman who sought solitude when about to give birth in order to avoid being sentenced for sexual crime risked execution if the baby died.³¹

Moreover, it was no private matter whom townspeople had living or staying in their homes: since the late Middle Ages, legal norms – i.e. town ordinances – regulated such matters.³² As Riitta Laitinen has discussed in detail, the law

esp. 26–27; idem, *Order, Materiality, and Urban Space in the Early Modern Kingdom of Sweden* (Amsterdam: 2017) 17, 60, 191, 201, 204, and 217–221; Kaartinen M., "Public and Private: Challenges in the Study of Early Modern Women's Lives", in Korhonen A. – Tuohela K. (eds.), *Time Frames: Negotiating Cultural History* (Turku: 2002) 89–104, here 94–95; Ariès P., "Introduction", in Chartier R. (ed.), *A History of Private Life III: Passions of the Renaissance*, trans. A. Goldhammer (Cambridge, MA – London: 1989) 1–11.

27 Savolainen, *Teksteistä* 94.

28 E.g. 3:1, Chapter on Crime (Sw. *Missgiernings Balk*), *Sveriges Rikes Lag, gillad och antagen på riksdagen år 1734: Till 250-årsdagen av lagens tillkomst efter den första i antikva tryckta upplagen av år 1780*, intr. S. Jägerskiöld (Lund: 1984 [1780]) 127. See also Savolainen, *Teksteistä* 168.

29 60:6, Chapter on Crime, *Sveriges Rikes Lag, 1734* 173–174: '[... s]ker thet i stort samqvem, eller å almän gato, ther mycker folk är'; Savolainen, *Teksteistä* 121.

30 21:7–9, Chapter on Crime, *Sveriges Rikes Lag, 1734* 145.

31 E.g. 16:1–2, Chapter on Crime, *Sveriges Rikes Lag, 1734* 137–138: '[16:1 ...] thet ej uppenbarar förr födslen, söker enslighet vid siefva födslen och thereafter lägger fostret å lön'.

32 See, e.g. *Stockholms stads tänkeböcker 1474–1483 samt burspråk*, ed. E. Hildebrand (Stockholm: 1917).

regulated the right of various groups – foreigners, vagrants, paupers, or people of ill repute – to sojourn in town as well as the right townspeople had to accommodate them. The town authorities could inspect houses in search of unregistered people, and householders who caught lodging vagrants had to evict their illicit lodgers. In addition, the householders were fined and threatened with expulsion themselves.³³ Even here, the interests of the common good and maintaining order surpassed what we today would consider part of ‘privacy’ and individual autonomy.

Thus, early modern Swedish law distinguished between public and private law. The crown defended the public interests and guaranteed that all criminals be punished suitably. This was an overriding concern. The dividing line between private and public space was porous, even if the law expressly identified certain places and occasions as public and gave them special meaning.

3 Protection of Confidentiality and Secrecy?

Citing Sasha Handley, who refers to sleep, early modern privacy experiences represent ‘important pieces of a more complex jigsaw [...] which varied according to wealth, status, gender, location, occupation, age and household circumstance’.³⁴ Privacy was not equally available to all. Even if privacy had its drawbacks, researchers have argued that because both secular and ecclesiastical authorities monitored and controlled people in the early modern period, it was a rare and precious commodity.³⁵ Generally, privacy was achieved only for short periods as ‘breathing spaces’ and breaks ‘from social pressure’.³⁶ How, then, did the legal system perceive and protect privacy?

As mentioned above, secrecy and breaches of confidence have been seen as belonging to the sphere of privacy.³⁷ Similarly, in their well-known 1890 article, Samuel D. Warren and Louis D. Brandeis discussed privacy rights through constructions related to breaches of confidence and/or contract, defamation, and intellectual property law.³⁸ Although a ‘right to privacy’ did not exist at the time, medieval and early modern public office-holding could require oaths confirming secrecy (*iuramentum taciturnitatis*), thus linking together trust,

33 Laitinen, *Order* 80–106.

34 Handley S., *Sleep in Early Modern England* (New Haven – London: 2016) 116.

35 Huebert, *Privacy* 7–8.

36 Meyer Spacks, *Privacy* 8; Ariès P., “Introduction” 1, 5.

37 See also Lochrie K., *Covert Operations: The Medieval Uses of Secrecy* (Philadelphia, PA: 1999).

38 Warren – Brandeis, “The Right to Privacy”.

power, and information. State secrets, deliberations behind closed doors had to remain private. Public officials, judges, and town councillors took special oaths to safeguard this. Priests were required to keep the seal of the confessional and not divulge intimate confessions, while the Hippocratic oath imposed strict secrecy and confidentiality on doctors, who had been taking it ever since antiquity.

Swedish medieval law contained a section on the oath of the Councillors of the Realm, i.e. the secular and ecclesiastical magnates sitting in the Swedish royal council, including a passage about not disclosing anything the king wanted to be kept secret (Sw. *lönlikit*). The Code of 1734 contained a corresponding section.³⁹ The judges and staff of the Swedish appeals courts, first established in 1614, also had to swear an oath of secrecy, not to divulge to the parties or others what went on behind the tribunal's closed doors.⁴⁰ However, this requirement of secrecy only applied to special official oaths.

Generally, Swedish law did not consider breaches of the secrecy of letters between the original correspondents punishable even if the exchange was carried out in confidence, '*sub rosa*'.⁴¹ According to Nehrman, the exposed correspondent could only blame him/herself for trusting an unworthy person.⁴² Nevertheless, the Swedish Code of 1734 that came into force in 1736, came to award a person's private letters some protection: it became punishable to damage or shame a person by opening his or her letters, reading them oneself, or permitting someone else to read them. Divulging or spreading their contents also constituted a crime. The punishment was an amercement of twenty dalers or more. In addition, the culprit would be punished by infamy and loss of honour if the judge thought the crime merited this. Thus, the penalty was discretionary and depended on the damage done to the victim.⁴³ This applied to situations in which the offender was neither the sender nor the recipient of the letter.

39 8:1, Chapter on the King (Sw. "Konungx Balken"), *Corpus iuris Sueo-Gotorum antiqui = Samling af Sveriges gamla lagar* [hereafter *CISGA*] 12: *Konung Christoffers landslag*, ed. C.J. Schlyter (Lund: 1869) 26; 4:5, "Missgiernings Balk", *Sveriges Rikes Lag, 1734* 129. See also Webb, *Privacy and Solitude* 210.

40 Riksarkivet [Stockholm, Sweden], Svea Hovrätt, Huvudarkivet, A 1 a 1:1, no page.

41 'Sub rosa', meaning literally 'under the rose', also means 'in secrecy' or 'confidentially'. The rose has denoted silence, secrecy, and confidentiality ever since antiquity.

42 Nehrman, *Inledning til Then Swenska Jurisprudentialiam criminalem* 315–316.

43 8:4, Chapter on Crime, *Sveriges Rikes Lag, 1734* 133: '4. §. Bryter någor up annars mans bref, läser, eller gifver annan at läsa, uppenbarar och utsprider thet, som skrifvit är, och söker ther med hans skada och nesa, som thet rörer; böte tiugu dalers, eller mera, och vare ther til ärelös, om brottet thet förtienar'.

By and large, offences against privacy or private life may perhaps correspond best to offences against the honour, reputation, and good name of others in early modern Sweden. This included various forms of slander and libel, accusing someone of a crime or insulting another. If the offending claim or words were true, the act was not punishable. However, if the insult did not involve claims of a committed crime but only intended to offend, dishonour, and slander, whether in words, writings, or drawings, the perpetrator could still be punished.⁴⁴ In addition to verbal insults, prints and broadsides were also prosecuted as slanderous in early modern Sweden.

In early modern Swedish legal practice, norms against slander and injuring another person's reputation and honour were much used. While it was criminal to open someone else's letter and publicise its contents, divulging secrets was not normally punishable. Certain offices and professions required confidentiality and secrecy, and sometimes were accompanied by oaths. Nevertheless, privacy issues only became increasingly important when the modern press developed as a mass medium in the latter half of the nineteenth century.

4 Peace of the Home: Protection against Violent Crime

The privacy of the home, which in the nineteenth century became increasingly fundamental, was very different in medieval and early modern law. At least since the mid-thirteenth century, the peace of the home and house (*hus- och hemfrid*) was especially protected in Swedish law, as an important component of a cluster of peace legislation. But how did Swedish law define breaking the peace of the home, and did it actually include the legal protection of present-day perceptions of privacy?

According to medieval Swedish law, the scope of the peace of the home was customarily a space within an enclosure of fences and buildings. This sphere of protection extended even to buildings standing apart, such as saunas and privies. Both in medieval and early modern law, the breach of this peace had to involve violent entry into another person's home or house, ship, or farm against the proprietor's or lawful possessor's will, with evil intentions and a purpose to inflict injury or damage. The breach of this peace was called 'hemgång' ('home-going').⁴⁵ However, if the violent entry was not revenge but took place in the

44 E.g. 60:4–6, *ibidem* 173–174; Nehrman, *Inledning til Then Swenska Jurisprudentiam criminalem* 300–319. Also Laitinen, *Order* 138.

45 E.g. 1 and 4, Chapter on Peace Legislation (Sw. "Edzöris Balken"), *CISGA 11: Konung Magnus Erikssons stadslag*, ed. C.J. Schlyter (Lund: 1865), 292–295; 1, 5, Chapter on Peace

heat of the moment, the peace of the home was not breached. Also, there had to be a physical assault upon a person as mere threats did not constitute the crime of breaching the peace of the home.⁴⁶ Some earlier provincial laws had also awarded a sleeping person and a person in a privy (*hemlighusfrid*; lit. 'secret house peace') special protection, but this was because of the helplessness involved, not privacy.⁴⁷

The legal definition of violating the peace of the home stressed breaking and entering into this protected sphere with vengeful intention and assaulting one or several persons inside. Coming to the gate and hitting it has been identified as the first and the most important individual act. However, whether the attacker(s) carried weapons and wielded these already on entry was also legally relevant.⁴⁸ As Laitinen's analysis of 21 'peace of the home' cases from Turku in 1640–1660 indicates, violence or the threat of violence, suggesting evil intent, was an essential condition of the crime. Another was breaching the boundaries of the protected sphere of the home, usually through a gate or door.⁴⁹ In the later eighteenth century, nocturnal and illicit entry and a suspicion of wrongdoing may in practice have been considered sufficient.⁵⁰ However, it would require more thorough research of primary sources to specify more exactly when the punishments for breaching the peace of the home actually started to emphasise elements of privacy instead of forcible entry and violence.

As Nehrman observed in the eighteenth century, many acts of violence were not considered violations of the peace of the home because of the stringent definition of the law. However, other acts of violence in homes and houses were punishable as violent crimes and by virtue of the special criminalisation of the peace of the Sabbath, which was also used when punishing minor disturbances.⁵¹ In all medieval and early modern Western societies, including Sweden, the officials were authorised to enter houses and homes in pursuit

Legislation, *CISGA 12: Konung Christoffers landslag*, ed. C.J. Schlyter 269–272; Laitinen, "Rajoja", esp. 21–23; Laitinen, *Order* 194–195, 204–214.

46 Nehrman, *Inledning* [...] *Jurisprudentiam criminalem* 209: 'Genom hemgång brytes hus- och hemfrid, tå någon går, med argt upsåt, och berättade mode, at skada giöra, hem til annan, i thess gård eller hus, farkost eller skiep, egit eller thet man af ägaren hafwer tilstånd, at bebo och nyttia'.

47 Korpiola M., "The People of Sweden Shall Have Peace": Peace Legislation and Royal Power in Later Medieval Sweden", in Musson A. (ed.), *Expectations of the Law in the Middle Ages* (Bury St Edmunds: 2001) 35–51.

48 Hassan Jansson K., "Väld som aggression eller kommunikation? Hemfridsbrott 1550–1650", *Historisk Tidskrift* 126.3 (2006) 429–452, here 434–436, 440, and 443.

49 Laitinen, "Rajoja" 20–31; Laitinen, *Order* 194–195.

50 Savolainen, *Teksteistä* 225.

51 Nehrman, *Inledning* [...] *Jurisprudentiam criminalem* 219.

of criminals, vagrants, stolen goods, and contraband. By the eighteenth century, Anglo-American law awarded remedies for unauthorised or excessive breaches of the tranquillity, sacredness, and inviolability of the home, in accordance with the maxim that ‘a man’s house is his castle’, against authorities, landlords, and third parties. In the course of the nineteenth century, the development was furthered to the point that ‘the law had erected high walls around the family home by extending criminal penalties for and civil remedies against intrusion by strangers’. Criminal law also protected the home against violations such as peeping and eavesdropping.⁵² Similarly, nineteenth-century continental constitutions protected people’s dwellings against state violations, e.g. in the form of unauthorised house searches.⁵³

Such perceptions of privacy were not included in the protection of the peace of the home in the Swedish law of 1734, which had a very narrow and different view of the breach of the peace. For example, eavesdropping and secret peeping into homes were not specifically mentioned in Swedish early modern law. Rather, in Sweden as elsewhere, people peering through holes and chinks or listening at doors and windows helped to discover many (sexual) offenders.⁵⁴ This was in accordance with the leading criminal law principle requiring the punishment of all malefactors. In a society in which every criminal was to be chastised in order to protect the community, such neighbourly vigilance in the form of eavesdropping and peeping that resulted in the unearthing of wrongdoings could be considered virtuous and commendable rather than offensive.

However, the neighbourhood law in the Chapter of Buildings and municipal police ordinances regulated damages to walls and windows, which could have important privacy implications. Eavesdropping or peeping could be punishable if it included damaging a building owned by another person, e.g. making holes or enlarging chinks. In England, the neighbourhood legislation guaranteed some light as well as privacy in towns like London.⁵⁵ In Sweden, creating window openings into other people’s yards was apparently relatively rare and may have required the consent of the yard owner.⁵⁶ As windows could also

52 [Anonymous], “The Right to Privacy” 1894–1898 (quotation 1896); Cuddihy W. – Hardy B.C., “A Man’s House Was Not His Castle: Origins of the Fourth Amendment to the United States Constitution”, *The William and Mary Quarterly* 37:3 (1980) 371–400. I owe this reference to Mette Birkedal Bruun, which I acknowledge with thanks.

53 Snyder, “Developing Privacy Rights” 196–200.

54 Orlin L.C., *Locating Privacy in Tudor London* (Oxford: 2007) 152, 154, and 177–192.

55 Loengard J.S., “Common Law and Custom: Windows, Light, and Privacy in Late Medieval England”, in Jenks S. – Rose J. – Whittick C. (eds.), *Law, Lawyers and Texts: Studies in Medieval Legal History in Honour of Paul Brand* (Leiden: 2012) esp. 286–298.

56 Laitinen, *Order* 202–203.

be used for entry and exit, these norms may have aimed both at preventing trespassing as well as granting some privacy. The Swedish Code of 1734 criminalised malicious damage done to another person's building or planking with a twenty-daler amercement, and damaging fences or gates was also finable. In addition to the 1734 Code or statutes, nineteenth-century local Finnish police ordinances considered damaging and vandalising other people's houses or fences punishable with fines and damages.⁵⁷ Whether such norms were actually used for the protection of the privacy of the inhabitants or only for protecting private property from damage as was tradition, would again require delving deep into court records.

Laitinen's analysis of mid-seventeenth-century Turku suggests that homes did not award much privacy, always being 'spaces of communal encounter'. Consequently, people could not expect complete seclusion. '[A]s the homes were open spaces, "open houses", there was no privacy, but also vice versa: since there was no privacy, homes were open spaces.'⁵⁸ Some households were less open, awarding more privacy than others, as Panu Savolainen's research on later eighteenth-century Turku suggests. However, the legal protection granted to privacy had not changed much in a century. Even if the peace of the home today includes protection from eavesdropping and peeping in addition to all sorts of unlawful entry, the early modern definition required violence and malicious intent. It is yet to be investigated when exactly the medieval interpretation changed in law and practice to the protection of privacy in Sweden and Finland during the process of modernisation.

5 Privacy of Family Life: Conflicting Trends

Traditionally, households and families have belonged to the core of private life and privacy, and the propagation of the family was fundamental for the purposes of property transfer. In medieval Europe, the sexual union of the married couple was no private affair as the Catholic Church regulated and defined the borders of sexuality.⁵⁹ Due to ecclesiastical influence, a clear-cut distinction between matrimony and other, illicit, unions was drawn in later-medieval Scandinavia. Children born in what the Church perceived to be unlawful

57 20:12, Chapter on Crime, *Sveriges Rikes Lag, 1734* 143; 5:8, Chapter on Buildings, *ibidem* 67; §19, *Polis-ordning för Fredrikhamns stad: Gillad och fast ställd den 6 Augusti 1850* (Hamina: 1850) no page; §22, *Polisordning för Helsingfors stad* [1864] (Helsinki: 1864).

58 Laitinen, *Order* 262.

59 E.g. Brundage J.A., *Law, Sex and Christian Society in Medieval Europe* (Chicago – London: 1987) *passim*; Lochrie, *Covert Operations* 24–55.

unions came to lose their inheritance rights. Consequently, claims of illegitimacy could be and were occasionally raised in inheritance disputes. Paternity was not a private affair.

Even if legitimate birth could be – and occasionally was – challenged, families were granted some protection against malicious or frivolous accusations through particular legal presumptions. Certain Swedish medieval laws presumed the normal term of pregnancy to be nine months, the ‘lawful months’. Yet, children were accepted as their fathers’ legitimate issues if born within ten months, after the so-called ‘delay month’, of their father’s death, disappearance, or departure. In later medieval laws, in force until 1736, paternity was ascribed to the husband during forty weeks.⁶⁰ Moreover, Swedish law adopted the Roman presumption of paternity (*pater est quem nuptiae demonstrant*) that is still upheld in many European legal systems: no contrary evidence existing, a married woman’s husband was and is presumed to have fathered any child she gives birth to.⁶¹ The principle provided family life some protection from covetous relatives.

Swedish medieval law also granted couples some privacy in adultery cases. While learned jurisprudence had considered adultery a public crime of which anyone could accuse another, Swedish law contained the rule that only spouses could normally accuse each other of adultery. Others, such as ecclesiastical or secular officials, could only initiate criminal proceedings if the injured party had first publicly accused his or her spouse without later withdrawing the charge. The actions of the adulterous couple could also publicise the liaison: starting to cohabit, eloping together or the adulteress’s pregnancy.⁶²

Yet, when extramarital intercourse was suspected, members of the community were authorised to intrude upon the privacy of the household and the especially hallowed space of the home. If there were two witnesses to the crime and the movements of the parties, or if the couple was caught in the act, both the threshold of accusation and proof were simultaneously taken care

60 E.g. 10:16, Chapter on Inheritance (Sw. “Ærfpæ Balken”), *CISGA 3: Uplandslagen*, ed. C.J. Schlyter (Stockholm: 1834) 114–115; 5, Chapter on Inheritance, *CISGA 11: Konung Magnus Erikssons stadslag*, ed. C.J. Schlyter 81; 6, Chapter on Inheritance, *CISGA 12: Konung Christoffers landslag*, ed. C.J. Schlyter 82.

61 E.g. Treggiari S., *Roman Marriage: Iusti Coniuges from the Time of Cicero to the Time of Ulpian* (Oxford: 1991) 307; 7:2, Chapter on Inheritance, *CISGA 5: Westmannalagen*, ed. C.J. Schlyter (Lund: 1841) 124.

62 See, e.g. 6, Chapter on Inheritance, *CISGA 3: Uplandslagen*, ed. C.J. Schlyter 108; Korpiola M., “‘Only the Husband Can Accuse the Wife of Adultery and She Him’: Prosecuting and Proving Adultery in Medieval Sweden”, *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte, Kanonistische Abteilung* 100 (2014) 223–261 and the sources cited there. See also von Moos, “Das öffentliche und das Private” 31–32.

of. Apparently, Swedish medieval law assumed that the act would occur in a bed indoors.⁶³ Both medieval and early modern Swedish court records describe scenes in which the witnesses burst in and surprised the adulterous couple partially undressed or even in the bed together. As suspected criminals, they were entitled to even less privacy than ordinary people.⁶⁴ Moreover, seventeenth-century practice indicates that, despite the law, adultery – like other crimes – became increasingly prosecuted on the basis of rumours and suspicion due to the more effective and well-coordinated local secular and ecclesiastical control systems.⁶⁵

Yet, matrimonial property arrangements seem to have been increasingly defined as ‘domestic secrets’ by late seventeenth-century lawyers. Both parties brought property to the union, and this property was regulated differently, depending on which party it belonged to and whether it was inherited or acquired, land or moveable property. For outsiders such as creditors the matrimonial estate was opaque. They could not know what property actually belonged to the husband and what to the separate uxorial assets as there were no efficient and obligatory means of publicly registering ownership. Transparency-increasing legal institutions such as estate inventories and public registration were only slowly emerging in the seventeenth and eighteenth centuries. Paradoxically, the situation led to both an increase and a decrease in privacy.⁶⁶ Some lawyers criticised the criminalisation of family theft (*bodrägt*), i.e. spouses or children embezzling family property, preferring to leave such matters to private life. However, the crime of family theft was included in the 1734 Code, but it became a so-called complainant offence that only the injured parties could prosecute.⁶⁷

Within families and households, bodily integrity was very different in early modern Sweden from today. Writing in the eighteenth century, Nehrman defined the distinction between criminal violence and licit violence. Punishable violence was any violent act against the will of a person that the perpetrator forced the victim to tolerate and suffer upon their body or property. Moreover, the perpetrator was not entitled to commit the deed nor was the victim obliged to suffer it.⁶⁸ This may sound relatively modern as far as,

63 E.g. 15:3, Chapter on the Church (Sw. “Kirkiu Balken”), *CISGA 3: Uplandslagen*, ed. C.J. Schlyter 62–63.

64 See examples in Korpiola, “Only the Husband”.

65 E.g. Aalto S., *Kirkko ja kruunu siveellisyyden vartijoina: Seksuaalirikos, esivalta ja yhteisö Porvoon kihlakunnassa 1621–1700* (Helsinki: 1996).

66 Ågren, *Domestic Secrets* 13–17, 90–97. Cf. Lochrie, *Covert Operations* 148–149.

67 Ågren, *Domestic Secrets* 86–87.

68 Nehrman, *Inledning til Then Swenska Jurisprudenciam criminalem* 205.

for example, bodily integrity is concerned. Nevertheless, considering the right of officials to administer bodily violence upon criminals and the hierarchical authority of social superiors to correct and chastise wives, children, servants, students, employees, and so on, in practice, bodily integrity and privacy were quite limited.⁶⁹ In early modern Sweden, as elsewhere, the private realm of the household was the microcosm of the political body. If a man failed to control and master his own household and its members, it was a discredit to him and his authority even in the public sphere.⁷⁰ Yet, after 1734, legislators apparently tended to consider that domestic interspousal violence belonged to the private sphere instead of being publicly prosecuted.⁷¹

To sum up, in the early modern world, family life belonged to private law and the most private sphere. Here we can find some embryonic protection of the family from malicious lawsuits (e.g. presumption of paternity). However, sexual life was not private when it was criminal as all non-marital sex unfailingly was, and all sexual offenders were to be discovered and punished according to early modern criminal law ideology. Societal hierarchies permitted moderate licit violence as chastisement within the household even after corporal penalties had been removed from the law. The European trends of idealising domesticity spread to the North, especially during the nineteenth century. The family, more intimate and affectionate than before, increasingly separated itself spatially from their servants and exhibited heightened concerns for privacy even from the domestic help.⁷² Sentimental and individualistic perceptions of the family started to replace older notions of the house(hold) and the patriarchal order, and both masters and servants came to turn their backs on each other. Even the word 'family' became predominantly used for the unit of parents and children rather than a kin-group or household. Bourgeois family life became a refuge from the public sphere.⁷³ The new modern legal perceptions of privacy and its protection emerged from this development.

69 E.g. 30 and 36:1–2, Chapter on Crime, *Sveriges Rikes Lag, 1734* 152–153, 156.

70 E.g. Orlin L.C., *Private Matters and Public Culture in Post-Reformation England* (Ithaca – London: 1994) 18, 71–73, 85–86, 134–136.

71 Ågren, *Domestic Secrets* 86–87; 36:1 and 51, Chapter on Crime, *Sveriges Rikes Lag, 1734* 156, 166.

72 E.g. Maza S., *Servants and Masters in Eighteenth-Century France: The Uses of Loyalty* (Princeton, NJ: 1983) esp. 253–266, 326–327.

73 Häggman K., *Perheen vuosisata: Perheen ihanne ja sivistyneistön elämäntapa 1800-luvun Suomessa* (Helsinki: 1994) 40–58, 134–136, 176–179; Ariès, "Introduction" 7–8.

6 Conclusion

As Lena Cowen Orlin observes, early modern privacy was, for several reasons, a scarce commodity. The 'built environment' left little room for privacy as even private homes were multipurposed centres of consumption and production. Sharing space commonly resulted in a high 'social density', and people were encouraged to monitor each other.⁷⁴ Consequently, privacy has been identified as having been 'an emerging expectancy' in the early modern period.⁷⁵

While the possibility to enjoy privacy appears as slowly starting to emerge in early modern society, the legal protection it was awarded during the period can be called embryonic at best. Privacy as a right or a special interest protected by law as today did not exist at this time. Despite this assertion, I have approached the topic using present-day legal definitions of the privacy cluster as the starting point of my controlled anachronistic exercise. Consequently, I have investigated the main strands of the legal protection of 'privacy' in early modern Swedish law: confidentiality and secrecy, protection against slander and libel, peace of the home against violent intruders, and a certain protection of family secrets against outsiders.

One of the main factors contributing to the lack of such protection was that the legal system was based on another, more communal and religious value system insisting on punishing all crimes. This superior concern overrode any nascent notions of privacy. Thus, for example eavesdropping and peeping were virtues, not vices, if they resulted in bringing criminals to justice.

Kai Häggman has observed that 'the "nuclearisation" of the family in the nineteenth and early twentieth centuries was about the efforts of adult persons such as servants, lodgers, or employees to free themselves from the custody and control of their masters, landlords/ladies, and employers that reached very personal levels'.⁷⁶ The discovery of privacy in new ways was part of this process. The development of nineteenth-century European police states threatened the confidentiality of correspondence or the peace of the home. The modernising newspaper industry posed other potential threats to an individual's private sphere. All gave impetus to the developing perceptions of privacy as a special interest and its more effective legal protection. Consequently, a legally protected and enforceable right to privacy became redefined and started its legal ascendancy into modern law, but that is outside the scope of this article.

74 Orlin, *Locating Privacy* 226. See also Collomp A., "Families: Habitations and Cohabitations", in Chartier R. (ed.), *A History of Private Life*, vol. 3, 493–529, esp. 501–509, 513.

75 Huebert, *Privacy* 295.

76 Häggman, *Perheen vuosisata* 179.

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PART 2

Crossing the Thresholds of Privacy and the Private



The Moment of Communion

Lee Palmer Wandel

The *Siebenhirter Hours*, dated shortly before 1469,¹ contains a singular image, painted by the Lehrbüchermeister, of the very moment when communicants receive the host [Fig. 7.1]. While images of the Mass of Pope Gregory, by far the most studied of images of Communion, centre on the priest and the doctrine of transubstantiation,² this one centres on the recipient and the moment when the host enters the mouth.³ Images of the Mass of Pope Gregory centre on the pope, and hold forth his experience as at once a miracle and the ideal.⁴ This image renders diversity of experience among lay recipients. It invites us

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- 1 Stockholm, Kungliga Biblioteket, MS A 225, fol. 158v. I am very grateful to Aden Kumler, who showed this image in the Corinth Colloquium, “Quid est sacramentum?” For her interpretation of that image, see “Counterfeiting the Eucharist in Late Medieval Life and Art”, in Melion W.S. – Pastan E. – Wandel L.P. (eds.), *Quid est sacramentum? Visual Representation of Sacred Mysteries in Early Modern Europe, 1400–1700* (Leiden – Boston: 2019) 57–81.
 - 2 The research group, *Kulturgeschichte und Theologie des Bildes im Christentum*, at the Westfälische Wilhelms-Universität Münster produced a databank of images of the Mass of Pope Gregory: <https://gregorsmesse.uni-muenster.de>.
 - 3 This article builds on my previous work, foremost as published in *The Eucharist in the Reformation: Incarnation and Liturgy* (New York – Cambridge: 2006). Please refer to its bibliography for scholarship on the practice and theology of the Eucharist. In attending to the moment of reception – as critically distinct from the moment of consecration – this essay moves away from almost all scholarship on the sacrament. While there are substantive bodies of work on the Mass, on the doctrines of transubstantiation and real presence, and on the elevation of the host, Caroline Walker Bynum’s *Holy Feast and Holy Fast: The Religious Significance of Food to Medieval Women* (Berkeley, CA: 1987) remains in many ways singular, in particular in its attention to the experience of reception. On the Mass, see foremost Jungmann J., *Missarum Sollemnia: Eine genetische Erklärung der Römischen Messe*, 2 vols. (Freiburg: 1962). For an introduction to Reformation debates on transubstantiation and real presence, see Wandel L.P. (ed.) *A Companion to the Eucharist in the Reformation* (Leiden – Boston: 2014), Part I; and Wandel L.P., *The Eucharist in the Reformation*. In contradistinction to the doctrines of transubstantiation and real presence, there is very little on the question of worthiness and nothing on its import for the substance of the elements.
 - 4 On the Mass of Pope Gregory, see foremost Bynum C.W., “Seeing and Seeing Beyond: The Mass of St. Gregory in the Fifteenth Century”, in Hamburger J. – Bouché A.-M. (eds.), *The Mind’s Eye: Art and Theological Argument in the Middle Ages* (Princeton, NJ: 2006) 208–240; Meier E., *Die Gregorsmesse: Funktion eines spätmittelalterlichen Bildtypus* (Cologne: 2006); Gormans A. – Lentens T. (eds.), *Das Bild der Erscheinung: Die Gregorsmesse im Mittelalter* (Berlin: 2007).



FIGURE 7.1 Lehbüchermeister, *Siebenhirter Hours* [approx. 1470]
NATIONAL LIBRARY OF SWEDEN, MS A 225

to meditate not on the moment of consecration but on the moment of reception, a moment which in turn invites us to reflect on 'privacy' in the terms set forth in Mette Birkedal Bruun's "Work Method", specifically, 'zone', 'person', and 'threshold'. Finally, in representing the moment of Communion as variable, the *Siebenhirter Hours* image both underlines the radical instability of the matter of the host and calls the viewer's attention to the recipient as equally essential to the moment. The image thus points to the question of 'worthiness', set forth in 1 *Corinthians* 11:

Whoever, therefore, eats the bread or drinks the cup of the Lord in an unworthy manner will be answerable for the body and blood of the Lord. Examine yourselves, and only then eat of the bread and drink of the cup. For all who eat and drink without discerning the body, eat and drink judgment against themselves.⁵

As it became so very clear in the sixteenth century, 'worthiness' was not necessarily visible. To shift to the terms of this volume, it was and is not 'public'. Does that make 'worthiness' something 'private' – given the common opposition in contemporary thought – or does the moment of Communion contain within it multiple zones, some public, some less so, and posit a notion of 'person' of multiple layers of knowability? Before seeking to answer this question, let me sketch in brief the moment of Communion in terms of zone, person, and threshold first as represented in a late medieval manuscript illumination and then as reconceived in the sixteenth century. This sketch draws on my earlier work; footnotes point towards rich literatures on each aspect I must necessarily so very quickly traverse.

1 The Spaces of Communion

The *Siebenhirter Hours* image renders that which would have been important to receiving the sacrament of Communion. Late medieval Christians could receive it in a private chapel, a chapel within a church, a parish church, a cathedral, or a basilica. Technically, Communion could take place anywhere: the medieval Church allowed the administration of the sacrament in times of exigency, whether the home of the dying or the battlefield. It did not require the walls of a church or chapel or an altar. But, as the image suggests, the

5 1 *Corinthians* 11:27–29, Coogan M. (ed.), *The New Oxford Annotated Bible*, 3rd ed. (Oxford: 2001).

sacrament was offered normally and normatively within the walls of a church, at an altar. The spaces of Communion were, as the image renders, multiple and nested: at an altar within a church of some kind. Thinking of those spaces as zones, nested one in the next, let us move from the walls of a church to the mouth of the recipient.

As the image visualises, with its windows and their glimpse of green and trees, the space of Communion was demarcated by walls.⁶ Those walls marked a boundary between the interior of each church – be it wayside chapel or parish church or cathedral – and the exterior. The walls also demarcated a boundary between a space that had been consecrated to worship, the interior, and what, in direct contrast, was construed as the ‘secular’ or ‘mundane’. Each church, before it might be used for worship, was, following Pontificals, to be consecrated by a bishop, through a formal rite which itself was public, involving a range of persons. The walls were porous: mundane practices occurred within them. But they marked a space within which the sacraments were to be celebrated.

Last Rites normally were administered within a home; the sacrament of marriage, at the threshold of a church.⁷ The other sacraments – baptism, confirmation, confession and penance, and ordination – occurred within the consecrated space of a church. The largest zone for Communion was a space not only of sacraments, but of sacred acts that defined the stages of the Christian life [Fig. 7.2].

The walls were permeable; secular practices occurred within them. More critically to a conceptualisation of the walls, bells communicated far beyond them the liturgical structuring of all time for medieval Europeans, Christian or not, sonically extending the space of worship far beyond the material walls. Bells rang the different kinds of Christian time: the hours of the Divine Office – matins, lauds, prime, terce, sext, none, vespers, and compline; feast days of the Christian year, the Temporale, Sanctorale, and Marian cycles of time; the time of Mass; the moment of the elevation of the host and chalice. Within the zone of the church was the structuring of time in Christian Europe, both collective time and the intimate experience of divine presence. Thus, the first zone of Communion was both permeable and itself the site of sound that

6 For an excellent introduction to the relationship between liturgy and architecture, see Van der Ploeg K., *Art, Architecture, and Liturgy: Siena Cathedral in the Middle Ages* (Groningen: 1993) Introduction. For a close study of a single church and its multiple liturgical uses, see especially Nickson T., *Toledo Cathedral: Building Histories in Medieval Castile* (University Park, PA: 2015) esp. Part 3.

7 Roper L., “‘Going to Church and Street’: Weddings in Reformation Augsburg”, *Past & Present* 106 (1985) 62–101.



FIGURE 7.2 Rogier van der Weyden, “Altar of the Seven Sacraments” (before 1450), painting
 KONINKLIJK MUSEUM VOOR SCHONE KUNSTEN, ANTWERP, BELGIUM. ERICH LESSING /
 ART RESOURCE, NY

extended it perceptibly, blurring any clear demarcation of secular and sacred, mundane and consecrated.

Within the walls was a visually complex world, which we can see in the Van der Weyden, of choir screens, retables, crucifixes, sculpture, a density of many different kinds and sizes of images. Jacqueline Jung has detailed the multiple visual and devotional work of choir screens in chapters treating them as partition, bridge, and frame.⁸ Reindert Falkenburg has suggested that retables

⁸ Jung J., *The Gothic Screen: Space, Sculpture, and Community in the Cathedrals of France and Germany, ca. 1200–1400* (Cambridge – New York: 2013) Part I.

could evoke the breaking of the host at Communion.⁹ The images are material traces that, among other things, remind us of individual imaginations and their role in the reception of Communion.

So, too, to this largest zone belongs the practice of catechesis, which Reformation Churches all came to practise. Medieval Christians may or may not have received catechesis, but the learning of words that would then be spoken in the Mass – the Apostles' Creed and the Lord's Prayer – also occurred in this space, binding person to person in the shared cadences of the words of the simplest of Christian lives.¹⁰ These words within this space might be said to have formed one of the 'publics' before whom communicants received Communion.

The time of the Mass might be said to create a second zone. The celebration of the Mass did not simply occur within the walls of a church, but was the reason for its consecration. The space and the celebration of the Mass were deeply and complexly interdependent. The Mass could be celebrated outside a church, and mundane activities could occur inside the walls of a church, but, as many images suggest, the church was the space of the Mass.

Different scholars have divided the temporal structure of the Mass in different ways: Arthur Young divided it into five movements: the preparation, the oblation, the consecration, the communion, and the dismissal.¹¹ Joseph Jungmann divided 'the Sacrifice', or the Mass of the Catechumens, from all that came before, from the priest's preparations through the service of readings to the Credo.¹² Thus, the second zone, of the Mass, was both spatial and temporal. Equally, the learned words of the Credo and the Lord's Prayer were to be spoken within the temporality of the Mass or, later, with the fragmentation of the Reformation, the Lord's Supper, moments of integration of person and sacred rhythms.

Within the walls, during the Mass, sound encompassed the space, creating aurally a communal place. The Ordinary – the Kyrie, the Gloria, the Credo, the Sanctus, the Agnus Dei, and the dismissal – was constant from Mass to Mass, the words sung by choirs in larger churches, chanted by priests in smaller. The Proper – the Introit, the Gradual, the Alleluia, the Offertory, and the Communion chant – differentiated each Mass according to the liturgical calendar, but the two were interwoven in the cadence of the Mass, the one constant, the other marking different kinds of sacred time. Devout laity

9 Falkenburg R., "Hieronymus Bosch's Mass of St. Gregory and 'sacramental vision'", in Gormans – Lenten (eds.), *Das Bild der Erscheinung* 179–206.

10 Wandel L.P., *Reading Catechisms, Teaching Religion* (Leiden – Boston: 2016).

11 Young K., *The Drama of the Medieval Church*, vol. 1 (Oxford: 1933) 19.

12 Jungmann, *Missarum Sollemnia*.

participated in the creation of shared sound, speaking the Credo, the Lord's Prayer, shared prayers, Amens.

So, too, the *Siebenhirter Hours* image renders the next, nested zone for receiving the sacrament. Partially obscured by the figures before it, the altar – designated by the starkly white corporal as well as the pyx and the chalice upon it – is the single largest object in the image. The illumination stipulates neither the size of the church nor whether the altar was one of many; it depicts walls and altar. In this, too, the image, in not specifying a place or a particular altar, points toward that which was normative and normal: late medieval Christians could receive communion at an altar in a chapel, a side altar in a church, at the high altar of a cathedral. An altar was critical, albeit not essential, to Communion, but no one altar, no one kind, no one placement – in chapel or choir, cathedral or roadside shrine – was. If a church was the space within which the Mass was celebrated, the altar was the site of the Mass.

Altars, more and more often built out of stone, were a constant presence within the walls of a church.¹³ Like the space within which they had been placed, altars were consecrated,¹⁴ like that space, they remained, even when no Mass was being celebrated, a material presence. Altars were never mere surface. By the time this image was executed, altars had come to contain relics, hidden from sight but known to be present.

Pontificals contain discrete rites of consecration that the medieval and Tridentine Church formally required: for altars, for vestments, for liturgical vessels, as well as for the space of the church. Each of those acts of consecration was not only formal, its words and gestures scripted in the codex, but also public, done in front of others attending. The white object in the *Siebenhirter Hours* image would have thus been read, given what was depicted as happening before it, as consecrated to be the site for the celebration of the Mass.

Before turning to persons and thresholds, let me quickly sketch the many changes Reformation instituted to the spaces of Communion outlined here. In all places where Evangelicals instituted Reformation, they silenced the cadences and the bells of the Divine Office. Perhaps more critically, Lutherans, Reformed Christians, Anabaptists, Mennonites – most Evangelicals – rejected sacerdotal power, both the sacrament of ordination and the specific authority that sacrament conferred on the men who received it. Thus, while Lutherans

13 For this and following, see foremost Braun J., *Der christliche Altar in seiner geschichtlichen Entwicklung*, 2 vols. (Munich: 1924).

14 As Durand notes, not only the church, but also the altar was to be consecrated, book 1, ch. 7, paragraph 1, Durand William, *Gvillelmi Dvranti Rationale Divinorum Officiorum I–IV*, ed. A. Davril – T. Thibodeau (Turnhout: 1995) 84.

might continue to consecrate their churches to worship, that consecration was no longer spoken by an ordained priest.

The place of communion had been from the beginning and remained throughout the Reformation 'public' in certain ways: from the earliest conventicles to the Churches of the Reformation, Christians gathered together for Communion. If in the earliest years of persecution, Christians might gather clandestinely, from the time of Constantine forward, Christians gathered in spaces open to all Christians, though they be strangers to one another. They gathered in spaces that, over generations, had become more complexly 'public', if one might push the term, spaces which encompassed the graves and remains of donors, bishops, holy persons; images of Mary, apostles, saints. During the Reformation, iconoclasts might strip those spaces of the material remains of donors, Mary, apostles, and other saints – of their relics as well as the matter that had been made to honour them – thus reducing the 'public' of Communion,¹⁵ but for all Christians, the church building remained a space open to members of their confessionally defined Church.

Lutherans preserved altars, but used only one, in the nave, as the site of Communion.¹⁶ Huldrych Zwingli and John Calvin called for tables to replace altars. Neither church nor table were to be consecrated in Zurich or Geneva or the places that looked to them for leadership, neither was considered holy. Churches in these places were spaces for worship, undifferentiated by degrees of consecration or degrees of holiness. For all European Christians, the walls depicted in the *Siebenhirter Hours* image remained constant, marking a (permeable) boundary, within which Christians gathered to receive Communion. They no longer agreed on the presence of that which is marked by brilliant white cloth, and they divided bitterly over the exact nature of the power of the four figures distinguished by vestments, and in particular, the figure on the right side of the image, to whom we now turn.

The image visualises, dramatically, the 'zone' of the space of host and mouth and the mouth as a threshold to the person. Before taking up the host, the mouth, and the person of the recipient, we turn to the *Siebenhirter Hours* image's visual articulation of persons.

15 Wandel L.P., *Voracious Idols and Violent Hands: Iconoclasm in Reformation Zurich, Strasbourg, and Basel* (Cambridge – New York: 1995).

16 On Lutheran Churches and their liturgies, see Spicer A. (ed.), *Lutheran Churches in Early Modern Europe* (Abingdon – New York: 2012).

2 Person

The *Siebenhirter Hours* image depicts a total of seven figures, three pairs in front of the altar and one figure placed to its side. Four of the figures are distinguished by vestments, which, as William Durand wrote, signalled layers of sacerdotal authority:

there are six things which commonly belong to all priests, namely: to catechise, baptise, preach, consecrate [conficere] [the elements], loosen and bind. But there are nine things that specifically belong to the [bishop], namely: to ordain clerics, bless consecrated virgins, consecrate other bishops, lay on hands, dedicate basilicas, depose those who have been removed from orders, celebrate synods, make the chrism, and consecrate the liturgical vestments and vessels.¹⁷

Vestments distinguish from all the others the one figure placed to the right of both the altar and the scene, who holds his gloved and jewelled hands in a gesture of prayer. Those vestments – the mitre, cope, and palium – designate him as a bishop.¹⁸ The vestments thus mark that figure as fundamental to what is taking place in the image, even as the *Lehrbüchermeister* placed him on the edge of the image. His vestments mark him as authorised to ordain priests who, once ordained, could effect the transubstantiation of the elements, following the decree of the Fourth Lateran Council:

Nobody can effect this sacrament except a priest who has been properly ordained according to the Church's keys, which Jesus Christ himself gave the apostles and their successors.¹⁹

17 *Rationale divinatorum officiorum*, book II, ch. II, paragraph 13, *William Durand: On the Clergy and Their Vestments*, trans. T. Thibodeau (Chicago: 2010) 127; II, XI, 13: 'Differt autem inter episcopos et sacerdotes, quia licet sex sint que communiter ad omnes pertinent sacerdotes: uidelicet catechizare, baptizare, predicare, conficere, soluere, ac ligare; tamen ad pontificem nouem specialiter spectant: scilicet clericos ordinare, uirgines benedicere, pontifices consecrare, manus imponere, basilicas dedicare, degradandos deponere, synodos celebrare, crisma conficere, uestes et uasa sacrare', *Gvillelmi Dvranti Rationale Divinorum Officiorum I–IV* 175.

18 Book III, ch. 8, paragraph 1, *Gvillelmi Dvranti Rationale Divinorum Officiorum I–IV* 197.

19 'Et hoc utique sacramentum nemo potest conficere, nisi sacerdos, qui fuerit rite ordinatus secundum claves ecclesiae, quas ipse concessit apostolis et eorum successoribus Iesus Christus' *Decrees of the Ecumenical Councils*, ed. N.P. Tanner, S.J., vol. 1 (London – Georgetown: 1990) 230.

Necessary in the medieval Church for the moment of Communion is the person of the priest: a man who had received the sacrament of orders, whose clothes marked him as having received that sacrament and in so doing, having been transformed, his very nature altered.²⁰ In the miniature, the vestments of the figure of the bishop invoke the sacrament of orders, the sacerdotal power conferred through that sacrament. In distinguishing him not only from the laity, but also from those assisting in Communion, his vestments also mark him as the sole figure who could have consecrated the elements.

The three figures standing before the altar are also distinguished by vestments: the alb and the stole.²¹ The absence of the chasuble suggests that these three figures are not officiating in this Mass, but assisting the bishop. They do not have the same authority, nor the sacerdotal power of the bishop. The vestments thus manifest a hierarchy of clerical power. They also point towards an otherwise unrepresented sequence: prior to the moment represented in the image, the bishop has celebrated all but the benediction and dismissal of the Mass and has already consecrated both host and wine. Depicted is a moment that follows consecration: assistants offer hosts to communicants.²²

Following Durand, the vestments were not simply marks of sacerdotal office. They were also to manifest virtues, such as humility, and a way of life, encompassing charity and celibacy. They thus both designate and manifest, an office and a person who has been transformed through the sacrament of ordination. The vestments invite the viewer to consider one play of virtue and visualisation. The central drama invites the consideration of another.

The Lutheran, Reformed, Anabaptist, and Mennonite Churches instituted in the sixteenth century rejected both the sacrament of ordination and the vestments that had visualised that sacrament and its transformation of the person receiving it. In 1524, in Zurich, in a gesture demonstrating this radical rejection of sacerdotal power and its marks, vestments were handed out to the poor,²³ reduced to mere clothing, something which could cover the poorest in their need. In Geneva as in Wittenberg and Zurich, those now called ministers administered the sacrament of Communion.²⁴ So, too, Martin Luther, Zwingli, Calvin, Anabaptist, and Mennonite theologians all rejected Fourth

20 For an introduction to the sacrament of ordination, see Bradshaw P.F., *Rites of Ordination: Their History and Theology* (Collegeville, MN: 2013).

21 On vestments, in addition to Durand, see Miller M.C., *Clothing the Clergy: Virtue and Power in Medieval Europe, c. 800–1200* (Ithaca – London: 2014); Wandel L.P., “Vestments in the Mass”, in *Quid est sacramentum?* 82–104.

22 On the sequence of the Mass, see foremost Jungmann, *Missarum Sollemnia*.

23 Wandel, *Voracious Idols and Violent Hands* 97.

24 On the changing role of the celebrant, see Wandel, *The Eucharist in the Reformation*.

Lateran's formulation of the power of the priest and that any human being could effect the transformation of the elements into the body and blood of Christ. Ministers of these Churches could not effect it, and their clothing, the robes of a doctor of Scripture, signalled a very different kind of authority, rooted not in a sacrament, but in knowledge of the sacred text that itself possessed supreme authority.

The vestments in the *Siebenhirter Hours* image signal a power that the Council of Trent would affirm,²⁵ and separate four figures from the three recipients. Those three wear tunics of varying lengths, alternating left to right in the image, red, green, and red. Untonsured and unmarked by any clerical sign, they can be read as laity. Equally significant, their clothing connects each, through the jewel-like red, green, and blue, to the figure of the bishop. The leftmost two wear longer tunics, while the figure on the right is the only figure whose feet are visible and who wears leggings.

While Evangelical Churches rejected vestments and the power they signalled, these three lay figures represent an anxiety which all Churches shared and which intensified in the fragmentation of the Reformation. The three are differentiated in the colouring of their faces as well as in the objects that the three clergy offer, to which we turn below. Most striking of the three is the figure on the right, closest to the bishop, whose face is a different shade of red from his tunic, but whose face separates him from all the other figures in the image. That red face can be construed in many ways²⁶ – each of which deny to that person the proper state of piety to receive Christ's presence in the host.

3 Threshold and Matter

The Lehrbüchermeister chose to render the mouths of all seven figures in red, the same red as the two tunics. Those mouths are the dramatic centre of this image. To take up the terms of the "Working Method", they suggest a threshold. Indeed, it is only in construing the mouths as a threshold that we can discern the terrifying significance of what the three clergy hold before those mouths.

Immediately preceding the moment of communion, within the cadence of the Mass, were the words of institution.²⁷ Immediately following the words,

25 Session 23, 15 July 1563, *Decrees of the Ecumenical Councils*, vol. 2, 742–744.

26 See, for example, Mellinkoff R., *Outcasts: Signs of Otherness in Northern European Art of the Late Middle Ages*, vol. 1 (Berkeley: 1993) ch. 7; and Lipton, S., *Dark Mirror: The Medieval Origins of Anti-Jewish Iconography* (New York: 2014) ch. 5.

27 The following draws foremost on Jungmann. See also Wandel, *The Eucharist in the Reformation* ch. 1.



FIGURE 7.3 Adriaen Isenbrandt, “The Mass of Saint Gregory the Great” (c. 1510–1550), painting, 362 mm × 292 mm
J. PAUL GETTY MUSEUM

‘Hoc est enim Corpus meum’, the celebrant elevated the host, and then, following ‘Hoc est enim Calix Sanguinis mei, novi et aeterni testamenti, mysterium fidei, qui pro vobis et pro multis effundetur in remissionem peccatorum’, the chalice, each elevation marked aurally by the ringing of bells.²⁸ Communion

28 The *Saint Joseph Daily Missal* (New York: 1950) offers the following translation of these words: ‘For this is my Body. [...] For this is the Chalice of my Blood of the new and eternal

was the culmination of stages of preparation, from the priest's ablutions that occurred outside of the laity's sight, through the prayers and gifts, to the Sanctus, sung or chanted, by priest alone or priest and choir. The moment of Communion occurred near the end of the Mass in its entirety, when the congregation and the clergy had 'moved' towards the singularly dramatic moment of transubstantiation. It occurred within, as Jungmann's division suggests, a more intensive sequence of preparation. Between consecration and lay communion, the laity first heard the priest's prayers, then themselves collectively recited the Lord's Prayer, then heard prayers at the commingling of the elements, collectively recited the Agnus dei, exchanged the kiss of peace, heard the prayers at the communion of the celebrant. Only then did the laity approach, move to the altar, where each received Communion individually. Final prayers and the dismissal to return 'to the world' occurred after all who had approached the altar received the host.

To the point of Communion, and afterwards, the ritual of the Mass was both public and communal, a shared preparation for a singular moment of sacred presence (or absence). The Mass was celebrated in a space in which high stone walls pierced by windows delimited an inside from an outside, a place distinguished from the world by the act of consecration. The vestments symbolised a hierarchical authority which governed the space and the sacraments. Even as the Mass might be, on high feast days, celebrated in the choir or apse, quite possibly separated from the nave by a choir screen or rood screen, when the laity were invited to take Communion, they shared the same space.

In the midst of a complexly constructed shared movement within a shared space, each Christian received Communion individually. That reception is the subject of the *Siebenhirter Hours* image. Unlike images of the Mass of Pope Gregory, in which the central drama occurs at the altar, between the celebrant and the person of Christ, in the *Siebenhirter Hours*, the drama centres on three red mouths and what can be seen on each of three patens, between the assistant and the recipient. The visual argument is neither for real presence nor for sacerdotal power to invoke that presence.

The mouths of the recipients have been rendered in bright red, calling attention to the mouth as the point of entry into, the threshold of, their bodies.

covenant; the mystery of faith, which shall be shed for you and for many unto the forgiveness of sins' 566. As Jungmann notes, the texts of the words of institution were never simply the restatement of a scriptural text, *Missarum Sollemnia* II, 243–244. In the sixteenth century, as Evangelicals formulated liturgies that broke with medieval practice in many different ways, those formulae also altered the words of institution, according to their divergent understandings of just what happened at the Seder the night before Jesus was crucified. On the divergent formulae, see Wandel, *The Eucharist in the Reformation*.

What each of the three assistants holds out makes the visual argument that Communion was not the same for all. All three are white and circular – evoking the host of so many images of Communion. But on those three white circles are three significantly different objects: reading left to right, an image of the infant Jesus with halo, a piece of bread, and a toad.²⁹

The *Siebenhirter Hours* image is poised just before communicants receive the host in their mouths. Accounts of mystics take us into the moment of Communion, the moment immediately following the one in the illumination, in which the host has crossed the lips. Two from Caroline Walker Bynum's *Holy Feast and Holy Fast* suggest the blurring of boundaries of person and matter that, in turn, enables us to understand more fully the terrifying significance of those three hosts.

Ida of Louvain (d. ca. 1300) desired frequent communion, but, according to Bynum, 'was too modest [...] to receive the eucharist without [her confessor's] permission'. Her communion, as set forth by her hagiographer, reminds us how problematic is any ready separation of matter and presence:

It frequently happened at that time that, when the priest received the holy communion at the altar, as the custom was, she, in the intensity of her desire, received with her mouth at the selfsame moment the most sacred pledge of the host of the Savior (brought, we believe, by a ministering angel) and discerned it with the sense of taste and even chewed it with her teeth.³⁰

Angela of Foligno (d. 1309) differentiated among her own moments of communion:

She said that sometimes, when she made communion, the host expanded in her mouth and she tasted neither bread nor the meat which we know. Certainly it had the savor of meat but with a completely different taste, which 'I do not know how to compare to anything else in this world'. It went down with great ease and sweetness and not with the difficulty to which she was accustomed. She said that it softened quickly and was not hard as it usually was. And it had such sweetness that 'had I not heard it

29 For an introduction to medieval debates on the matter of the host, see Levy I.C. – Macy G. – Van Ausdall K. (eds.), *A Companion to the Eucharist in the Middle Ages* (Leiden – Boston: 2012). For an introduction to Reformation debates, see Wandel (ed.), *A Companion to the Eucharist in the Reformation Part 1*.

30 Bynum, *Holy Feast and Holy Fast* 117.

said that a person ought to swallow quickly I would have held it freely in my mouth with great delay. But at such times I remember suddenly that I ought to swallow quickly, and the body of Christ goes down whole with that savor of unknown meat, nor do I need to drink anything afterwards. But this does not normally happen and so I make a great effort that no crumb of the host remains between my teeth. But when it does descend in this way, it gives me a great feeling of peace. And this is discerned outwardly in my body, because it makes me tremble violently, so that only with great effort am I able to grasp the chalice.³¹

In these accounts, the moment of Communion confounds distinctions of body, matter, object, divine presence. The priest, whose presence was doctrinally essential to the moment of Communion, becomes an avatar in the account of Ida's Eucharistic devotions, at best, marking the moment with his own Communion, but physically and sacramentally separate from the angelic Communion offered to Ida. Angela's intense focus on the physical experience of the host excludes space, sound, priest, even the chalice.

The *Siebenhirter Hours* miniature represents the moment of Communion not as encompassing the *necessary* presence of Christ – the assumption that informed both mystics' accounts – but as essentially vulnerable. It renders not simply different experiences – the host with Christ and the host with a piece of bread – but antithetical ones: the host with the toad is visually opposite, in placement and in colouring, to the host with the image of Christ.³² If the mystics in Bynum's study experienced the real presence of Christ, the *Siebenhirter Hours* image suggests that that presence was not constant for all: only one host of the three has an image of Christ on it.

The image visualises that the words of consecration alone could not ensure the presence of Christ. The red face of the recipient of the host with toad is one visual cue: this figure differs from all others in the image, and that red face is proximate to the toad. In the visual argument of the image, Christ was not always present in the host, but present only for a few. For the others, Christ might be absent (the bread) or indeed, damnation might be present (the toad). The difference, as the *Siebenhirter Hours* image renders so clearly, was not only one of hosts, but also of recipients.

31 Bynum, *Holy Feast and Holy Fast* 141–142.

32 For one reading of the toad, see Hamburger J., "Bosch's 'Conjuror': An Attack on Magic and Sacramental Heresy", *Simiolus: Netherlands Quarterly for the History of Art* 14.1 (1984) 4–23.

The matter of the host, in other words, was not stable. Consecration did not ensure the presence of Christ with every host. The matter of the host depended on the person receiving. The image visualises the terror of Paul's admonition to the Corinthians: the danger of communicating unworthily. As those different hosts entered the red outlined mouths, they did not remain discrete from the bodies that received them.

This sense of the moment of Communion, the anxiety not about the host, but about the recipient and the consequences of communicating without proper preparation, is a recurrent theme in Book IV of the *Imitatio Christi*, here at Chapter 6, in which The Disciple says,

Lord, when I consider Your dignity and my own wretchedness, I am full of fear and confusion. For if I do not receive You, I refuse life; and if I intrude myself unworthily, I incur your displeasure.³³

Or in Chapter 12, when Christ says,

However, know that even your best efforts cannot make a worthy preparation for Me, although you were to prepare for a whole year and do nothing else beside.³⁴

The preparation of the *Imitatio* encompassed self-examination and prayer. A number of those prayers spoke directly to the anxiety that no preparation was sufficient. 'What can I do', the Disciple asks, 'to atone for my sins, but humbly confess and lament them, and constantly implore your propitiation?'³⁵

Reformation Churches changed so very much of the practice of Communion, from the rejection of the sacrament of ordination through divergent conceptualisations of the real presence. And yet, all taught Paul's warning. They differed again on what 'worthiness' encompassed. For Peter Canisius, following Aquinas, 'worthiness' encompassed the sacrament of penance.³⁶ Luther's

33 Á Kempis Thomas, *The Imitation of Christ*, trans. L. Sherley-Price (Hammondsworth: 1952) book IV, ch. 6, 196. 'Si enim non accedo, vitam fugio; et si indigne me ingessero: offensam incurro' Á Kempis Thomas, *The Imitation of Christ; De imitatione Christi*, ed. P.A. Böer (Middleton, DE: 2014) 571.

34 Á Kempis, *The Imitation of Christ*, book IV, ch. 12, 207. 'Scito tamen te non posse satisfacere huic preparationi ex merito tuae actionis: etiam si per integrum annum te preparares et nihil aliud in mente haberes' Á Kempis, *The Imitation of Christ; De imitatione Christi* 582.

35 Á Kempis, *The Imitation of Christ*, book IV, ch. 9, 199. 'Quid possum agere pro peccatis meis nisi humiliter ea confitendo et lamentando; et tuam propitiationem incessanter deprecando?' Á Kempis, *The Imitation of Christ; De imitatione Christi* 575.

36 Wandel, *Reading Catechisms* 232, 263.

Enchiridion taught: ‘a person who has faith in these words, “given for you”, and “shed for you for the forgiveness of sins”, is really worthy and well prepared.’³⁷ Both the *Genevan Catechism* and the *Heidelberg Catechism* taught that pastors were to exclude the unworthy from Communion.³⁸ Both taught that unworthiness was discernible. Both also taught self-examination as preparation for reception.

Each Reformation Church in its way, from the Catholic through the Lutheran to the Heidelberg theologians, struggled with the hidden unknowable in the Eucharist. For all but the Anabaptists, baptism was a sacrament administered in front of the entire congregation, a Christian public, to infants, whose inner person was not yet formed and did not inform the sacrament in any way. The Eucharist was utterly different. Even as it shared with baptism the same space, the communal space of the congregation, at its very centre was that towards which Paul had pointed: the inner person. Calvin and the Heidelberg theologians held the possibility that that inner person manifested her- or himself in the community, but Calvin in particular struggled with questions of ‘Nicodemism’ and deception:³⁹ the potential for disjunction between visible behaviour and inner belief.

4 Conclusion

For all the Churches of the Reformation as well as for the medieval Church, the moment of Communion was always simultaneously shared and intensely personal. Shared were the zones of Communion, from the walls demarcating the space of worship through approaching the altar to the zone between bread and mouth, even as Churches differed as to whether any of the zones were sacred. Shared, too, were the cadences of worship, the movement of preparation from entering the church to reception, from the ancient and complex movement of the Mass to Calvin’s intentionally simplified order of service.

For each Church the moment was also intensely personal. The Churches differed on what exactly the communicant received in his or her mouth,⁴⁰ but they were agreed that receiving ‘unworthily’ posed potential damnation. They

37 Ibidem, 265, from Luther Martin, “The Small Catechism”, ed. R. Kolb – T. Wengert, *The Book of Concord: The Confessions of the Evangelical Lutheran Church* (Minneapolis, MN: 2000) 363.

38 Wandel, *Reading Catechisms* 270–273.

39 On Calvin and Nicodemites, see most recently Woo K.J., *Nicodemism and the English Calvin, 1544–1584* (Leiden – Boston: 2019).

40 Wandel, *The Eucharist in the Reformation*.

were agreed that the inner person was inseparable from what was received in Communion. 'Unworthiness', as the *Imitatio Christi* and its enormous popularity testify, points precisely to conundrum at the very centre of Communion: that the formal and public liturgy which surrounds the moment of reception does not and cannot ensure that Christ is really present, that the matter of the host remains the same for all present. 'Unworthiness' pointed precisely not only to the instability of the matter of the host, but also to the intimacy of the encounter between person and God, an intimacy that was, following Paul's warning, separate from the formal liturgy.

While priests and pastors could bring the full range of their authority to bear on the moment of Communion, preaching their Church's particular doctrine of the Eucharist, enjoining self-examination and open acknowledgement of ones' thoughts and belief, none could ensure that in the very moment of Communion, the matter the recipient received in her/his/their mouth would be constantly that which the Church taught it was, let alone what the Church taught it would be if a recipient had not prepared him- or herself properly. The moment when the sinning person received the consecrated host in her/his/their mouth was radically intimate, utterly invisible to others. In that very moment, the communicant received the body of Christ, bread, or damnation, depending on what was inner to the person, not necessarily visible to others and in that way, not publicly knowable. Unique to each communicant, in the moment that the host crossed the lips of the open mouth, the threshold of each person, the great drama of grace or damnation occurred, hidden to all but God.

Was that moment then 'private'? The question of 'worthiness' leads to the inscrutability of each person beyond what any public might see – the essential unknowability of each individual. But 'worthiness' also presumes the presence of God, as knowing and judging in the very moment when public ritual meets intimate encounter: those red lips and differentiated hosts. That moment was then 'private' in the sense of 'private devotion', even as it occurred in spaces that were communal, but let me suggest that 'intimate' might be a better term, as it presumes two in zone of mouth and host, the individual communicant and God.

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How to Make Exemplarity with Secret Virtues: Funeral Sermons and Their Challenges in Early Modern France

Anne Régent-Susini

Funeral sermons were immensely popular throughout seventeenth-century Europe. In France, such public speeches (*oraisons funèbres*) constituted major cultural, religious, and often political events. The sermons were sustained by a complex institutional organisation and, at least in the case of the most prestigious of them, embedded in a multimodal semiotic framework. As such, they do not seem to have much to do with privacy. They belong to a time when death was not viewed as a private event, especially when a public figure was concerned.¹ In those cases, funeral ceremonies often entailed a spectacular decoration of the church as well as public advertising and public reports in newspapers. As to their content, by their very nature, funeral sermons are situated at the intersection of biography and history, of individuals and communities, of particular actions and public deeds. However, they target communal memory and therefore mobilise shared memories and mostly deal with public or semi-public biographical episodes. As official or semi-official epideictic speeches, they primarily address the community rather than individuals, which explains why they seem to exclude privacy. Furthermore, they do not describe the specific aspect of each person, but rather his or her sense of community. By collectively re-enacting the personal experience of loss and death, they are meant, in a typically epideictic dynamics, to sustain the unity of the living as a group that shares the same values and representations.² They

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- 1 The research bibliography on death in early modern France is enormous. Not to mention art historians and literature scholars, extensive historical research of the 1960s and 1970s investigated death in medieval and early modern France. With its long timespan, *La Mort et l'Occident de 1300 à nos jours* (Paris: 1983) by Michel Vovelle can be considered a major output of these approaches that mostly pertain to cultural history. More focused on the rituals surrounding the death of kings and their politico-theological dimensions, the work of E. Kantorowicz and R. Giesey has been debated by scholars like A. Boureau, M. Fogel, J.-M. Le Gall, and J.-C. Bonnet.
 - 2 On the argumentative dimension of epideictic speeches, see Dominicy M. – Frédéric M., “Introduction. L'éloge, le blâme, et le genre épideictique”, in Dominicy M. – Frédéric M. (eds.), *La Mise en scène des valeurs. La rhétorique de l'éloge et du blâme* (Paris: 2001) 11–17; Danblon E.,

constitute collective experiences that reinforce the unity of the group and intentionally transcend private emotions of grief, sadness, and fear, aiming towards the regeneration of the community.

1 Between Orality and Writing, Public and Private

The different modes of *publication*, understood as the ways in which sermons were made public, afforded them different kinds of readership. On occasion, oral performances were recorded in private or semi-private notes and diaries and in private letters. Furthermore, the printed versions intended not only to extend the praise of the deceased beyond the spatio-temporal coordinates of the oral performance: the print also made the speech (and even its setting) available for private purposes, especially personal meditation. In this regard, and although the communal dimension of Catholic funeral sermons generally remained strong, their reading could prompt, guide, and, more generally, offer a framework for private devotion. This meditative dimension was probably the main function of smaller and cheaper books *in-8* or *in-12*. A Lyon bookseller's catalogue indicates that, while *in-4* funeral sermons cost 20 *sols*, an *octavo* was sold for only five *sols*.³ Indeed, the smaller formats were used for the actual funeral sermon, but also for presenting various other elements regarding the dead or the ceremony. Some of them, however, included only the funeral sermon as a support for private meditation or, more broadly speaking, for private devotion.⁴ The *in-4* books could also be used in private, but they were often offered as gifts. Thus, the famous court preacher Jacques-Bénigne Bossuet (1627–1704) forwarded his sermons for Henriette de France (1609–1669) and

“La rationalité du discours épideictique”, in Dominicy – Frédéric (eds.), *La Mise en scène des valeurs* 19–47. Indeed, as Marianne Doury shows, there is no need for an actual opponent for an argumentation to be displayed, see her “Prêcher un convaincu. Pourquoi argumente-t-on quand on est tous d'accord?”, in Roque G. – Nettel A.L. (eds.), *Persuasion et argumentation* (Paris: 2015) 113.

- 3 See “Livres nouveaux qui se trouveront à Lyon chez le Sieur Amaulry; depuis l'année 1678, jusqu'à présent”, bound with *Mercuré Galant dédié à Monseigneur le Dauphin. Avril 1685* (Lyon, Thomas Amaulry: 1685), located at the Bibliothèque de la Ville de Lyon. An iconographic counterpart of those funeral sermons, Ménestrier's *Décorations funèbres* cost a bit more – 20 *sols* for two volumes *in octavo*, but those books included many more illustrations.
- 4 In early modern Europe and even later, smaller formats (*in-8°* and *in-12°*), with few, if any, illustrations (mostly allegorical frontispieces or portraits of the author) were the most frequently used format for devotional books. See Martin P., *Une religion des livres (1640–1850)* (Paris: 2003) 128.

her daughter Henriette d'Angleterre (1644–1670) to Armand Jean le Bouthillier de Rancé (1626–1700), the founder of the Cistercian monastery of La Trappe:

Je vous envoie deux oraisons funèbres qui parce qu'elles font voir le néant du monde peuvent avoir place parmi les livres d'un solitaire; en tout cas, on peut les regarder comme deux têtes de mort assez touchantes.⁵

I am sending you two funeral sermons, which, because they emphasise the world's nothingness, can be included among the books of a *solitaire*; in any case, they can be regarded as two skulls that are quite moving.

This private and devotional function is confirmed by the presence of funeral sermons in bound *recueils factices*, that is, compilations of various manuscripts, printed pages, or entire texts bound together by a particular individual. Unlike the *recueils d'éditeurs*, such personal compilations were usually one-of-a-kind: the owner of the compiled documents had gathered them and had them bound together. Generally, these compilations were intended for private reading although sometimes they could be read with friends or family: in some instances, they circulated to wider audiences. Over time, the bound documents were often dismantled. Despite this unfortunate circumstance, the surviving *recueils factices* show that the life of a funeral sermon did not end with its performance. In manuscript or in print, the preacher's words could be read for personal reasons and appropriated according to them, thereby influencing personal lives and, more specifically, fuelling one's own and other people's private meditations on death.

This dual appropriation of the speech – both collective and individual – is anticipated by the way in which the funeral orator addresses his audience. The usual term was 'Messieurs' ('Gentlemen'): 'avouez, Messieurs', 'Voyez, je vous prie', 'Voyez, Messieurs'.⁶ At strategic moments, the orator can choose another address, such as 'Christians', which can be interpreted in terms of what the cultural anthropologist Edward Hall called proxemics,⁷ dividing social distance into four increasingly wide spheres:

5 Letter from Jacques-Bénigne Bossuet to Rancé of 30 October 1682, in Bossuet Jacques-Bénigne, *Correspondance*, eds. Ch. Urbain – É. Lévesque, vol. 2 (Paris: 1909–1925) 331. All translations are mine, unless otherwise stated.

6 See, for instance, Mascaron Jules, *Oraison funèbre de Henriette d'Angleterre*, in *Les Oraisons funèbres*, ed. B. Gallina (Fasano – Paris: 2002) 154–155.

7 Hall defines proxemics as 'the interrelated observations and theories dealing with man's use of space as a specialised elaboration of culture'. Hall E., *The Hidden Dimension* (Garden City, NY: 1966) 1.

- 1) The intimate sphere, for intimate friends and relatives (= 0,5m).
- 2) The personal sphere, for acquaintances (= 1m).
- 3) The social sphere, for oral interactions with strangers (= 4m).
- 4) The public sphere, impersonal and anonymous (acoustic horizon).

Although proxemics is usually considered a subcategory of the study of non-verbal communication, several French sociolinguists have suggested that these frames could be used in a symbolic way to study vocative (or appellative) nominal groups, called ‘terms of address’.⁸ Such terms, then, specify *how far* from the addressee the speaker stands or wishes to stand. Whenever the orator addressed his audience as ‘Gentlemen’, he kept his speech in the public and social sphere. Following the linguist Dominique Lagorgette, such public addresses can be subsumed under the category of ‘functional spheres’. Addressing his audience as ‘Christians’, the orator positions his speech within functional spheres, but he also opens them up to more ‘personal spheres’, which for Lagorgette subsume Hall’s ‘intimate’ and ‘private’ spheres. Indeed, the fluid relationship that the preacher establishes with the listener (and, subsequently, with the reader) is exactly where functional spheres merge with personal spheres. Indeed, this dimension of the speeches’ reception seems to challenge the dichotomy between ‘public’ and ‘private’.

2 Biographical Content: Between Public and Private

This challenge also applies to the funeral sermons’ biographical content. As a matter of fact, these speeches were not written and performed by the dead person’s confessor, who supposedly knew his or her inner dispositions, but rather by a preacher who had to praise visible deeds and triumphs: they aimed at celebrating the glory of the deceased, his or her visible qualities that were known to all and supposedly missed by all. In most cases, the orator did not even know the deceased personally; he might have been an occasional preacher appointed to this task for reasons to do with prestige or institutional connections. This is why he often had to rely on someone else’s account to document his speech. We know several biographies that were written as preparatory sources for funeral sermons, but their author could in no way be the dead person’s confessor – for self-evident reasons of what we would call professional secrecy. This also means that funeral sermons could in no way claim

⁸ See Lagorgette D., “Termes d’adresse et insultes: discours sur l’autre ou sur moi?”, in Ayres-Bennett W. – Jones M.C. (eds.), *The French Language and Questions of Identity* (Cambridge: 2007) 116–128.

to search the heart of the deceased: they were exclusively relegated to exteriority while they simultaneously posited that the inner life of the deceased is what truly matters: the bottom of the heart, in all its inaccessibility, stipulates the true space of salvation.⁹ There was indeed, in the course of the seventeenth century, a growing feeling that Christian virtue had little to do with outer glory. Of course, this was by no means an entirely new viewpoint but one as old as Christianity itself. The figure of King David,¹⁰ for instance, embodied both the triumphant and public face of virtue as well as its more private, anxious, and penitent aspects. In the second half of the seventeenth century, this problem of the potential discrepancy between a virtuous public image and a darker inner self became all the more pressing because suspicions dogged all forms of human glory: to celebrate the Grand Condé, should one recall his glorious youth on the battlefields or call attention to his private and devout retreat in Chantilly?¹¹

The growing suspicion towards ‘outer’ values probably explains why editors sometimes had the testimonies of the preacher and the confessor published together: this resulted in small books, typically of a *duodecimo* format, which included both a funeral sermon and a biographical account by the confessor, alongside other documents. An example of such a composite work is the volume that includes the funeral sermon of Queen Marie-Thérèse by Jacques-Bénigne Bossuet and an “Abrégé de sa vie” by Father Bonaventure de Soria, the queen’s confessor. This work also comprises depictions of the funeral ceremony in the royal basilica of Saint-Denis and Marie-Thérèse’s mausoleum in Notre-Dame de Paris.¹² Another book pays tribute to the Dauphin and the Dauphine: Louis XIV’s grandson and his wife both died of measles during the same week

9 On this topical spatialisation of inner life, see Pappasogli B., *Figures de l'espace intérieur au XVII^e siècle, Le fond du cœur* (Paris: 2000).

10 On the ambivalence of David’s figure, both triumphant and anxiously penitent, in French seventeenth-century music, see Bennet P., “Hearing King David in Early Modern France: Politics, Prayer, and Louis XIII’s Musique de la Chambre”, *Journal of the American Musicological Society* 69.1 (2016) 47–109.

11 René Rapin’s two last works, *Du Grand ou du sublime* (1686) and *Le Magnanime ou l'éloge du prince de Condé* (1687) question this new choice between the two heroic models. See Bruun’s contribution to this volume.

12 Soria Bonaventure de, *Abrégé de la vie de très-auguste et très vertueuse princesse Marie Tèreise d’Autriche, reyne de France et de Navarre, par le R.P. Bonnaventure de Soria, son confesseur, et son Oraison funèbre prononcée à Saint-Denis le 1er de septembre 1683 par Messire Jacques-Bénigne Bossuet, évesque de Meaux. Description de la décoration funèbre de Saint-Denis pour les obsèques de la reyne. Mausolée dressé dans l’église de Nostre-Dame de Paris au service solennel célébré pour le repos de l’âme de la reyne* (Paris, R. Roulland: 1683).

of February 1712. It contains their respective funeral sermons as well as a *Recueil des Vertus du Duc de Bourgogne, & ensuite Dauphin, pour servir à l'Éducation d'un Grand Prince* by the Jesuit Martineau,¹³ who was the Dauphin's confessor. Although it seems that Martineau found such a publication slightly questionable, he nevertheless justified it in the following manner:

Je ne crois pas qu'on me fasse un crime de lever le sceau sous lequel sa modestie et son humilité ont tenu caché beaucoup de choses que je rapporterai; c'est un trésor qu'il est permis d'ouvrir, maintenant que nous pouvons regarder comme un bien public les dons de grâce & de miséricorde que Dieu avait mis en lui. Il n'est plus à craindre qu'il en perde le mérite par des louanges prématurées; il est temps que chacun en profite par une fidèle imitation.¹⁴

I do not believe I will be seen as committing a crime by lifting the seal [of confession] under which his modesty and his humility have kept hidden the many things I will report. Opening up this treasure is allowed, now that we can regard as a public good the gifts of grace and mercy, which God had placed in him. It is not to be feared that he would lose their merit by premature praise anymore; now is time that everyone benefits from them by an accurate imitation.

Firstly, Martineau repeats a *topos* of funeral sermons: one can legitimately praise the deceased because the dead cannot take pride in it. Secondly, he

13 Gaillard Honoré, "Oraison funèbre de Très-Haut, Très-Puissant et Excellent Prince Monseigneur Louis Dauphin; et de Très-Haute, Très-Puissante et Excellente Princesse Madame Marie Adélaïde de Savoye, son Epouse, prononcée dans l'Église de Paris, le dixième Mai 1712", in *Oraisons funèbres des dauphins de France et de la Dauphine, Par Mr l'Evêque d'Alet, le Père Gaillard, le Père de la Rue, &c. On y a joint le Recueil des Vertus du Duc de Bourgogne, & ensuite Dauphin, pour servir à l'Éducation d'un Grand Prince, Par le R.P. Martineau son Confesseur* (Amsterdam, J. Desbordes & L. Renard: 1713).

14 Martineau Isaac, *Recueil des vertus de Louis de France, Duc de Bourgogne, & ensuite Dauphin* (Paris, Jean Mariette: 1712) 7. When Paul Lejeune (1592–1664), who wrote such *Relations* or accounts, decided to publish spiritual letters, he justified this decision in similar terms: 'Je suis fâché que des personnes grandes en vérité, devant les yeux de Dieu et des hommes, me lient si fort les mains et m'obligent à garder le secret de leurs lettres, ou plutôt de leurs vertus' ('I deplore that people who are great in God's and in everyone's eyes, tie my hands so strongly and force me to keep their letters or, should I say, their virtues, secret'). By revealing this 'secret', the Jesuit narrator aims at celebrating God's grace in New France, while strategically advertising the Jesuit missions as a utopian social space, see Goujon P., *Les Politiques de l'âme. Direction spirituelle et jésuites français à l'époque moderne* (Paris: 2019) 107.

claims that death moves the boundaries between public and private and, eventually, turns everything about the dead person into a 'public good'. This last point is to be understood quite literally. If those who were called *les Grands* ('the Great') are 'public goods', it is because their greatness, ultimately, does not belong to them. This is especially true for princes and kings, and it is often linked to the *topos* of 'noblesse oblige', that is, privilege entails responsibility to society. This maxim was inseparable from the intrinsically hyper-visible dimension of all 'great people':

Les princes ont plus de devoirs à remplir que le reste des hommes. Plus ils sont grands, plus ils doivent de grands exemples. Ils sont en spectacle aux regards comme aux hommages de la multitude.¹⁵

Princes have more duties to fulfil than other men. The greater they are, the more they have to set great examples. They are on display to both the gaze and the praise of the crowd.

This *topos* can be found in many French early modern funeral sermons. However, it is probably significant that at the very end of that period Jean-Baptiste Massillon (1663–1742), a famous Oratorian preacher, returns to this commonplace but gives it a very pragmatic interpretation. As the last of the 'neoclassical' preachers and the first of the Enlightenment preachers, Massillon's preaching shares many common features with the previous generation of court preachers typical of Louis XIV's reign but also introduces new themes. Thus, the Oratorian takes a new interest in what will become the dichotomy between public and private life. If all *Grands* have to be more exemplary than members of the lower strata of society, he avers, it is not only because they, more than others, have to set good examples: it is also because none of their actions can remain unknown since they are public figures:

Nos chutes se cachent sous l'obscurité de notre destinée; mais qu'offrirait notre vie aux yeux du public, si elle était en spectacle comme la leur? C'est un malheur de leur rang, que souvent avec plus d'innocence que nous, ils ne sauraient jouir comme nous de l'impunité d'un seul de leurs vices.¹⁶

15 Massillon Jean-Baptiste, "Oraison funèbre de Madame, Duchesse d'Orléans", in Massillon Jean-Baptiste, *Sermons de M. Massillon, Évêque de Clermont*, vol. 9, *Oraisons funèbres et Professions religieuses* (Paris, chez les Frères Estienne: 1775) 193.

16 *Ibidem*, 136.

Our shortcomings are hidden by the obscurity of our destiny. For what would our life present to the public's eyes, if it, like their lives, was on display? This misfortune follows from their rank: unlike us, they cannot enjoy the impunity of a single vice, even though they are often more innocent than we are.

Being a *Grand* means having no privacy – and this has to be understood on an eschatological as well as a societal level. Just as God sees all of our lives, the people see all aspects of the life of the *Grands*. In another funeral sermon, Massillon apparently adopts a more pessimistic approach, although he actually claims that the deceased broke this general rule:

Rien n'est plus rare pour les grands que les vertus domestiques. La vie privée est presque toujours le point de vue le moins favorable à leur gloire. Au dehors, le rang, les hommages, les regards publics qui les environnent, les gardent, pour ainsi dire, contre eux-mêmes. Toujours en spectacle, ils représentent: ils ne se montrent pas tel qu'ils sont. Dans l'enceinte de leur palais, renfermés avec leurs humeurs et leurs caprices au milieu d'un petit nombre de témoins domestiques et accoutumés, le personnage cesse, et l'homme prend sa place et se développe.¹⁷

Nothing is less common among *les grands* than domestic virtues. Private life is usually the least favourable vantage point for their glory. Outside, rank, tributes, public gaze all around them protect them, so to say, against themselves. Always on display, they perform: they do not show themselves as they are. Inside their palaces, however, alone with their temper and their whims among a small number of domestic witnesses accustomed to them, the persona disappears, and the man replaces him and grows.

Privacy thus becomes the only sphere where virtue can be authenticated and where the evolution towards a domestic or even bourgeois virtue has begun: the only place where genuine virtue can be witnessed and assessed is in the home and within the family. Among the many seventeenth-century authors influenced by Augustinianism, suspicions grew towards all public virtues. Such suspicions were especially characteristic of, but not exclusive to, the 'French moralists' (La Rochefoucauld, La Bruyère, Pascal), as they were later named. This suspicion called into question all visible signs of virtue and,

17 Massillon, "Oraison funèbre de Madame, Duchesse d'Orléans" 189.

gradually, undermined the heroic ideal that was still so powerful in the early seventeenth century. Indeed, edifying manifestations of virtues were more and more perceived as disconnected from inner feelings and qualities. In this evolution, undoubtedly posing a challenge to funeral orators, the representation of private virtues could appear as a viable compromise that preserved exemplary figures. In a world where all virtuous behaviour was suspected of being prompted by pride or *libido dominandi* (desire to dominate), virtuous deeds performed in private offered a kind of semi-exteriority – an intermediary ethical space – that was less suspect of questionable motives, although such deeds did not evade the risk of self-illusion. Therefore, some funeral sermons began ascribing special value to domestic virtues, considering them more reliable moral signs than public virtues. Thus, the famous preacher and Bishop of Nîmes, Esprit Fléchier (1632–1710), conjures up the ‘vie privée’ of Guillaume de Lamoignon by preterition: ‘Que ne puis-je vous le montrer [...] Que ne puis-je vous le représenter ... Vous le verriez [...]’ (‘that I cannot show him to you [...] that I cannot represent him to you ... You would see him [...]’). This celebration of the deceased President is still quite distinct from our notion of privacy, but it is explicitly opposed to the eyes of the public, to the hustle and bustle of the city, and to the troubles of *negotium*:

Peut-être doutez-vous, Messieurs, qu’étant éloigné des yeux du public, il fût encore égal à lui-même? Entrons dans sa vie privée. Que ne puis-je vous le montrer parmi ce nombre de gens choisis, qui formaient chez lui une Assemblée, que le savoir, la politesse, l’honnêteté, rendaient aussi agréable qu’utile? [...] Que ne puis-je vous le représenter tel qu’il était, lorsqu’après un long et pénible travail, loin du bruit de la ville et du tumulte des affaires, il allait se décharger du poids de sa dignité, & jouir d’un noble repos dans sa retraite de Basville? [...] Vous le verriez recevant une foule d’amis, comme si chacun eût été le seul, distinguant les uns par la qualité, les autres par le mérite, s’accommodant à tous & ne se préférant à personne.¹⁸

You will maybe doubt, Gentlemen, that far from the eyes of the public he would remain the same? Let’s enter his private life. If only I could show him to you among those chosen people, who formed at his home an Assembly which knowledge, politeness, civility made as pleasant as

18 Fléchier Esprit, “Oraison funèbre de Monsieur de Lamoignon”, in Fléchier Esprit, *Oraisons funèbres*, vol. 1 (Paris: 1691) 297–301. On the ‘stability of character’ as an important feature of the hero, see Bruun’s chapter in this volume.

it was profitable? [...] If only I could show him to you as he was, when after long and hard work, far from the hustle and bustle of the city and the turmoil of affairs, he let go of the weight of his dignity and enjoyed a noble rest in this retreat in Basville? [...] You would see him welcoming a number of guests, you would see how he distinguished some of them by their quality, some of them by their merit, how he adapted to all and gave preference to none.

This 'vie privée' is a space of learned friendship, where a 'number of chosen people' is no longer a group but a reunion of individuals, each of whom, however, receives unique attention. With regard to the ethical space, Massillon takes a step further in transferring virtuous deeds from the public to the private domain. Praising the Prince of Conti, he emphasises his virtue not only in public, but also at home:

Et quand je dis devant les hommes, Messieurs, ne pensez pas que se ménageant, comme tant d'autres, l'estime du public, par les dehors de la modération & de la sagesse, il vint se démentir dans l'enceinte des devoirs domestiques; que lassé de soutenir en public le personnage de grand homme, il vint porter parmi les siens les chagrins de la contrainte, & s'y délasser, par des vices, des apparences de la vertu.¹⁹

Since I speak before men, Gentlemen, you should not think just of looking for public praise, as so many others do, by displays of moderation and wisdom. Such an individual is going to fail within the sphere of domestic duties. Tired of keeping up the public persona of being a great man, he brings the frustrations from constraining himself to his close relatives: there, he relaxes from virtuous appearances by sinful acts.

Some orators go even further: they address the unreliability of ethical signs in the social world by producing fictional scenes of privacy and typically of private devotion. Celebrating Anne d'Autriche, Jean-Louis de Fromentières thus conjures up the following scene:

Entrez dans son Oratoire, suivez-la dans les cloîtres et dans ses lieux de retraite, surprenez-la, si vous pouvez, lorsque dé faite de sa Cour, de cette foule importune, servitude inséparable de la grandeur, elle ne croit plus

19 Massillon Jean-Baptiste, "Oraison funèbre de M. le Prince de Conti", in Massillon, *Sermons* 93.

avoir d'autres yeux que ceux de son Dieu pour témoins de ses actions, lorsque, comme une autre Judith, elle ne s'enferme tout au plus qu'avec de saintes filles dans les solitudes secrètes qu'elle s'est bâtie, *fecit sibi secretum cubiculum, in quo cum puellis suis clausa morabatur* [Judith 8:5], & vous verrez que son âme s'abaisse encore plus devant Dieu que son corps; & vous connaitrez que son esprit dit pour lors plus de choses à Dieu que sa bouche, & vous avouerez que son cœur honore Dieu mille fois mieux que ses lèvres.²⁰

Enter into her Oratory, follow her into the cloisters and the places of retreat, surprise her, if you can, when she finds herself overpowered by her Court, by this troublesome crowd – by a slavery inseparable from greatness – and when she believes that only God's eyes bear witness to her actions; when, just like another Judith, only holy girls accompany her retreat into the secret solitudes that she has built herself, “she made herself a private chamber, in which she abides shut up with her maids”. There, you shall see that, before God, her soul humiliates itself even more than her body: you will learn that her mind speaks more to God than her mouth does; you will confess that her heart honours God a thousand times more than her lips do.

In order to prove that the queen's piety is not only external but also deep and intimate, the preacher creates a fiction, which allows the listener (or reader) to see the queen where normally she would not be seen. The sermon shows what is usually invisible to common men, although, strictly speaking, this devotion may be semi-private more than properly private, given the presence of the nuns. However, and this is certainly striking, while the imperative verbs ('entrez', 'suivez', 'surprenez') introduce a hypotyposis (a vivid description of this scene as if it were present before the eyes of the audience), there is actually nothing to be seen but abstractions. How could one visualise 'her soul humiliating itself even more than her body', or a 'mind speaking to God'? Here, visual rhetoric is about seeing interiority, an inner life, which, by nature, is invisible.²¹

20 Fromentières Jean-Louis de, *Oraison funèbre d'Anne d'Autriche, Infante d'Espagne, Reine de France, et Mère du Roi, prononcée dans l'église des Martyrs à Montmartre le 6 mars 1666* (Paris, S. Mabre-Cramoisy: 1666) 10.

21 For Jesuit Pierre Coton (1564–1626), the *Oratoire* is the very place for private devotional reading. Publicising it by oral preaching and subsequently in print brings this private reading space into the common sphere, see Goujon, *Les Politiques de l'âme* 151. In Fromentières's funeral sermon, however, neither the audience nor the readers are granted access to what the queen actually read.

The preacher distinguishes between false and true appearances of virtue by producing an imaginary representation of privacy that is clearly based on the evangelical intertext of *Matthew 6:6*: 'But thou, when thou prayest, enter into thy closet, and when thou hast shut thy door, pray to thy Father which is in secret'.²² Thus, the preacher portrays an otherworldly virtue and its deceiving appearances. The public nature of a queen's piety,²³ which, supposedly, has eschatological consequences for the entire kingdom, is linked to an understanding that, although not new, grows stronger from the mid-seventeenth century and requires all true virtues to remain unpublished.

3 Conclusion

Early modern funeral sermons thus help us reflect upon the extent to which privacy, as an ethical space, has a different nature than the public space. Indeed, if funeral sermons offer a good vantage point for the gradual importance given to privacy in early modern ethics, it is because, being fundamentally dedicated to exteriority, they have to tackle a new challenge: how to deal with and detail virtue, when it is increasingly understood as invisible by its nature? Such an evolution makes the orator's task even more delicate, since he, within the French context, has no direct access to privacy. From this time onward, preachers had to negotiate the growing idea that genuine spiritual and ethical virtues are fundamentally private or even secret. This also entails that, eventually, no one can really access them or, to an even lesser degree, evaluate them, which ultimately threatens to jeopardise any kind of exemplarity. To become exemplary, one's virtue has to be visible and even public, but this *publication* inevitably causes suspicion about the true motivation behind virtuous deeds and the act of disclosing them to the public. In this new and ethically blurred world, the very notion of exemplarity, which presupposes some kind of ethical transparency, becomes intrinsically problematic. In this chiaroscuro bound to replace the radiant stage, where public good deeds shone to all, what would later become the 'private' sphere was an *entre-deux*: a kind of intermediary space between the secrets of the self and the questionable public displays of virtue.

Therefore, not only do early modern funeral sermons sometimes represent solitary prayer and private devotion, thus giving an unexpected glimpse of these devotional practices or at least of their discursive representation. As a genre,

²² King James Version.

²³ See Cosandey F., *La Reine de France. Symbole et pouvoir, XV^e–XVIII^e siècle* (Paris: 2000).

funeral sermons also help us explore the entanglement of different spheres of privacy and different levels of tension between the public and the private. The printed sermons could be used as official gifts as well as read privately (or semi-privately, in small groups).²⁴ This variety of uses seems to correspond to the paradoxical nature of a performance which is both public *par excellence* and aimed at allowing the listener to go deep into his/her self. Funeral preachers were therefore able to activate those tensions. They could expose publicly and even solemnly private (or even solitary) practices; they could also have their 'official' speech printed, thus offering it to individual appropriations.

As such, funeral sermons offer a unique insight into the complex relationship between two antithetic couples, *solitude/community* and *private/public*. The reason why those speeches are fundamentally public (i.e. meant to be publicised) is that they aim at reinforcing a feeling of community, supporting and highlighting the values claimed by the community. As opposed to panegyrics, the representation of solitude as such, though, remains rather rare in those speeches, as if the community could not easily be reflected in a lonely model.²⁵ But given the spiritual evolution of seventeenth-century France and the growing suspicion towards the spectacular or even simply public good deeds, funeral sermons gradually tend to include, or even promote, maybe not yet private virtues proper, but virtues practised in private spheres and solitary pious moments. As such, they offer a perfect antidote to *arcana* historiography, which complacently displayed private passions and secret petty or despicable behaviours hidden behind the curtain of 'great History'.²⁶ While early seventeenth-century funeral sermons seem to ignore this curtain, their

24 The development of private reading in early modern Europe has been widely studied and it certainly has a particular importance for devotional books, since it accompanies new modes of appropriation of spiritual texts.

25 On the ambivalence of solitude in seventeenth-century religious discourse (setting and preparation for self-knowledge and meditation on the one hand, mark of singularity and pride on the other), see Quantin J.-L., "Paradoxes of Christian Solitude in the Seventeenth Century", *Journal of Early Modern Christianity* 1.2 (2014) 219–231; Bruun M.B. – Havsteen S.R. – Mejrup K. – Nagelsmit E. – Nørgaard L.C., "Introduction" to this issue, 195–205. On the intertwining of withdrawal and engagement in early modern Christianity, see, in the same volume, Bruun M.B. – Havsteen S.R. – Mejrup K. – Nagelsmit E. – Nørgaard L.C., "Withdrawal and Engagement in the Long Seventeenth Century: Four Case Studies"; as well as Bruun M.B. "A Solitude of Permeable Boundaries: The Abbey of La Trappe between Isolation and Engagement", in Göttler C. – Enekel K.A.E. (eds.), *Solitude: Spaces, Places, and Times of Solitude in Late Medieval and Early Modern Cultures* (Leiden: 2018) 451–479.

26 On the illuminating comparison between religious privacy and 'other forms of privacy, be they related to, say, intellectual pursuits in the studiolo, to sexual intimacy, or conversational secrecy', see Bruun's chapter in this volume.

late seventeenth-century and early eighteenth-century counterparts sometimes lift it – but what is hidden behind it is a greater virtue, and maybe, the preacher implies, the only real one.

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Entering the Bedroom through the Judicial Archives: Sexual Intimacy in Eighteenth-Century Toulouse

Mathieu Laflamme

In May 1768, Jeanne Ligonès filed a *plainte en grossesse* to the municipal court of Toulouse.¹ Despite many displays of affections and promises of faithfulness, her lover, sieur Couly, had abandoned Jeanne, who was nearly four months pregnant and therefore could no longer hide the fruit of their relationship. A *plainte en grossesse* initiated a legal procedure during which an unmarried woman, in compliance with the Royal Edict of 1556, reported her illegitimate pregnancy to a competent judicial authority and thereby took legal steps towards financial compensation for damages.² Jeanne stated to the *capitouls* – town councillors and judges in civil and criminal matters – that Couly had seduced her and that their relationship was harmonious, loving, and, more importantly, consensual.³ On Jeanne's recommendation, a young *caffetier* was called as a witness: preparing coffee in his clients' homes,⁴ he was privy to their intimate lives. In front of the magistrates, the young man claimed that:

Dans le careme dernier il a été pendant un mois ou environ journellement vers les huit a neuf heures du matin partir du caffè au lait et des

* This paper is based on research carried out within the framework of my PhD fellowship at the University of Ottawa and the University of Toulouse, supervised by Sylvie Perrier (Ottawa) and Sylvie Mouysset (Framespa, UT2J). All translations are mine, unless otherwise stated.

1 A *plainte en grossesse* is a judicial deposition initiated voluntarily – or under family pressure – by unmarried pregnant women or widows whose goal it is to prosecute the alleged perpetrator of their pregnancy and thereby obtain financial compensation for their illegitimate pregnancy. In some instances, this also involves a plea of having the unwanted child admitted to the hospital, that is, the forerunner of orphanages. In the absence of an equivalent term in English and to avoid any loss of meaning, I maintain the term in French.

2 Phan M.-C., *Les amours illégitimes. Histoires de séduction en Languedoc (1676–1789)* (Paris: 1986).

3 Toulouse Municipal Archives (hereafter: AMT), FF812/4 liasse 95.

4 Both Jeanne and sieur Couly were members of the French provincial *petite bourgeoisie* (petty bourgeoisie) and therefore had the financial means to consume coffee, a luxury product in eighteenth-century Toulouse.

bavaroyses a la plaignante et au sieur Couly [...] et qu'il a souvent trouvé ledit Couly et la plaignante couchés ensemble qu'il leur servoit le caffè au lit quand il les y trouvoit et que la plaignante prenoit ordinairement des bavaroyses.⁵

During Lent last year and for about a month, he would each day, between eight and nine in the morning, prepare coffee with milk and bavaroises for the plaintiff and for sieur Couly [...] and that he often found the said Couly and the plaintiff sleeping together: he served them coffee in bed when he found them there; it was normally the plaintiff who ordered bavaroises.

Invited into the private and intimate space of these two suitors, the *caffetier* was able to give evidence as to the sexual intimacy of an illegitimate couple. This fascinating testimony is not unique, however. Establishing the history of sexual behaviour was an important part of the juridical process. Judges had to establish the nature of the relationship before they could determine whether a sentence should be imposed on the defendant. In doing so, it was essential for both parties to describe the relationship in great detail and thereby reveal the nature of their sexual intimacy. Thus, the *plaintes en grossesse* allows historians unique access to the representations or discourses of the sexual, emotional, and affective intimacy of couples living out their sexuality on the margins of legality in eighteenth-century France.

Legal sources have often been used to study the repression of sexual behaviours. Inspired by Foucault's conceptions of sexuality, historians of the early modern period have focused on the 'tools' and 'techniques' of repression – that is, the criminalisation of sexual behaviours.⁶ Still, the early modern history of intimacy, at least when it comes to what we might call ordinary people, remains relatively understudied.⁷ A study of *plaintes en grossesse* can partially address this lack of research.⁸ With this chapter, I thus provide a methodological and conceptual approach for the study of sexual intimacy through judicial

5 AMT, FF812/4 liasse 95.

6 Foucault M., *Histoire de la sexualité. La volonté de savoir* (Paris: 1984).

7 As a result, the intimacy of the socio-economic elite has attracted much more attention, see, e.g., Holloway S., *The Game of Love in Georgian England: Courtship, Emotions, and Material Culture* (Oxford: 2019); Lipscomb S., *The Voices of Nîmes: Women, Sex, and Marriage in Reformation Languedoc* (Oxford: 2019).

8 For an excellent study of the sexuality of ordinary people in early modern France, see Hardwick J., *Sex in an Old Regime City: Young Workers and Intimacy in France, 1660–1789* (Oxford: 2020).

archives. More specifically, I shall analyse the *plaintes en grossesse* as a kind of *écrit du for privé* or egodocument,⁹ which opens a rare window into the everyday life of past individuals and, more importantly, into their shared sphere of intimacy.¹⁰

The Dutch historian Jacques Presser defined egodocuments in the 1960s 'as those historical sources in which the researcher is faced with an "I" or occasionally a "he" as the writing and describing subject has a continuous presence in the text [...] or those documents in which an ego deliberately or accidentally discloses or hides itself.'¹¹ He specifies that this ego can be deliberately

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- 9 "Écrits du for privé" can be defined as non-fictional texts produced by ordinary people. In general, such texts were produced outside an institutional framework and thereby constitute personal statements about the self, his/her family, and community, see Arnoul E. – Renard-Foultier R. – Ruggiu F.-J., "Les écrits du for privé en France de la fin du Moyen Âge à 1914: bilan d'une enquête scientifique en cours. Résultats de 2008–2010", in Henryot F. (ed.), *L'historien face au manuscrit. Du parchemin à la bibliothèque numérique* (Louvain-la-Neuve: 2012) 167–188. Danièle Tosato-Rigo argues that the terminological definitions of personal writing must be adapted to each socio-historical context and that research suffers from those language barriers, see Tosato-Rigo D., "Introduction", *Études de Lettres* 1–2 (2016) 9–11. While my research is focused on French sources, I nevertheless use the term 'ego-document' because it unites many different approaches to personal writings. See also Green's contribution to this volume.
- 10 It was not until the 1970s that French historians engaged with documents that testify to this mode of personal writing. In 1985, Madeleine Foisil classified these documents as the 'écrits du for privé', cf. Foisil M., "L'écriture du for privé", in Aries P. – Duby G. – Chartier R. (eds.), *Histoire de la vie privée*, vol. 3 (Paris: 1985) 319–357. Since then, a rich field of research has developed, which targets such sources and their precious testimonies of intimate lives and private states. This historiographic development is characterised by the return of the individual in history and a profound renewal of social history. For an overview of the field, see Ruggiu F.-J., "Les écrits du for privé: une perspective européenne", in Bardet J.-P. – Arnoul E. – Ruggiu F.-J. (eds.), *Les écrits du for privé en Europe du Moyen Âge à l'époque contemporaine* (Bordeaux: 2010) 9–18 and Greyerz K., "Egodocuments. The Last Word?", *German History* 28 (2010) 263–272. In turn, Sylvie Mouysset and François-Joseph Ruggiu have argued for an expansion of what constitutes 'écrits du for privé'. Including sources on the margin of Foisil's classification, they propose to study urban chronicles, family correspondences, and ambassadorial relations as personal writings, Mouysset S. – Ruggiu F.-J., "À la recherche du soi dans écrits du for privé", in Mouysset S. – Ruggiu F.-J. – Bardet J.-P. (eds.), *Car c'est moy que je peins. Écriture de soi, individu et liens sociaux* (Toulouse: 2010) 9–11. As Nicole Lemaitre asserts, the 'self' may, however, be found in sources other than those classified as 'écrits du for privé', that is, documents not suspected of involving any level of self-disclosure, see Lemaitre N., "Le monde multiforme des écrits de soi: une histoire de voilé-dévoilé", in Mouysset – Ruggiu – Bardet (eds.), *Car c'est moy que je peins* 15–20.
- 11 Jacques Presser cited and translated in Maschuc M. – Dekker R. – Baggerman A., "Egodocuments and History: A Short Account of the Longue Durée", *The Historian* 78 (2016) 11–56, here 11.

revealed by the author himself or even accidentally exposed by the author or a third person.¹² This broad and controversial¹³ definition nonetheless allows us to include in our analyses documents like *plaintes en grossesse* that testify to a certain self-disclosure and that were otherwise not studied as such by historians. The example of Otto van Eck's diary highlights the importance of Presser's pioneering work.¹⁴ Rudolf Dekker and Arianne Baggerman have shown that Otto wrote his diary at his parents' request and that it is not the result of the child's personal will: the writing of the diary was therefore a three-way process between Otto and his parents. This document must therefore be seen as an egodocument since the self-disclosure is made by Otto himself, but also by his parents who dictate the writing and the writing environment.¹⁵ My aim is not to extend the epistemological boundaries of a concept to the point where it loses all meaning and utility. Rather, I argue that these judicial sources can be read through the eyes of historians of egodocuments to open a new window on the history of the couple and sexuality in the eighteenth century. Research into this mode of self-writing has developed ways to identify self-disclosure in ordinary writing, shedding light on, e.g., the history of sexual intimacy and private life in early modern France.¹⁶ In line with this research tradition, I find that the *plaintes en grossesse* offer valuable information: these official documents can be analysed with an eye to an unveiling of the private and intimate behaviours of unmarried couples.

12 Presser, "Egodocuments and History" 11.

13 For a review of the important debate on the notion of egodocument, see Greyerz, "Egodocuments. The Last Word?" 263–272.

14 Dekker R. – Baggerman A., "Sensibilité et éducation d'un enfant à l'époque batave. Le journal intime d'Otto van Eck (1791–1796)", *Annales historiques de la Révolution française* 326 (2001) 129–139.

15 Dekker R. – Baggerman A., "Sensibilité et éducation" 130–131.

16 Mouysset S., "Quand 'Je' est une femme: les spécificités d'une écriture ordinaire", in Mouysset – Ruggiu – Bardet (eds.), *Car c'est moi que je peins* 185–201; Dekker R., "Sexuality, Elites, and Court Life in the Late Seventeenth Century: The Diaries of Constantijn Huygens, Jr.", *Eighteenth-Century Life* 23.3 (1999) 94–109. Several studies on the history of sexualities in early modern Europe are based on the analysis of egodocuments, which demonstrates the importance of these sources. See Stone L., *The Family, Sex and Marriage in England, 1500–1800* (Cambridge: 1977); Roodenburg H., "The Autobiography of Isabella de Moerloose: Sex, Childrearing and Popular Belief in Seventeenth-Century Holland", *Journal of Social History* 18 (1985) 517–539; Steinberg S., "Quand le silence se fait: brides de paroles de femme sur la sexualité au XVII^e siècle", *Clio. Femmes, genre histoire* 31 (2010) 79–109; Laflamme M., "Un viol dénoncé dans une déclaration de grossesse à Toulouse en 1742", *Clio. Femmes, genre histoire* 52 (2020) 207–220. For a strong methodological essay, see Guzzi-Heeb S., "Egodocuments, biographie et microhistoire en perspective. Une histoire d'amour?", *Études de Lettres* 1–2 (2016) 269–304.

The following demonstration is based on the study of the *plaintes en grossesse* deposited at the municipal Justice of Toulouse during the eighteenth century. These documents do not reveal indisputable facts or a perfectly unveiled intimacy; they are, by their very nature, subjective sources that require interpretation, nuance, and comparison. Moreover, the complaints were produced in the context of court proceedings and the biases that the legal process imposed upon the discourse on sexual intimacy. As Danièle Tosato-Rigo asserts, 'Personal writing, always singular testimonies, calls for the primacy of interpretation',¹⁷ and the *plaintes en grossesse* are no exception. Jeanne Ligonès does not objectively recount her relationship with Couly, but offers a reconstructed and oriented discourse on their relationship. I will seek out traces of sexual intimacy in such testimonies that do not reveal facts of 'how it actually was' ('wie es eigentlich gewesen'), but offer a narrative that is nonetheless telling and important.

1 Premarital Sexuality in Early Modern France

Despite secular and religious prohibitions, premarital sexual activity was common in early modern France. Such intimate relations were part of the social rituals of courtship, which preceded marriage. Despite the formal prohibition in French positive law, supported in jurisprudence and canon law, premarital sex was rarely prosecuted. Such relationships were tolerated and not criminalised as long as the lovers remained within the social standards imposed by their immediate neighbourhood and surrounding community.¹⁸ Indeed, these behaviours were intimate, but also, to some extent, known by the community. Sexual intimacy, then, was considered suspicious and even dangerous. As a consequence, premarital relationships were rarely secret but required discretion. Sexuality was placed under the burden of a double imperative: it had to be discreet and revealed, known but not said, intimate but not secret. Thus, the privilege to have sexual privacy seems to be eclipsed in eighteenth-century France. While premarital couples could have some sexual intimacy outside the gaze of the community, their relationship could not be kept secret if the couple expected to get married. Jeanne-Marie Farny could not be clearer when she stated that her parents 'ne souffroient ses assiduités qu'en raison de

17 Tosato-Rigo, "Introduction" 9.

18 Regina C., *Dire et mettre en scène la violence à Marseille au XVIII^e siècle* (Paris: 2017) 118.

l'accomplissement d'un tres prochain mariage' ('suffered her eagerness only because of the completion of a forthcoming marriage').¹⁹

The juriconsult Joseph-Nicolas Guyot (1728–1816) is probably the one who gave the clearest explanation of this fundamental distinction between the theoretical condemnation of premarital sexuality and the relative tolerance of the judicial authorities:

Si la fille s'est abandonnée volontairement à son corrupteur, et que son commerce ait été suivi de grossesse, on ne prononce contre l'auteur de la grossesse qu'une condamnation de dommages et intérêts, qui sont plus ou moins considérables, suivant la qualité et la fortune des parties. [...] on le condamne encore à une somme pour les frais de couche.²⁰

If the girl, of her own volition, has surrendered herself to her corrupter, and if her actions have led to pregnancy, the father is only sentenced to pay damages that, depending on the status and wealth of the parties, can be more or less significant [...] furthermore, he is sentenced to pay a sum for the costs of childbirth.

On the level of jurisprudence, judges were not required to convict premarital sexual behaviour if the relationship was consensual and recognised by the community and if it did not lead to an illegitimate pregnancy. Accordingly, in 1770, the *capitouls* of Toulouse severely condemned a man who was trying to flee the city and his pregnant lover. The magistrates, however, annulled the sentence after the announcement of the couple's engagement, which, *de facto*, made the defendant the legitimate father of the unborn child.²¹ Legal action was no longer necessary because the child as well as the couple was considered legitimate, thanks to the legally contracted marriage.²² In private and public life, unlike in law, premarital sexuality could be tolerated as long as a marriage

19 AMT, FF824/3 liasse 46.

20 Guyot J.-N., "Fornication", in Guyot J.-N., *Répertoire universel et raisonné de jurisprudence civile, criminelle, canonique et bénéficiale*, vol. 7 (Paris, chez Visse: 1784) 510.

21 AMT, FF814/6 liasse 152.

22 On this question, see, e.g., Perrier S., "Enfant à naître, conçu, posthume: la filiation entre droit et biologie (France XVII^e–XVIII^e siècles)", *Annales de démographie historique* 137 (2019) 75–100 and Steinberg S., "Le droit, les sentiments familiaux et les conceptions de la filiation: à propos d'une affaire de possession d'état au début du XVII^e siècle", *Annales de démographie historique* 118 (2009) 123–142.

was upcoming or conceivable.²³ In her *plainte en grossesse*, Jeanne St-Martin thus states that her parents consented to her illicit sexual activities:

Castel rendoit journellement ses assiduités au vû et sçu de ses père et mère dans leur maison l'assurant de meme qu'a ses parens qu'il vouloit l'épouser et se ne fut que sur ses promesses que ses père et mère souffrirent les assiduités dudit Castel.²⁴

In their house, Castel made his daily courtships in plain sight of her father and mother, assuring her as well as her parents that he wanted to marry her, and her father and mother only suffered Castel's constant presence because of his promises.

Indeed, the deposition of a certain Marie Martin is even more revealing of how parental consent allowed a certain sexual intimacy for an unmarried couple:

sous prétexte d'un mariage prochain en le proposans comme tel au père et à la mère de la suppliante [...] la mère d'icelle le prit par la main et le conduisit dans la chambre de la fille ou elle les laissa seuls

under the pretext of an upcoming marriage, and as he [the former lover] proposed [it] to the father and mother of the suppliant [...] her mother took him by the hand and led him to the girl's room, where she left them alone.²⁵

However, the courts harshly condemned men who used written promises of marriage to convince complainants to transgress sexual prohibitions. For example, Jean Moignard was sentenced to pay 1200 livres to the pregnant plaintiff because he abandoned her after having signed, a promise of marriage.²⁶

23 Regina C., "Voisinage, violence et féminité: contrôle et régulation des mœurs au siècle des Lumières à Marseille", in Rainhorn J. – Terrier D. (eds.), *Étranges voisins. Altérité et relation de proximité dans la ville depuis le XVIII^e siècle* (Rennes: 2010) 212–235.

24 AMT, FF814/3 liasse 65.

25 AMT, FF829/7 liasse 136.

26 The notarial document was filed in evidence at the request of the magistrates, cf. AMT, FF776/2 liasse 42.

2 The *Plaintes en Grossesse*

Unmarried pregnant women were not under a legal obligation to declare their pregnancy to a legal authority.²⁷ The Royal Edict of 1556 imposed a presumption of infanticide for unmarried women who concealed their pregnancy and whose child died before baptism and without a Christian burial. The declaration of pregnancy was therefore a precaution for women who wanted to avoid the severity of the law. Not all of them felt concerned by the edict. Those who could either take advantage of it in court or protect themselves in case of a difficult pregnancy used it.²⁸ The distinction between *déclaration de grossesse* (declaration of pregnancy) and *plainte en grossesse* is essential here: the complaint, unlike the declaration, imposed a criminal proceeding. As legal documents, the *plaintes en grossesse* testify both to the precarious economic situation of the complainants and to the juridical process that these women perceived as a possible remedy: they describe a level of female agency. Matthew Gerber's research on illegitimacy in early modern France has clearly demonstrated the considerable impact of illicit sexual behaviour on the daily life of *Ancien Régime* families.²⁹ Thus, the *plainte en grossesse* can be viewed as a last resort for many women and their families.³⁰ In order to obtain a favourable judgement, public disclosure of sexual intimacy was required, and although most resorted to the courts deliberately, their complaints can hardly be characterised as voluntary.

Pregnancy was irrefutable proof of illicit behaviour: communities and justice officials could infer from physical bodies what had taken place in private. However, it was difficult for these women to have their lovers convicted: the evidence usually remained circumstantial and was based on the testimonies. The plaintiff, first, had an obligation to prove her relationship with the accused and the sincerity of that relationship. The latter required a detail account of emotional states and sexual behaviours. Women described – or were legally requested to describe – the history of their sexual relations with the alleged perpetrator of their pregnancy. Such descriptions span from the

27 For a study on the form and function of the *déclarations de grossesse*, see Phan M.-C., "Les déclarations de grossesse en France (XVI^e–XVIII^e siècles): essai institutionnel", *Revue d'histoire moderne et contemporaine* 22.1 (1975) 61–88. For a discussion of the historiographical debates concerning this edict, see Hardwick, *Sex in an Old Regime City* 25–35.

28 Phan, *Les amours illégitimes* 6.

29 Gerber M., *Bastards: Politics, Family, and Law in Early Modern France* (New York: 2012).

30 False *plaintes en grossesse* are statistically marginal in my corpus: I have identified only one case in which the *capitouls* convicted the complainant of a false charge – the surgeons convened by the court said that she was not pregnant when she claimed to be three months pregnant, see AMT, FF799/8 liasse 235.

first meeting to the final abandonment. Women had to prove that they were actually seduced: pregnancies had to be the result of something more than a fortuitous or accidental relationship.³¹ This might explain why the majority of abandoned women insisted that they had only consented to intercourse after a long, continuous courtship. This outstretched period seems almost a rhetorical trope in the *plaintes en grossesse*.³² Many women also emphasised the location of their sexual relations. In her complaint, Anne Duparan specified that she had been seduced near the family fireplace in the presence of her mother.³³ A sexual relationship in the home could be used to prove that the relationship was serious and permitted by her parents as a step towards marriage.

From the second half of the eighteenth century, Toulouse's *plaintes en grossesse* are particularly detailed and statistically more abundant in the archives. For my dissertation, I am working with a corpus of 830 *plaintes en grossesse* from this period.³⁴ Below, the graph represents the distribution by years of pregnancy complaints in Toulouse:

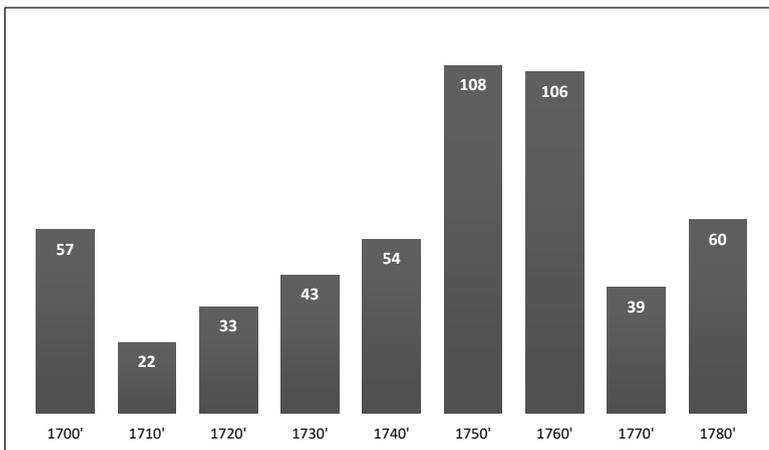


FIGURE 9.1 The number of complaints received by decade

31 Guyot, "Fornication" 513.

32 On average, the complainants state that they resisted between four to six months before accepting their suitor's proposals. Others indicate that the period was even longer, emphasising that the accused put much pressure upon the plaintiff. For example, one complaint asserts that sexual intercourse only took place after a courtship of more than one year, cf. AMT, FF786/2 liasse 30. Another states that the courtship lasted two years before pregnancy, cf. AMT, FF776/1 liasse 35.

33 AMT, FF766/2 liasse 81.

34 The corpus was established by sampling all years ending in 0, 2, 5, and 7. The year 1771 was preferred to the year 1770 due to the quality of the preservation of the documents. I include in this corpus the year 1790, the last year for which the *plainte en grossesse* is mandatory in Toulouse. My study also includes a sub-corpus of about 30 complaints from the seventeenth century.

We notice a significant increase in the number of complaints from 1750 onwards and a slow decrease around 1765. The increase can be explained by the monarchical State's imposition of numerous reminders of Henry II's edict. Throughout the eighteenth century, the French monarchy demanded that this edict be read several times in church during services, and local justices also imposed it on their litigants. If other institutions such as the Church and the seigniorial courts were able to register pregnancies, Toulouse's municipal justice system was certainly the preferred institution for lodging complaints. In accordance with the Edict of 1556, the Church did not intervene in investigations that were conducted by secular authorities.³⁵ On this basis, the statistical increase can be explained, above all, by the sheer efficiency of Toulouse's municipal justice, which sought to assert its primacy over the management of everyday urban life.³⁶ The municipal courts of justice are therefore privileged witnesses to the private and intimate life.

Following Nicole Lemaitre's assessment, egodocuments underline the porous border between the private and the public sphere, and the *plaintes en grossesse* are no exception to this rule.³⁷ As an injured woman presented her sexual activities to the Toulousian court, she testified to both her and her former lover's intimacy. A *plainte en grossesse* inevitably imposed an incursion of what we could consider the private space of both plaintiffs and defendants: a public authority investigates and, in some sense, intrudes upon the intimate lives of these couples. Magistrates could also question the accused if he had not fled the scene as was often the case.³⁸ As the example of the *caffetier* cited in the introduction shows, witnesses were asked, under oath, to recount intimate details about unmarried couples.³⁹ Accordingly, these documents are precious testimonies to the transgression of the boundaries between private and public: they offer a window into the intimate spaces of unmarried couples.⁴⁰ The

35 Phan, *Les amours illégitimes* 5–8.

36 However, the uncertainties of conservation cannot be overlooked when explaining this statistical observation, Faure C., *La justice criminelle des capitouls de Toulouse (1566–1789)* (Toulouse: 2018) 384–385.

37 Lemaitre, "Le monde multiforme" 19.

38 In an attempt to escape their parental obligations and the public spectacle of a trial, many defendants left Toulouse after the announcement of their lovers' pregnancy. This explains why, in several complaints, the interrogation of the accused is absent. In other cases, the interrogation takes place several months or even years after the complaint has been filed because the accused has returned to the city or has been arrested elsewhere.

39 AMT, FF812/4 liasse 95.

40 They also offer a window into the sexuality of others since, as Rudolf Dekker points out, egodocuments discuss more deliberately of the sexuality observed than the author's own sexuality. Dekker, "Sexuality, Elites, and Court Life" 95–96.

premarital sexual lives of 'ordinary people' were generally known to the communities in which these people lived. They were subject to a kind of tacit public knowledge. This aspect of early modern urban life is difficult to ascertain. The *plaintes en grossesse* highlight this precise tension, however. While sexuality was perceived as private and intimate, testimonies heard in court show that premarital sexual behaviours were generally known within communities. With legal proceedings, sexual behaviours that were 'known, but not said' became 'known and said' and then recorded. Sexual behaviours considered private but known by and thereby accepted within the community were transposed to the legal system, where tacit knowledge was no longer enough: the complainants transferred intimate sexual behaviours from the private domain to the public realm of justice. *Plaintes en grossesse* allow us to acknowledge precisely this permeable border between private and public, between secrecy and knowledge, which characterises early modern societies.

3 The Fragile Balance of Ordinary Life

In early modern France, the intimate sexual lives of men and women largely escaped the eye of justice. In turn, this intimacy is hardly accessible to historians unless they approach it from the perspective of its repression. Toulouse's *plaintes en grossesse* do not correspond to Madeleine Foisil's definition of *Écrits du for privé*, since they are documents produced by institutions and not by the actors themselves. Nevertheless, these judicial sources allow us to enter into the sexual and emotional intimacy of illegitimate couples in eighteenth-century France. The use of these sources is all the more interesting because women's writing, and even more so writing on sexuality, is very rare for the eighteenth century.⁴¹ Indeed, the *plaintes en grossesse* grant us some access to the intimate lives of women. These documents testify to the ordinary lives of women. Of course, as Gwénael Murphy emphasises, 'deciphering the feelings, the sentiments, the reception of violence by victims, their executioners and the witnesses of these acts through judicial archives remains delicate because of the normative prism imposed by the documents and their editors'.⁴² Furthermore, the complaints mirror the administrative standards of

41 Mouysset, "Quand 'Je' est une femme" 191; Greyerz K., "Écriture de soi et lecture religieuse chez les protestants du monde germanophone en perspective confessionnelle", *Études de Lettres* 1–2 (2016) 39–62.

42 Murphy G., "Justice, sociétés et violences conjugales aux XVII^e et XVIII^e siècles: les seuils de tolérance", in Follain A. (ed.), *Sources. Arts, civilisation et histoire de l'Europe* 14–15 (2019) 119.

the period: the clerk's transcription imposes what we might call a reading of the sexuality of the complainants. However, since the complaint was intended to convince the magistrates, these complainants described their sexual and emotional intimacy in great detail that, later, were to be refuted or confirmed by witnesses summoned by the court.⁴³ Despite the obvious biases imposed by the judicial process and the intermediation of translators and scribes,⁴⁴ the accounts speak to actual events or, better, to the personal experience of certain events. Indeed, the complaints were always read back to their depositor and had to be approved by her.⁴⁵

The available sources also reflect a conflict or a rupture: the study of harmonious couples and their sexuality remain difficult, if not impossible – it is in its repression and regulation that sexuality fosters a discourse and leaves its trace. In line with Christophe Regina, the *plaintes en grossesse* can be considered testimonies of troubled ordinary life, which take the form of stories intended for the agents of justice.⁴⁶ These sources are not first-hand accounts of sexuality, and historians, as always, must be aware of their biases. Still, they grant access to social narratives of intimate behaviours: representations of emotional states, rarely accessible, are found in these pages.⁴⁷

A *plainte en grossesse* starts where things end – at the break-up. Subsequently, the plaintiff accuses her lover of not honouring a promise of marriage – a promise that had facilitated their premarital sexual activities – and of his unwillingness to respect parental obligations. This schema enables us to establish an itinerary of the sexual intimacy: the initial period of tolerated sexual intimacy is followed by the break-up that, then, effects the *plainte*

43 Christophe Regina provides methodological tools for analysing these oral testimonies translated and transcribed by a clerk, and he demonstrates very convincingly that these sources can, with all the necessary nuances, be considered direct testimony. See C. Regina, *Dire et mettre en scène*.

44 It should be noted that the complainants most likely speak occitan, the vernacular language of eighteenth-century Toulouse. These sources are therefore transcripts of an oral complaint made in occitan and then translated into French.

45 To the *plaintes en grossesse* as stories told from the inside, where actors of the love drama express themselves or, at the very least, the seduced girl does, see Phan, *Les amours illégitimes* 3.

46 Regina C., *Genre, mœurs et justice: les Marseillaises et la violence au XVIII^e siècle* (Aix-en-Provence: 2015) 23.

47 Indeed, the historical research into women's sensitivities cannot be limited to sources about women, but it must turn to sources from women, see Vickery A., "S'il vous plaît, brûler cela afin qu'aucun œil mortel ne puisse le voir": les secrets des sources féminines", in Ruggiu F.-J. – Bardet J.-P. (eds.), *Au plus près du secret des cœurs? Nouvelles lectures historiographiques des écrits du for privé en Europe du XVI^e au XVIII^e siècle* (Paris: 2005) 43–62, here 46.

en grossesse. The initial period of toleration is oriented towards the future: the couple, their families, and the community tolerate sexual behaviours, interpreting them as signs of marriage. The rupture turns this interpretation on its head: it transforms behaviours from 'normal' to 'transgressive'. Finally, the *plaintes en grossesse* is a way for women to handle this transgression of social norms – to reinterpret what happened to her and her family.

Thus, the *plaintes en grossesse* document the evolution of the amorous sentimental relationship from first encounters to break-ups. In her complaint, Marthe Boulbe states that her former lover

[...] rechercha de faire connoissance avec la plaignante et fit si bien qu'il s'introduisit auprès d'elle et commença d'abord a se débiter comme un homme qui est tout a fait amoureux. La plaignante regardoit cette Grande passion avec mépris mais la constance dudit Alexis obligea la plaignante de le regarder avec complaisance.⁴⁸

sought to get to know the plaintiff and did this so well that he introduced himself to her and immediately started acting like a man completely in love. This great passion the plaintiff viewed with contempt, but the persistence of Alexis [the defendant] obliged the plaintiff to look at him with complacency.

In another case, the complainant asserts that her seduction was long, constant, and non-coercive:

le susdit s'estant rendu amoureux d'elle il luy communiquoit ses tendres sentiments qui augmentoient disoit tous les jours et elle qui se plaint n'ayant pu douter de la sincérité dudit St-Martin qui la suivoit dans tous les endroits de la maison les plus reculés feut enfin forcée de consentir a ses désirs.⁴⁹

after the aforementioned [lover] had fallen in love with her, he communicated his tender feelings that he said increased daily, and, finally, she, the plaintiff, having found no reason to doubt St-Martin [the lover] who followed her into the remotest areas of the house, was forced to consent to his desires.

48 AMT FF759/2 liasse 57.

49 AMT, FF784/6 liasse 155.

Descriptions like these are by no means neutral: the *plaintes en grossesse* were filed for compensation. Since these sources originate from a dispute, the complainant's narrative usually begins with a description of a harmonious relationship and ends with a dramatic and immoral experience:

luy temoignant au commencement de leurs connoissances une considération respectueuse qui se changea bientôt en amour meme indiscret ledit Mestre l'ambrassant dans tous les androits de la maison ou il la trouvoit lui faisant meme des attouchements illicites dont elle ne pouvoit se deffandre.⁵⁰

having at the beginning of their acquaintance shown a respectful acknowledgement of her, which soon turned into love, Mestre, indiscreetly, would embrace her in all the corners of the house where he found her, making even illicit gropings from which she could not defend herself.

Some women tried to convince the authorities by emphasising how their abandonment inflicted a grave loss upon their own person, their families, and their community. In a deposition made in 1773, a complainant's midwife asserted that the defendant: 'Ledit Roland luy ayant assisté luy meme a ses couches la tenant meme sur ses jenouls pendant qu'elle accoucha' ('the aforementioned Roland [the lover] assisted her childbirth holding her on his knee while she gave birth').⁵¹ This witness brings us into the intimacy of childbirth and documents the couple's relationship. The example of the *caffetier* is again illuminating: he transgressed the threshold of the private bedroom and retrieved information from its interior about which he was compelled to describe details, that is, his experience became evidence to support the intimacy of a couple that a judicial authority was in the process of authenticating. In the same proceedings, a 50-year-old widow testified that the lover 'couchoit la plus part du tems' ('slept most of the time') in the complainant's room. This witness also confirmed that the couple was recognised as legitimate in the neighbourhood.⁵² Furthermore, a man testified in court that he noticed 'qu'ils étoient l'un et l'autre fort rouges ce qui lui fit soubsonner qu'ils venoient de se divertir' ('that both of them [the illegitimate couple] were very red [in the face], which made him suspect that they had just entertained themselves').⁵³ More than implying the act of

50 AMT, FF751/1 liasse 5.

51 AMT, FF774/5 liasse 150.

52 AMT, FF812/4 liasse 95.

53 AMT, FF804/5 liasse 147.

intercourse, the witness had not actually seen the act, but it seems from his statement that he might as well have: he was able to describe the physical state of the lovers who had just had sex.

The very act of filing a complaint was likely to cause the publication of the complainant's sexual intimacy. Pierre Barthès, a famous Toulouse memoirist, asserts that nothing is secret at the court of the *capitouls* and that it was public knowledge that the intimacy revealed to the magistrates risked being revealed in the streets of Toulouse.⁵⁴ Nicole Castan claims that court procedures were genuine entertainments in eighteenth-century Toulouse.⁵⁵ By choosing to file a complaint, the complainants had to accept a double unveiling of their sexual intimacy: one in the legal proceedings and the other in the streets of Toulouse. What was known by one part of the community could now be known by all.

4 Conclusion

It is the suspension of ordinary life – the illegitimate pregnancy followed by abandonment – that spurred on attempts to restore some level of normality. The *plaintes en grossesse* are such attempts, and, despite their normative nature, they allow us to enter into the privacy of the bedroom, sit by the fireplace, and walk the streets where lovers used to go for promenades. Indeed, the judicial procedure required that facts, otherwise silenced, had to be pronounced, taken on record, and, years after, be available for scrutiny by historians. For too long, the sexual intimacy of illegitimate eighteenth-century French couples has not been studied. Through the methodological and conceptual approaches developed by the historians of egodocuments, the study of *plaintes en grossesse* gains access to the restricted and private spaces that surrounded sexuality in early modern France.

While the sexual act is intimate and, as such, private, judicial sources suggest that sexual privacy was difficult to achieve for illegitimate couples. This is not a simple contrast between private and public but something much more complex and interesting: the community's tacit knowledge of a premarital relationship situates sexuality at the intersection of public and private, while the legal proceedings, where the State manifests itself in matters of everyday

54 *Les Heures perdues de Pierre Barthès maître répétiteur en Toulouse, ou recueil des choses dignes d'être transmises à la postérité, arrivées en cette ville, ou près d'icy*, Bibliothèque municipale de Toulouse, ms. 699–706. The memoirs of Pierre Barthès can be consulted online on the website of the Bibliothèque municipale de Toulouse (<https://rosalis.bibliotheque.toulouse.fr/>).

55 Castan N., *Justice et répression en Languedoc à l'époque des Lumières* (Paris: 1980) 142–143.

life, required a more clear-cut knowledge about what had ‘actually’ taken place in the private domain. On the one hand, the communal knowledge about the couples’ behaviours was already intrusive: it monitored couples and their intimate behaviours. On the other hand, what is known by the family and the community is not necessarily known by the general public. The legal authorities, however, required that the couple’s seal of intimacy be broken: the *capitouls* ordered the complainant to tell every detail of her sex life with her runaway lover, while the latter, when arrested, was required to do the same. More importantly, the woman made the decision to open her bedroom and invite in the judicial gaze. The *plainte en grossesse* was not, at least theoretically, imposed: in her dire straits, the individual resorted to this social practice and legal procedure, which entailed disclosing sensitive matters about her person and sexual activities. Thus, these documents testify to some level of female agency for women, when their lovers went back on promises of marriage and thereby called into question the sincerity of the relationship.⁵⁶ A form of tacit exchange thus took place: the plaintiff agreed to provide to the justice the details of her intimate sexual life in exchange for a possible conviction of her former partner. The discourses on the sexual intimacy of these premarital couples, e.g. the different zones of privacy, are thus compiled in a single legal procedure that is now accessible to historians. As Claire Judde de Larivière suggested, the study of these documents demonstrates that an alternative history of the self and the intimate can be studied through the analysis of certain documents produced within or requested by institutions.⁵⁷ The intimacy of the couple’s bedroom was, after all, opened to the curiosity and surveillance of the community.

56 The *plaintes en grossesse* also testify to sexual violence against women – such acts of physical, emotional, and verbal violence were a scourge in eighteenth-century Toulouse. Fabrice Vigier has shown how, during the *Ancien Régime*, a crime was qualified as rape under three conditions: the victim had to be female; physical force had to have been used against her; and finally, it was essential that the victim resisted her attacker until the end of the act, see Vigier, “À propos de quelques procès pour violences sexuelles dans le Poitou du XVIII^e siècle” 201. It goes without saying that this made it difficult for a victim to have an attack recognised as rape. Therefore, many victims used the procedure of the *plainte en grossesse* to indirectly denounce sexual violence and thereby overcome the near-impossibility for eighteenth-century women to have their abusers convicted. On this use of *plaintes en grossesse*, I refer to my article “Un viol dénoncé dans une déclaration de grossesse à Toulouse en 1742”.

57 De Larivière C.J., “Les *relazioni* des ambassadeurs vénitiens et l’expression du for privé dans les documents publics (XVI^e siècle)”, in Mouysset – Ruggiu – Bardet (eds.), *Car c’est moy que je peins* 205–220, here 205.

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Public and Private in Jewish Egodocuments of Amsterdam (ca. 1680–1830)

Michaël Green

1 Introduction

The early modern Netherlands saw several important changes that demonstrated the development of a growing need of what nowadays we would call ‘privacy’.¹ In architecture, the extensive use of the corridor allowed restricted access to individual rooms.² In the cultural realm, the surge of the so-called egodocuments (which to be classified as such need to contain the personal pronoun ‘I’) demonstrates the need to document one’s private life. These records were intended for personal use, for the instruction of the future generations or as social justification.³ Amsterdam was the largest city of the newly independent United Provinces of the Netherlands, and it was home to numerous religious minorities, including Catholics, Lutherans, and Jews.⁴ This article focuses on the latter group due to the unique situation of Jews in the

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- 1 The word ‘privacy’ appeared in the Dutch language only in the late nineteenth century. See: Green M., “Spaces of Privacy in Early Modern Amsterdam”, *Tijdschrift voor Sociale en Economische Geschiedenis* 18.3 (2021) 17–40.
- 2 Van den Heuvel Ch., *De Huysbouw: A Reconstruction of an Unfinished Treatise on Architecture, Town Planning and Civil Engineering by Simon Stevin* (Amsterdam: 2005). For the emergence of privacy in Dutch architecture and Stevin’s take on it, see De Mare H., *Huiselijke taferelen: de veranderende rol van het beeld in de Gouden Eeuw* (Nijmegen: 2012).
- 3 Dekker R., “Introduction”, in Dekker R. (ed.) *Egodocuments and History: Autobiographical Writing in its Social Context since the Middle Ages* (Hilversum: 2002) 7–20.
- 4 Frijhoff W. – Prak M. (eds.), *Geschiedenis van Amsterdam*, vol. 2–1: *Centrum van de wereld, 1578–1650* (Amsterdam: 2004).

United Provinces, where they enjoyed a relatively peaceful life, unlike in other European countries.

Egodocuments are sources that reveal the authors' perceptions of various aspects of life, including at times their most intimate thoughts.⁵ For this reason, they are an important source for the study of privacy. However, the researcher needs to approach such sources with caution: egodocuments may often reflect expectations, trends, and ideals rather than the author's true perceptions.⁶ Out of the twenty-three egodocuments listed in the most recent edition of *Repertorium*, a register of Dutch egodocuments, just four were written by members of the Jewish community in Amsterdam.⁷ According to Jonathan Israel, there were only 350 Jews in Amsterdam in 1610, i.e. 0,4% of the city's population. By the mid-eighteenth century, Jews (both Ashkenazi and Sephardim) numbered ca. 20,000 (of a total population of ca. 250,000), which equals 10,5% of the population.⁸ Hence, even if the *Repertorium* cannot be considered exhaustive, the number of extant egodocuments produced in the Jewish community is considerably lower than in the rest of the population [Fig. 10.1].

After an overview of the Jewish history of Amsterdam and an outline of the methodology, I will examine three egodocuments written by Jews in Amsterdam in the seventeenth, eighteenth, and early nineteenth centuries respectively. Thus, the aim is to sketch notions of privacy as they come to the fore in these three sources that represent different historical periods and different genres: the family history of Isaac de Pinto (1629–1681), written in ca. 1680 with the aim of justifying the Jewish heritage; the chronicle of Abraham Chaim Braatbard (1699–1786), written in the mid-eighteenth century, in which the author relates his own experiences and those of fellow Jews as a community; the memoirs of Moses Salomon Asser (1754–1826), written in the early nineteenth century, and reflecting on his personal success story. J.H. Chajes distinguishes several types of medieval egodocuments in the Jewish context, such as the *pinkas* (ledger book), the *kuntres* (a quire of five sheets in which explorative texts were written), and the *megillah* (scrolls containing notes or teachings). These different modes of medieval self-expression formed the basis for those in the early

5 Ariès Ph., "Introduction", in Ariès Ph. – Duby G. – Chartier R. (eds.), *A History of Private Life*, vol. 3, trans. A. Goldhammer (Cambridge, MA – London: 1989) 5.

6 See also Laflamme's contribution to this volume.

7 Dekker R. – Baggerman A. (eds.), *Egodocumenten van Nederlanders uit de zestiende tot begin negentiende eeuw. Repertorium* (Amsterdam: 2016).

8 Israel J.I., "The Republic of the United Netherlands Until About 1750: Demography and Economic Activity", in Blom J.C.H. – Fuks-Mansfeld R.G. – Schöffer I. (eds.), *The History of the Jews in the Netherlands* (Liverpool: 2007) 85–115, here 100.

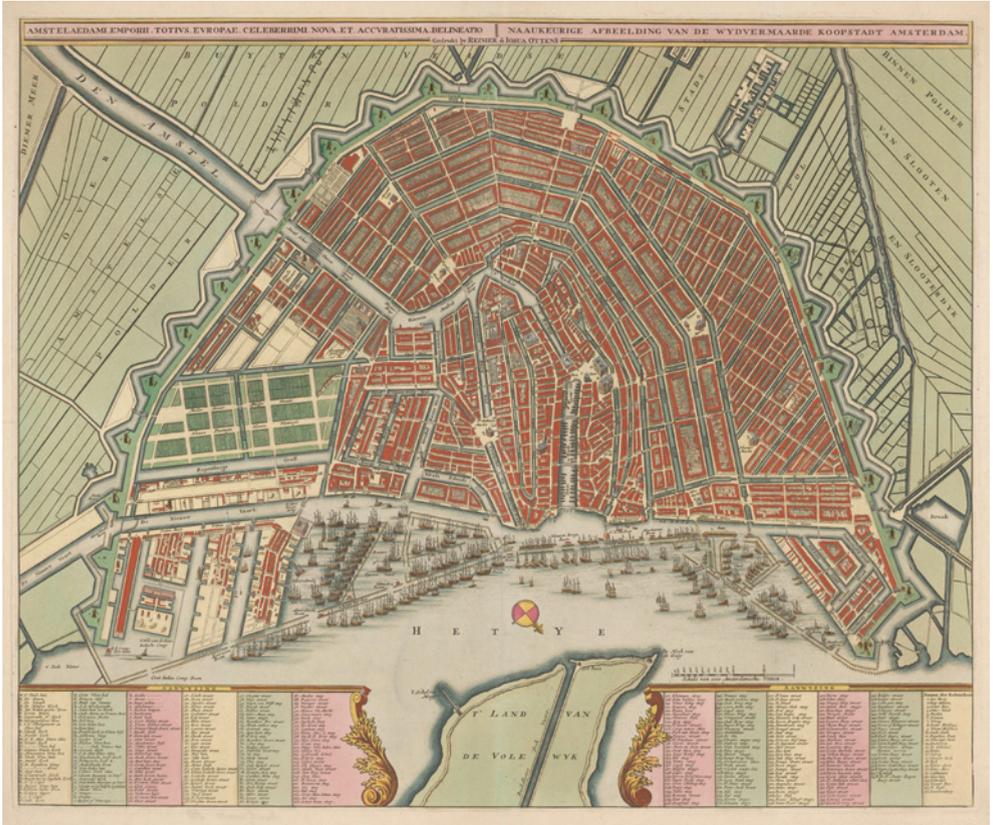


FIGURE 10.1 Anonymous, *Map of Amsterdam*, 1726–1750. Engraving, 48,3 × 58,3 cm
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modern period.⁹ Concerning the *megillah*, Chajes states that it included works ‘that never entered the public domain because of the controversial nature of their contents’, since they at times contained ‘individual opinions’.¹⁰ According to Avriel Bar-Levav, certain early modern Jewish egodocuments stem from the genre of ethical wills in which ‘the author gives moral instruction to his children or to other readers’.¹¹ This is indeed the case in the text of De Pinto and Asser, but less so for Braatbard’s text, which is rather similar to the chronicle

9 Chajes J.H., “Accounting for the Self: Preliminary Generic-Historical Reflections on Early Modern Jewish Egodocuments”, *The Jewish Quarterly Review* 95.1 (2005) 1–15, here 15.

10 Ibidem, 6.

11 Bar-Levav A., “‘When I was Alive’: Jewish Ethical Wills as Egodocuments”, in Dekker R. (ed.), *Egodocuments and History: Autobiographical Writing in its Social Context since the Middle Ages* (Rotterdam – Hilversum: 2002) 45–59, here 46.

of a Christian Dutchman: Jacob Bicker Raye (1703–1777), who also wrote about himself with the broader community in view.¹² These documents testify to the contemporary Jewish way of life and thought. The three sources are of course not exhaustive, and this article presents a first attempt to deal with the concept of privacy as it appears in Jewish egodocuments from Amsterdam.

2 Jews in Early Modern Amsterdam

The Jewish community of Amsterdam traces its origins to the late sixteenth century. By the early seventeenth century, the authorities had become concerned with the arrival of the Jews. In 1615, the famous jurist Hugo Grotius (1583–1645) and a pensionary of Amsterdam Adriaen Pauw (1585–1653) were asked by the States of Holland and of West Friesland to give practical advice on the admittance of Jews into the country.¹³ The two men belonged to the two major Protestant movements of the time: Remonstrants and Counter-Remonstrants, so the choice indicated the will of the provincial government to find a solution that would be acceptable to everybody.¹⁴ The Portuguese or Sephardic Jews were the first to establish their new home in the city as they fled from the Spanish and Portuguese persecution. Some arrived in the late sixteenth century, but the majority arrived after 1600.¹⁵ German Jews arrived after the break of the Thirty Years War and due to economic hardship. Their community was officially established in 1635.¹⁶ Polish (and Lithuanian) Jews arrived between 1648 and 1666.¹⁷ The German and the Polish Jewish communities merged in 1673 into one Ashkenazi community, which was referred to as ‘Hoogduitse’

12 Bicker Raye Jacob, *Het dagboek van Jacob Bicker Raye 1732–1772*, eds. F. Beijerinck – M.G. de Boer (Amsterdam: 1935).

13 Grotius Hugo, *Hugo Grotius's Remonstrantie of 1615. Facsimile, Transliteration, Modern Translations and Analysis*, trans., eds. D. Kromhout – A. Offenberg (Leiden: 2019). Pauw's text is lost.

14 *Ibidem*, 52.

15 For an overview of the situation of the Jews in the United Provinces, see Bodian M., *Hebrews of the Portuguese Nation: Conversos and Community in Early Modern Amsterdam* (Bloomington, IN: 1997). On the Sephardic Jews specifically, see: Fuks-Mansfeld R.G., *De Sefardim in Amsterdam tot 1795. Aspecten van een joodse minderheid in een Hollandse stad* (Hilversum: 1989); Kaplan Y., “The Portuguese Community in 17th-century Amsterdam and the Ashkenazi World”, in Michman J. (ed.) *Dutch Jewish History: Proceedings of the Fourth Symposium on the History of the Jews in the Netherlands 7–10 December – Tel-Aviv – Jerusalem, 1986*, vol. 2 (Assen – Maastricht: 1989) 23–46.

16 Kaplan Y., “Amsterdam and the Ashkenazi Migration in the Seventeenth Century”, *Studia Rosenthaliana* 23 (1989) 22–44, here 23, 38.

17 *Ibidem*.

(High-German).¹⁸ Already in 1654, the Jews could obtain ‘minor citizenship’, which gave them permanent resident status but no rights equal to those of the Dutch Reformed.¹⁹ According to David Sorkin, Jews ‘were excluded from retail trade and most crafts, public office and the ability to pass their privilege to their children.’²⁰

The Sephardic community to which Isaac de Pinto, the author of our first example, belonged was richer and better embedded in Amsterdam’s urban milieu than the Ashkenazi community to which the other two authors belonged.²¹ At the same time, the Sephardic community aimed to establish its prominent position in the city, with the synagogue, the *Esnoga*, built as its symbol in 1675. The Great Ashkenazi synagogue had been established four years earlier,²² and these two places of worship, built by the same Dutch architect, Elias Bouman (1636–1686), were located opposite one another, separated by the Muidergracht canal [Figs. 10.2–10.3].²³

Despite the rather tolerant climate of the early modern United Provinces, one of the Jews’ constant fears was that of persecution and pogroms since these

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- 18 On the Ashkenazi community of Amsterdam, see Sluys D.M., “Hoogduits-Joods Amsterdam van 1635 tot 1795”, in Brugmans H. – Frank A. (eds.), *Geschiedenis der Joden in Nederland*, vol. 1 (Amsterdam: 1940) 306–381; Berger Sh., “Reading Yiddish and Lernen: Being a Pious Ashkenazi in Amsterdam, 1650–1800”, in Kaplan Y. – Michman D. (eds.), *The Religious Cultures of Dutch Jewry* (Leiden – Boston: 2017) 124–140. For a broader overview on the Ashkenazi Jews in the Netherlands, see Wallet B., *Links in a Chain: Early Modern Yiddish Historiography in the Northern Netherlands (1743–1812)* (Ph.D. dissertation, University of Amsterdam: 2012). A curious late eighteenth-century source regarding the community has been preserved: Zwiers A., “Inventory of the Moveable Property of the Ashkenazi Community of Amsterdam, 1788”, *Studia Rosenthaliana* 37 (2004) 309–397, here 309.
- 19 Sorkin D., “Beyond the East-West Divide: Rethinking the Narrative of the Jews’ Political Status in Europe, 1600–1750”, *Jewish History* 24 (2010) 247–256, here 249.
- 20 Sorkin, “Beyond the East-West Divide” 249. On legal status of the Jews: Huussen A.H., “The Legal Position of the Jews in the Dutch Republic c. 1590–1796”, in Israel J. – Salverda R. (eds.), *Dutch Jewry: Its history and Secular Culture (1500–2000)* (Leiden: 2002) 25–42.
- 21 This does not mean that the Sephardic community did not have its share of the poor, see Levie Bernfeld T., *Poverty and Welfare Among the Portuguese Jews in Early Modern Amsterdam* (Oxford: 2012).
- 22 Both synagogues are listed in the *Beschryvinge van Amsterdam*, which includes the buildings in Amsterdam in 1694, in between the ‘Menniniste Kerk der Waterlanders’ and the ‘Het Rasp, of Tucht-Huys’. See Commelin Isaak, “Beschryving der stadt Amsterdam, vervattende alle desselfs oude en nieuwe gebouwen”, in Casparus Commelin (ed.), *Beschryvinge van Amsterdam* (Amsterdam, bij de Wed. Aart Dirksz Oosaaen: 1694) book 4, 252.
- 23 The Muidergracht was since covered up, and nowadays there is just a regular street.



FIGURE 10.2 Romeyn de Hooghe, *View on the Portuguese Synagogue in Amsterdam*, Amsterdam, ca. 1695. Engraving, 24,1 × 56,8 cm

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were part of their collective past and present in various places in Europe.²⁴ Hence, the Sephardim decided to open the doors of their synagogue to gentiles in order to demonstrate how the services were actually performed.²⁵ This decision has a particular importance for the understanding of notions of privacy: Jewish prayers do not usually allow the presence of non-Jews. Yet, the leading members of the community saw the act of opening the doors of the synagogue as a means of saving lives: the breach of privacy and the disregard of religious prescriptions happened in the name of security and survival of the community.

In the later seventeenth century, Amsterdam became not only a commercial centre but also a centre of Jewish culture and thought.²⁶ In that period,

24 For an account of persecution in Ukraine, see Teller A., “Jewish Women in the Wake of The Chmielnicki Uprising: *Gzeies Tah-tat* as a Generated Experience”, in Cohen R.I. – Dohrmann N.B. – Shear A – Reiner E. (eds.), *Jewish Culture in Early Modern Europe: Essays in Honour of David B. Ruderman* (Cincinnati, OH: 2014) 39–49. For an overview of the persecution by the Portuguese Inquisition throughout the early modern period, see Costigan L.H., “The Rise of the Modern Inquisition in Portugal and Brazil, and the Transformation of Jews and New Christians into Heretics”, in Prudlo D. (ed.), *A Companion to Heresy Inquisitions* (Leiden: 2019) 228–245.

25 Kaplan Y., “*Gente Política*: The Portuguese Jews of Amsterdam vis-à-vis Dutch Society”, in Brasz Ch. – Kaplan Y. (eds.), *Dutch Jews as Perceived by Themselves and by Others: Proceedings of the Eighth International Symposium on the History of the Jews in the Netherlands* (Leiden – Boston – Cologne: 2001) 21–40.

26 See the recent study by Bendowska M. – Doktor J., *The Amsterdam of Polish Jews: Old Hebrew Printed Works from the Collections of the Jewish Historical Institute Warsaw* (Warsaw: 2016).



FIGURE 10.3 Carel Frederik Bendorp after Jan Bulthuis, *Ashkenazi (Hoogduitse) Synagogue in Amsterdam*, Amsterdam, ca. 1790. Engraving, 17,4 × 25 cm
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some representatives of the Jewish community accumulated significant wealth, often through their participation in the Dutch colonial enterprises. Consequently, the Jewish leadership in Amsterdam was striving to improve their own individual legal position as well as that of the Jews in the United Provinces in general.²⁷ Yet, equality was only achieved during the Batavian Republic, when Moses Solomon Asser (1754–1826) petitioned the National Assembly to recognise the Jews as full citizens in March 1796.²⁸ We shall return to Asser, who authored the last egodocument discussed below.

27 On Jewish merchants, see Schreuder Y., *Amsterdam's Sephardic Merchants and the Atlantic Sugar Trade in the Seventeenth Century* (Newark, DE: 2019); Israel J.I., "The Changing Role of the Dutch Sephardim in International Trade, 1595–1715", in Michman J. – Levie T. (eds.), *Dutch Jewish History: Proceedings of the Symposium on the History of the Jews in the Netherlands November 28–December 3, 1982, Tel Aviv – Jerusalem* (Jerusalem: 1984) 31–52.

28 Sonnenberg-Stern K., *Emancipation and Poverty: The Ashkenazi Jews of Amsterdam, 1796–1850* (Houndmills – London: 2000) 36.

3 Privacy and Private in the Early Modern United Provinces

In the Dutch context, the word ‘privacy’ appears only at the turn of the twentieth century.²⁹ Therefore, we find no Dutch sources speaking explicitly about ‘privacy’ by using the term. Rather, the sources point to the issue through their context. Accordingly, the goal here is not to engage with existing theories on what privacy was at the time, but rather to probe into the ways in which notions of privacy come across.³⁰ We should keep in mind that there is no stable definition of privacy either in our contemporary or in the early modern context.³¹ One useful definition of privacy in the early modern context can be that of Mary E. Trull, who depicts it as ‘a pleasurable freedom from certain kinds of observation, but this early modern sense of “privacy” indicates the shared freedom of familiarity rather than freedom of isolation.’³² This definition is particularly useful when working with egodocuments pertaining to friendship, family, and communal relationships. Two or more people can create a ‘private nexus’,³³ which allows them to exchange ideas freely without the physical presence of others. Building upon this understanding of early modern privacy as a working definition, this article is guided by the methodology developed at Centre for Privacy Studies, which uses heuristic zones of privacy that map out the early modern world – soul/mind, body, bedroom, house/household, community, and state.³⁴ The soul/mind represents the innermost zone and the state represents the outermost zone. Privacy can exist within each of these zones, but also in overlaps or thresholds, where one zone interferes with another – for example, the state with the mind, or the community with the household. As such, according to S.T. Margulis, privacy also refers to the levels of access: the access to oneself, to the community, or to information about

29 Various aspects of the English word ‘privacy’ are covered in Dutch, as for example in French, with separate notions: *privé-leven* (private life), *geheimhouding* (confidentiality), *bedektheid* (secrecy).

30 There is only a limited amount of secondary literature on Dutch privacy in the early modern context, see Wheelock (Jr.) A.K. – Seeff A.F. (eds.), *The Public and Private in Dutch Culture of the Golden Age* (Newark – London: 2000); Schuurman A. – Spierenburg P. (eds.), *Private Domain, Public Inquiry: Families and Life-styles in the Netherlands, 1500 to the Present* (Hilversum: 1996).

31 In her introductory chapter to this volume, Mette Birkedal Bruun surveys the various definitions given by contemporary researchers of early modern privacy.

32 Trull M.E., *Performing Privacy and Gender in Early Modern Literature* (Houndmills: 2013) 8.

33 My term.

34 Bruun M.B., *The Centre for Privacy Studies Working Method*, online edition, accessed on 25 June 2020. <https://teol.ku.dk/privacy/research/work-method/privacy_work_method.pdf>.

these two can be regulated by increasing or decreasing privacy.³⁵ To elaborate on this, a private zone can be created by a person, by a group of people, or even by a certain community by preventing access to their physical place – home, church, synagogue, town – or by not sharing their thoughts and ideas. By using heuristic zones as a map, and keeping in mind the idea of the levels of access, this article attempts to trace notions of privacy in the egodocuments written by Jews in Amsterdam.

4 “De Pinto Manuscript” by Isaac de Pinto (1629–1681): The Privacy of a Family

De Pinto’s chronicle is one of the oldest surviving egodocuments of the Jewish community in Amsterdam. The Dutch historian H.P. Salomon took the trouble of reconstructing the entire text based on five surviving manuscripts and translating it into English.³⁶ De Pinto’s family was one of the most prominent families of Portuguese Jews and part of the city’s Sephardic community. Shortly after their flight from Antwerp in 1646, they initially settled in Rotterdam. From there, Isaac I de Pinto and some of his family moved to Amsterdam, home to a major Portuguese Catholic community. The family became one of the most prominent merchant families in Amsterdam.³⁷ The De Pinto manuscript is a family chronicle written in Amsterdam, in which Isaac de Pinto tells the story of his family from his great-great-grandparents to himself, including the detailed account of the family’s flight from Antwerp.³⁸ Such a family history aims to restore the Jewish legitimacy of the family as back in Antwerp the family was Catholic.

The story of De Pinto offers interesting glimpses into the family’s perceptions of privacy. Having described in detail the family’s positions in Portugal, Isaac de Pinto reaches his own story, coinciding with the last years of the Eighty Years War (the Dutch War of Independence). It seems that the political and financial conditions led the family to think that it was time to flee to

35 Margulis S.T., “Privacy as a Social Issue and Behavioral Concept”, *Journal of Social Issues* 59.2 (2003) 243–261, here 246.

36 Salomon H.P., “The ‘De Pinto’ Manuscript: A 17th Century Marrano Family History”, *Studia Rosenthaliana* 9.1 (1975) 1–62.

37 Ibidem, 6–7.

38 For the chronicle and the De Pinto family, see Bodian, *Hebrews of the Portuguese Nation* 38–42. More on Isaac De Pinto: Berger Sh., “Isaac de Pinto’s Testament: A Case of Multiple Images?”, in Brasz Ch. – Kaplan Y. (eds.), *Dutch Jews as Perceived by Themselves and by Others* (Leiden – Boston: 2001) 79–91.

a place where they could practise Judaism, the religion of their ancestors, to which they felt a sense of belonging. In 1646, most of the De Pinto family left Antwerp and moved to the United Provinces, where their relatives awaited them. Isaac de Pinto travelled separately for safety reasons as the country was at war with France.

Such a journey, undertaken in secret, points to the first instance of what could be considered as privacy. On his way to Rotterdam, De Pinto stops in Turnhout, a town caught between the Dutch and the French forces. There he meets a certain man named Bastiao, his 'neighbour', who comes to him and takes him 'aside, alone'.³⁹ De Pinto writes that this man called him his 'friend', saying that 'he was informing me of this [danger from the approaching French forces and the need to flee as soon as possible, MG], for he well knew that I would keep it secret'.⁴⁰ Secrecy is a side path of privacy, and it points at a close confidential bond between two or more people.⁴¹ Also, friendship allows private moments between people⁴² with various degrees of trust. Indeed, Bastiao as a former neighbour belongs to the community in which De Pinto lived in Antwerp, part of this communal space that shares a certain degree of trust. Here, by establishing this link, Bastiao creates a private zone with De Pinto, a safe place where he can feel confident and allow access to himself. They both make use of this zone in order to safely continue their journey.

However, what other notions of privacy can we deduce from our source? Home is one of the most frequently referred to spaces in egodocuments, as the following examples will show. It is also one of the heuristic zones of privacy. As a place of residence, home is closely connected with the notion of family. As Chris Berks points out, the English philosopher John Locke (1632–1704) defines family 'as a domain of privacy, as separate from the state, but crucially also separate and distinct from the society around it'.⁴³ While home was not a place of seclusion for most of the population, especially for the bourgeoisie and upper echelons of society, it was the place where the individual and the family resided. Lena Cowen Orlin argues that the early modern home was far from what nowadays we would consider private, because of possible observation both from outside and within the house.⁴⁴ Yet, its structure which developed throughout the period offered some secluded spaces.⁴⁵ More importantly,

39 Salomon, "De Pinto" 33.

40 Ibidem, 34.

41 See chapters by Frijhoff and Safley in this volume.

42 Trull, *Performing Privacy* 8.

43 Berg Ch., *The Classical Liberal Case for Privacy in a World of Surveillance and Technological Change* (Cham: 2018) 84.

44 Cowen Orlin L., *Locating Privacy in Tudor London* (Oxford: 2007) 10.

45 Berg, *The Classical Liberal Case for Privacy* 77–78.

the entrance to the house was controlled, often by the wife, and therefore the access, if referring back to the definition given by Margulis, was limited, based on the wishes of the owner.⁴⁶ Therefore, the house offered a certain degree of safety and privacy to its residents.

In fact, De Pinto refers to home on several occasions. On one of them, De Pinto writes that when he and his family reached the neutral town of Zevenbergen,

we found, outside of town, at about rifle range, a castle, or, rather, a large old house, which we rented and to which we moved. But as the terrain there is low, swampy, and very humid, it was a most unhealthy place to live [...] [w]e spent three months, more or less, in that castle, very uncomfortably, it being an old and unhealthy place. When my mother fell terribly ill there, as well as my sister and my late beloved cousin, we were troubled and afflicted by the lack of decent doctors.⁴⁷

After referring to the place as an old house and then actually as a castle, the author informs us twice that the place was old and unhealthy, with all the negative impressions imaginable. As a result of living in such a place, his relatives suffered from illnesses. This gives the impression that the house that they rented was not considered home.⁴⁸ It was not a secure and safe haven for the family where they could recuperate before continuing their journey. Rather, it was a place where they were forced to stay because of lack of other options.

As the security conditions deteriorated, the family decided to go directly to Rotterdam and settle there. De Pinto writes that they arrived in the town of Moerdijk near Amsterdam, where his mother's cousin met them and made them throw away all their provisions because he was afraid these were not kosher.⁴⁹ This act is symbolic of giving up on their not-so-Jewish past and accepting the new strict rules of the Jewish community of Rotterdam. We can see it as a threshold where the community is imposing its will and rules on an

46 Flather A., *Gender and Space in Early Modern England* (Woodbridge: 2007) 44.

47 Salomon, "De Pinto" 36.

48 Alan Levine points out that for Montaigne to be 'chez soi' (at home) is the only way for a person to feel pity and compassion, while going outside brings insensitivity to the other. For Montaigne the two concepts of the 'home' and the 'self' are connected – one needs to be in touch with the self, and the notion of home is used to connect 'the existing reality'. See: Levine A., "Skepticism, Self, and Toleration in Montaigne's Political Thought", in Levine A. (ed.), *Early Modern Skepticism and the Origins of Toleration* (Lanham – Boulder – New York – London: 1999) 51–77, here 65; Levine A., *Sensual Philosophy: Toleration, Skepticism, and Montaigne's Politics of the Self* (Lanham – Boulder – New York – London: 2001) 151.

49 Salomon, "De Pinto" 38.

individual family. They are required to live as Jews among Jews, to become part of the community, people that could be trusted.

In Rotterdam, the family stopped at the house of Abraham Soares, which is described as a 'very fine, large house'.⁵⁰ The house that was rented for them was on the contrary 'very small [...], because in such a short time they [their people in Rotterdam] couldn't [*sic*] find anything else'.⁵¹ Curiously, although coming with the intention to live as Jews, De Pinto particularly mentions that they were not showing any signs of being Jewish outside their house nor telling anyone they were Jews, yet they learned Hebrew and Jewish traditions. This was a typical situation for New Christians, (the Spanish and Portuguese Jews who were forced to convert to Christianity) upon their return to Judaism – Jews on the inside, within the privacy of their home, and Christians on the outside because of the fear of persecution.⁵² Yet the situation quickly changed and they eventually became full members of the Portuguese Jewish community because the situation in the United Provinces allowed them to exercise Judaism freely.

Being Jewish has a direct influence on one's body: the male members of the family had to be circumcised. The *mohel*, a professional circumciser, was sent from Amsterdam and circumcised six people in one day. De Pinto refers to the bodily discomfort they suffered as the healing process lasted longer because of cold weather. Bodily privacy became increasingly important in the early modern period as people were less and less keen to be touched or observed.⁵³ Yet, keeping in mind the religious importance of the circumcision of the Jews, this community interference with the body of the believer was the price of becoming its full participant.⁵⁴

There, in Rotterdam, Isaac de Pinto married his cousin Rachel de Pinto Henriques (?–1652), with whom he had a child in 1652. After his wife died soon after childbirth, he writes that '[i]n May 1653 I moved with my household and my son to Amsterdam'.⁵⁵ There he married another cousin, Rachel da Veiga (?–?). In Amsterdam, the De Pinto family bought the famous 'De Pinto House', which still stands on the Breestraat [Fig. 10.4].

50 Ibidem, 38.

51 Ibidem.

52 Schreuder, *Amsterdam's Sephardic Merchants* 7–12; Bodian, *Hebrews of the Portuguese Nation* 38–42.

53 Tarlow S., *Ritual, Belief and the Dead in Early Modern Britain and Ireland* (Cambridge: 2011) 62.

54 Salomon, "De Pinto" 39–40.

55 Ibidem, 44.



FIGURE 10.4 Romeyn de Hooghe, *House of David de Pinto on Sint-Antoniesbreestraat in Amsterdam*, Amsterdam, ca. 1695. Engraving, 24 × 28,4 cm

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5 “Ein neye kronik” by Abraham Chaim Braatbard (1699–1786): Privacy – a Look from the Outside

Abraham Braatbard or by his Jewish last name Heiman, son of Tswi Hirsch, was born in Amsterdam in 1699 and died there in 1786, at the respected age of eighty-seven. He married Sipra Hyman (1704–?) in 1729 and they lived with their nine children at the Houtgracht. His “Ein neye kronik” spans the period of 1740–1752 and chronicles events of daily life.⁵⁶ Being of the Ashkenazi

56 Parts of it were edited and translated into Dutch from the original Yiddish in 1960 by Leo Fuks, and this is the text to which I will refer here. The biographical references are taken from this work: Fuks L., *De zeven provinciën in beroering. Hoofdstukken uit een Jiddische kroniek over de Jaren 1740–1752 van Abraham Chaim Braatbard* (Amsterdam: 1960). See in particular the introduction: 7–14. See also Michels E., *Jiddische Handschriften der Niederlande* (Leiden – Boston: 2013) 300–305.

community, he wrote Yiddish but used it only phonetically: according to his modern editor, he did not belong to the well-educated elite of the community.⁵⁷ The focus of Braatbard's "Kronik" is different to De Pinto's family history. His interest in writing such a document could have been sparked by his previous (and perhaps continuous) employment as a typesetter for Hebrew books in Amsterdam.⁵⁸ Indeed, the chronicle stops in 1751, shortly after he had taken over his father's financial enterprise.⁵⁹ This document paints a very interesting picture of the life of Jews in Amsterdam during a period that led to the reinstatement of the Stadtholderate in Holland as Willem IV (1711–1751) became stadtholder in 1747.⁶⁰ As Ariane Zwiers asserts, 'Braatbard certainly wrote his chronicle for a wider audience, or at least for his children and grandchildren'.⁶¹ This rather unclear assertion points to the fact that this text was not written for the author's use only.

When reading his text, the influence of the Jewish community upon its individual members stands out. We are also confronted with the attempts of Jewish individuals to establish better connections with the Dutch state in the face of the stadtholder. Thus, the Jewish affinity of the author comes forward in his focus on the Jewish participation in Dutch life, which we can use to try to decipher the delicate communal privacy of the Jewish community. Braatbard explains that, as part of the celebrations for the installation of Willem IV as Stadtholder in May 1747, people were wearing orange ribbons on their clothes to show their support for the Prince of Orange. He writes that 'a lot of money was earned by the Jews on the orange ribbons. No one dared at the time to go without an orange ribbon on the street' ('Er werd door de Joden zeer veel geld met oranjelinten verdiend. Niemand durfde immers zonder oranjelint op straat').⁶² He continues by specifying that everyone, without distinction of rank or religion, *had* to wear one, either on their breast or hat. Some of the more famous Jews dressed up and travelled around *Mokum* (the Yiddish name for Amsterdam) singing and drinking in honour of the Stadtholder: they even did this in front of the city hall, which would normally cost them a twenty-five

57 Fuks, *De zeven provinciën* 7–8; Fuks-Mansfeld R.G., "Abraham Hayim ben Zvi Hirsh Braatbard. A Hebrew Type – Setter in Amsterdam in the First Half of the Eighteenth Century", *Zutot* 1.1 (2001) 133–137. On the use of Yiddish in Amsterdam, see: Zwiers A.D., "Amsterdam Yiddish in Diary and Chronicle", *Studia Rosenthaliana* 30.2 (1996) 233–253.

58 Fuks-Mansfeld, "Braatbard" 135.

59 Michels, *Jiddische Handschriften* 304.

60 Kennedy J.C., *A Concise History of the Netherlands* (Cambridge: 2017) 245–248. On Willem IV, see: Rowen H.H., "William IV: Neither Revolutionary nor Reformer", in *The Princes of Orange: The Stadholders in the Dutch Republic* (Cambridge – New York: 1988) 163–185.

61 Zwiers, "Amsterdam Yiddish" 235.

62 Fuks, *De zeven provinciën* 29.

guilders fine.⁶³ Analysing these events from the privacy perspective, we can see the threshold in which the community, in this case the Dutch community, interfered with the mind of the individuals, who did not voluntarily grant access to their choice of clothing. It is of course common knowledge that an average person on the street had no say in what to wear, but on this occasion, they were pressured by the community and had to pay to conform to the popular demand as those who did not wear orange were beaten up.

Isaac II De Pinto (1717–1787), one of the descendants of Isaac De Pinto of the egodocument discussed above, was one of the most prominent Amsterdam Jews. He was an erudite and the author of several important scholarly works, including the very first one by a Jew in the Netherlands on political economy.⁶⁴ According to Daniel Strum, seeing the deteriorating situation of the Sephardic community in light of the economic crisis of the time due to the decline in trade, Isaac II De Pinto realised that the problem lay in the ‘non-economic restrictions that forced the Jewish community to endure a demographic pressure.’⁶⁵ A member of the Sephardic community and its treasurer, he played an important role in reinstating Willem IV of Orange as stadtholder, mostly by lending him large sums of money to finance his campaign. In return, he expected that the Prince would improve the position of the Jews in the United Provinces. This can explain his support for the Orangist cause. At the same time, we need to keep in mind that while the stadtholder had a high position in the United Provinces, he did not have the absolute power of a king that would allow him to make any political decisions on his own, yet his prestige and influence could help in lobbying the interests of a certain group, in this case the Jews.⁶⁶ Isaac II De Pinto was not unique in his connections with the House of Orange as there are other examples, such as Francisco Lopes Suasso (ca. 1657–1710), a banker who contributed two million guilders to the military campaign of William III during the Glorious Revolution of 1688–1689.⁶⁷

63 Ibidem, 30.

64 De Pinto was not only a politician, but also a scholar. For biographical details, see Van der Aa A.J., “Pinto (Izaak de)”, in *Biographisch woordenboek der Nederlanden*, vol. 15 (Haarlem: 1872) 326–327. For a more detailed study of De Pinto’s work, see Strum D., *Princípios da economia política Judaica: as reflexões políticas de Isaac de Pinto* (Ph.D. dissertation, Hebrew University of Jerusalem: 2000); Nijenhuis I.J.A., *Nijenhuis, Een joodse philosophe. Isaac de Pinto (1717–1787) en de ontwikkeling van de politieke economie in de Europese Verlichting* (Amsterdam: 1992).

65 Strum, “Isaac de Pinto” 241, and on the economic decline: 237.

66 On stadtholderate and the stadtholders, see: Israel J., *The Dutch Republic: Its Rise, Greatness and Fall 1477–1806* (Oxford: 1995) 300–306; Rowen, *The Princes of Orange*.

67 Troost W., *William III, the Stadholder-King: A Political Biography*, trans. Grayson J.C. (Aldershot – Burlington: 2005) 195. Today this sum would be equivalent to 23,855.401 euro. The amount is calculated with the help of the calculator of the value of guilder developed



FIGURE 10.5 Michaël Green, *House De Pinto – Front, Modern View*, 2020
 PHOTOGRAPH. © MICHAËL GREEN

Part of De Pinto's attempt to please the stadtholder is depicted by Braatbard. On Tuesday, 3 September 1748, there was a rumour that De Pinto invited Willem IV to visit him in his house, but the stadtholder did not arrive, because, according to Braatbard, he did not want to pay similar visits to anybody who might ask for them. At the same time, De Pinto's sons frequented the residence of the stadtholder and the guards of the stadtholder were going in and out of De Pinto's home [Figs. 10.5–10.6].⁶⁸ This point is particularly interesting as the Dutch home, especially among merchants, had a double function. On the one hand, it was a home, a place where a family resided. On the other hand, the

by International Institute of Social History. [Online edition, accessed on 14 April 2020. <<http://www.iisg.nl/hpw/calculate.php>>].

68 Fuks, *De zeven provinciën* 84.



FIGURE 10.6
 Michaël Green, *House De Pinto – Rear, Modern View*, 2020
 PHOTOGRAPH. © MICHAËL GREEN

first floor of the house would often be occupied by a shop and the basement was used for storing goods.⁶⁹ In De Pinto's house, business premises were at the back of the house at the waterfront. Such an invitation points to the will of the host to establish a somewhat better personal connection with the visitor. In this case, Isaac II De Pinto wanted to welcome Willem IV in his own 'private' sphere, where he was in charge, but also where his entire family lived. At the same time, the residence of one of the community elders is not a private house in the way that a home of a milkman is. It is part of the community to which the elder belongs. Looking at the symbolic perspective of the heuristic zones, the Jewish community in the guise of De Pinto was aiming to create a bond with the state in the guise of the stadtholder. This threshold of the community and the state overlaps with the home. The personal relationship between two people, but also between two political entities, is negotiated here.

69 Van den Heuvel, *'De Huysbou'*; De Mare, *Huiselijke taferelen*.

Coming back to Braatbard's text, the writer's reflection on the writing process is particularly interesting. He writes that it is impossible for him to write about everything that happened in a particular period. He only writes about a particular event, yet he states that he could not remember all the details.⁷⁰ This introspection touches upon the personal dimension, reflecting on his limitations as the person in charge of preserving the information for the future. He also adds another dimension to his writing but frequently refers to certain events that are 'niet te beschrijven' ('not to be described'), or 'niet mogelijk om alles te beschrijven, wat in die tijd gebeurd is' ('impossible to describe in full what happened at the time').⁷¹ This can be seen in his reference to the popular riots in Leiden in 1748–1749 on account of taxation, where there was much plunder of property, or in his depiction of the panic at the non-kosher meat hall in Amsterdam, in which a German boy was wounded badly by a cleaver that fell on his foot.⁷² This creates a dramatic effect for the reader, whom Braatbard informs that 'was de angst zo groot, dat het niet te beschreven is' ([t]he fear was that great that it cannot be described).⁷³

6 *Mijne Biographie* by Moses Salomon Asser (1754–1826): When Private Becomes Public

Asser's biography was written in February 1823 and it presents a summary of Asser's life. I.H. van Eeghen edited the Dutch original text in 1963 and made it accessible to the research community.⁷⁴ Most known as a member of the *maskilim*-movement, i.e. Jews influenced by Enlightenment ideas, Asser was a 'self-made jurist' and prosecutor. He took part in writing a codex of laws for the

⁷⁰ Fuks, *De zeven provinciën* 69.

⁷¹ Ibidem, 41, 48, and 51.

⁷² Ibidem. There were kosher and non-kosher meat halls in Amsterdam. See: Rädcker T.S., "Uniting and Dividing: Social Aspects of the Eighteenth – Century Ashkenazi Meat Hall in Amsterdam", *Zutot: Perspectives on Jewish Culture* 7 (2011) 81–88. On Leiden riots, see: Prak M. – Luiten van Zanden J., "Tax Morale and Citizenship in the Dutch Republic", in Gelderblom O. (ed.), *The Political Economy of the Dutch Republic* (London – New York: 2016 [2009]) 143–166, here 157–158.

⁷³ Fuks, *De zeven provinciën* 48.

⁷⁴ Van Eeghen I.H., "De autobiografie van Moses Salomon Asser", *Jaarboek Amstelodamum* (1963) 130–165.

trade during the reign of Louis I Bonaparte (1806–1810). He also pushed for the emancipation of Jews in the United Provinces.⁷⁵

Unlike the undefined readership of the two previous sources, the case seems to be rather clear: Asser begins his text with ‘Ik kon aan het verzoek mijner kleinkinderen mij niet onttrekken’ (‘I could not escape the request of my grandchildren’).⁷⁶ Yet, this assessment might only be partially true. Asser’s text is meant to be instructive for the grandchildren and in this way resembles another Dutch text, *De laatste vaderlijke lessen* (*The Last Fatherly Lessons*) by Abraham van der Meersch. This text was written some hundred years earlier, but still seems to have a broader audience in mind.⁷⁷

Asser’s egodocument plays out in the heuristic zones of the mind, the house, the community, and the state. His text should be examined through this particular prism. Asser considered his life extraordinary, as he rose from a rather mediocre existence to great renown, taking on important public roles. According to him, he developed the qualities of patience and firmness – this relates directly to his mind. Wishing his grandchildren to enjoy the same success, he wanted to teach them that greatness can be achieved through patience, virtue, and personal efficiency. He writes that his story will be about

Die bijzondere standverwisselingen, die ik ondergaan heb; – het geduld, dat ik geofend, – de standvastigheid, waarmee ik de alle tegenwerkingen getorsch heb; – zal hun tot les verstrekken, dat men door geduld, deugd en werkzaamheid tot alles komen kan. – Zij zullen de waarheid bevestigd vinden van het spreekwoord: *tandem bona causa triumphat*.⁷⁸

[t]hose special changes of position that I have undergone; – the patience I exercised, – the steadfastness with which I torched all oppositions; – will teach them that everything can be achieved through patience, virtue, and action. – They will find the confirmed truth of the proverb: *tandem bona causa triumphat* [Lat.: A good cause triumphs in the end, MG].

Moses Salomon was born in 1754 as second child to Salomon Moses Asser (1727–?), a diamond splitter, and Gracia van Embden (1732–1757), the eldest

75 Ibidem., 130. On the *maskilim*, see Rådecker T.S., *Making Jews Dutch: Secular discourse and Jewish responses, 1796–1848* (Ph.D. dissertation, University of Groningen: 2015).

76 Van Eeghen, “De autobiografie” 138–139, see also the editor’s comment to that statement.

77 Van der Meersch Abraham, “De laatste vaderlijke lessen, 1721”, eds. P. Visser – S.B.J. Zilverberg, *Doopgezinde bijdragen*, nieuwe reeks 17 (1991) 153–188.

78 My italics. Van Eeghen, “De autobiografie” 139.

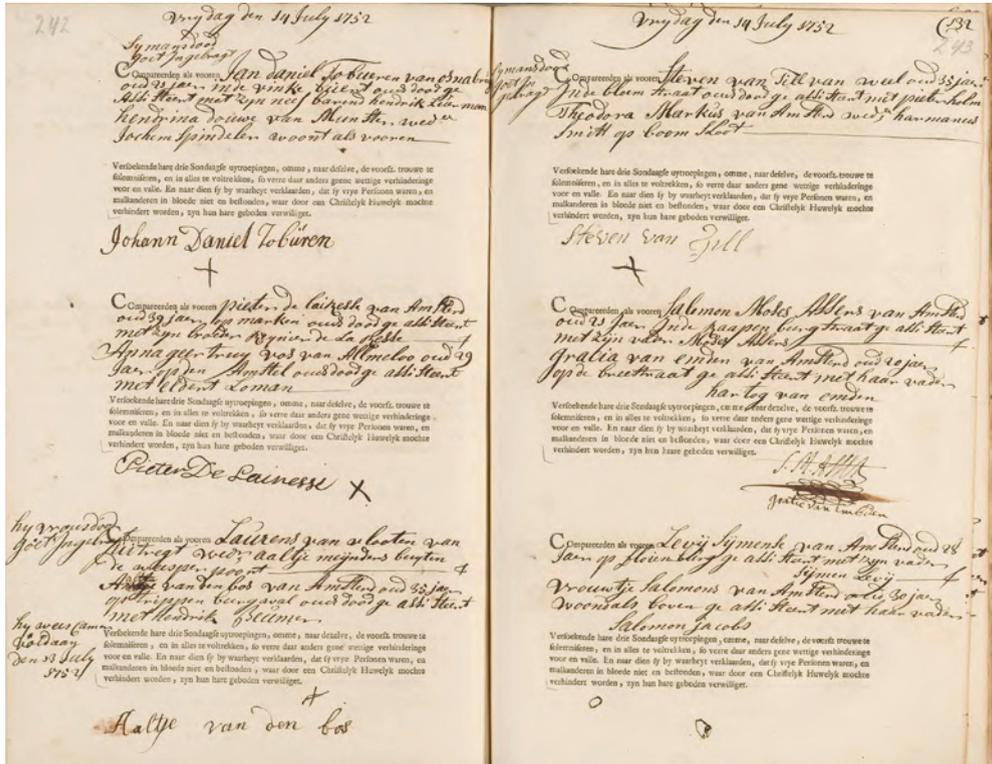


FIGURE 10.7 Marriage registration of Moses Salomon Asser and Gracia van Emdben. Marriage Register, Archives number 5001, inventory number 732, p. 243 (the middle entry on the right)
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daughter of the printer and medical doctor Naphtali Hertz Levi Rofe (Hartog Alexander van Embden) [Fig. 10.7]. Van Embden was a learned woman.⁷⁹

79 With the help of the newly digitised Notary Archives in Amsterdam, some biographical details can be reconstructed. For the marriage registration for Moses's parents, see: City Archives Amsterdam, Marriage Register, Archives number 5001, inventory number 732, p. 243, aktenummer DTB 732: 'Vrijdag den 14 July 1752. [...] Comprareerden als voren Salomon Moses Assers van Amsterd[am] oud 25 jaer inde Raapen brug straat geassisteert met zijn vader Moses Assers. Gracia van Emden van Amsterd[am] oud 20 jaer op de Breestraat geassisteert met haar vader Hartog van Emden [...] ('Friday 14 July 1752 [...] appeared before [me] Salomon Moses Assers of Amsterd[am] 25 years old [living at] Raapen brug street, assisted by his father Moses Assers. Gracia van Emden of Amsterd[am] 20 years old [living] on the Breestraat, assisted by her father Hardog van Emden [...]'). Signed: S.M. Asser and Gratie van Emden. This makes the birth year of Moses Salomon's father 1727 and of his mother 1732. Curiously, there is the standard printed reference to a Christian wedding held, which of course was not the case here.

Moses Salomon's maternal grandfather as well as both of his parents belonged to the *maskilim*.⁸⁰

Although Asser presents a very polished version of events, at times he slips into personal opinions, which render his writing more private. An important point is the family status. Asser stresses that his father's house was a meeting point for the *maskilim*,⁸¹ the Jews who had broken off with the old tradition and wanted change and progress in Jewish society. To fashion himself as an educated person in the eyes of a reader, he points out that he received a good education and that his frequent contact with various learned men allowed him to practise his scholarly interests and languages.⁸² Among those who attended his father's house were French refugees. He refers most likely to the Huguenots, either the first or second generation, who arrived into the United Provinces after the Revocation of the Edict of Nantes in 1685.⁸³ Among the refugees were intellectuals – philosophers, pastors and historians – who reinforced Asser's claim to an 'enlightened' household. Here, Asser presents the importance of the house as a home, but also as a meeting place for the broader community. This intersection between the self, the home, and the community creates the private sentiment of the union of the participants, who share one space and the same passion for learning and knowledge.

The text further shows how Asser built his capital and improved his social and financial position. He writes that his maternal grandfather died in 1767, leaving Moses Salomon as his heir of a capital of 42,000 guilders (406,791 euro nowadays), on the condition that he reaches the age of thirty, marries, has three legally born children and that the last of them is at least one year old.⁸⁴ Keeping in mind that financial information was often considered to be private

80 Van Eeghen, "De autobiografie" 139, 155, footnote 3.

81 Ibidem, 140.

82 On "self-fashioning", see: Greenblatt S., *Renaissance Self-Fashioning: From More to Shakespeare* (Chicago – London: 1980); Kirwan R. (ed.), *Scholarly Self-Fashioning and Community in the Early Modern University* (London – New York: 2013).

83 On French Calvinists or the Huguenots as they are more commonly called, during the period of 1685–1789 which was called the *Désert*, see Ligou D. – Joutard Ph., "Les Déserts (1685–1800)", in Mandrou R. (ed.), *Histoire des protestants en France* (Toulouse: 1977) 189–204; Boison D., "The Revocation of the Edict of Nantes and the Desért", in Mentzer R.A. – Van Ruymbeke B. (eds.), *A Companion to the Huguenots* (Leiden: 2016) 221–245. On their contribution to the Dutch intellectual milieu, see Gibbs G.C., "Some Intellectual and Political Influences of the Huguenot Emigrés in the United Provinces, c. 1680–1730", *Bijdragen en mededelingen betreffende de geschiedenis der Nederlanden* 90 (1975) 225–287.

84 Van Eeghen, "De autobiografie" 141. "Value of the Guilder/Euro", in *Website IISH*.

and was only shown to the closest family, its inclusion here supports the idea that Asser intended his text to stay within the family.⁸⁵

The rest of the text focuses on his successful development of business and even a diplomatic mission he undertook for Louis IX (1719–1790), landgrave of Hessen-Darmstadt. Louis IX contacted him through Asser's business associate Hermanus Leonardus Bromet (1724–1812) on the issue of possibly providing regiments to the States General during the war with England in 1780.⁸⁶ This state-individual relationship was supposed to help him in his future endeavours, but despite the claimed personal and commercial success, he was striving for a stable income and, as we may presume, public recognition. In 1795, during the Batavian Republic, Asser became the first procureur of Amsterdam.

It is also important to look briefly at Asser's public role within the Jewish community because it relates directly the interaction between the community and the individual. Seeing an opportunity in the recent political change with the fall of the Ancien Régime in 1795 and the proclamation of the Batavian Republic, Asser decided that it was time to act to ensure the improvement of the position of the Jews. We need to keep in mind that the Jewish community traditionally supported the Orange family, because of a certain kind of patron-client relationship that existed between them. As a reaction to this support, together with his son Carel, the aforementioned Bromet, doctor Hartog de Lemon, and banker Jacob Saportas, Asser established a society of enlightened Jews, called 'Felix Libertate', and became its head.⁸⁷ This was a 'patriot', i.e. at the time an anti-Orangist movement (against the Orange-Nassau family domination of the Dutch politics) as its members hoped to take advantage of the new liberal spirit that came in the wake of the French Revolution to

85 See my discussion of finances and privacy in Green M., *Le Grand Tour 1701–1703. Lettres de Henry Bentinck, vicomte Woodstock, et de son précepteur Paul Rapin-Thoyras, à Hans Willem Bentinck, comte de Portland* (Paris: 2021).

86 Hermanus Leonardus Bromet was a prominent Dutch Jewish politician. For more information and secondary literature, see: Wallet B., "Bromet, Hermanus Leonard", in *Biografisch Woordenboek van Nederland*, 2018. [Online edition, accessed on 19 March 2020. <<http://resources.huysgens.knaw.nl/bwn1780-1830/lemmata/data/Bromet>>]. On the mercenary trade of Hesse and in Germany in general, see: Ingraou C., *The Hessian Mercenary State. Ideas, Institutions and Reform under Frederick II, 1760–1785* (Cambridge: 1987); Franz E.G., "Landgraf Ludwig IX., der hessische 'Soldatenhandel' und das Regiment 'Royal Hesse Darmstadt'", *Archiv für hessische Geschichte und Altertumskunde* 35 (1977) 177–227; Wilson P.H., "The Politics of Military Recruitment in Eighteenth-Century Germany", *The English Historical Review* 117.472 (2002) 536–568; Wilson P.H., "The German 'Soldier Trade' of the Seventeenth and Eighteenth Centuries: A Reassessment", *The International History Review* 18.4 (1996) 757–792.

87 Sonnenberg-Stern, *Emancipation and Poverty* 44–47.



FIGURE 10.8 Jeremias Snoek after Gijsbertus Johannus van den Berg, *Allegory of the National Assembly*, 1796, Rotterdam, 1797. Print, 50,3 × 57,5 cm
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obtain equal rights for the Jews. Yet, the majority of the Jews and the stricter Christians opposed this society. This was due to the theological issues and the attempts of the traditional Jewish leadership to keep its ruling position among the Jews. At the same time, the city authorities refused to revoke laws that discriminated against Jews in the city. Eventually, after appealing to the National Assembly, Asser's association managed to pass the law with French help in 1796 [Fig. 10.8].⁸⁸ This action of Asser and his comrades can be seen as an example of an invasion or betrayal of the privacy of the Jewish community, where members were expected to avoid causing public controversies that could put the community in danger, especially because the traditionalists did not generally support Asser's actions. Yet, bearing in mind that privacy can be

88 Van Eeghen, "De autobiografie" 150; Sonnenberg-Stern, *Emancipation and Poverty* 47–49.

a quality and a threat, in this case not taking up this cause would have been a bad service for the ultimate interests of the Jewish people.

After the emancipation of the Jews, one of the highest points of Asser's career occurred in 1808 when Louis I appointed him as part of a committee to design a law-book for commerce in the Netherlands.⁸⁹ His support of the French invader cost him dearly. When Willem v of Orange (1748–1806), later King Willem I of the Netherlands, returned to the Netherlands, a new committee was created, but Asser was left out. Things improved only in 1820, when Willem I dubbed him knight of the Dutch Lion. At the end he lists his most important achievements, among them 'bezorger der Joodsche vrijheid' ('procureur of the Jewish freedom').⁹⁰ Asser tells proudly how he started living in a rented house and eventually lived in one of the biggest and most luxurious houses of Amsterdam, and possessed significant wealth. Once again, the idea behind having one's own home is particularly dominant; and is here a measure of success.

To sum up, Asser provides intimate details in his account and not only informs the reader of the financial dealings but also explains his underlying motives for actions. This openness gives the text a much more private tone than that of the preceding examples.

7 Conclusion

The three accounts presented here were written in three different periods and demonstrate different understandings that may be taken as testimonials to the perceptions of privacy by their authors. Both De Pinto and Asser write a personal account of their own life, yet while the first and earliest text contains mostly reflections on places, the second and the third are engaged with more personal writing. Braatbard's account stands out because of its 'chronicle' genre since it is focused on describing the events and noting the news. Yet all three accounts give us a sense of several underlying ideas about what was considered private: the body, the home, and the community. These three elements feature prominently in all three authors.

What do these egodocuments tell us about Jewish perceptions of privacy in the early modern period? The "De Pinto Manuscript" reveals how the private nexus between two people was created through secrecy and friendship in order to safely escape a dangerous situation in which De Pinto found himself.

89 Van Eeghen, "De autobiografie" 153.

90 Ibidem, 154.

In all three sources, we have seen that the house played an important role for individual well-being, acting as a safe space or not, based on whether it had the required dimensions of comfort and security. The attempts of the community leaders to negotiate with the local Dutch authorities in their own homes show that the well-being of the community, and as such their own, was their priority. It is also for that reason that Isaac II de Pinto mentioned in Braatbard's chronicle was willing to open his house to the stadtholder, and invite him into the 'private' sphere of the Jewish community which he represented.

The sources show how individuals were driven by the community to accept interference with their body and property to be part of the community. Circumcision, clothes, and choice of food are specifically Jewish elements of one's privacy. Importantly, Asser's autobiography shows how the privacy of the community had to be given up in order to improve the situation for the entire community, even at the cost of the betrayal of privacy. In this case, the community's privacy was a threat to its success, and Asser did not hesitate to give it up in order to improve the situation for the Jews. Thirdly, the threshold of body and community illustrates how bodily privacy had to be compromised because the body had to be altered to become part of the community and the trusted circle. This idea echoes in the account of Braatbard in the reference to the unofficial requirement that everybody must wear an orange ribbon on their clothes. Finally, the languages of two of the documents played an important role in guarding the privacy of their authors: De Pinto wrote in Spanish and Braatbard wrote in Yiddish, two languages that Dutchmen did not master, which would leave them within the privacy of their respective Jewish communities.

The unique situation of the Jews in Amsterdam since their arrival in the United Provinces and up to their emancipation as one of the most secure places in Europe at the time defines their private sphere and goals. Unlike their fellows in other European countries, Jews in Amsterdam did not live in fear for their lives, and they made considerable efforts to avoid jeopardising this position. Therefore, for the Jews in Amsterdam the community was an important element of solidarity, and its privacy was protected from the outside world by its members. These three Jewish egodocuments written in Amsterdam show that their authors saw themselves as part of both the Jewish and the Dutch milieu, yet felt the need to prove their 'worthiness' and success to their readers. Further research into Dutch egodocuments is needed for proper contextualisation, which will elucidate the differences and the similarities between notions of privacy of various religious communities residing in Amsterdam in the early modern period, and which will assess how these notions changed over time.

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PART 3

Secrecy, Knowledge, and Authority



The Paradox of Secrecy: Merchant Families, Family Firms, and the Porous Boundaries between Private and Public Business Life in Late Medieval and Early Modern Europe

Thomas Max Safley

Late medieval and early modern merchant-financiers expected their partners and employees to guard company secrets. In the case of one firm, *Ambrosius und Hans die Gebrüder Höchstetter und Mitgesellschafter*, their charter of 1515 required all signatories to preserve all business information from all outsiders: Every partner ‘njemands weder fremden noch freunden gantz nicht weder wenig noch fill offenbaren sunder das suo gutter geheim pej im und untter uns behalten’ (would reveal to no one, whether stranger or friend, anything great or small, but rather keep it secret to himself or among us).¹ A decade later, the firm’s 1524 charter extended the prohibition even to immediate family members, ‘es seyen weyber, schwestern, prueder oder annder freunden nix ausgenommen’ (‘be it wives, sisters, brothers, or other relations without exception’).² The Höchstetters clearly laid great emphasis upon the closed nature of their company.

The speculative character of business necessitated secrecy. Up-to-date information about warehouse contents, price movements, or business plans, whether circulated with intent or through carelessness, could damage the interests of a firm. Industrial espionage occurred frequently and had to be prevented. Jakob II (‘the Rich’) Fugger (1459–1525) and his successors regularly ordered their factors to gather information and render reports on the activities of competitors.³ Their competitors treated the Fuggers with equal regard. Their business accounts capture explicitly the importance of secrecy,

1 Stadtarchiv Augsburg, Höchstetter-Sammlung, Handelshaus, Nr. 1, Ambrosius und Hans Gebrueder die Hoechstetter und Gesellschaft. Gesellschaftsvertrag vom 19. Dez. 1515.

2 Stadtarchiv Augsburg, Reichsstadt Akten, Höchstetter-Selekt 1, Höchstetter’scher Gesellschaftsbrief 1524. Also transcribed in Lutz E., *Die rechtliche Struktur süddeutscher Handelsgesellschaften in der Zeit der Fugger*, vol. 2 (Tübingen: 1976) 39–48.

3 Ortner R., *Die Handlungsgehilfe, in besonderen der Faktor des süddeutschen Kaufmannes im 15. Und 16. Jahrhundert* (Ph.D. dissertation, University of Munich: 1932) 68, footnote 2. See also

of guarding one's own secrets (and penetrating those of others). The principal account book in double-entry book-keeping, where not only final financial records but also business documents were kept, was referred to commonly as the 'Geheimbuch' ('secret book'). In his *Handel Buch*, one of the first German-language handbooks of business practices, published in 1558, Lorenz Meder quite deliberately exposed what merchants had long held secret. As his editor Hermann Kellenbenz points out: 'Er war der erste im deutschen Sprachgebiet, der auf die Geheimhaltung verzichtete, und es bedurfte noch verschiedener Generationen, bis dieses Tabu endgültig überwunden war' ('He was the first in the German-speaking world to renounce secrecy, and it would require a number of generations finally to overcome this taboo').⁴ Even Jacques Savary, author of *Le parfait négociant* (1675), arguably the most influential business handbook written before the nineteenth century, had to defend himself against the accusation of revealing secret knowledge.⁵

Savary's prefatory remarks suggest the ambiguity and paradox of secrecy. They may be considered as much rhetorical and substantial, but the very fact that he felt called upon to make them suggests a certain unease with exposure of knowledge that was, if not strictly 'secret', then certainly arcane and sensitive. Any *Geheimbuch* might contain copies of documents that might be considered 'public' in the sense that contracts, etc. record transactions in a manner that explicitly fixes their contents to prevent opportunism and enforce observance, if necessary, through legal, public sanctions. Moreover, the corporate nature of premodern commercial life, captured in guild memberships and endogenous social interactions results in a certain ambiguity as to the actual secrecy of any business dealings. Yet, the oaths commonly required of business partners, to say nothing of the efforts by bankrupts to prevent 'secret books' from falling into the hands of the creditors, leaves little doubt about their intended secrecy.

Mohr C., *Die Anfänge der modernen Warenspekulation im 15. Und 16. Jahrhundert* (Ph.D. dissertation, University of Munich: 1927).

- 4 Meder Lorenz, *Handel Buch. Darin angezeigt wird/welcher gestalt inn den firmembsten Hendlstetten Europe/allerley Wahren anfencklich kaufft/diselbig wider mit nutz verkaufft/Wie die Wechsel gemacht/Pfund/Ellen/unnd Müntz uberal verglichen/und zu welcher zeit die Merckten gewönlich gehalten werden. Sampt anderen mehr nutzungen darzu gehörig. Allen Hanthieren/und Jungen Kauffleuten/gantz nützlich und dienstlich* (Nuremberg, Johann von Berg und Ulrich Newber: 1558). See Kellenbenz H., *Handelsbräuche des 16. Jahrhunderts. Das Meder'sche Handelsbuch und die Welser'schen Nachträge* (Wiesbaden: 1974) 72.
- 5 Savary Jacques, *Le parfait négociant: ou instruction générale pour ce qui regarde le commerce des marchandises de France, & des pays étrangers*, ed. E. Richard (Geneva: 2011 [1675]). On the influence of this work, see Trivellato F., *The Promise and Peril of Credit: What a Forgotten Legend about Jews and Finance Tells Us about the Making of European Commercial Society* (Princeton, NJ: 2019).

In practice, therefore, different kinds of knowledge required different levels of secrecy, which might encourage different levels of indiscretion.

The Höchstetters knew well the costs of exposing such things. Their violent dispute with a former bookkeeper and stakeholder, Bartholomäus III Rem (ca. 1481–1525), cost them a fortune in financial and social capital and led directly to their strict demand for secrecy. Yet, in 1528, faced with bankruptcy, Ambrosius I Höchstetter (1463–1534) confessed to Anton Fugger (1493–1560), heir and nephew of Jakob II and director (*Regierer*) of the largest and most powerful merchant-banking house in Augsburg, perhaps in all of Europe, that he could not master the tides that threatened to sweep him and his firm away.⁶ He opened his firm's books to the scrutiny of an outsider and, in doing so, placed his fate and his firm in the hands of his most powerful competitor. Without consulting any member of his firm or his family, he violated the maxim of secrecy as generally practised by all early modern merchants and as specifically mandated by his family firm's charters of 1515 and 1524.

Fugger did not hesitate. His reading of the accounts convinced him that Höchstetter could not be saved.⁷ Nor did he wish to save him. He shared the information with a number of his most powerful colleagues, including Hans II Paumgartner (1487–1549) and Bartholomäus v Welser (1484–1561). With their assistance, he agreed to pay many of Höchstetter's most important creditors, taking possession of Höchstetter's most valuable assets – mines, foundries, commodities, and loans – as assurance of repayment. Then, having plundered it, he allowed the Höchstetter firm to fail.

This essay takes up what I call 'the paradox of secrecy' within the business community and in early modern society. Using personal correspondence and legal documents, it explores the dynamic between a community of merchants that demanded secrecy, yet violated it opportunistically, and a society that viewed secrecy with the deepest misgivings, even sought to render it impossible. Secrecy meant different things to different people and could be used in different ways, depending on context and circumstance. Given the ambivalence of secrecy, given that supposedly closed structures and spaces remained

6 Fürstlich und Gräfllich Fuggersches Familien- und Stiftungsarchiv Dillingen, Handel 2, 2, 1, Gemischte Korrespondenz der Administration der gemeinen Handels, 1527–1638; u.a. betr. Hoechstetter-Konkurs, 1527–1542, fol 1. Also quoted in full in Kern E., *Studien zur Geschichte des Augsburger Kaufmannshauses der Höchstetter* (Berlin: 1935) 35–37.

7 Fürstlich und Gräfllich Fuggersches Familien- und Stiftungsarchiv Dillingen, Gemeiner Handel und Auslösung, 2.2.1 1/2, v-17. See also, Safley T.M., *Family Firms and Merchant Capitalism in Early Modern Europe: The Business, Bankruptcy and Resilience of the Höchstetters of Augsburg* (Abingdon: 2020).

open to scrutiny and sanction, the secret and the overt were negotiated constantly at every threshold.

1 Secrecy Considered

By taking up ‘secrecy’, this essay examines a small, somewhat obscure aspect of ‘privacy’. The *Oxford English Dictionary* defines the term predicatively as ‘kept from public knowledge, or from the knowledge of persons specified; not allowed to be known, or only by selected persons’, which usage appeared in English at the end of the fourteenth century.⁸ It might imply stealth or skulduggery: Something ‘done or entered into with the intention of being concealed; clandestine’. And, with specific reference to business records from the mid-fifteenth century, it described ‘some fact, affair, design, action, etc., the knowledge of which is kept to oneself or shared only with those whom it concerns or to whom it has been confided, something that cannot be divulged without violation of a command or breach of confidence’.

This is not pedantry: It relates to a less common interpretation of ‘private’ as something ‘kept or removed from public view or knowledge’,⁹ and of privacy as ‘the state or condition of being alone, undisturbed, or free from public attention’,¹⁰ both of which derive from the classical Latin *privātus*, meaning ‘restricted for the use of a particular person or persons, of or relating to a private person, not holding public office’. But, unlike private and privacy, which describe a generally, socially recognised and shared state or condition in contradistinction to that which is public, secrecy emphasises the agency of the individual, the particular, or idiosyncratic capacity of one person to conceal something from a wider world. It does not involve a social convention, *pace* Georg Simmel and his followers, though it forms (and deforms) social relations.¹¹ The agency involved in ‘consciously desired concealment’ –

8 ‘secret, adj. and n.’, OED Online. March 2019. Oxford University Press. <http://proxy.library.upenn.edu:2817/view/Entry/174537?rskey=wZgJL&result=1>, accessed on 13 March 2019.

9 ‘private, adj., adv., and n.’, OED Online. March 2019. Oxford University Press. <http://proxy.library.upenn.edu:2817/view/Entry/151601?rskey=oUDsEg&result=1>, accessed on 13 March 2019.

10 ‘privacy, n.’, OED Online. March 2019. Oxford University Press. <http://proxy.library.upenn.edu:2817/view/Entry/151596?redirectedFrom=privacy>, accessed on 20 March 2019.

11 Simmel defined all social relations in terms of varying degrees of ‘reciprocal knowledge’ between persons. Hence, secrecy, which he takes up explicitly and at length as ‘deliberate concealment’ of such knowledge, is at the centre of his sociology. See Simmel G., ‘The Secret and the Secret Society’, in Simmel G., *The Sociology of Georg Simmel*, trans. K.H. Wolff (Glencoe, IL: 1950) 307–376.

Simmel's term¹² – moves to the heart of Julie Inness's observation about privacy – which, I believe, applies more aptly to secrecy – that it 'may work by separating a realm of the agent's life from the access of others, or it may work by providing the agent with control over a realm of her life', that is, that secrecy is a matter of limited access and of personal control.¹³

This conjures the distinction between the German terms *geheim* and *privat*. Commonly translated as 'secret', the former contrasts more typically with the notion of 'public' in early modern Germany.¹⁴ Thus, a degree of terminological slippage occurs. *Geheim* signals a formal, institutional distinction, whereas *privat* suggests a matter of informal, personal disposition. The documents produced in their thousands by the Höchstetter bankruptcy do not use the latter term. Grimm indicates that the term is a neologism of the sixteenth century, derived like the English equivalent from the Latin *privatus* and applied 'überhaupt dem amtlichen, öffentlichen, allgemeinen, gemeinsamen entgegengesetzt' ('above all in contradistinction to the official, public, general, [or] common').¹⁵ Individual agency appears to be essential to the distinction in German, therefore. Interestingly, as will become apparent, when the Höchstetters take up the term *geheim*, they evoke the general principle to evade individual culpability.

A secret exists, therefore, when one interested party deliberately withholds information from another.¹⁶ Awareness of that withholding can likewise be withheld.¹⁷ Nor is that withholding ethically or socially negative in and of

12 Ibidem, 317.

13 Inness J.C., *Privacy, Intimacy, and Isolation* (New York: 1992) 23. See also Spacks P.M., *Privacy: Concealing the Eighteenth-Century Self* (Chicago: 2003) 1–26.

14 Von Moos P., 'Öffentlich' und 'privat' im Mittelalter. *Zu einem Problem der historischen Begriffsbildung* (Heidelberg: 2004) 45. See also Wunder's contribution to this volume.

15 *Deutsches Wörterbuch von Jacob Grimm und Wilhelm Grimm*. <http://www.woerterbuchnetz.de/DWB?bookref=13,2137,28>. Referenced 10 June 2020. See also Hölscher L., "Öffentlichkeit", in Brunner, O. – Conze, W. – Koselleck, R. (eds.), *Geschichtliche Grundbegriffe: Historisches Lexikon zur politisch-sozialen Sprache in Deutschland*, vol. 4 (Stuttgart: 1978) 413–467.

16 Simmel's original point has been appropriated and expanded by others, notably Joachim Westerbarkey. See Westerbarkey J., *Das Geheimnis. Zur funktionalen Ambivalenz von Kommunikationsstrukturen* (Opladen: 1991) 226. Given that every social exchange contains varying degrees of exposure and concealment (another of Simmel's observations), Niklas Luhmann argued that 'jede Vorsicht in Kommunikation bereits Geheimhaltung' ('every circumspection in communication contains secrecy'). See Luhmann N., "Geheimnis, Zeit und Ewigkeit", in Luhmann N. – Fuchs P. (eds.), *Reden und Schweigen* (Frankfurt a.M.: 1989) 101.

17 Burkhardt Sievers made the distinction between 'simple' and 'reflexive' secrecy to emphasise the substantial difference between secrets that are acknowledged and those that are not. See Sievers B., *Geheimnis und Geheimhaltung in sozialen Systemen* (Opladen: 1974).

itself, a fact that such value-free formulations as ‘consciously desired concealment’ or ‘intentional concealment’ attempt to bring forward.¹⁸ Hence, in the hands of social theorists, secrecy becomes not only the fact of concealment but the act of concealing, a mode of communication and a form of social interaction, but one abstracted from its social context and meaning. More recent historical studies tend to strip secrecy of abstraction, showing it to be, perhaps, not morally freighted in itself, but potentially disruptive, even dangerous, for individuals and communities. Secrecy, in the form of limited access or of personal control might offer advantages to the secret-holders, but for the societies of which they were part, secrecy might have a very significant ‘functional meaning’.¹⁹

Herein lies the security of merchants, reflected in both the Höchstetters’ chartered mandates and Meder’s and Savary’s published exposés: Undisclosed business information and practice increased competitive advantage in markets and marketplaces. And, herein lies the danger for society, recognised in some historical studies and implied in the theories of Michel Foucault and his followers: Secrecy allows an individual space both to review and to reject ‘publicly’ accepted standards of behaviour, those internalised social values that influence individual perceptions, away from strictures and sanctions of ‘public’ authorities.²⁰

2 Secrets Exposed

Secrecy is precisely what creditors and authorities feared in late medieval and early modern business life. For them, it equalled subterfuge, concealed

18 Again, Simmel’s classical treatment remains formative for the discussion of secrecy, a fact reflected in the many contemporary reformulations that do not substantially revise his initial observations. See, by way of example, Bok S., *Secrets: On the Ethics of Concealment and Revelation* (New York: 1989) 9.

19 This notion comes forward in studies of secret societies. See, for example, van Dülmen R., *Geheimbund der Illuminaten. Darstellung, Analyse, Dokumentation* (Stuttgart: 1975) 116. See also Koselleck R., *Kritik und Krise. Eine Studie zur Pathogenese der bürgerlichen Welt* (Frankfurt a.M.: 1973). Daniel Jütte seizes upon this notion as well in his study of Jewish intellectuals as purveyors of ‘arcane’ knowledge in early modern Europe. Like Simmel, who tended to elide the distinctions between the secret and the private, Jütte instrumentalises the more dramatic term to capture interest in something essentially different. His work has little to do with secrecy *strictu sensu* or with economy, see Jütte D., *Das Zeitalter des Geheimnisses. Juden, Christen und die Ökonomie des Geheimen (1400–1800)* (Göttingen: 2011).

20 Foucault M., “The Subject and Power”, in Dreyfus H.L. – Rabinow P. (eds.), *Michel Foucault: Beyond Structuralism and Hermeneutics* (Chicago: 1983) 208–226.

shenanigans. To prevent such behaviours, medieval officials insisted with astonishing unanimity that commercial transactions take place in public, in designated marketplaces, or at trade fairs, where transparency was the goal under the watchful eyes of the market police as well as consumers and colleagues in general. Goods were open to close inspection; prices were clearly indicated; negotiations could be easily overheard; violations were readily visible; reputations were immediately affected. Producers and merchants resisted such restrictions, not to cheat their customers, but to maximise their profits. Accordingly, they violated civic and regional market statutes and gradually moved their custom to shops and bourses, venues that permitted greater freedom of and discretion in retail and wholesale exchange, venues that enabled a degree more secrecy.

By the sixteenth century, Augsburg was one of the largest, free imperial cities in the Holy Roman Empire, titular seat of a prince-bishop, but a communal authority onto itself. It was a landlocked industrial centre, its fortunes guided by a native merchant community with stable colonies and factories in all the major and many minor economic centres of Europe. In the loggia at the foot of the city's watchtower, positioned next to the city hall, the great wholesale merchants set their changing tables and spread their commercial wares. Strung along the main thoroughfare, daily and weekly retail markets took place. Patrician palaces and mercantile *comptoirs* (trading houses) lined either side, among which could be seen the guildhalls of the city's powerful artisanal corporations. Down the side streets and alleys, barely visible behind these striking symbols of the city's political power, economic vitality, and social stratification, lay the industrial districts. Every type of craft and every degree of wealth could be found in every part of the city, but they were not equally distributed throughout it.²¹ Topography reflected society; both were hierarchical. Geographic distance from the centre signalled social distance from the top. In general, hierarchical societies resolve themselves into strata, defined by legal status, economic function, and political power.²² Birth right or privilege determined an individual's place in the hierarchy, a place that brought with it specific behavioural expectations and limitations. Such a structure might appear static, with each member assigned a given place and with little

21 The distribution of population according to wealth and occupation is based on an analysis of tax records from 1610. See Clasen C.-P., "Arm und Reich in Augsburg vor dem Dreißigjährigen Krieg", in Gottlieb G. – Baer W. – Becker J. – Bellot J. – Filser K. – Fried P. – Reinhard W. – Schimmelpfennig B. (eds.), *Geschichte der Stadt Augsburg von der Römerzeit bis zur Gegenwart* (Stuttgart: 1984) 312–336.

22 This definition is developed in greater detail in Schulze W., "Die ständische Gesellschaft des 16./17. Jahrhunderts als Problem von Statik und Dynamik", in Schulze W., (ed.), *Ständische Gesellschaft und soziale Mobilität* (Munich: 1988) 1–17.

possibility of vertical mobility, but Augsburg was more dynamic than its topography suggests.

Beginning in the early-fifteenth century, the city entered a period of economic growth, based on the production of fustian, a cloth woven from linen and cotton. Manufacturing and commerce flourished and capital accumulated on the basis of international demand for this new drapery.²³ Between 1396 and 1492, the estimated population rose from 12,000 to 19,000 as immigrants sought their fortunes in the shops and mills of Augsburg's burgeoning textile industry.²⁴ New mercantile companies appeared, such as those of the Fugger, Höchstetter, Meuting, Rehlinger, and Welser families, some of whom would eventually join the ranks of the Augsburg patriciate.²⁵ These parvenus traded in cloth and reinvested the profits in mining and banking. Growth accelerated in the sixteenth century, during which long-distance commerce and export-oriented industries, especially fustian production and metalworking, continued to set the pace of economic life. The city's estimated population doubled from 20,000 at the beginning of the sixteenth century to more than 40,000 by the first decade of the seventeenth.²⁶ Its taxable wealth tripled even more quickly, rising from between 2.58 and 5.16 million *Gulden* in 1498 to between 8.46 and 16.92 million in 1554.²⁷ Concentration and inequality increased; distance expanded apace. The middling strata of Augsburg, those who rendered less than ten *Gulden* in taxes, grew 17.3 percent, compared to

23 Jahn J., "Die Augsburger Sozialstruktur im 15. Jahrhundert", in Gottlieb G. – Baer W. – Becker J. – Bellot J. – Filser K. – Fried P. – Reinhard W. – Schimmelpfennig B. (eds.), *Geschichte der Stadt Augsburg von der Römerzeit bis zur Gegenwart* (Stuttgart: 1984) 1887–1893. See also Dirlmeier U., *Untersuchungen zu Einkommensverhältnisse und Lebenshaltungskosten in oberdeutschen Städten des Spätmittelalters* (Heidelberg: 1978); Geflick P., *Soziale Schichtung in Augsburg, 1396 bis 1512. Beitrag zu einer Strukturanalyse Augsburgs im Spätmittelalter* (Munich: 1987).

24 Jahn, "Die Augsburger Sozialstruktur im 15. Jahrhundert" 188.

25 The struggle for upward mobility is captured in the journals kept by Burckhard Zink and Lucas Rem, see Greiff B., "Tagebuch des Lucas Rem aus den Jahren, 1494–1541. Ein Beitrag zur Handelsgeschichte der Stadt Augsburg", *Jahresbericht des historischen Vereins für Schwaben und Neuburg* 27 (1861) 1–110; Zink B., *Bourkard Zink et sa chronique d'Augsbourg* (Geneva: 1868). For Zink, see also Wunder's contribution to this volume.

26 Rajkay B., "Die Bevölkerungsentwicklung von 1500 bis 1648", in Gottlieb G. – Baer W. – Becker J. – Bellot J. – Filser K. – Fried P. – Reinhard W. – Schimmelpfennig B. (eds.), *Geschichte der Stadt Augsburg von der Römerzeit bis zur Gegenwart* (Stuttgart: 1984) 252–258.

27 Kellenbenz H., "Wirtschaftsleben der Blütezeit", in Gottlieb G. – Baer W. – Becker J. – Bellot J. – Filser K. – Fried P. – Reinhard W. – Schimmelpfennig B. (eds.), *Geschichte der Stadt Augsburg von der Römerzeit bis zur Gegenwart* (Stuttgart: 1984) 258–301, here 290. The differing assessment rates for moveable and real property necessitates the use of ranges rather than specific valuations.

the have-nothings, who increased by 88 percent, and to the rich, those who rendered more than 100 *Gulden* in taxes, who increased by 94 percent.²⁸ Of the city's tax-paying population, 7.5 percent of the city's population controlled 86 percent of its taxable wealth; 75 percent made do with 7.5 percent.²⁹ The mercantile elite built urban palaces along the city's main thoroughfare, while the labouring poor crowded into the suburbs. It might be argued that spatial distance promoted the keeping of secrets even as social tension increased opposition to them.

As the 1529 bankruptcy of *Ambrosius und Hans die Gebrüder Höchstetter und Mitgesellschafter* and a host of other bankruptcies make clear, however, secrecy clauses and private venues were seldom entirely effective. Bankruptcy compelled exposure, strove for transparency. The earliest codification of local law, the *Augsburger Stadtbuch* of 1276 prescribed measures and sanctions for non-payment of debt and provided the point of departure for a centuries-long evolution of official procedures in cases of default.³⁰ Initially, it offered creditors only 'Anspruch auf Gewett und Pfand' ('a claim to pledge and surety'), from which to satisfy their demands.³¹ The defaulting debtor had to appear before the magistrate, pledge payment and offer adequate surety to meet the obligation within a specified period of time.³² Should the debtor refuse to appear, fail to pay, or flee the city, the magistrate could order seizure of the debtor's property in place of payment.³³ The principle of 'first come, first served' seems to have determined the priority of payment, though no edict officially mandated this practice.³⁴ Over time and of necessity, the Augsburg magistracy established a single, public *Gewett* (pledge) in the presence of the *Stadtvogt* (city

28 Ibidem, 295–297.

29 Ibidem, 270. See also Clasen C.-P., *Die Augsburger Steuerbücher um 1600* (Augsburg: 1976) 15–16.

30 Bayrisches Hauptstaatsarchiv München, Reichsstadt Augsburg Literalien, Lit. 32. See also Meyer C. (ed.), *Das Stadtbuch von Augsburg, insbesondere das Stadtrecht vom Jahre 1276, nach der Originalhandschrift zum ersten Male herausgegeben und erläutert* (Augsburg: 1872); Schmidt R., "Zum Augsburger Stadtbuch von 1276", *Zeitschrift des historischen Vereins für Schwaben* 70 (1976) 80–179. On bankruptcy procedures, see Birnbaum S., *Konkursrecht der frühen Augsburger Neuzeit mit seinen gemeinrechtlichen Einflüssen* (Münster: 2014) 6.

31 Birnbaum, *Konkursrecht der frühen Augsburger Neuzeit* 17.

32 See Liedl E., *Gerichtsverfassung und Zivilprozeß der freien Reichsstadt Augsburg* (Augsburg: 1958); Kießling R., *Bürgerliche Gesellschaft und Kirche in Augsburg im Spätmittelalter* (Augsburg: 1971) 54–57, here 67–68.

33 Hellmann F., *Das Konkursrecht der Reichsstadt Augsburg* (Breslau: 1905) 20.

34 Birnbaum notes what Hellmann observed nearly a century earlier that no official ordinances mark the early development of insolvency and bankruptcy regulation in Augsburg. Rather, the historian must rely on 'Randvermerke und Nachträge'. Birnbaum, *Konkursrecht der frühen Augsburger Neuzeit* 5, 22.

bailiff) at which point all creditors were required to submit their just claims in person and to receive a pledge of payment from the debtor.³⁵ That pledge included the classic *cessio bonorum*, a public oath to cease all business, open all accounts and cede all property to the creditors. Between 1564 and 1590, the Augsburg City Council passed a series of ordinances that finally enshrined into law the cumulative, common practice in cases of bankruptcy.³⁶ That law prescribed an orderly, efficient settlement of bankruptcy through the official announcement of court hearings, the creation of a creditors' committee, the equal treatment of all creditors, the examination of bankrupts' account books, and the collective management of the bankrupt's capital. The bankrupts had to surrender their business records, including their 'secret book' to the authorities and creditors, opening to public scrutiny their secret business activities. In the case of the Höchstetters, those records proved that the bankrupts had violated their public oath to cease all business and cede all property. The exposure of their secret dealings contributed to the lasting ruin of their reputation, rendering them the most notorious monopoly capitalists of the age in the eyes of contemporaries and historians alike.

Witness testimony confirmed the written record with an intimacy of detail that reveals the irony of secrecy in a society that would have none of it. Officials and creditors examined and cross-examined a wide range of persons. These examinations followed a precise, formal ritual. Plaintiffs submitted a list of question for approval by the authorities. The authorities, usually a committee of three or four members of the City Court, put the questions to the accused, who swore an oath to answer truthfully. The questioning occurred in prison, in full view of the instruments of torture, a grim reminder, were any needed, that perjury could have immediate, painful consequences. Questions did not deviate from the approved lists, and answers were recorded in the third person by a city secretary. In brief, the formalities influenced the testimony: Questions led the witnesses to specific answers; answers served the instrumental purposes of the witnesses. The results should not be read transparently.

In the Höchstetter bankruptcy, questioning began with the factors and employees of the firm, especially a core group of nine, referred to as *Geheimdiener* (confidential employees), nearly all of whom had worked in responsible positions for the Höchstetters for more than a decade. Though individually responsible for the conduct of all business at important locations, the factors

35 Hellmann, *Das Konkursrecht der Reichsstadt Augsburg* 66.

36 Stadtarchiv Augsburg. Ordnungen und Statuten. Fallitenordnung, 1564, 1574, 1580. Cf. Häberlein M., *Brüder, Freunde und Betrüger. Soziale Beziehungen, Normen und Konflikte in der Augsburger Kaufmannschaft um die Mitte des 16. Jahrhunderts* (Berlin: 1998) 323–337.

denied any knowledge of the removal or sale of property or goods, whether commercial wares and financial notes, in their individual factories and warehouses. Nor did they know to whom these assets might have been sold, mortgaged, or promised. They did not know about specific ventures; they did not know about specific transactions; they did not know about any business conducted after the bankruptcy declaration and the *cessio bonorum*.

For these 'confidential employees', all merchant-financiers in their own right, 'secrecy' served not merely as a chartered mandate to govern the behaviours of the firm's partners, but as a norm of the commercial community to be preserved at all costs. It also provided them a degree of ethical latitude, a degree of 'irresponsibility': The secrets they did not know, they could not divulge.³⁷ The specificity of the questions they refused to answer suggests, however, that plausible deniability would not serve; the firm's secrets had already been exposed. It forced them to consider what further details to reveal. Asked about a suspicious transfer of assets in Tyrol, for example, they broke ranks. One factor said his transactions were a matter of record. Another admitted participating in the transfer but denied knowledge of its purpose. Yet another, the firm's bookkeeper, went so far as to say 'des mer er sye nit schuldig anzuzai-gen' ('what was more, he was not liable to reveal') the interests or transactions of anyone else.³⁸ In essence, their silence spoke more loudly than their words.

The creditors' attention shifted to persons – male and female, artisanal and mercantile, rich and poor, official and semi-official – who transferred, sold, and extended capital as a trade or profession. The Höchstetters made full use of them, and their creditors knew precisely where to find them.

Leonhard Pfister, the *Unterkäufer* of Augsburg testified that he had undertaken several transactions involving the Höchstetters, securing loans for them by using a variety of commercial and domestic goods as collateral.³⁹ *Unterkäufer* were intermediaries (*Makler*) who brought together foreign and

37 The term is Simmel's. He recognised, as have other scholars after him, the fact that secrecy isolates and de-personalises the individual. Where members of a group – be it a secret society or a commercial company – are sworn to secrecy, they are not only bound by oath to conceal that which is deliberately held secret but also granted by oath ignorance of it. As he put it, '[...] the individual, as a person, disappears as the quasi-nameless group member, and with his disappearance as a person disappears the responsibility that cannot be imagined to inhere in a being whose concrete activities are intangible'. Simmel, *The Sociology of Georg Simmel* 375.

38 Stadtarchiv Augsburg, Literalienammlung, Höchstetter-Selekt 1, Dok. 15, Urgichten 1531/32, 24 October 1531.

39 Ibidem, 27 October 1531.

local merchants for the purposes of financial or commercial transactions.⁴⁰ In this respect, they assumed some of the functions of a bourse, as other scholars have noted, before one existed as a physical locus of economic life and information in Augsburg.⁴¹ The arcade that stood at the foot of the city's bell tower was too public a venue for sensitive conversation and negotiation, however. When the *Kaufleutestubengesellschaft* (merchant association) acquired its *Kaufleutestube*, first in rented rooms near the city's wine market around 1480, then in a dedicated house in 1548, that place assumed many of the functions of a bourse, among other things providing a somewhat more discrete setting for private conversations and secret deals. Until that time, however, the *Unterkäufer* provided such mediation. They also served a fiscal function as officials, appointed by the city council to oversee all wholesale and financial transactions, to arrange a fair price and to assure the quality of the goods traded for the principal purpose of guaranteeing the city its tax (*Ungeld*) revenue.⁴² Pfister's testimony added specific detail to creditor accusations that the Höchstetters had for their own purposes liquidated fixed and moveable properties that should rightfully have been used to meet creditor demands.

Another figure who engaged in the buying and selling of various new and used goods was the *Kramerzunftknecht* (servant of the Shopkeepers' Guild). Like the *Unterkäufer*, he collected a civic tax, in this case on all retail sales that involved members of the Shopkeepers' Guild.⁴³ Accordingly, a wide variety of goods passed through his hands, making him an ideal intermediary for the liquidation of moveable capital. Like Pfister, when questioned by the authorities, Otmar Fugger provided a lengthy inventory of wares – spices and textiles for the most part – that he had received and sold on behalf of the wives of the Höchstetter partners.⁴⁴

40 For further discussion of the *Unterkäufer* and their role in financial markets, see Blendinger F., *Zwei Augsburger Unterkaufbücher aus den Jahren 1551 bis 1558. Älteste Aufzeichnungen zur Vor- und Frühgeschichte der Augsburger Börse* (Stuttgart: 1994); Fuhrmann B., *Mitbarer Münze. Handel im Mittelalter* (Darmstadt: 2010); Gefken P., "Kaufleutestube", in *Augsburger Stadtlexikon Online* (Augsburg: 2010), <https://www.wissner.com/stadtlexikon-augsburg/artikel/stadtlexikon/kaufleutestube/4359>; Hetzer G. – Zorn W., "Augsburger Börse", in *Augsburger Stadtlexikon Online* (Augsburg: 2010) <https://www.wissner.com/stadtlexikon-augsburg/artikel/stadtlexikon/boerse/3374>.

41 See Dirr P., "Kaufleutezunft und Kaufleutestube in Augsburg zur Zeit des Zunftregiments", *Zeitschrift des Historischen Vereins für Schwaben* 35 (1909) 132–151.

42 Blendinger, *Zwei Augsburger Unterkaufbücher aus den Jahren 1551 bis 1558* 14.

43 Ibidem, 15.

44 Stadtarchiv Augsburg, Literaliensammlung, Höchstetter-Selekt 1, Dok. 15, Urgichten 1531/32, 27 October 1531. 'Zettel. Zu merckhen was jch Othmair Fugger verkauft hab von

In Augsburg, gold- and silversmiths also fulfilled intermediary roles, especially in the buying and selling of precious metals.⁴⁵ Their traffic in gold and silver, their knowledge of current prices and their accumulated capital made them valuable figures in the financial market, sources of ready cash and credit, *ersatz* pawnbrokers and bankers.⁴⁶ Joachim Nitzel admitted purchasing various silver pieces – jewelry and tableware – from the *Höchststetters*.⁴⁷ The creditors wanted to question all ‘*gemain Verkaufferin wolcher Namen den Stattknecht wol bewisst*’ (common, female peddlers, whose names are very familiar to the police).⁴⁸ They, too, functioned as intermediaries on the basis of their knowledge of the market in first- and second-hand wares of various sorts, which made them useful for liquidating personal items and housewares in order to raise quick cash. They worked with the bankrupts and their wives to sell everything from clothing and jewelry to silver plates and luxury textiles as well as modest, quotidian items, such as dishtowels, blankets, and underwear.

These intermediaries all dealt directly with the *Höchststetters* and their wives. They came into the family’s houses, where they received the goods to be sold and, after the sale, paid the proceeds to the former owners in face-to-face transactions. The bankrupts considered these dealings to be a thing apart: Personal property could be used to meet private needs and expenses without violating the terms of the interests of their creditors. Whatever their roles, such intermediaries give evidence of the manifold ways private and public were ‘confounded’ in early modern society.⁴⁹ Not only were many acts of daily life

den Guter, die ich von Philip Gasner seligen empfangen hab, nemlich wie hernach stet – 1530 28 Mai’.

- 45 See Rathke-Köhl S., *Geschichte des Augsburger Goldschmiedegewerbes vom Ende des 17. bis zum Ende des 18. Jahrhunderts* (Augsburg: 1964); Seling H., *Die Kunst der Augsburger Goldschmiede 1529–1868* (Munich: 1980); idem, “Silberhandel und Goldschmiedekunst in Augsburg im 16. Jahrhundert”, *Welt im Umbruch*, vol. 3 (Augsburg: 1981) 162–170; Werner A., *Augsburger Goldschmiede: Verzeichnis der Augsburger Goldschmiede, Silberarbeiter, Juweliere und Steinschneider von 1346–1803* (Augsburg: 1913).
- 46 See de Roover R., *The Rise and Fall of the Medici Bank, 1397–1494* (New York: 1966); Ehrenberg R., *Capital and Finance in the Age of the Renaissance: A Study of the Fugger* (New York: 1928); Kindelberger C.P., *A Financial History of Western Europe*, 2nd ed. (Oxford: 1993); Tawney R.H., “Introduction”, in Wilson T., *A Discourse on Usury*, ed. R.H. Tawney (London: 1925 [1572]); van Dillen D.J., *History of the Principal Public Banks* (The Hague: 1934).
- 47 Stadtarchiv Augsburg, Literaliensammlung, *Höchstetter-Selekt* 1, Dok. 15, Urgichten 1531/32, 29 Oktober 1531.
- 48 Ibidem, Dok. 11, Verhoersprotokolle, 1531/32.
- 49 The term is taken up by Philippe Ariès in his introduction to volume 3 of *A History of Private Life*, but Norbert Elias originally observed that members of traditional societies publicly perform many private acts of daily life. See: Ariès P. – Duby G. (eds.), *A History of*

performed in the open, but the community defined the boundaries. Attempts to preserve secrecy achieved thus a more subtle purpose: Some people, like the confidential employees, felt themselves 'not obliged to speak about what they did not see'.⁵⁰ Others, like the semi-public intermediaries reported only what was deliberately divulged and made manifest. Different groups in different circumstances understood – and instrumentalised – secrecy and transparency differently.

The creditors saw things otherwise: Secret dealings were intended to defraud them. From their perspective, these mediated transactions were of a piece with the nocturnal movements of servants and employees in and out of the various Höchstetter dwellings. Early modern cities did not lack for witnesses, however. Several testified to this highly suspicious activity:

[...] es seye etliche vier der funff Mal by nechtlicher weis zu seiner Gelegenhait, ye zu zehen, ye zu aylff, ye zu zwolff Urn fur des alten Ambrosy Hochstetters Haus anhaym gangen und gesehen zum Thor, darauff der Schreibstub stet, ain Zeichkarlin hinus furn, was als darob gewesen, wiss er nit, wer es aber heraus zogen oder wo dz hinkommen, trage er auch kain Wissen, dann er sich des nicht geachtet.⁵¹

It happened four or five times, at night between 10:00 PM and midnight as he went home: He would go past the house of Ambrosius I Höchstetter and see a handcart come out of the doorway that led to the chancery; he could not tell what was in the cart or who was pushing it, because it was night.

On the strength of this evidence, the creditors formulated a set of questions for 20 current and former servants of the Höchstetters and their partners.⁵² In late medieval and early modern society, servants might enjoy the status of *famuli*, that is, quasi-members of the household who enjoyed positions

Private Life, vol. 3, (Cambridge, MA: 1987/90) 1–10, here 1; Elias N., *The Civilizing Process: The History of Manners*, trans. E. Jephcott (New York: 1982).

50 See Yves Castan's discussion in his "Politics and Private Life", in Ariès – Duby (eds.), *A History of Private Life* vol. 4 (Cambridge, MA: 1987/90) 21–68, here 45.

51 Stadtarchiv Augsburg, Literaliensammlung, Höchstetter-Selekt 1, Dok. 15, Urgichten 1531/32, 29 October 1531.

52 Stadtarchiv Augsburg, Literaliensammlung, Höchstetter-Selekt 1, Dok. 11, Verhoersprotokolle, 1531/32.

of privilege and trust and who might be expected to demonstrate loyalty.⁵³ Whether out of loyalty or ignorance, nearly all of them denied any knowledge of goods removed from the houses of their masters.

Yet, a few offered revealing testimony. One woman, formerly in service to Hans I Höchstetter (1471–1427), admitted that she had carried bales of goods two or three times to the house of Lucas II Rem (1481–1541), a noteworthy merchant as well as former factor and partner of the Höchstetters.⁵⁴ When questioned, Rem denied any involvement, but confirmed the suspicion. He was in Salzburg when his wife agreed to a request by Höchstetter's widow to keep several things of his in her house ('jme etlich Bereitschaft zu behalten').⁵⁵ When he returned home and learned of the situation, 'jme auch vast laid und wider gewesen' ('he was sorry and opposed to it'). He ordered his servants to return all of the transferred items and asked the widow to confirm receipt of them, all of which was done before a notary and witnesses.

Another, formerly a servant in Ambrosius I Höchstetter's household, revealed how her master's son and partner, Joachim I (1505–1535), managed to avoid the fate of his father by fleeing the city and taking 30,000 *Gulden* with him.⁵⁶ He made his way to Antwerp in the diplomatic retinue of Johan, Archbishop of Lund, the representative of King Christian II of Denmark to the Imperial Diet (*Reichstag*), then convened in Augsburg, but not before he

hab sein und jr Silbergeschir erschmelten und hinweg gefurt [...] dann er ein Schmelzoffen jm Hauss gehapt [...] ain Man zu Aratzried, als Joachim hinweg gezogen, hab er sein Wames voller Gulden eingenaecht⁵⁷

had melted down and taken away [...] his and her silverware, as he had a melting oven in his household and a man in Adelsried [...] sewed the legs of Joachim's trousers full of Gulden

The inquiry goes on at great length, extending to members of the Merchant Corporation (*Kaufleuteschaft*) and the Höchstetter family. In every back alley,

53 See Maza S., *Servants and Masters in Eighteenth-Century France: The Uses of Loyalty* (Princeton, NJ: 1983). Of families, Castan writes: 'It was essential to be tight-lipped with outsiders concerning family matters: money and property, ambition, marriage and work were none of their business', Castan, "Politics and Private Life" 21–68, here 59.

54 Stadtarchiv Augsburg, Literaliensammlung, Höchstetter-Selekt I, Dok. II, Verhoersprotokolle, 1531/32.

55 Ibidem, Dok. 15, Urgichten 1531/32, 31 October 1531.

56 Ibidem.

57 Ibidem.

doorway, and marketplace of Augsburg, people moved, goods changed hands, and information was shared. Even the supposedly intimate spaces and secrets of the household, from the comptoir to the boudoir, were not impervious to the self-interest of partners, the professional oversight of intermediaries, the prying eyes of neighbours, or the tattling tongues of servants. Merchants enjoined a secrecy that they did not keep, could not enforce, and their community would not respect. They might attempt to conceal, but they could not control.

3 Conclusion

At one point in the bankruptcy, the creditors directly questioned the imprisoned partners about the matter of secrecy.⁵⁸ They wanted to know,

Dieweil jnn der letzten Gesellschaft Verschreibung unnder anndern Articuln ausstruckhenlich bedingt wurd, das die Gesellschaftter unnd Diener etlich Hanndlungen und Anshleg bei guten Trewen jnn geheim zuhallten, was dieselben Anshleg oder Hanndlungen gewesen, darumb er sy des Gehaims halben so hoch gegen jme verstrickht?⁵⁹

as the most recent company charter expressly required among other things that the partners and employees keep secret in good faith various transactions and accounts, which were the ones that became so twisted for the sake of keeping them secret?

Ambrosius II (1501–1550) and Joseph (1502–1575) Höchstetter replied in chorus that they ‘wiss nit anders dan geheim zu halten jnn Handlungen’ (‘knew nothing other than to keep secrecy in business dealings’).⁶⁰ This, of course, they did not do: Confronted with prison and dishonour they divulged all and blamed the senior partner, Ambrosius I, their father and uncle. He returned the favour, explaining phlegmatically that ‘seie bei allenn Gesellschaften der Brauch jm Handlung verschwigen zu haltenn damit sie jnn Kaufen und Verkauffen nit gehindert werden, wiss sonst von keinem sondern Geheim’ (‘it was the common practice of all companies to keep their trade secrets, so that they were

58 Ibidem, Dok. 17, “Uff welche Posten die Hochstetter mit Ernst anzusprechen sein”.

59 Ibidem.

60 Stadtarchiv Augsburg Literaliensammlung, Höchstetter-Selekt I, Dok. 18, Actum 13. Aprilis Anno 32, jn praesentibus Herrn Wilhalm Rechlinger, Miller, Paler, Ambrosi der junger Hochsteter sagt an guetlicher Frag an.

not hindered in buying and selling').⁶¹ The partners in late medieval and early modern family firms enjoyed explicit freedom to conduct whatever business they saw fit, provided it profited the firm, and were under no obligation to divulge those transactions to other partners.⁶² Clearly, secrecy applied not only between insiders and outsiders, but also among the partners themselves. No less clearly, it applied selectively, even arbitrarily.

Ambrosius I Höchstetter was speaking of comparative, competitive advantage, something all merchants understood and sought, something they came to understand in terms of secrecy. Though not entirely unknown, explicit mandates to *Geheimhaltung* (secrecy) appear seldom in the charters of late medieval and early modern firms.⁶³ Charters of the Fugger company specify as early as 1512 that all business matters 'should be kept quiet and revealed to no one', but they are an exception.⁶⁴ The 1515 charter of *Ambrosius und Hans die Gebrüder Höchstetter und Mitgesellschafter* is thus not the first to include secrecy clauses, but it is certainly one of the earliest and most extreme instances. The requirement of discretion (*Verschwiegenheit*) appears with increasing frequency over the ensuing century until, by its close, it had emerged as a standard feature of business charters across the Empire as well as in the Low Countries and Italy.⁶⁵

The bankruptcies of the sixteenth century, of which the Höchstetters' has served here as a case in point, suggest the irony of secrecy. It seems to exist in a three-fold paradox: First, secrecy was a sworn oath that applied selectively; second, secrecy was a universal commitment but one that applied under specific circumstances; third, secrecy could be applied flexibly, almost instrumentally. The bankruptcy proceedings suggest that the paradox may be more apparent than real. The historical discussion of secrecy too often elides it with other

61 Ibidem, Dok. 20, *Actum auf 13. Tag Aprilis Anno 32, jn praesentibus Herrn Wilhalm Rechlinger, Miller, Paler, alt Ambrosi Hochstetter zaigt an guetlicher Frag an.*

62 There were exceptions, especially those firms that specified a single director (*Regierer*), such as the Fugger firm, who exercised sole and ultimate authority in all business matters. Fürstlich und Gräfllich Fuggersches Familien- und Stiftungsarchiv Dillingen, 31.7, Gesellschaftsvertrag 1532 September 14. See also Lutz, *Die rechtliche Struktur süddeutscher Handelsgesellschaften*, vol. 1, 247–248, 267–272, and 282; vol. 2, 91–92; Strieder, J., *Jacob Fugger the Rich, Merchant and Banker of Augsburg, 1459–1525* (New York: 1931) 69–70.

63 Lutz, *Die rechtliche Struktur süddeutscher Handelsgesellschaften*, vol. 1, 342–347.

64 From the charter of Jakob Fugger, signed on 30 December 1512, extending his company for six years. Cited by Jansen, M., *Jacob Fugger der Reiche. Studien und Quellen*, vol. 1 (Leipzig: 1910) 289–295, esp. 291.

65 The 1573 legal reforms of Frankfurt am Main, which came to serve as a standard guide for early modern business organisation, stated explicitly in § 1 that secrecy was a contractual obligation of all signatories. Stadtarchiv Frankfurt am Main. Von 1578: Von Contracten, Der XXIII Titul. Von Gesellschaften (De societate).

conditions, such as dishonesty (lying) and privacy.⁶⁶ It has likewise become conflated in teleologies of modernity.⁶⁷ Unlike privacy, secrecy conforms not to social convention that changes over time but to personal perspectives and individual agency. It was understood and utilised by different groups for different ends: For teachers like Meder and Savary, secret meant arcane, matters known only to the few cognoscenti; for practitioners like the Höchstetters and Fuggers, secret meant strategic, matters that provided advantage for those in the know; for their employees and neighbours, secret meant concealed but not sealed, matters to be exposed as circumstances dictated; for creditors and authorities, secret meant suspect, matters that caused disorder and loss. Economic behaviours remind us of the self-interested quality of secrecy: Its fungibility as a means to profit; its lability when circumstances change; its flexibility according to need. As we consider secrecy – and privacy – we should remain conscious that they are not essential concepts, but rather historically constructed means to historically contingent ends.

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66 Scholars commonly and justly attribute the mistake to Simmel, but it is no less true of more recent studies. See Jütte, *Das Zeitalter des Geheimnisses*, passim.

67 Ariès asserts that “[...] the entire history of privacy comes down to a change in the forms of sociability, from the anonymous social life of street, castle court, square, or village to a more restricted sociability centered on the family or even the individual! The treatment of secrecy as a mode of communication limits it similarly. Ariès P., “Introduction”, in Ariès – Duby (eds.), *A History of Private Life*, vol. 3, 1–10, here 9.

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Chops and Chamber Pots: Satire of the Experimental Report in Seventeenth-Century England

Ivana Bičak

On the evening of 15 February 1672, Robert Boyle (1627–1691), one of the founders of the Royal Society, observed a curious natural phenomenon in his London home:

Yesternight when I was about to go to bed, an *Amanuensis* of mine, accustomed to make Observations, informed me, that one of the Servants of the house, going upon some occasion into the Larder, was frighted by something of Luminous that she saw (notwithstanding the darkness of the place,) where the meat had been hung up before: Whereupon suspending for a while my going to rest, I presently sent for the meat into my Chamber, and caused it to be placed in a corner of the room capable of being made considerably dark, and then I plainly saw, both with wonder and delight, that the joint of meat did in divers places shine like rotten Wood or stinking Fish [...].¹

The perceived effect was due to bioluminescence, emission of light by a living organism, in this case photobacteria.² The above introduction to this natural phenomenon brings the reader into the private rooms of the experimental philosopher's residence. The discovery and the subsequent inquiry are made in the nocturnal privacy of Boyle's home in Pall Mall.³ In the context of the early modern experiment, 'private' does not mean 'solitary' for it frequently includes the presence of laboratory technicians or servants. The latter group constituted 'a perennial hindrance in the quest for privacy' in early modern

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- 1 Boyle Robert, "Some Observations about Shining Flesh", *Philosophical Transactions* 7.89 (16 Dec 1672) 5108. Unless otherwise stated, all emphasis in quotations is found in the original.
 - 2 Boyle made extended studies of the chemistry of luminescence, including diamonds, shining wood, fish, flesh, glow-worms, and phosphorus. For an extensive history, see Harvey E.N., *A History of Luminescence: From the Earliest Times Until 1900* (Philadelphia, PA: 1954).
 - 3 In 1668, Boyle left his Oxford residence and moved into his sister Katherine's house on the south side of Pall Mall.

homes,⁴ in Linda A. Pollock's evocative description. Although omnipresent in elite households, servants could not provide valid testimonies owing to their social standing. Hence, as there are not enough reliable witnesses who could certify the available empirical data 'at so inconvenient an hour',⁵ Boyle composes an exhaustive report of circumstantial detail surrounding this shining piece of meat. He then publishes his 'theatre of fact', as Al Coppola aptly calls it,⁶ in the Society's official journal, *Philosophical Transactions*.

In the development of seventeenth-century science, the notions of privacy regularly spill over into the more public zones of life. Experimental reports aimed at the gentlemanly public include descriptions of private spaces such as the larder and the bedchamber; details of private activities including undressing, sleeping, and defecating; and objects connected to private activities, e.g. chamber pots.⁷ Conversely, the public pursuits of science influence the behaviour within private spaces and condition the handling of objects found within private homes. Rather than being in opposition to or in tension with the public, the privacy inherent in Boyle's nocturnal experiments contributes to public knowledge generated by the larger scientific community.

This article examines how the entangled worlds of the public and private in early modern experimental philosophy, as observed in Boyle's report, mapped onto the satiric landscape of the late seventeenth century. As will be seen, contemporary satire of science feeds on the interaction between the public and private by relying on the circumstantial experimental report that was generated in private spaces and broadcast to the educated public. In experimental reports, the represented private spaces reveal everyday occurrences in the lives of experimental philosophers. These mundane aspects gain significance by becoming crucial components of scientific discovery. The mundane/momentous distinction arises from the private/public contrast.⁸ Quick to seize on the creative potential of the mundane/momentous semantic pair, satire hijacks the lucid veal chops and common chamber pots from the published empirical reports and transforms them into vehicles of mockery. Whereas satire of the public aspects of the early modern experiment has received its fair share

4 Pollock L.A., "The Concept of Privacy in Early Modern England", in Wilson A. (ed.), *Rethinking Social History: English Society 1570–1920 and Its Interpretation* (Manchester: 1993) 86.

5 Boyle, "Some Observations about Shining Flesh" 5108.

6 Coppola A., *The Theater of Experiment: Staging Natural Philosophy in Eighteenth-Century Britain* (Oxford: 2016) 36.

7 Again, servants would access these spaces as well as witness certain private activities.

8 See Bruun's contribution to this volume.

of scholarly attention,⁹ satire arising from the privacy of the experiment warrants further research.

1 Privacy in the Early Modern Experiment

Seventeenth-century Europe witnessed the institutionalisation of systematic scientific experimentation. In the case of England, the Royal Society of London for Improving Natural Knowledge evolved from the informal meetings of scholars at Gresham College in the 1640s and received its Royal Charter in 1662.¹⁰ The Society held formal meetings, kept public records of their activities, and disseminated findings through their appointed printers. In short, the legitimacy of the Society's experimental claims depended upon its public presence.

Trust played a crucial role within the Royal Society and English experimental philosophy in general in the period. Practitioners relied on gentlemanly social codes that privileged truth-telling and thus ensured the validity of their testimony.¹¹ In order for a scientific claim to be considered a 'matter of fact', direct witnessing of credible gentlemen was needed. This direct witnessing could be achieved by a demonstration of an experiment in the public rooms of the Royal Society. Thomas Sprat (1635–1713) describes the process of demonstration concisely in his 1667 apologia for the Society's activities and goals:

Those, to whom the conduct of the *Experiment* is committed, being dismiss'd with these Advantages, do (as it were) carry the eyes, and the imaginations of the whole company into the *Laboratory* with them. And after they have perform'd the *Trial*, they bring all the *History* of its *process* back again to the *test*. Then comes in the second great Work of the *Assembly*; which is to *judge*, and *resolve* upon the matter of *Fact*. In this

9 See, for example, Horne W.C., "Curiosity and Ridicule in Samuel Butler's Satire on Science", *Restoration* 7 (1983) 8–18; Shanahan J., "Theatrical Space and Scientific Space in Thomas Shadwell's *Virtuoso*", *Studies in English Literature 1500–1900* 49 (2009) 549–571; Coppola A., "Retraining the Virtuoso's Gaze: Behn's *Emperor of the Moon*, The Royal Society, and the Spectacles of Science and Politics", *Eighteenth-Century Studies* 41 (2008) 481–506.

10 There are extensive studies on the early years of the Royal Society. A useful start is Michael Hunter's seminal work *Establishing the New Science: The Experience of the Early Royal Society* (Woodbridge: 1989). For more recent studies, see Skouen T. – Stark R. (eds.), *Rhetoric and the Early Royal Society: A Sourcebook* (Leiden: 2015) and Lynch W.T., *Solomon's Child: Method in the Early Royal Society of London* (Stanford, CA: 2001).

11 On the evolution of the concept of testimony in the early modern period, see Serjeantson R., "Testimony and Proof in Early-Modern England", *Studies in History and Philosophy of Science* 30 (1999) 195–236.

part of their employment, they us'd to take an exact view of the repetition of the whole course of the *Experiment* [...] never giving it over till the whole *Company* has been fully satisfi'd of the certainty and constancy; or, on the otherside, of the absolute impossibility of the effect. This *critical*, and *reiterated scrutiny* of those things, which are the plain objects of their eyes; must needs put out of all reasonable dispute [...].¹²

Sprat explains the process whereby an experimental philosopher first prepares trials in private and then brings them for demonstration in front of a number of witnesses, who 'take an exact view of the repetition of the whole course of the *Experiment*'. The experiment is replicated, scrutinised, and judged. Sprat emphasises the importance of seeing: the experimental proceedings have to become 'plain objects of their [the witnesses'] eyes'. Further on, Sprat states that the level of credibility is proportionate to the number of witnesses: 'the concurring Testimonies of *three-score or an hundred*'¹³ will be worth more than a testimony of two or three people.

However, not all types of experiments were suitable for public demonstration. Some trials required an outdoor space, such as experiments with ballistics or falling objects. Similarly, certain indoor experiments, involving microscopical, telescopical, or anatomical procedures, could not easily be replicated or observed by a room full of witnesses.¹⁴ Thus, although the Royal Society placed great emphasis on science as a public and collaborative enterprise, many experiments still had to be conducted in privacy or in semi-private experimental spaces that included household servants and laboratory technicians. Accordingly, the rooms of the Royal Society constituted just one experimental site in seventeenth-century England.¹⁵

As C.C. Barfoot notes, a number of experiments of the period 'were carefully considered reports of experiences in the natural world we all inhabit, and required neither a laboratory nor the special equipment of a virtuoso. In many instances, all that was required was a particular occasion or a series of events

12 Sprat Thomas, *The History of the Royal Society of London, for the Improving of Natural Knowledge* (London, J. Martyn: 1667) 99. Emphasis in the original.

13 Ibidem, 100.

14 For a good overview of the types of experiments demonstrated in public and the record of the Society's minutes, see Hall M.B., *Promoting Experimental Learning: Experiment and the Royal Society (1660–1727)* (Cambridge: 1991).

15 Shapin S., "The House of Experiment in Seventeenth-Century England", *Isis* 79 (1988) 373–404. See also Preston C., "A Blessing in the Wilderness": Fictions of Polity and the Place of Science" in her *The Poetics of Scientific Investigation in Seventeenth-Century England* (Oxford: 2015) 90–157.

and the determination to make exact observations'.¹⁶ A servant frightened by a shining piece of flesh was one such occasion. Therefore, the private residences of gentlemen constituted a significant site of experimentation.

The immediate challenge to a private experiment was the absence of credible witnesses who could validate scientific knowledge and produce indisputable 'matters of fact'. The clue to Boyle's solution to this problem can be gleaned from the above passage from Sprat. Instead of bringing his experiments to his audience, Boyle brought the audience to his experiments. With the help of an experimental report, Boyle was able to 'carry the eyes, and the imaginations of the whole company into the *Laboratory*' with him. The reader's physical absence from the experimental scene could thus be compensated for by their mental presence. Steven Shapin and Simon Schaffer have termed this strategy the literary technology of a virtual witness.¹⁷

Virtual witnessing signifies 'the production in a *reader's* mind of such an image of an experimental scene as obviates the necessity for either direct witness or replication'.¹⁸ A reader of an experimental report is thus able to indirectly witness the private experiment and validate its claims based on the given details. This technique also allows for a theoretically unlimited number of witnesses, which cannot be said of a public demonstration. To ensure valid judgment, no potentially meaningful detail should be left out of the account.

Boyle's report of his series of nocturnal experiments with the shining veal rests on this technology of virtual witnessing.¹⁹ The report consists of no less than eighteen numbered observations that include minute detail of the experiment conducted in privacy. The first point identifies the meat as 'a Neck of Veal, which, as I learned by inquiry, had been bought of a Country-butcher on the Tuesday preceding'.²⁰ The ensuing points communicate sensory information to the readers, who can feel as if they are standing next to Boyle in the night of the discovery.

The reader is transformed into a virtual witness by first being offered visual data. Boyle enumerates the places in which the meat shone as well as the sizes

16 Barfoot C.C., "The Eunuch's Child: William King's Transactions with the Royal Society", in Tinkler-Villani V. – Barfoot C.C. (eds.), *Restoring the Mystery of the Rainbow: Literature's Refraction of Science*, vol. 1 (Leiden: 2011) 73–92.

17 Shapin S. – Schaffer S., *Leviathan and the Air-Pump: Hobbes, Boyle, and the Experimental Life* (Princeton, NJ: 1985) 60–65.

18 *Ibidem*, 60.

19 For a corpus-based linguistic approach to the language of Royal Society prose, see the article by Hogarth A.J. – Witmore M., "Reflexive Witnessing: Boyle, the Royal Society and Scientific Style", *Notes and Records: The Royal Society Journal of the History of Science* 74.1 (2020) 131–148.

20 Boyle, "Some Observations about Shining Flesh" 5108.

of these 'Lucid parts'.²¹ The parts that shone most were 'some gristly or soft parts of the bones, where the Butcher's Cleaver had passed'.²² Next comes the description of Boyle's experimental action: 'by good fortune having by me the curious *Transactions* of this month, I was able so to apply that flexible paper to some of the more resplendent spots, that I could plainly read divers consecutive letters of the Title'.²³ The exact issue of the journal is considered to be a relevant piece of information. Boyle reports that the colour that accompanied the light was not everywhere the same, but was 'fine Greenish blew' in those parts that shone the liveliest.²⁴ The visual data is followed by tactile information, describing the heat of those parts.²⁵ The olfactory data comes last, with the added statement that no ill scent from the meat could be observed.²⁶

The in-depth account of the chop is followed by Boyle's detailed depiction of the spatial setting, which carries 'the eyes, and the imaginations of the whole company' into his larder:

9. The floar of the Larder, where this meat was kept, is almost a story lower then the level of the street, and 'tis divided from the Kitchen but by a partition of boards, and is furnished but with one window, which is not great, and looks towards the street, that lyes North-ward from it.²⁷

The description provides a partial layout of Boyle's home. The reader can visualise the larder in the basement, partitioned from the kitchen by planks and having a small window looking northward onto the street. Indeed, the reader is even made to experience the meteorological conditions:

10. The wind, as far as we could observe it, was then at south-west, and blustering. The air, by the seal'd thermometer, appeared hot for the season. The moon was past its last quarter. The mercury in the barometer stood at $29\frac{3}{16}$ inches.²⁸

21 Ibidem, 5109.

22 Ibidem, 5109.

23 Ibidem, 5109.

24 Ibidem, 5109.

25 Ibidem, 5110.

26 Ibidem, 5110.

27 Ibidem, 5110.

28 Ibidem, 5110.

The reader is transported into the private space of Boyle's home. As if standing in Boyle's larder, one can sense the blustering wind, feel the hot air, see the moon through the window, and read the barometer.

In the ensuing points, Boyle rubs and compresses the pieces of meat, and pours wine and water over them to observe the changes. Then, he reports his experiment with a 'Pneumatical Engine' so 'that the Experiment might be tried in a greater degree of darkness':²⁹

having conveyed one of the largest luminous pieces into a small Receiver, we caused the candles to be put out, and the pump to be plied in the dark [...] I could perceive, upon the gradual withdrawing of the Air, a discernible and gradual lessening of the light; which yet was never brought quite to disappear (as I long since told you the light of Rotten Wood and Glowworms had done).³⁰

Boyle's pneumatic experiment is interrupted by a private detail: 'the unseasonable time of the night reducing me at length to go to bed, I could not stay to prosecute this or any other tryal'.³¹ However, in the subsequent point Boyle recounts how, 'whilst I was undressing', it occurred to him that 'there might be in the same Larder more joints of the same Veal than one, innobled [sic] with this shining faculty'.³² Accordingly, a leg of veal is brought into his chamber, and he observes that it is much less luminous than the neck.

In the final observation, No. 18, Boyle tells us how he could not perform any more experiments in the morning because he was woken before dawn on account of his dying niece. Still, 'whilst they were bringing me Candles for to rise by, I looked upon a clean phial, that I had laid upon the bed by me after a piece of our luminous Veal had been included in it, and found it to shine vividly at that time, which was between four and five of clock this morning'.³³ In her analysis of Boyle's experiments at home, Claire Preston pinpoints the issue that is at stake here: 'philosophical concerns seem to interfere with – possibly prevent – normal diurnal patterns by confusing the place of work with the place of sleep'.³⁴ Boyle's detailed account shows the inextricable role of the private and the mundane in his scientific experimentation: he shares his bed with the veal chops.

29 Ibidem, 511.

30 Ibidem, 511–512.

31 Ibidem, 512.

32 Ibidem, 512–513.

33 Ibidem, 513.

34 Preston, *The Poetics of Scientific Investigation* 92.

2 Satire of the Experimental Report: Playing with Privacy

As we have seen, Boyle's report uses 'a technology of trust and assurance that the things had been done and done in the way claimed'.³⁵ However, in this attempt to ensure the legitimacy of his scientific claims and in his emphasis on the private circumstances, Boyle inadvertently provided fodder for contemporary satire. With their 'reflexive witnessing'³⁶ and their wealth of circumstantial detail, his private nocturnal investigations inspired a satirical episode in Thomas Shadwell's *The Virtuoso* (1676). This comedy, centred around Sir Nicholas Gimcrack, pokes fun at ridiculous and useless experimentation frequently associated with the Royal Society. Most literary critics of the play have focused on the theatrical performance and spectacle of Gimcrack's scientific experimentation.³⁷ However, Shadwell also satirises the more private aspects of seventeenth-century experimental philosophy. A gentleman asks Gimcrack:

BRUCE.

Is that all the use you make of these Pneumatick Engines?

SIR NICHOLAS.

No; I eclipse the light of rotten Wood, stinking Whitings and Thornback, and putrid Flesh when it becomes lucid.

LONGVIL.

Will stinking Flesh give light like rotten Wood?

SIR NICHOLAS.

O yes; there was a lucid Surloin of Beef in the *Strand*, foolish people thought it burnt, when it onely became lucid and chrystalline by the coagulation of the aqueous Juice of the Beef, by the corruption that invaded it. 'Tis frequent. I my self have read a *Geneva Bible* by a Leg of Pork.

BRUCE.

How, a *Geneva Bible* by a Leg of Pork?

SIR NICHOLAS.

O Ay, 'tis the finest Light in the World.³⁸

35 Shapin – Schaffer, *Leviathan and the Air-Pump* 60.

36 See Hogarth – Witmore, "Reflexive Witnessing: Boyle, the Royal Society and Scientific Style".

37 See e.g. Shanahan J., "Theatrical Space and Scientific Space in Thomas Shadwell's *Virtuoso*" and Coppola A., "The Spectacle of Experiment: The Politics of Virtuoso Satire in the 1670s" in his *The Theater of Experiment: Staging Natural Philosophy in Eighteenth-Century Britain* (Oxford: 2016) 32–62.

38 Shadwell Thomas, *The Virtuoso* (London, Henry Herringman: 1676) Act v, Scene ii.

This discordant association between the Holy Bible and a mundane leg of pork is a result of Gimcrack's private trials. The private act of reading a Bible in one's home becomes a scientific matter of fact and transcends the private sphere by virtue of Gimcrack's testimony. The designation of the type of Bible is a spoof on Boyle's identification of the precise issue of *Philosophical Transactions* that he read by the light of the veal. The origin of Gimcrack's meat, as Peter Anstey has noted,³⁹ has been lifted from Dr. John Beal's letter on luminescence, where he speaks of 'a piece of Fresh Beef, which shined in the *Strand in London*', and a woman and her husband who thought that it was on fire.⁴⁰ Gimcrack's explanation that he uses his pneumatic engines 'to eclipse the light of rotten Wood, stinking Whitings and Thornback, and putrid Flesh when it becomes lucid' refers to Boyle's trial with the air pump quoted above, when he observed 'a discernible and gradual lessening of the light' of the veal.

Charles Sackville, the Earl of Dorset (1643–1706), ingeniously uses the motif of putrid and lucid veal to satirise Katharine Sedley, the Countess of Dorchester, in the last stanza of his poem 'On the Countess of Dorchester' (1680). Wondering why the countess insists on beautifying herself with 'embroid'ry, fringe, and lace' when she is so irreversibly old and pox-ridden, he concludes:

So have I seen in larder dark
Of veal a lucid loin,
Replete with many a heatless spark,
As wise philosophers remark,
At once both stink and shine.⁴¹

In his satire on the putrid countess, Sackville relies on the nightly privacy of Boyle's discovery. A shining piece of meat can be discerned in the darkness of the larder, and it reminds him of his addressee, who stinks in her disease and old age while shining in her outward appearance. 'Many a heatless spark' refers to Boyle's observation No. 7, in which he writes that 'notwithstanding the vividness of this Light, I could not by the touch discern the least degree of Heat'.⁴² This reference indicates Sackville's intimate knowledge of the report,

39 Anstey P., "Literary Responses to Robert Boyle's Natural Philosophy", in Cummins J. – Burchell D. (eds.), *Science, Literature and Rhetoric in Early Modern England* (Aldershot: 2007) 147.

40 Beal John, "Two Instances of something Remarkable in *Shining Flesh*", *Philosophical Transactions* 11.125 (22 May 1676) 600.

41 Sackville Charles, *The Poems of Charles Sackville, Sixth Earl of Dorset*, ed. B. Harris (London: 1979) 45–46.

42 Boyle, "Some Observations about Shining Flesh" 5110.

although, for satiric purposes, he changes Boyle's statement that the meat had no ill scent.

The method of including circumstantial particulars in experimental reports is not exclusive to Boyle, but is characteristic of the majority of the contributions to the *Philosophical Transactions* in the period. This apparent overflow of information was to become a satiric target of William King (1663–1712), one of the Christ Church wits. King's favourite satiric strategy was parodying the reports published in the Royal Society's journal by closely mimicking their language and style. The case of King is particularly significant in the light of his direct attack on the process of virtual witnessing and its circumstantial reporting.

In 1700, King published *The Transactioneer*, a pair of mock-scientific dialogues between a 'Gentleman' and a 'Virtuoso', and a 'Gentleman' and a 'Transactioneer'. The latter character is an embodiment of Sir Hans Sloane, secretary of the Royal Society and editor of the *Philosophical Transactions*.⁴³ One look at King's table of contents reveals his main objects of attack in the Society's journal: King's topics include accounts of the extraordinary and improbable, such as 'A Foetus 16 Years in Utero'; of the obvious, e.g. 'That Men can't swallow when they're dead' or 'That Coffee-Houses promote the Trade of News Papers, and make People sociable'; and of the mundane, such as 'A pair of Brass Tweezers'. These mock-papers raise questions of testimony and truth regarding the reported experiments.

In his satirical attacks on the Royal Society, King sees the excessive particulars as unnecessary and trivial details rather than as signals of truthfulness. It is instructive to compare an original account of accidental poisoning published in the *Philosophical Transactions* with King's parody of it:

Between Pentsants and Macketjew, lived one *Charles Worth* an *Apothecary*, who causing a Pye to be made of the said Poppy – and eating of the said Poppy Pye, whilst hot, was presently taken with such a kind of a Dilirium, as made him fancy that most that he saw was Gold, and calling for a Chamber-pot, being a White

Mr. *John Hancock*, an Apothecary in *Pensants*, gave me the following account of its Effects on one *Charles Worth*, and others of his Family, dwelling at the Half-way House between *Pensants* and *Marketjew*, (viz.) That the said *Charles Worth*, causing a Pye to be made of the Roots of the said Poppy, supposing them to be Sea-Holly

43 In 1709, King published a continuation of his attacks in three successive issues, entitled *Useful Transactions in Philosophy, and Other Sorts of Learning* (London, Bernard Lintott: 1709).

Earthen one, after having purged by stool into it; he broke it into peices, and bid the by-standers to save them, for they were all Gold.

or Eringo Roots (for that by order of a Physician lately lodging at his House, they had made Pies thereof, which was very pleasant to them) but he eating of the aforesaid Poppy Pye (whilst hot) was presently taken with such a kind of *Delirium* as made him fancy that most what he saw was Gold, and calling for a Chamber Pot, being a white Earthen one, after having purged by Stool into it, he broke it into pieces, and bid the By-standers to save them, for they all were Gold, as was also (as he said) all the Pewter in the house (he then pointing to it).

We would expect the paragraph on the left to be the original, and the one on the right a parody. In fact, it is the other way round. On the left is King's parody,⁴⁴ and on the right is the original account written by James Newton and published in 1698 as 'An Account of some Effects of *Papaver Corniculatum luteum*'.⁴⁵ King's parody does not reach the heights of circumstantial detail present in the original. Granted, King recounts that the apothecary consumed the poppy in the form of a *hot poppy pie*. But so does Newton. Likewise, both reports take pains to recount the colour and material of the chamber pot into which the apothecary defecates: that this common household item was a 'w/White Earthen one' seems to be consequential to the narrative. However, Newton outstrips King in the wealth of detail, recounting the fact that the pie was made from the poppy *roots*, the origin of the mistake, the pleasantry of making pies during a physician's stay at his house, and the fact that the delirious man pointed at all the pewter in the house.

The sheer amount of detail in Newton's account makes it difficult for King to parody him. Instead of embellishing his parody with even more particulars than those employed by Newton, King's satiric strategy consists in directing the reader to the precise issue of the journal ('N. 242') where Newton's original is to be found. Upon reading King's parody and then consulting the original, the reader can more clearly observe the excess of detail in Newton's account,

44 King William, *The Transactioneer. With some of his Philosophical Fancies: In two Dialogues* (London, n.p.: 1700) 39.

45 Newton James, "An Account of some Effects of *Papaver Corniculatum luteum*", *Philosophical Transactions* 20.242 (31 Dec 1698) 263–264.

including the pervasive use of parentheses, which is already noticeable in Boyle. Unlike Jonathan Swift, who uses exaggeration to satirise the Grand Academy of Lagado in *Gulliver's Travels*, King resorts to minimalism in order to raise the reader's awareness of the cluttered nature of the original text. To King, Newton's account seems already at the point of absurdity.

The significance of the details in King's version escapes the understanding of the Gentleman, King's alter ego in the dialogues:

Gent. Methinks your Correspondent is very Circumstantial in relating the Circumstances and Symptoms of the *Dilirium*.⁴⁶

The Gentleman uses plain language to unmask the unnecessary circumstantiality of the heard account. The Transactioneer is, however, quick to respond:

Transact. O dear Sir! There was an absolute necessity to be exact in Particulars, for had he only told us, that the Herb Purged and caused a *Dilirium*, how must we have known that he made use of an Earthen Chamber-Pot, that he purged into it, and then broke it.

Gent. Truly as you say we should have been altogether at a loss there: And to speak Truth; the most diverting Circumstances would have been wanting.

Transact. Yes, The Pleasant Circumstances set off the Story, for People purge into Chamber-Pots and are *Dilirious*, that never took *Papaver Corniculatum*.⁴⁷

The Transactioneer insists on the relevance of the irrelevant: instead of taking the detail of the chamber pot as an indication of the account's authenticity, he transforms it into the centrepiece of the report. He takes care to emphasise the mundaneness of the reported activities ('for People purge into Chamber-Pots and are *Dilirious*, that never took *Papaver Corniculatum*'). The absurdity continues as the Gentleman asks:

Gent. But pray, What does this contribute to the Advancement of Natural Knowledge?

Transact. If it encreases Knowledge, it certainly advances it: And pray, Does not a Man know more that knows the Chamber-Pot was broke, than he that hears of a *Dilirium*, and purging?⁴⁸

46 King, *The Transactioneer* 39.

47 Ibidem, 39–40.

48 Ibidem, 40.

The Transactioneer mistakenly equates the increase of knowledge with its advancement. What King sees as negligible circumstantial detail is taken as a valuable contribution to knowledge. The Transactioneer seems to be in accord with an anonymous opinion expressed during the early debates on the Royal Society's research programme: 'so far as we have any matter of fact before us, we have really advanced further than we were before. And many things which seeme trivial in them selves, may be a foundation for that which is of greater moment'.⁴⁹ King, however, guides the reader to see the absurdity of a mere accumulation of claims and underlines the contrast between the mundane and 'that which is of greater moment'.

King's discussion of the chamber pot criticises the idea that verisimilitude can be achieved by a recital of every possible detail from the experimental scene as this will only lead to banal excess. What Boyle, Newton, and other experimental philosophers of the time saw as 'credentials that established the actuality of the event [...] all serving to add verisimilitude',⁵⁰ in Peter Dear's words, King saw as clutter. For him, this clutter of *res* and *verba* muddles the clarity of the report and distracts the reader from that which is relevant.

Importantly, in his satire of the experimental report, King seems to anticipate the direction in which scientific discourse was going to develop.⁵¹ In satiric form, he recognised that the abundance of detail in the contemporary reports does not create a 'concrete reality', as envisioned by Roland Barthes.⁵² In other words, for King, a sense of reality of the experimental scene does not necessarily come from a list of personal afflictions (such as the dying niece) and household items. Rather, these details only draw the reader's attention away from that which is relevant in the experiment.

All three satirists therefore use the serious experimental report to build their own playground of private experimentation and public demonstration. They challenge the truthfulness of the experimental data collected in private and mock its supposed public role. In their satiric works, contemporary experimental philosophy is reduced to nighttime Bible readings, mystical visitations to the larder, and anecdotal poisonings.

49 Royal Society Misc. MS 4.72, quoted in *Ibidem*, 347. As quoted in McKeon M., *The Secret History of Domesticity: Public, Private, and the Division of Knowledge* (Baltimore, MD: 2005) 66.

50 Dear P., "Totius in verba: Rhetoric and Authority in the Early Royal Society", in Skouen – Stark (eds.), *Rhetoric and the Early Royal Society* 66.

51 See Gross A.G. – Harmon J.E. – Reidy M.S., *Communicating Science: The Scientific Article from the 17th Century to the Present* (Oxford: 2002).

52 Barthes R., "The Reality Effect" in his *The Rustle of Language*, trans R. Howard (New York: 1986) 141–148.

3 Conclusion

In seventeenth-century experimental philosophy, the zones of the public and private are not demarcated by a rigid boundary. Ideas, activities, and objects move across the zones and their different spatial registers as private individuals participate in a collaborative enterprise. The public pursuit of science regulates behaviour in private and, vice versa, private surroundings and objects influence the development of science. This interaction is manifested in the period's experimental report, which enables the reader to enter the experimental philosophers' private spaces and witness their mundane activities.

From Shadwell's oxymoronic reading of the Geneva Bible by the light of the pork, through Sackville's entry into Boyle's dark larder, and finally to King's parody of Newton, the inclusion of mundane details into the public form of the experimental report provided ample material for contemporary satire. Private activities and personal effects loom large in Shadwell's comedy and Sackville's verse, while in King's 'transactions' true knowledge drowns in circumstantial detail that originated in private spaces of experimental philosophers.

Contemporary satiric texts demonstrate the complexity of the notion of privacy in the case of early modern experimental practice. They question the process by which private or semi-private circumstances are received as relevant public knowledge. In the hands of satirists, experimental reports become a matter of hear-say or a list of useless data, where chops and chamber pots reign supreme.

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Dynamics of Healer-Patient Confidentiality in Early Modern Witch Trials

Natacha Klein Käfer

1 Confidentiality from Below

Can we talk about healer-patient confidentiality in the early modern period? The legal notion of confidentiality is very recent. In Imperial Germany, for instance, medical confidentiality only became a legal requirement for health professionals in 1871.¹ Since the Hippocratic Oath, however, patient information has been considered private, and its protecting has been part of the medical code of conduct. The oath postulates:

And whatsoever I shall see or hear in the course of my profession, as well as outside my profession in my intercourse with men, if it be what should not be published abroad, I will never divulge, holding such things to be holy secrets. Now if I carry out this oath, and break it not, may I gain for ever reputation among all men for my life and for my art; but if I transgress it and forswear myself, may the opposite befall me.²

Different historical periods have informed the parameters of medical confidentiality as we know it today,³ but the issue of not wanting compromising information to become widely available had existed long before the laws that formalise this kind of privacy. Health practitioners of the past had to use their own discretion when they acquired sensitive information. No legal standard

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- 1 Maehle A.-H., “Protecting Patient Privacy or Serving Public Interests? Challenges to Medical Confidentiality in Imperial Germany”, *Social History of Medicine* 16.3 (2003) 282–401, here 383.
 - 2 From the Loeb Classical Library’s translation of the Hippocratic Oath at https://www-loebclassics-com.ep.fjernadgang.kb.dk/view/hippocrates_cos-oath/1923/pb_LCL147.299.xml, accessed on 30 July 2020.
 - 3 Ferguson A., “The Lasting Legacy of a Bigamous Duchess: The Benchmark Precedent for Medical Confidentiality”, *Social History of Medicine* 19.1 (2006) 37–53, here 37.

stipulated how to deal with private information:⁴ confidentiality was a temporary bond created or dissolved on a case-by-case basis. To begin to understand the dynamics of such bonds of confidentiality, we need, first, to identify the relevant sources. These include but are not limited to doctors' correspondences, medical treatises, and personal notes.⁵ As a point of departure, these sources can only inform us about specific kinds of bonds: they document how members of the upper echelons of society consulted educated doctors. Most of the population, however, would not be able to afford such treatment and would seek access to alternative modes of healthcare.⁶

The less-privileged strata of society depended mostly on local healers to deal with health issues. These members of local communities were practitioners who could alleviate everyday problems, manipulating natural as well as supernatural events in the daily lives of the common folk. Such practitioners usually operated locally, and in the early modern period, it was common for a village to have one or more of these practitioners. They applied a variety of techniques to help their fellow villagers, including applied herbal knowledge, the use of verbal charms, and forms of divination. Some of them specialised in certain functions, such as love charms or witch detection. These specialisations could be rumoured outside of villages, and people from a wider area would commission practitioners on account of particular skills. Due to the nature of the service provided, these practitioners could be privy to their clientele's most private information. Just as doctors had the Hippocratic Oath, local healers had to develop their own bonds of secrecy with their clientele since this close relationship would demand a significant level of trust. These bonds benefitted both sides as authorities did not sanction all of the local healers' practices, so seeking their help could be perceived as superstitious at best and criminal at worst. As such, a certain level of confidentiality protected both the healers and their clientele.⁷

4 Private information in this case refers to more than personal health details, but also information that the individual disclosed to the practitioner regarding aspects of their life that were meant to remain within the confines of the healer-patient communication and that could affect the person in case it reached public ears.

5 Michael Stolberg utilised a sixteenth-century physician's private notebooks to explore doctor-patient relationships, see Stolberg M., "You Have No Good Blood in Your Body'. Oral Communication in Sixteenth-Century Physicians' Medical Practice", *Medical History* 59.1 (2015) 63–82.

6 For a more nuanced overview, see Weindling P. (ed.), *Healthcare in Private and Public from the Early Modern Period to 2000* (New York: 2015).

7 For an overview of these healers' practices and their complex interactions with authorities and population, see De Blécourt W., "Witch Doctors, Soothsayers and Priests. On Cunning Folk in European Historiography and Tradition", *Social History* 19.3 (1994) 285–303.

There are few surviving records of popular experiences with these local healers. Moreover, most of these healers transmitted their knowledge predominantly through oral traditions, which are hard to reconstruct.⁸ In order to mitigate this dearth, historians rely upon indirect sources such as witch trial records.⁹ By reading such official documents against the grain,¹⁰ we are able to grasp how everyday people shared knowledge, dealt with their reality, and engaged with one another. Witch trials, especially those involving local healers, can be a fruitful source for investigating the bonds between popular healers and their patients.¹¹ Given their unique insight into private lives, the testimonies of healers are a lens through which we can observe some of the kinds of privacy that existed among villagers.

As historical sources, such testimonies are not objective accounts: the use of threats and torture during interrogations primed the type of answers that could be given, and the very nature of the records distorts our access to the past.¹² Despite the many layers of interference, close analysis of these records enables us to extract useful pieces of information from these highly contentious sources. In his famous essay “The Inquisitor as Anthropologist”, Carlo Ginzburg stresses the historical potential of witch trials, demonstrating that a dialogic reading of the interactions between inquisitor and accused might provide new insights into popular beliefs.¹³ By contrasting the expectations of the interrogators with how people attempted to answer their questions, historians can get a glimpse of the systems of thought that were at play.

8 Orality was key in the transmission of healing knowledge not only among these local healers, but also among learned doctors and between lay and professional practitioners, as shown by Stolberg M. “Learning from the Common Folks. Academic Physicians and Medical Lay Culture in the Sixteenth Century”, *Social History of Medicine* 27.4 (2014) 649–667.

9 The importance of using witch trials and the problems that these sources entail have been explored by De Blécourt, “Witch Doctors, Soothsayers and Priests”.

10 Ginzburg C., *History, Rhetoric, and Proof* (Hanover – London: 1999) 24.

11 Although this view was often rehearsed in the scholarly literature of the 1960s, 1970s, and 1980s, local healers were not the main target of witch trials. Accusations of witchcraft were tied to disruptions in the social dynamics of the village – disputes, epidemics, property conflicts, or general mistrust among neighbours. The objective of these trials was not to control or to eliminate local practitioners, see Rummel W., “‘Weise’ Frauen und ‘weise’ Männer im Kampf gegen Hexerei: Die Widerlegung einer modernen Fabel”, in Dipper C. – Klinkhammer L. – Nutzenadel A. (eds.), *Europäische Sozialgeschichte. Festschrift für Wolfgang Schieder* (Berlin: 2000) 353–375; Harley D., “Historians as Demonologists: The Myth of the Midwife-witch”, *The Social History of Medicine* 3.1 (1990) 1–26.

12 See also Laflamme’s contribution to this volume.

13 Ginzburg C., “The Inquisitor as Anthropologist”, in Ginzburg C., *Clues, Myths, and the Historical Method* (Baltimore, MD: 1992) 141–148.

In the following, I show how close reading allows us to identify popular systems of confidentiality. These systems are malleable, based on cultural specificities, and dependent upon local social dynamics. To reinforce this dimension of fluidity in how people created and transformed social bonds, I will use the term *modes of confidentiality*. These modes of confidentiality are adaptable social agreements that loosely establish who can be aware of what in a given situation. As we do today, people in the early modern period selected what kind of information they shared, tailored their narratives according to each group they had to interact with, and used pieces of other people's private information when needed. Such interactive networks led to the creation of implicit trust agreements: breaching such bonds had consequences. Thus, the following examination details how common people dealt with the circulation of private information, highlighting when and why different levels of confidentiality were required.

I will use three contrasting cases of witchcraft accusations as sources: the first is the emblematic fifteenth-century trial of the healer and brewer of love potions Matteuccia di Francesco from Ripabianca, district of Todi (Italy); the second is the seventeenth-century trial of the midwife Anna Starck, accused of infanticide and providing abortions by the court of Mainz (Germany); and the third is the seventeenth-century case of Clara Hoffmann who was denounced as a witch in the Electorate of Trier (also Germany) with the help of a local practitioner's testimony. These three cases have been chosen in view of the uniqueness of the circumstances surrounding each trial and the singularity of the information presented during the proceedings. Matteuccia's is considered a seminal case in the European persecution involving a healer, and, as such, serves as a stepping stone to observe the later developments in the seventeenth century. This juxtaposition highlights the different modes of confidentiality at play, showing how the cases present contrasting dynamics of protection or revelation of information.

2 Modes of Confidentiality

2.1 *Revealing Daily Lives*

One of the earliest witch trials in Europe, possibly the first record of the idea that witches perform night flights,¹⁴ focuses on a local healer: Matteuccia di Francesco (ca. 1388–1428), who, in 1428, was accused of being 'feminam male

14 Conti F., "Notes on the Nature of Beliefs in Witchcraft: Folklore and Classical Culture in Fifteenth Century Mendicant Traditions", *Religions* 10.10 (2019) 576.

conditionis vite et fame, publicam incantatricem, facturariam et maliariam et stregam' ('a woman of a bad life and reputation, public enchantress, sorceress, evil spell caster, and witch').¹⁵ The records of her trial include a detailed account of the charms she used, which consisted primarily of healing prayers¹⁶ and love spells.¹⁷ The latter kind seems to have been her speciality. The main clientele for the love spells, according to the record, were women who were in abusive relationships, or that had been abandoned by their partners. On top of providing these services, Matteuccia was also accused of flying in through people's windows and sucking the life out of children.

When read against the grain, Matteuccia's trial provides subtle hints of how private information could be used in trial. These hints, however, have to be extracted from the very structured narrative of the record. The record strives for uniformity: throughout the trial, all of Matteuccia's actions are attributed to the inspirations of demonic spirits, regardless if she is described as healing or sucking the life out of children. This is done by the repetition of the descriptor 'mala malis addendo, diabolico spiritu instigata' ('adding evil to evil, inspired by the demonic spirit') affixed to most of the paragraphs detailing Matteuccia's activities, making sure that there is no doubt that all her actions should be understood within this frame. The record acknowledges how she 'incantauit corporis, ac capitis et aliorum membrorum patientes [...] pro supradictis et aliis infirmitatibus' ('enchanted the body, head, or other limbs of patients [...] for the abovementioned and other diseases'), but regardless if the removal of illnesses was assumed to be true, it remained as evidence of her guilt as a witch. Practices that could be considered helpful by women in violent relationships were framed as undermining the sacrament of marriage.¹⁸ Even when her healing prayers were directed to Christ and the Virgin Mary, they still appear under the 'diabolico spiritu instigata', just as her night flights.¹⁹

This mix of folk healing and popular rituals with demonic pacts and night flights in Matteuccia's trial is not necessarily surprising, especially considering that her conviction happened only two years after the visit of Bernardino of Siena – the renowned Franciscan friar who blended elements of folklore into

15 *Processo alla strega Matteuccia di Francesco, 20 marzo 1428*, trans. D. Mammoli (Todi: 1969) 18–19. In the original document (*Archivio Comunale di Todi, Sala VI, vetrina processi, n. 20*) fol. 21v.

16 *Ibidem*, 14–15. Original fol. 21v.

17 *Ibidem*, 20–21, 24–25. Original fol. 22r.

18 *Ibidem*, 28–29. Original fol. 22v.

19 *Ibidem*, 16–17. Original fol. 21v.

his depictions of witchcraft.²⁰ However, the way Matteuccia's healing practices are weaved into the trial can be indicative of how evidence and information reached court. The record states that her case was brought to trial due to the complaints of reputable men.²¹ Following the accusation, the court proceeded with interrogations and collection of evidence. The record does not specify where the disclosed information came from, so we can only speculate what kind of detail was provided by Matteuccia herself during her interrogation. Nevertheless, this speculation can be informed by the kind of information that was revealed – especially considering the consequences for the people involved if such stories became public knowledge.

As people visited Matteuccia to request her help, private information became a necessary part of the exchange. She would not have been able to help her patients without the details of what was happening to them that required her help, and, as such, intimate details of their lives became another form of knowledge Matteuccia had under her belt. For instance, it was disclosed in the trial that a woman from the castle of Prodo in the district of Orvieto came to Matteuccia with the complaint that the local priest, with whom she was romantically involved, stopped caring for her and would beat her on a daily basis. She asked for a remedy to bring back his love and Matteuccia provided her with a spell using a wax figure. As a result, the priest soon after declared his love for the woman again.²² Although relationships between priests and their female servants were not uncommon,²³ bringing attention to the priest's involvement with the woman – as well as the woman's willingness to request a spell to keep the priest's favour – could create trouble not only for the couple but also for the Church as a whole.

Many other women are described in the trial as seeking Matteuccia's help with similar issues. A certain Catarina from the district of Orvieto also came to her to find a solution for the constant beating she suffered at the hands of her husband.²⁴ Another woman approached Matteuccia with the complaint that her husband treated her badly. This client was given an egg and a herb called 'cavallina' (probably horsetail leaves) that, when cooked and served to the husband, would ensure that he, within a couple of days, became infatuated with her. A woman named Giovanna came from Perugia to request Matteuccia's

20 Bailey M.D., "Nocturnal Journeys and Ritual Dances in Bernardino of Siena", *Magic, Ritual, and Witchcraft* 8.1 (2013) 4–17.

21 Mammoli, *Processo* 14–16. Original fol. 21v. The exact expression used was 'veredicis et fide dignis hominibus et personis'.

22 Ibidem, 22–23. Original fol. 22r.

23 See Cossar R., *Clerical Households in Late Medieval Italy* (Cambridge: 2017).

24 Mammoli, *Processo* 23–24. Original fol. 22r.

help, since her husband mistreated her and had left her for another woman.²⁵ In each of these cases, the women had to place a certain level of trust in Matteuccia. The only thing guaranteeing that Matteuccia would not reveal their domestic condition to the public was this implicit bond of confidentiality between the afflicted and the helper. However, under trial, this bond could succumb to the external pressures.

It would have been difficult for the accusers to collect details about Matteuccia's patients if we consider that many of her clients would have preferred that the reason they became involved with her remained private. In fact, their names, locations, and relationships added little to the persecutors' claims when they already had damning charges of Matteuccia's nocturnal flights and life-sucking powers. It is more probable that these private details were offered by Matteuccia herself during the trial and that they subsequently became entangled with the fabricated narrative of her evil-doings.²⁶ This information might have been extracted via careful interrogation, or through the use of threats and torture, but it could also have been volunteered by Matteuccia to argue that her practices were a helpful contribution to the community.²⁷ In either case, the confidential bonds established between healer and patient could not be maintained in this context. The case of Matteuccia demonstrates that within the constraining circumstances of the trial, trust bonds could be broken, secret information revealed, and the knowledge of 'private' circumstances turned into 'evidence'.

2.2 *Revealing Practices*

Across the sixteenth and seventeenth centuries, healers continued to be brought to trial under accusations of witchcraft.²⁸ The turmoil following the Reformation and subsequent wars afflicting most of Europe had an impact on

25 Ibidem, 26–27. Original fol. 22v.

26 For details of the inquisitor's fabrications and the cultural information revealed by Matteuccia, see Montesano M., *Classical Culture and Witchcraft in Medieval and Renaissance Italy* (Cham: 2018) 173–180.

27 This is especially the case in the references to the use of healing prayers to help many patients that were in pain, as in fol. 21v. Nevertheless, some of the charms prescribed by her did not follow Christian dogma, referring more to popular beliefs in the conjuration of helpful spirits, as in fol. 22v.

28 See Behringer W., *Witchcraft Persecutions in Bavaria: Popular Magic, Religious Zealotry and Reason of State in Early Modern Europe* (Cambridge – New York: 2003); Briggs R., *The Witches of Lorraine* (Oxford: 2007); Lippi D. – Weber D., "Witchcraft, Medicine and Society in Early Modern Europe", *Archives of the History and Philosophy of Medicine* 75.1 (2012) 68–73; Whaley L., *Women and the Practice of Medical Care in Early Modern Europe, 1400–1800* (London: 2011).

the theological and legal ideas of witchcraft, and many legal codes had paragraphs dealing specifically with local healers.²⁹ Most cases of accusations of witchcraft against healers in German-speaking territories took place in the seventeenth century, both in Catholic and Protestant regions.³⁰ By the end of the century, the focus had changed significantly from accusations centred around pacts with the devil to trials based on the use of dangerous 'superstitious' forms of healing and dealing with daily problems. Nevertheless, the shift was a gradual one, and traditional views of the witches' sabbath eventually became entangled with healing practices.³¹

An illustrative example of such entanglement is the case of the midwife Anna Starck (?–1627). She was accused of witchcraft and infanticide in the Electorate of Mainz, a Catholic state of the Holy Roman Empire. She was executed on the first day of October 1627.³² Anna was a former bell-ringer and the widow of a baker. During her trial, she confessed to having provided the means of abortion (savin juniper and hazel) to a certain Michel Winder's daughter, who came from the neighbouring village of Umstadt to deal with her pregnancy. Given that Winder's daughter was pregnant out of wedlock, it was safest for her to seek an abortion outside her own village in order to keep this information private. This accusation of aiding an abortion was already incriminatory towards Anna since providing abortions was a capital offense.³³ However, the description of the trial provides much greater detail of how Anna learned midwifery as proof of the evil intentions behind her practice. The record states that Anna claimed that the process of learning to be a midwife included a baptism by the devil, who appeared as a man dressed in black with hooves for feet, and that she would engage in nocturnal dances with other members of her community,

29 For instance, Kursächsische Konstitutionen of 1572 stipulated that those who were accused of using healing prayers or helpful divination should be imprisoned and receive Bible lessons, while other practitioners should receive capital punishment. See Frider P., *Consultationum Saxonicarum* (Frankfurt, Nicolai Hoffmann: 1616) 603.

30 Authors like Brian Pavlac point to the overall spike of witch trials during the Thirty Years War, which possibly played an important role in the number of healers found in the records. See Pavlac B., *Witch Hunts in the Western World: Persecution and Punishment from the Inquisition through the Salem Trials* (Westport, CO – London: 2009) 66.

31 Erik Midelfort perceived this shift in witch-hunting from the regular 'witch crimes' to the uses of blessings and fortune-telling in the seventeenth century as part of his theory of how the witch hunts came to an end. See Midelfort E., *Witch Hunting in Southwestern Germany (1562–1684)* (Stanford, CA: 1972) 82.

32 The trial does not specify whether Anna Starck was a resident of the city of Mainz or whether she was from one of the nearby villages and was only brought to trial in Mainz.

33 Lewis M.B., *Infanticide and Abortion in Early Modern Germany* (London – New York: 2016) 24.

at least one of whom was also a midwife. These descriptions adhere to the standard image of a witches' sabbath,³⁴ and according to the trial records, this information was given by her without the use of torture: 'sagt guttlichen Vnd ohne tortur' ('plainly stated and without torture').³⁵ In this narrative, Anna's healing practices are tied to the devil from the very beginning.

Usually, when a midwife was brought to trial, every child that she had been in touch with, and who eventually ended up dying, became evidence of her evil doings. The record describes how Anna would visit people's houses to deal with illnesses or to check on infants, but the children ended up perishing. Anna then allegedly confesses to having killed children, women, and cattle using her *Zauberschmir* (witches' ointment).³⁶ But, at the same time, she admits to using a prayer for childbirth, which includes traditional patterns of folk healing: an apocryphal story of Christ and Mary walking through a city, finding the disease the prayer is for (in this case, a woman in labour), and then relieving the person from their suffering.³⁷ God or the Holy Trinity were also called to intervene.³⁸

This prayer seems to contradict the belief that one must renounce God in order to become a midwife as described by Anna. Adding to this inconsistency, Anna claimed to have used charms to protect the cattle from witches, despite confessing to having bewitched livestock herself.³⁹ She also attended Mass regularly and took her sacraments as expected.⁴⁰ The idiosyncrasy of these descriptions demonstrates how conflicting views of permissible and condemnable practices became entangled with traditional ideas of witchcraft. While Anna might have revealed her use of charms as something that she considered an essential part of her work as a Christian healer, her prosecutors used

34 On the cultural markers of the witches' sabbath, see Ginzburg C., *Ecstasies: Deciphering the Witches' Sabbath* (New York: 1991); Hutton R., "The Wild Hunt and the Witches' Sabbath", *Folklore* 125.2 (2014) 161–178; Roper L., "Witchcraft and the Western Imagination", *Transactions of the Royal Historical Society* 16 (2006) 117–141.

35 Stadtarchiv Mainz, 28/291, Lage 83, fol. 45r. Transcribed as part of the *Hexenprozesse in Kurmainz* project. This kind of disclaimer appears in witch trials even when actions which today would fit the definition of torture are performed: the definition of torture in these records concerns very specific forms of physical punishment.

36 Stadtarchiv Mainz, 28/291, Lage 83, fol. 50r.

37 Several examples can be found in Holzmann V., *"Ich beswer dich wurm und wyrmin ..." Formen und Typen altdeutscher Zaubersprüche und Segen* (Bern – Berlin – New York: 2001); Schulz M., *Beschwörungen im Mittelalter: Einführung und Überblick* (Heidelberg: 2003); Ernst W., *Beschwörungen und Segen: angewandte Psychotherapie im Mittelalter* (Cologne: 2011).

38 Stadtarchiv Mainz, 28/291, Lage 83, fols. 51v.–52r.

39 Ibidem, fol. 52r.

40 Ibidem, fol. 52v.

it as evidence of her diabolism, similar to the descriptions of witch salves and encounters with the man in dark clothes with hooved feet.

Anna Starck's testimonies require attention to detail. They were guided by means of rhetoric or threat of torture to cohere with the inquisitor's purposes and expectations. However, even within those guided answers, we can still find innocuous pieces of information that reveal details about people's knowledge and experiences. This kind of interrogation can inadvertently provide historians with a fleeting but valuable insight into how local midwives operated: providing both physical and spiritual assistance during childbirth, using prayers and rituals to alleviate the mother's pain and to protect the baby, supplying means of contraception and abortion, and offering services even to older children by paying house visits in cases of sickness. Most importantly for our context, it shows how midwives had a privileged position to access people's private information. Unfortunately, this brief glimpse does not extend so far as to let us know what happened to Michel Winder's daughter after the secret of her abortion was exposed in court. The only other 'client' whom Anna implicated during the trial was a certain Fauhtin's daughter. Anna described how she had helped the mother press the baby's soft spot at birth to kill it.⁴¹ Although Anna specified that in the case of Winder's daughter, the decision was made 'damitt sie nicht zu schanden wurde' ('so that she would not be brought to shame') because of the unsanctioned pregnancy, no such details were given for Fauhtin's daughter. Apart from these two cases, Anna kept information about other possible abortions or people seeking contraception to herself. The only other names mentioned were of those whose children had perished, none of whom were implicated in the infanticides, which were framed as the outcome of Anna's nefarious intention.

If we compare the two cases, Matteuccia's records present several situations in which she provided help and healing, revealing the client's private reasons for requesting help – e.g. domestic abuse, failing marriages, sickness in the family caused by jealousy. Perhaps Matteuccia disclosed private information to disprove the *maleficium* charges. In Anna's records, the only instances which can be seen as healing or helping are her confessions of the use of protection charms, and the only piece of private information is the one extracted regarding Winder's daughter and Fauhtin's daughter. Possibly the two interrogations unfolded in different ways and allowed for different kinds of evidence. The trials might also have been recorded in different manners. In the absence of other clues, it is impossible to differentiate between what the prosecution knew and used during questioning and what was disclosed 'intentionally' by

41 Ibidem, fol. 50r.

the defendant as evidence of her innocence.⁴² However, it seems reasonable to conclude that for Matteuccia it could have been useful to admit to practices that might be considered helpful, whereas for Anna acknowledging other activities as a midwife could provide an opportunity for others to come forward and add more charges. Thus, information appears to be a significant bargaining tool, which could be withheld or released according to the healers' inclination, their understanding of the risks, and their evaluation of the situation during trial.

Although the fate of the women requesting abortions from Anna is unknown, witch trials almost always had a ripple effect. In this case, the consequences were felt after Anna's demise as her son was also executed under accusations of aiding Anna in committing infanticide. Although Anna implicated other members of the community as having taken part in the sabbath, this appears to have been taken only as background information for the primary focus of the trial – Anna's practices as a midwife. This is probably a manifestation of contemporary anxieties surrounding abortion and infanticide at a time when many children belonging to different age groups were apparently dying.⁴³ The cultural and natural circumstances, such as epidemic outbreaks that coincide with accusations of witchcraft, also need to be taken into account in order to understand why a given trial was taking place.⁴⁴ Such impactful events provide a context for how the accused would respond to interrogations and decide to withhold or release information about fellow villagers.

The cases of Matteuccia and Anna Starck reveal how specific circumstances and social dynamics at the village level crucially shaped the occurrence of trials. As pointed out by Walter Rummel,⁴⁵ local healers were not a frequent target of the witch hunts as their persecution depended on fellow villagers denouncing them to the authorities. Since they played an important role in their communities and were therefore usually deemed worthy of protection, a significant disruption in local social dynamics had to occur before a person took recourse to the authorities against the healers. The reasons for such disruption are not

42 This is particularly evident in the records of Anna's trial which consist of a list of her answers without the corresponding list of questions. Thus, even though there are many questions to which Anna responds negatively, we do not know exactly what she is denying.

43 Lindemann M., *Medicine and Society in Early Modern Europe* (Cambridge – New York: 2010) 34.

44 See Briggs R., "Witchcraft and the Local Communities: The Rhine-Moselle Region", in Levack B. (ed.), *The Oxford Handbook of Witchcraft in Early Modern Europe and Colonial America* (Oxford: 2013) 199–217, here 200.

45 Rummel, "Weise' Frauen und 'weise' Männer" 359.

always explicitly mentioned in the trial records, but in the cases presented here, we may suspect that Matteuccia's broad clientele and her meddling with private relationships as much as Anna's presence at the deaths of many children could have sparked tension. In such instances, the trials usually caused further disruption through either the release of private information or the implication of other local figures in ostensibly demonic activities, generating suspicion, gossip, and often triggering chain trials involving several members of the community. Modes of confidentiality were, therefore, not only the ways by which healers retained private information, but also a vital part of these local dynamics in which different members of the community attempted to control the circulation of certain types of information. From the services that certain healers were able to provide, the gossip surrounding a person's visit to the healer, or simply the trivial details of everyday life, people always had to negotiate or conceal information to maintain harmonious collective interactions.

2.3 *Negotiating Information*

Healers were aware of the consequences of the exposure of secrets within the community. One case that particularly highlights the awareness of such consequences is the trial against Clara Hoffmann (1631–1654). In 1654 Dommershausen, part of the Catholic Electorate of Trier, a certain Johannes Firen's young daughter fell seriously ill. He searched for different forms of help and was convinced that she was bewitched. He then sought a local 'Wahrsager' ('soothsayer') and asked him to identify the person who had cast a spell on his daughter. The soothsayer did not want to perform such a service, but Firen insisted.⁴⁶ 'Nit bewilligen wollen' ('reluctantly'), the practitioner agreed to do something that would affect the guilty person's arm so that Firen would be able to identify the one responsible for his daughter's illness. In the following days, Clara Hoffmann appeared with a lame arm. Firen then went to court and accused her of witchcraft.

Together with Firen's accusations, several witnesses testified to her character, some of whom also accused her of witch-like actions. The local practitioner who allegedly affected her arm was not presented as suspicious, and his practices were not denounced as witchcraft. Nevertheless, the soothsayer sought by Firen was probably aware of the risk involved in performing this kind of

46 Landeshauptarchiv Koblenz, Best. 33, Nr. 8619, fol. 2.

activity, hence his initial hesitation.⁴⁷ This case reveals that the relationship between healers and their clientele was not a mercantile one in which service was only rendered in response to demand and in exchange for monetary compensation. Rather, it was something much more personal and less straightforward, allowing for negotiations of boundaries on both sides.

The healer appears to have had a certain responsibility within the community, and compromises were often reached between specialists and the people who sought them. There are several instances in which healers are reported to have appeared in trial to support – most times unhesitatingly – people who were accusing others of witchcraft.⁴⁸ Even Anna Starck knew a charm to protect against witchcraft, and witch detection was a common part of the repertoire of local practitioners.⁴⁹ In these particular cases, the testimony of the healer in trial was not a breach of the bonds between practitioners and their clientele but rather a reaffirmation of those bonds before the court. The healers' expertise in preventing the effects of witchcraft and identifying or banning witches could be instrumentalised in trial either as evidence to denounce somebody else as a witch (as in the case of Clara Hoffmann) or as proof of their own meddling with demonic agents (as in the case of Anna Starck).

The liminal position of the local healer – as a useful member of the community, but also as a performer of unsanctioned practices – allowed the formation of different bonds. Even though healers enjoyed a relative position of power by safeguarding private information and specialised knowledge required by the community, many of their practices existed in an ambiguous space between the accepted and the condemnable, which could give other members of the community (such as Firen) a certain leverage when negotiating services. As such, these bonds are more than just benign agreements that harmonise the collective experiences in society. Modes of confidentiality do not only constitute a system aimed at the protection of the participants involved, but they also function as a crucial component in negotiations of power in which private information could double as a means of trading. The trading of secrets

47 This case was also presented by Rummel in order to show how healers were not a category consistently victimised by witch trials. However, it is important to stress that such practices were mostly not sanctioned by religious or secular authorities, so appearing in court and admitting to the use of such rituals could have serious consequences depending on the circumstances of the trial.

48 See Walz R., *Hexenglaube und magische Kommunikation im Dorf der Frühen Neuzeit: die Verfolgungen in der Grafschaft Lippe* (Paderborn: 1993) 217.

49 In the German context, specialists in identifying and protecting against witches were usually called *Hexenbanner*. See Ruff M., *Zauberpraktiken als Lebenshilfe: Magie im Alltag vom Mittelalter bis Heute* (Frankfurt: 2003).

might seem self-evident when we talk about the political dealings of the elites, but ordinary people could also find ways of using information as part of their survival strategies. When their position within the community was at stake, people accused of witchcraft, healers, and people desperate for solutions to their problems had to make use of the tools available, which in many cases would be the secrets – real or created – of others.

3 Conclusion

In order to understand the examples given above as cases illustrating modes of confidentiality between local healers and their patients, it is important to deconstruct the notion of confidentiality as a right that is given. Confidentiality has to be seen as something which is created, shaped, and dismantled on the basis of individual circumstances and within particular relationships. Each of the cases discussed here entails different forms of relationship at play in accusations of witchcraft and shows how these circumstances would result in the upkeeping or dissolution of different modes of confidentiality in trial.

Local healers were privy to detailed information about the health and daily issues of the members of their community. Some of this information could be revealed in a trial in order to disprove charges and to portray their practices as a service to the community. At the same time, this private knowledge could also be instrumentalised as evidence against them in court. Given the services healers provided and how they operated in the interstitial space between permissible and condemnable behaviour, most people would only feel safe to visit them if some form of trust was established – usually through these unspoken modes of confidentiality between healer and patient. However, these modes of confidentiality were crucially dependent on village dynamics.

In addition to establishing ways in which information circulated between healers, patients, and their surroundings, modes of confidentiality were part of the strategies that simultaneously secured the social life of the village and allowed for negotiations of power. Whereas the safety of people in everyday life depended upon the maintenance of these bonds, in the case of a trial, it might have been safer for such bonds to be broken.

If we wish to study confidentiality as an historical practice rather than regulated rights, it is crucial to avoid the pitfall of applying the concept of confidentiality to historical sources in an anachronistic manner. People tend to try to establish boundaries to regulate external access to their persons and their secrets, but the strategies for doing so are not the same across time and social conditions. Witch trials, in particular, show the ways in which power relations

play a defining role in how private information was kept, revealed, or instrumentalised in the early modern period. Thinking about how ordinary people from the past communicated and negotiated information is vital if we wish to understand how our current definitions and legal practices of privacy and confidentiality came into existence on the backbone of historical experiences.

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Examination Essays, Paratext, and Confucian Orthodoxy: Negotiating the Public and Private in Knowledge Authority in Early Seventeenth-Century China

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Book production reached the first ‘golden age’ of Chinese printing in the Song dynasty (960–1276), but it experienced a falling-off in the following two centuries.¹ From the second half of the Ming dynasty (1368–1644), particularly during the late sixteenth and early seventeenth centuries, there was another printing boom in central and southern China. A thriving commercial printing trade left its mark on China’s cultural landscape during this period, especially on the civil service examination system. As the key institution charged with training and recruiting civil servants from late imperial China to 1905, the civil service system of *keju* 科舉 (‘imperial examination’) was known for its emphasis on formalism and conformity to the state-set Confucian orthodoxy centring around the master Zhu Xi 朱熹 (1130–1200).² The examination system, itself an instrument of the imperial state, was aimed at training literary elites with political aspirations through rote learning and ideological indoctrination. Through this system, the Confucian orthodoxy formed a rigid public matrix in

1 I am grateful to Kai Vogelsang and Max J. Fölster for their invaluable inputs on printing and book cultures in late imperial China. The research for this chapter is funded by the Hangzhou Municipal Funding for Humanities and Social Sciences (2019J1D04).

Tsien T.-H., *Paper and Printing*, in Needham J. (ed.), *Science and Civilisation in China*, vol. 5, *Chemistry and Chemical Technology*, part 1 (Cambridge: 1985) 159. On printing during the Song, marked by advanced woodblock printing technologies and moveable types, see Poon M.-S., “Books and Printing in Sung China, 960–1279” (Ph.D. dissertation, University of Chicago: 1979); Cherniack S., “Book Culture and Textual Transmission in Sung China”, *Harvard Journal of Asiatic Studies* 54.1 (1994) 5–125.

2 See Bol P.K., *“This Culture of Ours”: Intellectual Transitions in T’ang and Song China* (Stanford, CA: 1992); Elman B.A., “Social, Political, and Cultural Reproduction in Civil Examination”, *Journal of Asian History* 50.1 (1991) 7–28.

which all learned individuals were tightly connected to the imperial government, forming what Benjamin A. Elman calls ‘a cultural prison’.³

The civil service examination system, however, was far from a public domain in which the state established absolute control over individuals. Despite the state’s efforts to access and regulate the minds of examinees through ideological cohesion and indoctrination, there was a number of ways for the literati to resist and even appropriate official ideology. One of the most important tools in this process was printing, especially prints produced by non-official and commercial publishers. Printing developed dramatically in the late sixteenth century and increasingly shaped the minds of the examinees and their practices during the examinations.⁴ However, this development elicits questions regarding the production of these commercial publishers. What did the commercial publishers produce? How did these publishers, and the individuals they represented, gain access to the public and eventually mould the mindset and practices of a larger community? What methods did they employ in order to undermine the imperial court’s ideological control over the literati? To what extent did their efforts lead to change in the perception of *si* 私 (‘private’) and *gong* 公 (‘public’) in the cultural sphere in late imperial China?

This chapter tackles these questions through an analysis of selected prints dating from the late Ming, especially the dynasty’s final decades. By conducting an inquiry into the political and intellectual history of this period, I identify two major types of prints, namely collections of examination essays and privately published commentaries. I also explore how these texts contributed to the changing conception of the public vis-à-vis the private in the literary and intellectual world of seventeenth-century China. Through an investigation of these prints along with the individuals involved in their production and circulation, I demonstrate how a rapid expansion of commercially published prints led to the emergence of an alternative interpretation of the canonical texts. These commercial prints, in particular those related to the imperial examination system, often contested the state orthodoxy, yet they became increasingly popular and eventually challenged Zhu Xi’s monopoly as the authority on Confucian canons. As a result, the definition of ‘public’ was increasingly shaped by the literati rather than the imperial court. Changing the boundary between the public and the private, new varieties of examination books came to play a dominant role in the negotiation of knowledge authority and political

3 Elman B.A., *A Cultural History of Civil Examinations in Late Imperial China* (Berkeley, CA: 2000) 142.

4 Lin H., “Intersecting Boundaries: Manuscript, Printing, and Book Culture in Late Ming China”, *Oriens Extremus* 52 (2013) 263–304, here 273.

conduction. The printing boom in late Ming China played an active role in making a much greater variety of texts accessible to a much broader reading public. Regardless of how these new expositions were actually received, they document that there was not only one way of interpreting the Confucian canon. They eventually expanded the intellectual horizons of the literati.

1 Examinations in Ming China: Official Texts and State Orthodoxy

Civil service examinations were first adopted by the Tang (618–907) emperors in the seventh century as a way to curb the military aristocracy's excessive power. Starting from the end of the tenth century under the Song court, such examinations became the most important means for the imperial state to recruit its officials. Administered on three levels – prefectural, provincial, and metropolitan (national) – the exams tested men from all over the empire for entry into government service.⁵ Since all exams were arranged according to a common curriculum centring around Confucian canons, the examination system helped to shape a state orthodoxy and a uniform national culture based on Confucianism.

After a gap in the early Yuan dynasty (1271–1368), the examinations were reinstated in 1315 by the Song Neo-Confucian Zhu Xi's commentaries on the Four Books authorised as the official version of the textbooks.⁶ Zhu's interpretation of the Confucian canons was entrenched as state orthodoxy under the reign of Ming emperor Yongle 永樂 (r. 1403–1424). In 1415, *Sishu daquan* 四書大全 (*The Complete Compendium on the Four Books*) and *Wujing daquan* 五經大全 (*The Complete Compendium on the Five Classics*) were published and distributed to government schools according to imperial order.⁷ As the core

5 For detailed accounts on the examinations in the Tang and Song periods, see Chaffee J.W., *The Thorny Gates of Learning in Sung China: A Social History of Examinations* (Cambridge: 1985) 196–202; Gernet J., *A History of Chinese Civilization*, trans. J.R. Foster – C. Hartman, 2nd ed. (Cambridge: 1996 [Paris: 1972]) 257–258, 304–305; Kuhn D., *The Age of Confucian Rule: The Song Transformation of China* (Cambridge, MA: 2009) 42–43, 120–124.

6 Selected by Zhu Xi, the Four Books include *The Great Learning* (*Daxue* 大學), *The Doctrine of Mean* (*Zhongyong* 中), *The Analects of Confucius* (*Lunyu* 論語), and *The Mencius* (*Mengzi* 孟子). On examinations in the Yuan, see Wilson T.A., *A Genealogy of the Way: The Construction and Uses of the Confucian Tradition in Late Imperial China* (Stanford, CA: 1995) 47–59.

7 The Five Classics refer to *The Book of Poetry* (*Shijing*), *The Book of History* (*Shujing*), *The Book of Rites* (*Liji*), *The Book of Changes* (*Yijing*), and *The Spring and Autumn Annals* (*Chunqiu*). On the promulgation of the *Sishu daquan* and *Wujing daquan* as official texts for examinations in the Ming, see Elman B.A., “The Formation of ‘Dao Learning’ as Imperial Ideology during

texts for the preparation of the examinations, these works were to serve as the basis for the study of the Confucian classics and remain in use until the early eighteenth century.

Represented by Zhu's expositions of the canons, the examination system occupied a principal position in the institution that tied the learned elites to the imperial state, creating a particular intellectual community of shared mindsets, i.e. aspiring examinees who lived in all corners of the empire. For the state, the promulgation of Zhu's commentaries as the official interpretation of the Confucian classics was, to a large extent, meant to impose a government-sanctioned reading of the canonical texts. By freezing the meaning of the ancient canons through the administration of examinations, the state drew clear demarcations of the semantic field of the book. By doing so, it incorporated the students into a fixed communication circuit, establishing an orthodox literality.⁸ The examination system thus functioned as a major government institution that sought to reinforce the empire's cultural, social, and political order.

For the examinees, this examination played a crucial role in creating a community of the educated elite who were involved in reproducing the regime's ideological authority. The employment of proper literary strategies that involved both form and content was essential for the examinees as their success hinged on their demonstration of both interpretively new and politically correct understanding of the canon.⁹ By 1630, the examinations had become extremely competitive: Elman observes that only one out of fifteen candidates who passed the provincial examination could go on to compete on the national level in the following year.¹⁰ On the one hand, in order for an examinee to distinguish himself among tens of thousands of candidates, candidates were required to demonstrate a superior understanding of the texts through new elaborations within the government-sanctioned domain of the canons. On the other hand, however, the presence of a state orthodoxy meant that their success was dependent on their mastery of official protocol. Only those who conformed to the official interpretation could hope to be rewarded by examination titles and government posts; aberrant readings would be purged from the communication circuit. Those who occasionally floated unorthodox ideas were strictly suppressed as their names were erased from the list of successful

the Early Ming Dynasty", in Hunters T. – Wong B. – Yu P. (eds.), *Culture and State in Chinese Society: Conventions, Accommodations, and Critique* (Stanford, CA: 1997) 58–82.

8 De Certeau M., *The Practice of Everyday Life*, trans. S. Rendall (Berkeley, CA: 2011) 171.

9 Chow K.-W., *Publishing, Culture, and Power in Early Modern China* (Stanford, CA: 2004) 93.

10 Elman B.A., *A Cultural History of Civil Examinations* 140–143, cited in Brook A., *The Troubled Empire: China in the Yuan and Ming Dynasties* (Cambridge, MA: 2010) 149.

candidates, no matter how literarily talented they were. In this way, the state cemented a particular public sphere, to which all learned elites were supposed to abandon their individual ideas and submit themselves.

2 Authority on Examination Essays: Examiners vs. Critics

In order to mould the candidates' practices, the imperial government regularly published official results of provincial and metropolitan examinations known as *Huishi lu* 會試錄 (*Records of the Metropolitan Examination*). Initially containing only prefaces and the names of examiners and graduates, in 1385 these records began to include exam questions and a few *chengwen* 呈文 ('model essays'). These essays were written either by successful candidates, though with significant edits by the examiners, or by the examiners themselves.¹¹ In 1585, edited essays by successful graduates were finally included as models in addition to those written by the examiners. Two years later, the Ministry of Rites, the state organ responsible for organising and monitoring the examinations, was instructed to publish selected metropolitan exam essays from the beginning of the dynasty through the 1580s.¹² Having been edited by the examiners, all published essays could be trusted to conform to the state's vision as unorthodox styles and ideas were eliminated. In this way, certain official standards could be followed to keep future candidates within the government-sanctioned public sphere. For the examinees, the anthologies of essays could serve as an excellent aid because they offered convenient answers to possible questions. More importantly, these essays enabled examinees to familiarise themselves with what was deemed acceptable by the state. Parallel to the publication of these model essays, a growing number of collections of essays by graduates, many of them with comments not by the examiners but by professional critics, began to emerge in the book market. In addition to those authored by the top graduates, there was also a notable number of essays by other examinees, many of whom were provincial graduates seeking success in the metropolitan examination. Unlike model essays composed or edited by examiners, these untreated essays opened up a new discursive space for the

11 Wang Shizhen 王士禛, *Gufuyuting zalu* 古夫于亭雜錄 (*Random Records of the Old Fuyu Pavilion*), in *Congshu jicheng xubian* 叢書集成續編 (Taipei: 1989) 2: 18b.

12 Sun Chengze 孫承澤, *Chunmingmeng yulu* 春明夢餘錄 (*Supplemented Records of the Dreams of Spring Brightness*), in *Siku quanshu zhenben* 四庫全書珍本, series 6 (Taipei: 1979) 7: 8b–9a; Gu Yanwu 顧炎武, *Rizhilu* 日知錄 (*Record of Daily Knowledge*), Huang Rucheng 黃汝成 (ed.), as *Rizhilu jishi* 日知錄集釋 (*Collected Explanations of the Records of Daily Knowledge*), *Siku beiyao* 四庫備要 edition (Taipei: 1965) 16: 10a, 21a.

examinees and editors and challenged official judging standards. The authority of the examiners was further eroded when failed candidates started to publish their works.¹³ For example, Zhang Pu 張溥 (1602–1641), the famous leader of *Fushe* 復社 (the Restoration Society), edited a collection of essays by provincial exam candidates in 1627. After the metropolitan examination in the following spring, Zhang edited another collection of essays from the provincial examination of 1627. In his preface to the second collection, Zhang explained that because some essays previously praised by the editors did not find success in the metropolitan examination, while some of the overlooked ones did.¹⁴ Commercial publishers paid for these essays to be reviewed and printed. Through the privately published collections, the critics and editors functioned as a competing second set of examiners, offering their own judgement that was not necessarily in line with the official version. The growing influence of these critics was soon recognised by the readers. The last decades of the Ming witnessed a drastic increase in commercially produced collections of examination essays. They overshadowed those printed by the government in terms of both quality and quantity, to the point that the literary master Yuan Hongdao 袁宏道 (1568–1610) lamented that it was impossible for the examinees to read them all.¹⁵

For individuals pursuing examination success, inclusion of their essays in the collections was no longer a private act but public evidence of their literary and intellectual merit. Edited and published by persons not holding degrees or any official posts, these collections were originally only acts of specific individuals and were not expected to be publicly distributed to outsiders, although some of these books were acquired by other readers. Their literary excellence and innovative expositions were once celebrated within a very limited circle. Yet as the fame of some collections became increasingly accepted, the essays finally crossed the boundary that separated private and public. Even if one had not yet passed the examinations and was therefore supposed to be unknown, through these collections he could still succeed in attracting the attention of the readers and by doing so harvest large fame among the literati. Even if one failed at passing the examination, he could still be considered a *mingshi* 名士 ('famed literatus'), if his essay was selected and published by

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- 13 Ye Mengzhu 葉夢珠, *Yueshi bian* 閱世編 (*Collection of Reading the World*), in *Shanghai zhanggu congshu* 上海掌故叢書, vol. 1 (Taipei: 1968) 294.
- 14 Zhang Pu 張溥, *Qiluzhai lunlue* 七錄齋論略 (*Brief Discussion from the Seven Record Studio*) (Taipei: 1977) 2: 24a–25a, 32a.
- 15 Yuan Hongdao 袁宏道, *Sabitang xuji* 洒碧堂續集 (*Continued Collection of Pouring Jade*), in *Siku jinhui shu congkan*, vol. 67 (Beijing: 1997–2000) 653.

renowned editors.¹⁶ With the help of such collections of essays, their authors were not only blurring the boundaries between private and public, but also creating new means to cross the threshold between them.

For those who failed to make their way into collections by famous editors, it was possible to publish their own essays, as there were numerous private publishers looking for authors. To lend credit and increase sales, the author or the publisher would solicit prefaces or remarks penned by respected critics. Huang Ruheng 黃汝亨 (1558–1626), a graduate of the 1598 metropolitan examination and a senior editor, wrote no fewer than sixty prefaces for examination essay collections, among which twenty-five were published by individual authors.¹⁷ Fang Yingxiang 方應祥 (1561–1628), whose personal collection was graced by Huang's preface, was himself a well-known critic and had published a variety of examination essays with private publishers. When his friend decided to publish an anthology of his works, he wrote to some of the most famous scholars and critics of his time, including Qian Qianyi 錢謙益 (1582–1664), to solicit prefaces.¹⁸ Ai Nanying 艾南英 (1583–1646), despite never passing the metropolitan examination, rose to prominence as a critic and wrote almost fifty prefaces for individual collections. Fully aware of the influence that critics could exert on the examination results through commenting on and publishing examination essays, he proudly compared an editor's power to that of the emperor himself.¹⁹

Ai's sense of pride in individual critics' literary authority was telling. Unlike official model essays handed down by the examiners, the critics' chosen works and their preferences constituted an autonomous forum that existed parallel to the official version of the imperial court. Examinees who had their essays commented on and published prior to their examination were, in essence, doing a trial run: by having the examiners view their works prior to the exams, they acquired a special avenue to influence the examiners and had a better chance to succeed. For the critics, too, their public reputation as competent judges carried symbolic value. Chen Jitai 陳際泰 (1567–1641), for example, was

16 *Lü Mudan chuanqi* 綠牡丹傳奇 (*Legend of the Green Peony*), in *Quan Ming chuanqi* 全明傳奇, vol. 89 (Taipei: 1983) 2: 22a.

17 On these prefaces, see Huang Ruheng 黃汝亨, *Yulin ji* 寓林集 (*Collection of Residing in the Woods*), in *Siku jinhui shu congkan*, vol. 7 (Beijing: 1997–2000) ch. 7.

18 Fang Yingxiang 方應祥, *Qinglai ge chujì* 青來閣初集 (*First Collection of Pavilion of the Coming Verdancy*), in *Siku jinhui shu congkan*, vol. 40 (Beijing: 1997–2000) 5: 20b–21a.

19 Ai Nanying 艾南英, *Tianyongzi ji* 天慵子集 (*Collection of Tianyongzi [Ai Nanying]*) (Taipei: 1980) 3: 28a–29b.

already an established critic with over thirty prefaces under his belt before he finally passed the metropolitan examination at the age of 68.²⁰

From the sixteenth to the seventeenth centuries, as pressure from critics and commercial publishers continued to mount, imperial examiners gradually stepped away from the practice of publishing heavily edited essays or their own works as models. By 1625, the official collections consisted only of essays by graduates in their original form.²¹ As a result, the authority of the examiners was contested and reduced by the examinees and critics, marking a gradual but fundamental turn in the construction of the public literary sphere. The examiners, as representatives of the cultural orthodoxy and state authority, could no longer exert absolute control over how proper essays should be presented to the general students, and they thus lost the power inherent in creating the ideal public sphere centring on Zhu's interpretations. The examinees and critics, who used to be regarded as specific individuals with their own private and unorthodox expositions, were eventually accepted and established as representatives of the new public sphere. In this way, the threshold between public and private was redefined.

3 Authority on Commentaries: Zhu Xi vs. Ming Scholars

In addition to essay collections, commercial publishers and individual critics also adopted new discursive strategies to influence the reading process of learned scholars. Further undermining imperial authority in the intellectual sphere, one of the most important tools at their disposal were paratexts. As first coined by Gerard Genette, the paratext – in the form of preface, postscript, colophon, reading guides, commentaries, and intertextual references – contains a large amount of data about the text's production and its transmission through time and space. Taking the paratext into account thus tremendously enlarges the semantic field of the book and acts as the 'threshold of interpretation.'²² Although often relegated to marginality, these surplus texts and contextual devices, many of which were not produced by the authors themselves, created a space for the textualisation of both historical events and personal

20 For his prefaces, see Chen Jitai 陳際泰, *Jiwu ji* 已吾集 (*Collection of Jiwu* [Chen Jitai]) (Taipei: 1977) chap. 2–4.

21 Sun, *Chunmingmeng yulu*, 41: 8a; Chow, *Publishing*, 222–223.

22 On Genette's discussion of paratext, see Genette G., *Seuils* (Paris: 1987). Translated into English as *Paratext: Thresholds of Interpretation*, trans. J.E. Lewin (Cambridge: 1997). See also Genette G., "Introduction into the Paratext" *New Literary History* 22.2 (1991) 261–272.

sentiments.²³ More than the documentation of the individuals involved in the texts' production and dissemination, paratexts provided a venue for authors, editors, commentators, and publishers to convey their messages to the audience. In this way, paratexts also enhanced the influence of prints on the formation of the reading public and their socio-political practices.²⁴ While Genette's examples were from sixteenth- and seventeenth-century France, the traits he identified also apply to the latter half of the Ming.

During the first half of the Ming, aside from a few commentaries written by scholars of the Yuan dynasty, commercial publishers limited themselves to reproducing the official version of Zhu Xi's expositions. From the early sixteenth century, several commentaries by Ming scholars emerged as examinee favourites for the following decades, including Cai Qing's 蔡清 (1453–1508) *Sishu mengyin* 四書蒙引 (*Introduction to the Four Books for Beginners*), Chen Chen's 陳琛 (1477–1545) *Sishu qianshuo* 四書淺說 (*Elementary Explanation of the Four Books*), and Lin Xiyuan's 林希元 (ca. 1480–ca. 1560) *Sishu cunyi* 四書存疑 (*Questions on the Four Books*), but they still adhered closely to Zhu's ideas and there were only minor differences among them.²⁵ As the growing competitiveness of the examinations coincided with a general boom in commercial printing, this situation changed drastically in the beginning of the seventeenth century. The overwhelming majority of extant Ming commentaries on the Four Books, especially those with datable prefaces, were printed after the 1580s.²⁶ While those espousing Zhu's ideology lost influence, new titles providing different interpretations mushroomed.

The proliferation of new and unorthodox commentaries soon caught the attention of the Ministry of Rites, the agency that was tasked with ensuring the examinees' compliance with Zhu's expositions. Several ministers of rites, such as Shen Li 沈鯉 (1531–1615) and Li Tingji 李廷機 (1542–1616), complained about examination aids produced by commercial publishers and criticised the trend of 'new expositions' that increasingly cited heterodox ideas with Buddhist and Taoist influences.²⁷ The Ministry issued a series of warnings to

23 Ciotti G. – Lin H., "Preface" to Ciotti G. – Lin H. (eds.), *Tracing Manuscripts in Time and Space through Paratexts* (Berlin: 2016) vii–xii, here viii.

24 Genette, *Paratext* 12.

25 Shen Junping 沈俊平, "Ming zhongwanqi fangke zhiju yongshu de chuban ji chaoye renshi de fanying" 明中晚期坊刻制舉用書的出版及朝野人士的反應 (A Study on Commercially-Printed Examination Aids Published after Mid-Ming and Responses from the Government and the Public towards These Publications), *Hanxue yanjiu* 漢學研究 27.1 (2009) 145–146.

26 For a list of these titles, see Chow, *Publishing* 266–268.

27 Zhang Tingyu 張廷玉 etc., *Mingshi* 明史 (*History of the Ming*), punctuated and collated edition (Beijing: 1974) 217: 5734; Li Tingji 李廷機, *Li Wenjie* 李文節集 (*Collection of Li Wenjie [Li Tingji]*) (Taipei: 1970) 4: 8b–9a.

examiners at the county and provincial levels against accepting interpretations deviating from Zhu's, yet due to a growing demand for examinees and the absence of a rigorous censorship system, the Ming government was unable to stop the increasing publication of unorthodox commentaries.²⁸ Ironically, even though Shen and Li were self-professed opponents of such 'new expositions', their names nevertheless appeared, probably falsely attributed, on a number of commercially published commentaries, where they were cited as critics, proofreaders, and even authors.²⁹

Most of the commercial printers did not dare completely to ignore the government's warnings. In their efforts to avoid accusations of violating sanctions, authors, editors, and publishers actively employed a variety of tactics, primarily in the form of paratext. Thus, the author of *Sishu weiyan* 四書微言 (*Subtle Words of the Four Books*) stated in his preface that the unorthodox expositions were only included so that their mistakes could be pointed out to future examinees.³⁰ Others provided commentaries that were at odds with Zhu Xi's but were previously accepted by official examiners. Nevertheless, the commentaries opened up the possibility of disparate interpretations, thus undermining the supposed absolute authority of Zhu's orthodoxy as endorsed by the government.

Many of the commercial commentaries could be identified by a sectional format which divided the printed leaf into two, or sometimes three, registers. First adopted by Jianyang publishers in the Fujian province for the printing of popular novels and dramas, this particular format of *shangtu xiawen* 上圖下文 ('illustration above and text below') were soon embraced as examination aids.³¹ In these works, the main text of the Four Books and Zhu Xi's commentaries were often placed in the bottom section while the top section was reserved for

28 Unlike the Song and Yuan, the Ming did not have a censorship unit nor a specific licensing system to police publishers. Except for a few special types of publication, including calendars and books on astronomy and divination, publishers were free to print almost anything. See Chow K.-W., "Writing for Success: Printing, Examinations, and Intellectual Change in Late Ming China", *Late Imperial China* 17.1 (1996) 120–157, here 135; Brook T., *The Chinese State in Ming Society* (New York: 2004) 118–119, 134–135.

29 For example, *Sishu wenlin guanzhi* 四書文林觀止 (*Unifying Themes of the Literary World in the Four Books*) was, although probably falsely, attributed to Li. Another attribution to Li, *Sishu dazhu cankao* 四書大注參考 (*Reference for the Compendium of Commentaries on the Four Books*), lists Shen as one of the proofreaders.

30 Tang Ru'e 唐汝諤, preface to *Sishu weiyan* 四書微言 (*Subtle Words on the Four Books*) ca. 1610. Courtesy of Harvard-Yenching Library (collection no. 007904106-X).

31 For a detailed discussion of the two-register format in Jianyang books, see Chia L., *Printing for Profit: The Commercial Publishers of Jianyang, Fujian (11th–17th Centuries)* (Cambridge, MA: 2002) 39–62.

the critic's *xinyi* 新意 ('new ideas') or *zhangzhi* 章志 ('purports of the chapters and verses'). Many of such added texts expressed ideas different from those of Zhu Xi. To indicate the main ideas of a paragraph or section, publishers used specific markers such as *mizhi* 秘旨 ('secret thesis'), *tiyan* 題言 ('main point'), *biaozong* 表宗 ('highlighting the main idea'), and *xinjie* 新解 ('new exposition for reference'). The ones that did not use this format could still be identified by explicit or implicit references to the examinations in their preface, title, list of proofreaders, *fanli* 凡例 ('editorial principles'), or a separate section on writing instructions for writing in the *bagu* 八股 ('eight-legged') style.

In order to differentiate themselves from the competition and gain an edge in the market, publishers paid special attention to their products' titles. Many commentaries' names contained phrases such as 'new ideas' and *zhuyi* 主意 ('subjective meanings'). This is the case for Qian Zhaoyang's 錢肇陽 *Sishu huijie xinyi* 四書會解新意 (*New Ideas through Comprehensive Expositions of the Four Books*) and Zhu Changchun's 朱長春 *Sishu zhuyi xinde jie* 四書主意心得解 (*Knowledge Gained in the Meanings of the Four Books*), both published in 1613.³² In addition, many publishers added fashionable phrases to old titles for publicity purposes. For example, many titles were preceded by phrases like *xinke* 新刻 ('newly carved') or *dingjuan* 鼎鑄 ('best carved'). Although many of the works were not actually printed for the first time, they all claimed, with varying degrees of veracity, to carry new ideas. In this way, the commercial printers attempted to differentiate their products from those of their competitors.

Another popular paratextual strategy was to highlight the contributors' qualifications in the volumes' titles. In many publications, official titles such as *taishi* 太史 ('grand historian'), *huiyuan* 會元 ('first place at the metropolitan examination') or *hanlin* 翰林 ('academician') were used to underscore the academic success of the contributors. From the early seventeenth century onwards, however, a growing number of publishers preferred to use unofficial titles such as *xiansheng* 先生 ('Maestro') and *fu* 傅 ('Elder').³³ Later, as *minggong* 明公 ('reputable masters') were acclaimed as the arbiters of intellectual achievement and literary taste, the title of the *minggong yilun* 明公議論 ('discourse of reputable masters') became a mark of quality. The rising popularity of non-official titles at the expense of their official counterparts reflected a growing sense that literary authority was no longer the monopoly of the imperial government.

32 Chow, *Publishing* 267.

33 See, for example, Tang Binyin 湯賓尹, *Xinke Tang taishi nishou kechang tizhi* 新刻湯太史擬授科場題旨 (*Newly Carved Emulated Title Thesis on Examinations by the Grand Historian Tang*). Courtesy of Naikaku bunko (Collection no. kan 8572).

The said monopoly was further weakened by the inclusion of non-Confucians as contributors. In the anthology of examination essays written by Zhuo Fazhi 卓發之 (fl. 1630s), an astonishing number of 128 persons were listed as proofreaders, including eight women and eighteen Buddhists.³⁴ The monk Hanshan Deqing 憨山德清 (1546–1623) published his commentaries on *Daxue* 大學 (*The Great Learning*) and *Zhongyong* 中庸 (*The Doctrine of the Mean*), two of the Four Books, in 1617. A decade later, these commentaries were reprinted by a private publisher who appended a 38-page section on how to prepare for the examinations.³⁵ With this paratext, the publisher repackaged the commentary by Hanshan Deqing into a public product and surreptitiously contributed to subverting the official school of Zhu Xi, further blurring the already porous demarcation between Buddhist heterodoxy and Confucian orthodoxy.

4 Negotiating Authority: Public vs. Private

During the last five decades of the Ming, as a combined result of a boom in commercial printing and the rapid growth of privately edited examination aids, almost all examinees had a degree of access to commercially printed essays and commentaries. In order to distinguish oneself and catch the examiner's eye, a growing number of the literati began to form study groups and literary societies.³⁶ Although such organisations could be traced back to the late Yuan years, their previous incarnations were relatively small in size. Moreover, they consisted mostly of government officials whose literary reputation was secondary to their political positions. Starting in the reign of the Wanli Emperor (r. 1573–1620), however, examinees and professional literati outside the political circle greeted the emergence of many new literary societies with great enthusiasm.

Empowered by a booming printing industry, members of these study groups and literary societies took advantage of their circles' organisational power and literary reputation to enhance their exam prospects. In addition to publishing essays and commentaries under their individual names, examinees of the

34 Zhuo Fazhi 卓發之, *Luli ji* 漉籬集 (*Collection of Wattle Fence*), in *Siku jinhui shu congkan*, vol. 107 (Beijing: 1997–2000) 295–296.

35 Hanshan Deqing 憨山德清, *Zhongyong zhizhi* 中庸直指 (*Direct Points to the Book of Mean*), in Xiao Tianshi 蕭天石 (ed.), *Zhongguo zixue mingzhu jicheng* 中國子學名著集成, chubian, Rujia zibu, vol. 16 (Taipei: 1978).

36 Wang Long 王龍, *Zhongguo yuedu tongshi: Mingdai juan* 中國閱讀通史: 明代卷 (A General History of Reading in China: The Ming Dynasty) (Hefei: 2017) 403.

same group or society also began to publish collections of their works to present their communal identity to the book market. It was common for members of the same society to appear as coeditors, proofreaders, or authors of prefaces and commentaries. Many members worked closely with commercial publishers and some even ventured personally into publishing. Wen Qixiang 聞啟祥 (fl. 1610s), for instance, was a leader of *Dushushe* 讀書社 (the Study Society) in Hangzhou as well as the owner of the society's publishing house *Dushufang* 讀書坊, which printed at least sixteen works.³⁷ Gu Menglin 顧夢麟 (1585–1653), a famous critic and one of the founders of *Yingshe* 應社 (the Response Society) in Suzhou, published the collected works of the society, *Sishu shuoyue* 四書說約 (*Concise Exposition on the Four Books*) and *Shijing shuoyue* 詩經說約 (*Concise Exposition on the Book of Poetry*), via his private press *Zhilianju* 織簾居.³⁸ Thanks to a thriving printing industry, these books were sold inexpensively throughout the empire. In this way, commercial publishing enabled the literati to obtain a national reputation and a degree of publicity that reached beyond their private meetings in local communities.

Not only did examination essay books create an opportunity for individuals and literary societies to transform what was once individual and private into something communal and public, but they also turned the conventional private-public dichotomy on its head when it came to contemporary political issues. Many of the commentaries published during the Wanli period were particularly revealing of the latter development. The Wanli Emperor, who deliberately neglected nearly all his political duties and dispatched eunuchs to major cities to collect extra tax revenue for himself, was widely criticised for his apathy and inaction.³⁹ His reign saw a growing number of commentaries that discussed a ruler's proper attitude towards wealth. Focusing on the final section of *The Great Learning*, which explained the importance of a ruler's moral cultivation in *ping tianxia* 平天下 ('pacifying the realm'), these commentaries put increasing emphasis on how proper distribution of wealth would help with maintaining the imperial order. Whereas Zhu Xi's expositions focused on how a ruler's moral cultivation and conduct could win the support of his people and manage the government, many Wanli-era commentaries shifted their attention to the emperor's role in mismanaging the country's financial resources.

37 For some of the works published by *Dushufang*, see Du Xinfu 杜信孚, *Mingdai banke zonglu* 明代版刻綜錄 (*A Comprehensive Catalogue of Ming Woodblock Printing*) (Yangzhou: 1983) 8: 9b–10a.

38 Du, *Mingdai banke zonglu* 7: 21b–22a.

39 Huang R., 1587, *A Year of No Significance: The Ming Dynasty in Decline* (New Haven, CT: 1981) 13–14, 61–63; Brook, *The Troubled Empire* 119–120.

A commentary by Tang Binyin 湯賓尹 (b. 1568), for example, explicitly criticised the ruler's attitude towards wealth and its consequence, complaining that the emperor (i.e. Wanli) set his mind on making profit and competed with his subjects for wealth. Under his influence, everybody struggled for wealth instead of justice.⁴⁰ Similar criticism of the emperor appears in another commentary by Yao Shunmu 姚舜牧 (1543–1627), who directly accused the emperor of taking advantage of his subjects and indulging himself in the pursuit of his own profit. It became even worse when he occupied the throne and wielded absolute power.⁴¹

No examinee reading such remarks would mistake them for mere scholarly exposition. Alluding to passages from the Confucian canon, the commentaries reversed the conventional connection of imperial interests with the public and those of the subjects with the private. For the commentators and their readers, proper distribution of wealth among the subjects was for the good of the public, whereas monopolising profit by the emperor meant following his own interests and thus harming the cause of public justice.

5 Concluding Remarks

After six decades that witnessed the gradual decline of the state orthodoxy, new expositions finally mounted an open challenge to Zhu Xi's school of thought. This development took place during the last years of the Ming, when literary societies continued to grow and began to exert their influence on the outcome of the examinations through control of public opinion over the judging criteria. This was most clearly visible in the case of Zhang Zilie 張自烈 (1597–1673), who, in 1638, published his own commentaries on the Four Books. Quoting freely from a wide range of texts, some of them falsified, Zhang abandoned Zhu's division of the chapters into Classics and commentary, and he also eliminated Zhu's supplementary section on *gewu* 格物 (the investigation of things). Although his commentaries still only represented his personal opinion, what set Zhang apart from his predecessors was the organisational support at his disposal. As the leading figure of the Restoration Society, the largest and most influential literati circle of the time, he convinced his friends

40 Tang Binyin 湯賓尹, *Shui'an Sishu mai* 睡庵四書脈 (*Shui'an [Tang Binyin] Pulse of the Four Books*) 20b–21a, quoted from Kin Bunkyō, 金文京, "Tō, Hin'i to Minmatsu no shōgyō shuppan", 湯賓尹と明末の商業出版 ("Tang Binyin and the Commercial Publishing in the Late Ming"), in Arai Ken 荒井健 (ed.), *Chūka bunjin no seikatsu* 中華文人的生活 (*Life of Chinese Literati*) (Tokyo: 1994) 354.

41 Chow, *Publishing* 184.

and many officials to petition for his version to replace Zhu Xi's as the state orthodoxy. From 1638 to 1644, Zhang's supporters submitted three petitions to the imperial court, although the Ming dynasty ended before they could be officially submitted to the emperor for review.

According to the records, all three rounds of petitions were termed *gongjie* 公揭 ('public proclamations'). Ironically, however, *gong* 公 ('public') here referred to the examinees and critics, not to the imperial government. To a great extent, the inverted definition of the public and the private reflected the gradual process that was characterised by dissociating the imperial state from the term 'public'. In this way, the terms 'public' and 'private' also acquired new semantic implications. The orthodoxy of Zhu Xi's interpretations of the canons, patronised by state authority, was supposed to be publicly embraced by all students in the empire, while expositions different to Zhu's were heretic and needed to be suppressed. In this way, the imperial state represented the public opinion. But when large-scale petitions advocating interpretations that directly diverged from Zhu's were organised by literati across the entire empire, what the state once stood for suddenly became heretic itself. The state orthodoxy, once established as public and authoritative, was now pushed to the side of private and unofficial. The opinions of individual literati, in contrast, transcended the boundaries to enter the sphere of public and official.

The expansion of private commercial printing dislodged the state from its central position in the publishing industry; at the same time, it enabled individuals to achieve an unprecedented degree of autonomy that eventually rivalled state orthodoxy. Through printing, ideas of private individuals and intellectual groups acquired a platform to reach a much larger readership and became accepted by larger communities, thus transforming the private into the public. The state orthodoxy represented by Zhu Xi, by contrast, was consistently challenged and eventually subverted and relegated to the sphere of the private.

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PART 4

Spaces and Places of Privacy and the Private



Jesus, Mary, and Joseph as Artisans of the Heart and Home in Manuscript MPM R 35 “*Vita S. Joseph beatissimae Virginis sponsi*” of ca. 1600

Walter S. Melion

How and why did Catholic votaries in early seventeenth-century Antwerp allegorise the relation between the material circumstances and spiritual properties of the *vita Christi*? And how was this relation analogised to that between public and private zones of devotion? These questions prove crucial to our understanding of manuscript MPM R 35 *Vita S. Joseph beatissimae Virginis sponsi patriarcharum maximi iconibus delineata ac versiculis ornata* (*Life of St. Joseph, Husband of the Most Blessed Virgin, Greatest of the Patriarchs, Portrayed in Images and Ornamented with Verses*), a small octavo volume housed in the printroom of the Plantin Moretus Museum [Figs. 15.1–15.24]. The book consists of forty-six engraved images comprising two complete print series: the *Vita S. Joseph* [Figs. 15.1–15.5, 15.19–15.24], published and engraved by Theodoor Galle, perhaps with the assistance of his brother Cornelis and/or his son Jan, and the *Cor Iesu amanti sacrum* (*Heart of Jesus Sacred to the Loving Votary* or, alternatively, *Heart Sacred to the Loving Votary of Jesus*), designed, engraved, and published by Antoon II Wierix before 1604 [Figs. 15.6–15.18].¹

1 The book has three divisions: 16 prints from Theodoor Galle's *Vita S. Ioseph beatissimae Virginis sponsi patriarcharum maximi*; the title-print of Antoon Wierix's *Cor Iesu amanti sacrum*, followed by this series' 17 prints; the title-print, dedication print, and ten additional prints from Galle's *Vita S. Ioseph*. On the *Vita S. Ioseph*, see Galle Th., "The Life of the Virgin and St. Joseph", in Hollstein F.W.H., *Etchings, Engravings, and Woodcuts, ca. 1450–1700*, vol. 7 (Amsterdam: n.d.) 84, nos. 85–112 (28 plates). On the *Cor Iesu amanti sacrum*, see van Ruyven-Zeman S. – Leesberg M. (comps.), *Hollstein's Dutch and Flemish Etchings, Engravings, and Woodcuts, 1450–1700*, vol. 61: *The Wierix Family*, part 3 (Rotterdam: 2003) 44–54, nos. 445–462. The compilers date the series toward the late sixteenth or early seventeenth century, noting that the 'sequence of the plates is unknown', and the 'order of the plates used as book illustrations is differing' (44). On the cult of Joseph as father, husband, artisan, and contemplative, see McGuire B.P., "Becoming a Father and a Husband: St. Joseph in Bernard of Clairvaux and Jean Gerson", in Chorpenning J., o.s.f.s. (ed.), *Joseph of Nazareth through the Centuries* (Philadelphia, PA: 2011) 49–61; Chorpenning J., "St. Joseph as Guardian Angel, Artisan, and Contemplative: Christophorus Blancus's Engravings for the *Summary of the Excellencies of St. Joseph* (1597)", in *ibidem* 103–136; and Faesen R., s.j., "The Grand Silence of St. Joseph: Devotion to St. Joseph and the Seventeenth-Century Crisis of Mysticism in the

1 Flemish Devotional Imagery of the Heart, the Society of Jesus, and the *Spiritual Exercises*

To begin, it may be useful to observe that devotional imagery focusing on the heart or, more specifically, on the human's heart's relation to the sacred heart of Jesus, became increasingly popular in Antwerp after its reconquest by Catholic forces, led by Alessandro Farnese, in July 1585. The reform orders that streamed back into the city, in particular the Discalced Carmelites and the Society of Jesus, were largely responsible for disseminating this imagery, which derives from such biblical passages as *Matthew* 6:21 and 15:18–19, *1 Corinthians* 2:9–10, and *Romans* 2:29. Together, these passages identify the heart as the place where the Spirit of God dwells *in potentia* and, if properly seen and heard, communicates truths 'that the [terrestrial] eye hath not seen, nor ear heard', revealing them to the 'spirit of man':

But, as it is written: [*Psalm* 93:11] '[...] neither hath it entered into the heart of man, what things God hath prepared for them that love him.

But to us God hath revealed them, by his Spirit. For the Spirit searcheth all things, yea, the deep things of God.²

In addition, *Romans* 2:29 crucially states that the human heart is amenable to penitential reformation: the penitent votary grows closer to God when s/he eschews mere circumcision of the flesh, instead embracing circumcision of the heart, cutting away its ties to terrestrial things and fortifying its links to the spiritual things of God, so that the human spirit and the divine Spirit

Jesuit Order", in *ibidem* 137–150. On Jesuit devotion to St. Joseph as patron of the Society's Casa dei Catecumeni and Arciconfraternità di S. Giuseppe, see Lazar L.G., "Bringing God to the People: Jesuit Confraternities in Italy in the Mid-Sixteenth Century", *Confraternitas* 7.1 (1996) 11–13; *idem*, "The First Jesuit Confraternities and Marginalized Groups in Sixteenth-Century Rome", in Terpstra N. (ed.), *The Politics of Ritual Kinship: Confraternities and Social Order in Early Modern Italy* (Cambridge – New York – Melbourne: 2000) 132–149; and *idem*, *Working in the Vineyard of the Lord: Jesuit Confraternities in Early Modern Italy* (Toronto – Buffalo – London: 2005) 31, 99–124. On Joseph as chief witness of the mystery of the Incarnation, see Solà F. de P., S.J., "San José en Francisco Suárez", *Cahiers de Joséphologies* 25 (1977) 237–251; *idem*, "Josefología del P. Alonso Ezquerro, S.J. (1555–1637)", *Cahiers de Joséphologie* 29 (1981) 210–237; and Gauthier R., C.S.C., "Saint Joseph aux Pays-Bas espagnols au début du XVII^e siècle", in *ibidem* 870–896.

2 *1 Corinthians* 2:9–10, in Challoner R. (ed.), *Douay-Rheims The Holy Bible* (Fitzwilliam, NH: 2013). Also see *1 Corinthians* 2:11–12: 'For what man knoweth the things of a man, but the spirit of a man that is in him? So the things also that are of God, no man knoweth, but the Spirit of God. Now, we have received not the spirit of this world, but the Spirit that is of God: that we may know the things that are given us from God.'

become one, virtually identical. The notion that the heart's spiritual resemblance to Christ can be actively cultivated, that the heart can be moulded in his image, derives from the dynamic conception of the heart codified by Aristotle and Galen who respectively described it as the seat of intelligence, motion, and sensation, and the physical organ most closely related to the soul.

Ignatius of Loyola's *Spiritual Exercises*, first published in 1548 and republished with extensive supplementary directives in 1599, may best be construed as a meditative program designed to bring the exercitant's heart more fully into alignment with Christ by activating that most complex of sensations – human emotions. Here, for example, is what the directory says about energising the heart during the third week of the *Exercises*, which dwells on the form, function, and meaning of the Passion of Christ:

It will also be of assistance to have at hand during this week some sentences of sacred Scripture pertaining to the Lord's passion, from the *Psalms*, or the Prophets, especially Isaiah, or the Gospels, or the Epistles of Paul, which will reveal the magnitude of the sorrows and torments of Christ the Lord, or of his goodness, or of the miracles [he] effected for the reparation of men; all this will be beneficial not only for meditation but very much, too, for excitation of the heart, and also for rooting out a certain feeling of satiety that is wont to set in from the continuation of these same things.³

Although the *Spiritual Exercises* were supervised by a director, they were designed, like other kinds of meditative prayer, for the express purpose of promoting one-to-one contact between the soul and Christ, in a form as direct and unmediated as possible. Each person was given the opportunity of finding a pathway to God and journeying along it. The Jesuits conceived of the ensuing journey as that person's house or vocation, a private locus of spiritual intercourse encompassing the Lord's and the exercitant's hearts, in tandem

3 *Exercitia spiritualia S.P. Ignatii Loyolae, cum sensu eorundem explanato* (Antwerp, Typis Henrici Triuellier: 1696) 78: 'Juvat etiam habere in promptu hac hebdomada aliquas sententias sacrae Scripturae, ad Domini passionem pertinentes, ex psalmis, vel ex Prophetis, et maxime ex Isaia, vel etiam ex Evangeliiis, aut ex epistolis Pauli; quae vel magnitudinem dolorum ac cruciatuum Christi Domini indicent, et ejus bonitatem, aut effectus mirabiles in hominum reparatione, quae extra meditationem valde proderunt ad cor excitandum, et etiam ad tollendam nescio quam satietatem, quae subrepere solet ex continuatione earundem rerum.'

or *in communione*.⁴ Indeed, it might be truer to say that just as the *Spiritual Exercises*, in all four weeks, focus on conversion of the exercitant's heart into a *habitatio Iesu*, so, too, the private, notionally cordiform space that meditative prayer opens up, is a house neither static nor fixed but mobile. Its foundations and walls fluctuate as the votary's spiritual condition fluctuates, becoming stronger or weaker, more opaque or transparent to Christ, as s/he comes closer or goes farther from him. Moreover, this private edifice of faith requires constantly to be monitored, rebuilt, refashioned, as supervenient and efficient grace allow, and the spiritual agency of the votary permits. Jesuit meditative culture shares many features, *mutatis mutandis*, with that of the other reform orders that intensively proselytised and ministered within and beyond the precincts of Antwerp and its religious houses, confraternities, and schools. The manuscript to which we shall now turn is a precious relic of the heart-based prayer propagated at the Jesuit College of Antwerp. Remarkably, it gives access to the private domain of one specific heart, and reveals how that heart labored to enter fully into the loving heart of Jesus, and to be entered by him.

2 Theodoor Galle's *Life of Saint Joseph* Becomes a Jesuit Prayerbook

The *Vita S. Ioseph* includes a dedication plate that functions like a frontispiece, addressed to the 'Most Serene Isabella Clara Eugenia, Infanta of the Spaniards, Regent of the Belgians, Most Devout Votress of the Most Holy Saint Joseph'; the epigraph is signed 'Theodoor Galle most willingly offered this most deserved gift, the *Life of the Great Patriarch*, illustrated with images' [Fig. 15.20].⁵ The *Cor Iesu* is a first edition, printed before the addition of numbers at the lower right, and the dedicatory text identifies the Archduchess, who ruled between 1601 and 1633, abdicating in that latter year, as still 'proregina', sovereign of the Spanish Netherlands [Figs. 15.6–15.18]. These circumstantial details indicate

4 On Ignatius's adherence to the general confession of devotion, as codified in the *Devotio Moderna*, and on his ultimate goal of converting the heart through the exercise of graces stemming from the sacrament of Penance, see O'Malley J.W., S.J., "Some Distinctive Characteristics of Jesuit Spirituality in the Sixteenth Century", in idem, *Saints or Devils Incarnate? Studies in Jesuit History* (Leiden – Boston: 2013) 165–180; and, on the Jesuit notion that journeying in service to Christ and the Church is a kind of house (complementary to the novitiate and professed houses and to the schools), experienced privately in and through the heart, and exercised publicly through ministry, see idem, "To Travel to any Part of the World: Jerónimo Nadal and the Jesuit Vocation", in ibidem 147–164.

5 Plate 36; 'Serenissimae Isabellae Clarae Eugeniae Hispaniarum infanti Belgarum proreginae, Sanctiss. Ioseph cultrici piissimae, Theodorus Galleus magni patriarchae vitam iconibus illustratam mer. Lib. DD'. All translations are mine.

that the manuscript may have been compiled between 1601 and 1633, possibly as early as 1601–1604. Since the prints were neither cut nor pasted in, as was typical of manuscript *libri precum* (books of [meditative] prayer) and *gebedenboeken* (prayer books) organised around printed images, and the bound sheets have uniformly large margins, on which the texts in Dutch were handwritten, it seems likely that the two series were acquired with a view to assembly into a prayer book with interpolated *gebeden* (prayers). The images were expertly and lavishly illuminated, with a wide range of colours applied semi-transparently, leaving the line-work legible and, in places, enhancing it. In addition, numerous details, such as haloes and the fringes of garments, were gilt. The result is a work of mixed genre, part print series, part printed book, part manuscript, the whole resembling an illuminated *liber precum* or *gebedenboek*.

The book's owner was most likely the young man who signed fol. 34r, the final print in the *Cor Iesu* sequence, showing the votary's heart, fully and lovingly consonant with the heart of Jesus, being crowned by the Lord himself, in the presence of God the Father, as if it were the heart of *Sponsa*, the bridegroom's spiritual bride, or of a triumphant martyr, or again, of the Virgin Mary, Queen of Heaven [Fig. 15.18]. Below the two verses in Dutch and the Jesuit motto 'Ad maiorem dei gloriam', Marinus van Heule identifies himself as scribe ('schripsit') and as 'sintaxianus', a student of syntax in the Jesuit college of Onze Lieve Vrouw (Our Lady) in Antwerp.⁶ The notion that one's heart can be wed to the heart of Jesus, or again, that the *anima* (soul) is the *sponsa* (bride) of Christ who is the soul's true *sponsus* (bridegroom), derives from patristic reading of the Parable of the Wise and Foolish Virgins (*Matthew* 25:1–13) codified in the *Glossa ordinaria*, as well as from Bernard of Clairvaux's *Sermons on the Song of Songs*, in which *The Canticle* is read as a nuptial allegory of the soul's marriage to Christ. Although Bernard addressed his sermons to his Cistercian and Benedictine brethren, they were disseminated more widely in the Rhineland and Low Countries, not only amongst the clergy but also the laity, by the mystic theologian Jan van Ruusbroec, by Carthusian authors, and, later and most importantly, by adherents to the *Devotio moderna* such as Geert Groote, co-founder of the Brethren of the Common Life.⁷

6 'Schripsit marinus van heule sintaxianus'.

7 On Jan van Ruusbroec and the dissemination of his writings amongst clergy and laity in the Low Countries, see Warnar G., *Ruusbroec: Literature and Mysticism in the Fourteenth Century* (Leiden: 2007); van Nieuwenhove R., "Ruusbroec, Jordaens, and Herp on the Common Life: The Transformation of a Spiritual Ideal", in Arblaster J. – Faesen R.S.J. (eds.), *A Companion to John of Ruusbroec* (Leiden – Boston: 2014) 204–236; and idem, "Catholic Piety from Ruusbroec and the *Devotio Moderna* to the Legacy of Pierre de Bérulle", in Ayres L. – Volpe M.A. (eds.), *The Oxford Handbook of Catholic Theology* (Oxford: 2019) 577–594, esp. 577–584.

Midway through Galle's *Vita S. Joseph* – at the book's heart, one might say – Van Heule interpolated Wierix's *Cor Iesu* [Fig. 15.6–15.18]. Embedded within the *Vita*'s scenes of the domestic life of the boy Jesus, who learns from Mary and Joseph how to handle household utensils and the implements of the workshop, the *Cor Iesu* describes various stages in the practice of mystical devotion, showing how Jesus comes gradually to dwell within the human soul, finally uniting with the votary, whose heart becomes indistinguishable from his own.⁸ The latter series thus becomes a serial image of Joseph's heart, illustrating the nature and scope of his contemplative devotion to Jesus. Whereas in the *Vita S. Joseph*, Joseph teaches his foster son how to master the carpenter's materials and tools [Figs. 15.22 and 15.24], in the *Cor Iesu* Jesus takes the lead, teaching his foster father how to conform his heart to that of his Saviour [Figs. 15.7–15.18]. The space of the former series is public or semi-public – the streets and temple of Bethlehem, the stable open to the elements and visited by the shepherds and Magi, the household cum workshop in Nazareth; the space of the *Cor Iesu* is insular, closed to worldly temptations, transported heavenward, transparent only to angels, and solely accessible to the boy Christ, whose boyhood alludes to the fact that he is visiting his father's loving heart. The two spaces are mutually defining. The descriptive imagery of the *Vita S. Joseph* leads directly to the allegorical imagery of the *Cor Iesu*, wherein Jesus is seen to penetrate Joseph's heart, both materially and spiritually, *in corpore et spiritu*. Conversely, the symbolic allegory of the heart infuses or, better, saturates the scenography of the *Vita S. Joseph*, inviting the reader-viewer to construe its images as allusions to the heartfelt relation shared by Mary, Jesus, and Joseph, a relation mutually signified through their familial activities as loving father, mother, and son. In this scenario, familiarity with material things stands proxy for the heart's familiarity with Jesus; the artisan Joseph, in concert with Mary, passes on his manual skills, and *mutatis mutandis*, Jesus skillfully fashions his father's heart into a spiritual home and workshop within which he comes eternally to dwell. The events and circumstances narrated in the first series enframe the embedded allegorical series, which then redounds upon the framing images, converting them into allegories of a sort, so that two registers of allegory – and of materiality, that of artisanal things and that of the corporeal heart – can be seen to interact.

The manuscript opens with sixteen plates from the *Vita S. Joseph*: the sequence takes the reader-viewer from the betrothal of Mary and Joseph to the Rest on the Flight into Egypt [Figs. 15.1–15.5]. Next come the title-print and

⁸ The *Cor Iesu amanti sacrum* is unnumbered, and owners of the series could thus exercise considerable latitude in how they ordered the prints.

seventeen plates from the *Cor Iesu* [Fig. 15.6–15.18]. After the closing plate of the *Cor Iesu*, “Christ Crowns the Loving Heart” [Fig. 15.18], the reader-viewer re-enters Galle’s *Vita S. Joseph*: first come the title-print, the dedication page, and “In caelis gloriosa sessio” (Glorious Seat in Heaven), an affirmation of Joseph’s heavenly rank and station [Figs. 15.19–15.21]; the *vita* then re-commences with the life of the Holy Family in Egypt, their return to Nazareth at Christ’s behest, and his tutelage at home and in the workshop (as portrayed here, the two are one and the same) under the watchful eyes of Mary and Joseph [Figs. 15.22–15.24].

3 Wierix’s *Heart of Jesus* as the Heart of Joseph

The most conspicuous of the alterations to Galle’s series was the decision to interrupt it sixteen plates into the cycle of twenty-eight. After “Nocturna hospitatio”, he inserts the *Cor Iesu amanti sacrum* [Figs. 15.5 and 15.6]. The point of transition lies in what this plate shows [Fig. 15.5]: en route to Egypt, the Virgin suckles the infant Jesus, holding him close to her heart; Joseph responds in kind, though more humbly, provisioning their mule, in imitation of Mary whom he sees feeding their son: ‘Gently as she gives suck to the child, so Joseph takes the mule in hand, rejoicing in his service.’⁹ The title-print of the *Cor Iesu* that immediately follows depicts male and female members of various religious orders, including a Capuchin and a Jesuit, labouring to sustain a heart lovingly aflame [Fig. 15.6]. This is the votary’s heart, ‘sacred to the loving Jesus’, in one possible reading of the titular text; but, in an alternative reading, it is also the Lord’s heart, ‘sacred to the lover of Jesus’. The Dutch text, ‘Het herte is heilich dat Godt bemint’, further ambiguates the heart’s identity: it can equally be read as, ‘The heart that loves God is holy’, or, ‘The heart that God loves is holy’. The *Cor Iesu* series, then, purports to tell the story of the heart of Jesus nourished by the votary, as Jesus was nourished by Mary, or the story of the votary’s heart nourished by Jesus, as he spiritually nourished his mother even as she sustained him bodily. More precisely, it tells the story of the relation between the heart of Jesus and that of Joseph, which, as the series progresses, become virtually indistinguishable. Underlying this history of Joseph’s heartfelt *imitatio Christi*, is his loving imitation of the Virgin, as exemplified in “Nocturna hospitatio”. The *hospitatio*, the place that offers hospitality, is by turns Jesus’s

9 ‘Blande natum quando lactat,
Et iumentum Ioseph tractat
Gaudens ministerio’.

heart and Joseph's. The heart, thus conceived, constitutes a zone of privacy so personalised, so removed from public discourse and social exchange, that self and other, *ego* and *ille* coalesce, becoming veritably indistinguishable. The implicit presence of Mary suggests that she too is gathered up into this mystical space of coalescence.

Tellingly, the mid-point of the *Cor Iesu*, in the order wherein it here appears, eight plates from the beginning [Fig. 15.7], and eight from the end [Fig. 15.18], is the plate showing Christ as a painter, brush and palette in hand, portraying the Four Last Things – Death, Judgment, Salvation, and Damnation [Fig. 15.11].¹⁰ The image of the heart as a painter's panel *and* a workshop becomes the series' crucial turning point: after "Christ Paints the Four Last Things", it is the heart variously transformed in the image of Christ that is portrayed. The transfer of hearts becomes far more pronounced, leading ultimately to the elision of the hearts of Jesus and the votary, or rather, of Jesus and Joseph, who functions as a surrogate for the votary throughout the *Cor Iesu*. In "Christ Garlands the Heart, Strewing it with Flowers", for example, the heart is either Christ's or the votary's [Fig. 15.13]; the Latin verses equivocate, simply urging Jesus to augment the heart's efflorescence: 'Bravo, lad! Embroider with roses now this side, now that, encompass them. Wreath the little heart, all of it. // Strew it with the progeny of the springtime dew, with the whole harvest of Chloris: spread for yourself a [flowery] bed'.¹¹ In the last plate, "Christ Crowns the Loving Heart and Adorns It with Palm Fronds", the heart's door is closed, for the heart has become whole and entire [Fig. 15.18]. The ceremony of crowning is either a kind of self-apotheosis jointly effected by the Son and the Father (as witness the radiant tetragrammaton hovering above the heart), or Jesus's crowning of his sovereign queen, more precisely, of the spousal heart of his well-loved and loving bride.

The *Cor Iesu amanti sacrum* is replete with references to Jesus as an artisan who labours assiduously to transform the human heart, striving to bring about its conformation to his own heart. In "Christ Paints the Four Last Things", for instance, the tools which the Latin tercets exhort him to take up are a painter's

10 After the title-print, eight prints follow, then the plate with Christ as painter, which is then followed by eight additional prints; "Christ Paints the Four Last Things", in this ordering of the series, may thus be seen as the pivotal plate around which the others cluster.

11 'Euge puer, rosis pinge,
Latus hoc, et illud cinge,
Totum cinge corculum. //
Sparge foetus verni roris,
Sparge totam messes Chloris:
Sternis tibi lectulum.'

pigments and implements [Fig. 15.11]: 'Jesus, grab hold of the little brushes, and dab holy images onto all of the heart'.¹² His brushstrokes will efface the idle phantasms that merely stain the heart ('inquinabit'), having been applied by Desire, companion to Venus: 'Thus will Venus not profane it, nor desire stain it with with vain phantasms'.¹³ The Dutch text asks him to fill the whole heart with godly little images applied with small brushes.¹⁴ The many allusions to artisanal skill and manual expertise anticipate the final section of the prayer-book. The coalescence of the two hearts whose gradual merger the *Cor Iesu* tracks is replayed in the register of artisanship when one re-enters Galle's print series. Joseph and Jesus are recognised as fellows in craft, becoming increasingly the same, as the master artisan / foster father passes on his skills to his chief apprentice / foster son. What the *Cor Iesu* reveals, however, is that Christ, even before he is apprenticed to Joseph, already qualifies as a master artisan; his workshop is the heart, both his own and his father's, which half-way through the series he transforms into a painter's atelier ("Christ Paints the Four Last Things"), into a builder's workplace ("Christ Fashions the *Arma Christi*"), into a florist's studio ("Christ Garlands the Heart"), reversing the relation between master and apprentice [Figs. 15.11, 15.12, and 15.13]. The mystery of the Incarnation, Christ the Word's humbling of himself in the flesh, and conversely, his elevation and sanctification of that flesh, thus plays out on the level of artisanship, in the shifting relation between Jesus and Joseph, by turns master and apprentice, apprentice and master.

12 I have translated 'conscribillare' as 'dab' to align it with the reference to 'penicilla', but the term can also signify 'to mark with lines' and, as such, would constitute a meta-reference to Wierix's print[s]. My thanks to Lars Cyril Nørgaard for calling this usage to my attention.

13 'Sume Iesu penicilla,
Corque totum conscribilla
Pijs imaginibus: //
Sic nec Venus prophanabit,
Nec Voluptas inquinabit
Vanis phantasmatis'.

14 'Nempt toch iewes het pinselen
en beschrift gheel het herte met
godtvruchtege beldekens.
het 2 deel
alsoo noch venus prophanasert
noch de wellusten besmet met
Idele ghepeisen'.

4 Gracián's *Summario*: Joseph as an Epitome of Spiritual Artisanry

In closing, I want briefly to examine Jerónimo Gracián's *Summario de las excelencias del glorioso S. Joseph, esposo de la Virgen María* (*Summary of the excellences/merits of the glorious saint Joseph, the husband of the Virgin Mary*), one of the treatises on which Marinus van Heule likely drew in assembling and inscribing his prayer book.¹⁵ Gracián's treatise was largely responsible for cementing Joseph's reputation as the saint who, after Mary, most fully harmonised the active and the contemplative lives. Written for the laity and widely read, it would certainly have been well known in the Spanish Netherlands; moreover, as I hope to show, Galle's iconography, his emphasis on Joseph's artisanal virtue in particular, jibes in every respect with Gracián's account. The *Summario* lauds Joseph for his dual competencies: a superbly skilled *faber* (joiner, forger, carpenter, builder), he met his family's every material need, building the house where they dwelt, forging its nails and locks, and furnishing it; an equally skilled votary, he daily engaged in prayer and other spiritual works, striving to build another kind of house for Christ, who thus took up residence in Joseph's heart and soul. Jointly exercised, his active and contemplative abilities prove entirely compatible: he is as much a *faber* of the heart, as a worker of wood, and his spiritual exercises fuel his good works. Gracián compares him initially to Martha, sister of the Magdalene, who was 'anxious, solicitous, and troubled by many things' when Christ called upon them (*Luke* 10:38–42); so too, the Virgin's straitened circumstances and the extreme poverty into which Christ was born, greatly perturbed Joseph:

15 Gracián Jerónimo, *Summario de las excelencias del glorioso S. Joseph, esposo de la Virgen María* (Rome, Antonio Zannetti: 1597) 120–121: '[...] y en ninguno se halló la fee, oracion, mortificacion, piedad y imitacion de Christo, y charidad en mas alto grado que en ellos, es cierto que en ninguno se hallaria en mas alto grado la union con Dios que en Maria, y Joseph'. On Gracián and the *Summario*, see Allison Peers E., *Studies of the Spanish Mystics*, vol. 2 (London: 1927–1960) 151–189; Moriones I., "Jérôme de la Mère de Dieu", in de Guibert J., s.j. – Viller M. – Cavallera F. (eds.), *Dictionnaire de spiritualité*, vol. 8 (Paris: 1974) cols. 920–928; Carrasco J.A., "Fray Jerónimo Gracián de la Madre de Dios y su *Summario de las excelencias del glorioso S. Joseph, esposo de la Virgen María o Josefina*", *Cahiers de Joséphologie* 25 (1977) 295–322; Pacho E., "Jerónimo Gracián de la Madre de Dios: vida y obra", in Pacho E. (ed.), *El Padre Gracián: Discípulo, amigo, provincial de Santa Teresa* (Burgos: 1984) 7–57; Lorenz E., "A Carmelite in Slavery: Father Gracián, Friend of Teresa of Jesus", *Mount Carmel* 35 (1987) 51–63; and Chorprenning J., o.s.f.s., "Introduction", in Chorprenning J., (ed.), *Just Man, Husband of Mary, Guardian of Christ: An Anthology of Readings from Jerónimo Gracián's Summary of the Excellences of St. Joseph* (1597) (Philadelphia, PA: 1993) 1–64.

Tell me, who has ever read that a man faithful, discreet, and of noble birth would desire to do otherwise than provide hospitality if his legitimate king, with whose great majesty he was acquainted, and from whom he hoped for every remedy, were to visit his house? What [would he feel] if he had no bed in which to lay him down, no place of refuge, were such a king to come calling in great need?¹⁶

Whereas the first third of Van Heule's prayerbook, plates 2–16, focusing on the infant Christ, characterises Joseph as a man heavily burdened by the cares of fatherhood, the next third of the prayerbook, comprising the eighteen plates of the *Cor Iesu amanti sacrum*, might best be described as showing how Joseph, formerly likened to Martha, now becomes more like her sister Mary, whose prayerful attention Christ praises in *Luke* 10:42, and whom exegetical tradition identified as Mary Magdalene: 'Mary hath chosen the best part, which shall not be taken away from her'. As the first third of the prayerbook concludes with the journey into Egypt, so plate 18 initiates the spiritual journey to be undertaken by Joseph: the child Jesus embraces his foster father's heart, shielding it from the personifications of worldly cares and temptations round about [Fig. 15.7]. The Latin verses counsel this heart to identify with the heart of Christ ('Christi sinus') wherein it may shelter from the importunate world. The tercets turn on the term *sinus* (heart, but also hiding place or place of refuge): 'The false world adorns [her] face; fraud conceals in order to deceive. Trust not her blandishments. If you wish to escape the net, seek the heart of Christ, far from snares.'¹⁷ The subsequent sixteen plates chronicle the steps taken by Jesus in concert with the heart, as they become increasingly alike and, finally, indistinguishable. This point is reached in plate 33, which portrays Christ standing within Joseph's fiery, loving heart, and offering him his own heart, equally aflame [Fig. 15.17]. Fiery with the love of Jesus, Joseph's heart subsumes Jesus; by the same token, Jesus proffers his heart fiery with the love of Joseph. The Latin verses simultaneously address both hearts, emphasising that they have

16 Gracián, *Summario* 189–190: 'Digame quien esto leyere, que sentiria un hombre piadoso, discreto, y noble de condicion, si viniessse a sus casa su natural Rei, de quien conosciessse grandeza de Magestad, y esperasse todo su remedio, sino tuviesse con que hospedalle? Ni cama en que le acostan, y el Rey viniessse tan necessitado, que en otra parte no tuviesse refugio'.

17 'Fallax mundus ornat vultus,
Dolus latet sed occultus:
Ne crede blanditijs – //
Hoc vitare si vis rete;
Cito Christi sinus pete
Procul ab insidijs'.

become one and the same: 'Behold, Jesus extends his hands armed with flames, ignites the heart with firebrands on this side and on that. Come! Let the heart be consumed; let it be reduced to ash by the fires of love'.¹⁸

The interior journey extending from plates 19 to 33 closely follows that described by Gracián in chapter 3 of book III, "On the perfection of Joseph's soul, [in which] is declared that perfection is the union of the soul with Christ; the differences and component parts of the union are adduced, and how Joseph was excellent in all these".¹⁹ Viewed through the lens of Gracián, the *Cor Iesu amanti sacrum* can be said to track the growing perfection of Joseph's heart as it approaches the 'summit of charity' ('cumbre de la charidad'), becoming a kind of living oratory ('paradero de los exercitios de oracion', i.e., a dwelling-place for spiritual exercises), wherein true perfection, which is the 'union between God and the soul' ('perfection es union entre Dios, y el alma'), may be discerned.²⁰ The means to perfection, says Gracián, is prayer ('el principio de toda la perfection es la oracion'), and the *Cor Iesu amanti sacrum* demonstrates how Joseph achieves spiritual perfection through his heart's contemplative engagement with Jesus.²¹ Plate 33, the series' penultimate episode, exemplifies Gracián's conviction that 'unity [...] is the aim of all contemplation', through which the 'votary binds his works to Christ, who is their true source, attaching him interiorly to the soul as its first principle, final end, and the means to that end'.²²

The prayerbook's first part, plates 1–16, concludes with "Nocturna hospitatio" (Nocturnal Lodging), in which Joseph sets about the task of feeding the family's pack animals [Fig. 15.5]. Plate 19 answers this plate, both as complement and antithesis: posed like Joseph (though turned 180 degrees), and placed like him at the threshold of a dwelling (though outside), Jesus knocks at the door of his foster father's heart, urging him to set aside his many pressing concerns; he should instead listen to the gentle beating of the *cor Iesu* [Fig. 15.8]:

18 'En armatas flammis tendit
Iesus manus, cor accendit
Hinc et illinc facibus. //
Age, totum comburatur,
In favillam redigatur
Cor amoris ignibus'.

19 Gracián, *Summario* 117: "De la perfeccion del alma de Ioseph: declarase que la perfeccion es union del alma con Christo: ponense las diferencias, y partes de la Union, y como en todas ellas fue aventajado Ioseph".

20 Ibidem 117–118.

21 Ibidem 118.

22 Ibidem 119: '[...] la unidad, por que esta es el fin de toda la contemplacion [...] que contemplando llegan a juntar sus obras, con el primer principio, y juntando dentro de su anima el principio, fin, y medio, hazen de todo una cosa dentro de sí'.

Outside, Jesus knocks at the door of the heart, falls silent, and listens to his little heart's voice.

Arise, heart, undo the bolt: what need is there for action; [instead] meditate the advent of the little bridegroom.²³

Jesus further resembles Joseph as he appears in plate 8, "Hospitii perquisitio" ("Search for Lodging"), poised at the threshold of the inn, and plate 9, "Sponsae Virginis parturitio" ("Parturition of the Virgin Bride"), where he bends over the newborn Christ, one arm raised, the other lowered [Figs. 15.2 and 15.3]. These similarities illustrate the first of the five kinds of union leading by degrees to complete oneness with Christ, enumerated by Gracián in chapter 3 of book III: "The mystical theologians treating of the union between one and another thing put forward five constituent parts. The first they call *unio similitudinis*, which is to say, union of likeness'.²⁴

Once Christ enters Joseph's heart, lighting its innermost recesses (plate 20), emptying them of worldly things (plate 21), washing them with his blood (plate 22), and purifying them, he effects the second degree of union – *unio propinquitatis* – the union of propinquity, when two things are made adjacent and 'joined, like hands linked'.²⁵ In plate 24, Joseph is finally transformed into the living house of God, the throne room from which Christ reigns [Fig. 15.9]. The Latin tercets aver that Jesus, working from within, effects a change in the appearance of the votary, whose face becomes as placid as the Lord's, once the cares of the world have been dispelled:

Whose face does he not make serene? Behold, Jesus holds the sceptre in the palace of the heart.

Throw open your face to Jesus alone; commend to him what you will; give to him what you commit. We are present in obedience.²⁶

23 'Ultero cordis portam pultat
Iesus, silet, et auscultat
Vocem sui corculi. //
Cor exsurge, vectem solve:
Quid sit opus factu, volve
In adventum sponsuli'.

24 Gracián, *Summario* 121: 'Los Theologos misticos tratando de la union entre otras ponen cinco partes della. La primera llaman *unio similitudinis*, que es dezir union de semejanza, y es la que ay entre dos cosas que se parecen'.

25 Ibidem: 'La segunda, *unio propinquitatis*, union de cercania, quando dos cosas estan juntas una con otra, como quando dos manos se ayuntan'.

26 'Quis hic vultum non serenet?
Iesus ecce scepra tenet
Cordis in palatio. //

The third degree of union – *unio inhaesionis* – the union of adhesion, by which the things of Christ are made to stick, cleaving to the heart ‘like wax adhering to a wall’, is illustrated in plates 25 and 26 [Figs. 15.10 and 15.11].²⁷ In the former, these things are the words of Holy Writ: Jesus holds open a gospel book inscribed with the passage, ‘They shall be taught of God’ (*John* 6:45: ‘Erunt omnes dobiciles Dei’, literally, ‘They shall become apt to learn of God’). The tercet reads:

These are they who give ear to Plato, or to eloquent Cicero, or to the foolishness of the world.

Spurn not the words of life. Listen to the words of Wisdom of the eternal Father.²⁸

In the latter, the *doctrina Christi* adheres in the form of images painted onto the heart by Christ himself.²⁹

Plates 27–30 encapsulate the fourth degree of union – *unio conversionis* – the union of conversion, ‘when two things are converted into one by virtue of heat or some other quality, in the manner of sugar and quinces, which are made into marmalade, or like any other conserves or electuaries’ [Figs. 15.12–15.14].³⁰ In plate 27, Jesus implants the *arma Christi* in the heart, causing it to participate in his Passion, so that his suffering and the heart’s meld, and his purity evacuates the sickness of sin [Fig. 15.12]:

Iesu tantum ora pandas
Manda quod vis, dat quod mandas:
Adsumus obsequio’.

And alternative translation would read: ‘Jesus only reveal your face; command what you will; bring forth what you command. We stand ready to obey’.

27 Ibidem: ‘La tercera, *unio inhaesionis*, que es dezir de apegamiento, o aferramiento, como quando la cera se pega a la pared’.

28 ‘Sunt auscultent qui Platoni,
Aut facundo Ciceroni,
Aut Mundi stultitiae. //
Tu ne verba vitae sperne:
Audi Patris aeviternae
Dicta Sapientiae’.

29 See footnotes 12 and 13 *supra*.

30 Ibidem: ‘La quarta, *unio conversionis*, quando dos cosas por virtud del calor, o de otra calidad, se convierten en una, de la manera que del açúcar, y membrillo, se haze la mermelada, o qualesquier otras conservas, o letuarios’.

Good Jesus, fashion the cross, the scourge, the savage lance, fashion them in the basement of the heart.

No sickness shall prevail when you, with this small nosegay of myrrh, devise preservatives against disease.³¹

In plate 28, the roseate presence of Christ causes the heart to effloresce: wreathed with a bridal crown, the fragrant heart is conjoined with Christ, as his roseate bride [Fig. 15.13]³²

The final three plates, 32–34, reveal that Joseph has achieved the fifth and highest stage of union – *unio naturalis* – the union of natures like unto that which ‘exists between the soul and the body whereof a human being is composed’ [Figs. 15.16–15.18].³³ Plate 32 illustrates how deeply Christ has penetrated Joseph’s soul; he has pierced him so thoroughly that no further wounds are possible [Fig. 15.16]. The dove of the Holy Spirit hovering above the heart’s valve confirms that the heart is now saturated by divine grace: ‘Enough now, Jesus, you have wounded it; enough now, with fiery arrows you have wholly penetrated it. Desire, be far, far from here: for this celestial Cupid shall conquer [bodily] fire with [spiritual] fire’.³⁴ In plate 34, God the Father, present in the form of the tetragrammaton, consecrates the loving union of Jesus and Joseph: surrounded by angels bearing palms and wreaths, the heart victorious is crowned by Christ, its royal consort and bridegroom [Fig. 15.18]:

31 ‘Bone Iesu conde crucem,
Virgam, lanceamque truem,
Conde in imo corculo. //
Nulla praevallebit lues,
Amuleta quando strues
Hoc myrrhae fasciculo’.

32 See page 324 and footnote 11 *supra*.

33 Gracián, *Summario* 121: ‘La quinta, union natural, que se halla entre el alma, y el cuerpo de que se compone un hombre’.

34 ‘Sat est, Iesu, vulnerasti,
Sat est, totum penetrasti
Sagittis ardentibus. //
Procul, procul hinc libido:
Nam caelestis hic Cupido
Vincet ignes ignibus’.

O blessed condition of Love! After so many games, so many signs of honor, so many joys,

The diadem of the kingdom is given, and the heart is adorned with plams of immortal glory.³⁵

In effect, a marriage ceremony and coronation are jointly enacted, and the union of Jesus and Joseph is thereby doubly sanctioned. Jesus is both bridegroom and officiating priest, and Joseph is the bride, with the four angels as witnesses. Their attributes – wreaths and crossed palms – signify the triumphant felicity of the *sponsus* and *sponsa* (bridegroom and bride), whose spiritual union has vanquished every earthly vicissitude. That the interior of heart is no longer visible, its valve alone open to the Father's light, alludes to the intensely private nature of this nuptial celebration: even though Jesus would seem to be standing outside the heart, he is to be understood as fully united with it, in a spiritual sense enclosed by it. Indeed, the prior print declares that Jesus and the heart, shown engulfed by flames, have been conjoined by the power of love: he stands within it and makes an offering of his own heart, likewise aflame, which he holds in his right hand.³⁶ The dual conflagration of heart within heart testifies to the merger of Jesus and Joseph, whose union is then sealed sacramentally in the series' final print.

The final set of twelve plates return to the public sphere of familial and artisanal labour: Joseph labours more concentratedly in Egypt, en route to Nazareth, and in the holy family's workshop home to serve and imitate Christ, in light of his heart's transformation [Figs. 15.19–15.24]. If Joseph is a signal

35 'O beata sors amoris
Post tot lusus, tot honoris
Signa, tot laetitiae, //
Diadema regni datur,
Et cor palmis exornatur
Immortalis gloriae'.

36 'En armatas flammis tendit
Iesus manus, cor accendit
Hinc et illinc facibus. //
Age, totum comburatur,
In favillam redigatur
Cor amoris ignibus'.

'Behold, Jesus extends his hands armed with flames, ignites the heart with firebrands on this side and on that. Come! Let the heart be consumed; let it be reduced to ash by the fires of love'.

contemplative, he is also an exceptional artisan, as Gracián asserts in chapter 5 of book II, “On the mystery to be inferred from Joseph’s having been a carpenter, and from Jesus having exercised the same office, and on that which we owe this saint for having been instructed by Christ about the fabric of the Catholic Church; in which [chapter] are advanced some praises of the art of carpentry”.³⁷ Here he argues that the *fabrica* (builder’s art) practised by Joseph and Jesus was both material and spiritual. Their efforts in the workshop were an earnest – a token, promise, or assurance – of the finer art of fabricating human hearts (he uses the term *consciencias*) into a place of habitation where divine love, bodied forth by Christ, can take up residence and flourish.³⁸ It is as if Gracián were describing the relation between the workshop scenes in the *Vita S. Joseph* and the scenes of Christ refashioning Joseph’s heart into a suitable habitation for himself in the *Cor Iesu amanti sacrum*. The two series thus entwine into an ingenious chiasmus: in the *Vita S. Joseph*, it is Joseph who teaches carpentry to Christ in the semi-public sphere of the artisanal home [Figs. 15.22 and 15.24]; in the intensely private sphere of the *Cor Iesu amanti sacrum*, it is Christ who rebuilds Joseph’s heart from within [Figs. 15.7–15.18]:

In the first book, I put forward five admonitions whereby the soul can be married to grace by means of penitence; in this second [book], I shall adduce five others, to teach the art of fashioning a habitation for divine love in our consciences: wherefore we have declared that Joseph was a carpenter, and Jesus, the son of the builder of the world, exercised the office of carpentry, and said that he who loves him shall keep his commandments, and God shall dwell in his heart [*John* 14:15 and 14:23]; I wish to teach in five rules the art of labouring over your conscience, so that it may be a pleasant and worthy dwelling place of God, and a receptacle of charity.³⁹

37 Gracián, *Summario* 78: “Del misterio que se colige en haver sido S. Ioseph carpintero, y que el mesmo officio exercito Iesus, y lo que devemos a este Sancto, por haver Christo comunicado con el la fabrica de la Yglesia Catholica. Ponense algunas alabanças del arte de Carpinteria”.

38 Gracián, *Summario* 86–90, esp. 86.

39 *Ibidem*, 86: ‘En el primer libro puse cinco avisos, con que se puede desposar el alma con la gracia mediante la penitencia, en este segundo pondre otros cinco para enseñar el arte, con que se fabrica la morada del amor de Dios en nuestras consciencias: que pues hemos declarado que S. Ioseph fue carpintero, y Iesus hijo del fabricador del mundo uso el officio

5 Conclusion: Material / Spiritual Construction of the Heart

Extending the analogy between carpentry and soul-formation, Gracián invites his readers to mark the board of conscience and the beam of the heart with the red-chalked cord of knowledge, to make straight the edges of good propositions, and to square all that one does, justifying it with the plumb, compass, and ruler. One must make use of ‘el compas de la consideracion’ (‘the compass of consideration’), of ‘el cartabon de la rectitud, y la esquadra de la conformidad a la ley divina’ (‘the square of rectitude and of conformation to the divine law’). With ‘la sierra de la palabra de Dios’ (‘the saw of the word of God’), the soul must be purified, made even and level. Through the practice of virtue, the heart is set upon ‘el banco de la rectitud’ (‘the workbench of rectitude’) fixed in ‘el barleto de la verdad’ (‘the holdfast of truth’), and worked with ‘la juntera de la prudencia, escofina de la templança, y grafil de la fortaleza, [...] la gubia del rendimiento, y todos los demas hierros de hazer cornijas’ (‘the plane of prudence, the rasp of temperance, the graver of fortitude, the gouge of submission, and other tools for crafting ornaments such as mouldings’).⁴⁰ Gracián’s ingenious alignment of two species of artisanal imagery – of the

de carpinteria, y el dize que “el que le ama guardara sus mandamientos, y Dios morara en su coraçon”; quiero os enseñar con cinco reglas el arte de labrar vuestra consciencia, para que sea agradable, y digna morada de Dios, y receptaculo de la charidad’.

⁴⁰ The full text of the passage, in *ibidem*, 86–87, reads: ‘[...] tome la cartilla, o deprenda donde se enseña, y lleve la guarda de la ley por regla, y nivel en todas sus acciones, heche el cordel de almagrar del conocimiento sobre la tabla de su consciencia, y madero de su coraçon, para hazer derechos los filos de los buenos propositos, y con el compas de las consideracion, el cartabon de la rectitud, y la esquadra de la conformidad a la ley divina procure que quadre, y venga al justo a plomo, a compass, y medida todo lo que hiziere, con lo que Dios le manda.

‘Sabida la ley, procure lo segundo, poner mas pura, mas limpia, y mas ygualel alma para recibir la charidad, y para esto tome la sierra de la palabra de Dios, oyendo a menudo sermons, “para que divida, y aparte” (como da a entender S. Pablo) todo lo “que fuere carne, de lo que es spiritu” [Galatians 5:17 and Hebrew 4:12]: desbaste con la azuela del arrepentimento, y acepille con el cepillo de la mortificacion su espiritu, alisandole lo mas que pudiere con la lima del recato, para que desta suerte limpia de peccados, llana sin los altos de sobervia, y baxos de la pusilanimidad, y lisa de las desordenadas passiones, sin impedimento alguno que de su alma labrada para el verdadero amor de Dios.

‘Despues de limpia la consciencia, conviene lo tercero, adornarla de labores con el exercicio de las virtudes. Assiente su coraçon sobre el banco de la rectitud, y justicia, que este muy fixo con el barleto de la verdad, y con la juntera de la prudencia, escofina de la templança, y grafil de la fortaleza, vayasse labrando, y puliendo con la gubia del rendimiento, y todos los demas hierros de hazer cornijas, que son las particulares virtudes, que por ser muchas no las particularizo’.

workshop and of the heart – beautifully correlates to the calibration of the *Vita S. Joseph* and the *Cor Iesu amanti sacrum* in Marinus van Heule's prayerbook. As Gracián juxtaposes carpentry and self-construction, the semi-public space of the workshop and the recondite chamber of the heart, so Van Heule characterises Joseph as a carpenter whose tools and materials encompass both the body and the soul, and whose heart gives evidence of the high artifice of that greatest of spiritual carpenters – Jesus.

The material spaces depicted throughout the interwoven series by Galle and Wierix are varied and complex, ranging from outdoor to indoor scenes, from oratory to temple, from bedchamber to workshop. The placement of the *Cor Iesu amanti sacrum* amongst two sets of scenes from Galle's *Vita S. Joseph* serves to identify Wierix's intensely private cordiform images with Joseph: they become images of *his* heart. Conversely, they invite the votary – namely, Van Heule – to view every aspect of Joseph's *vita* through the filter of his heart's relation to the heart of Jesus. This is to say that the prayerbook distinguishes privacy both by kind and degree: for example, it discriminates between the public sphere of the *hospitium* (inn) (plate 8) [Fig. 15.2] and the private, familial sphere of the *commoratio* (dwelling) (plate 38). But it also distinguishes between material and spiritual privacy, between Joseph's terrestrial workshop-home (plate 46) [Fig. 15.24] and the spiritual workshop into which Christ the painter transforms his adoptive father's heart (plate 26) [Fig. 15.11]. Seen in this light, the workshop as a material space redounds upon the workshop of the heart, and vice-versa, so that one kind of privacy comes to signify, by a process of analogy, the other kind. Or put differently, the material circumstances of Joseph's life can be seen to allude to that life's spiritual circumstances, almost to function as an allegory of them, and complementarily, to be converted into an allegory by them.



FIGURE 15.1 Theodoor, Cornelis, and/or Jan Galle, "Cum beatissima Virgine desponsatio" (Betrothal to the Most Blessed Virgin), from *Vita S. Joseph beatissimae Virginis sponsi patriarcharum maximi iconibus delineata ac versiculis ornata* (*Life of St. Joseph, Husband of the Most Blessed Virgin, Greatest of the Patriarchs, Portrayed in Images and Ornamented with Verses*), ca. 1601–1633. Engraving, 8.7 × 6.3 cm. Antwerp, Plantin Moretus Museum, MPM R 35



FIGURE 15.2 Theodorus, Cornelis, and/or Jan Galle, “Hospitii perquisitio” (Search for Lodging), from *Vita S. Joseph beatissimae Virginis sponsi patriarcharum maximi iconibus delineata ac versiculis ornata* (*Life of St. Joseph, Husband of the Most Blessed Virgin, Greatest of the Patriarchs, Portrayed in Images and Ornamented with Verses*), ca. 1601–1633. Engraving, 8.8 × 5.3 cm. Antwerp, Plantin Moretus Museum, MPM R 35



FIGURE 15.3 Theodoor, Cornelis, and/or Jan Galle, "Sponsae Virginis parturitio" (Parturition of the Virgin Bride), from *Vita S. Joseph beatissimae Virginis sponsi patriarcharum maximi iconibus delineata ac versiculis ornata* (*Life of St. Joseph, Husband of the Most Blessed Virgin, Greatest of the Patriarchs, Portrayed in Images and Ornamented with Verses*), ca. 1601–1633. Engraving, 8.9 × 5.3 cm. Antwerp, Plantin Moretus Museum, MPM R 35



FIGURE 15.4 Theodoor, Cornelis, and/or Jan Galle, "In Aegyptum transmigratio" (Flight into Egypt), from *Vita S. Ioseph beatissimae Virginis sponsi patriarcharum maximi iconibus delineata ac versiculis ornata* (*Life of St. Joseph, Husband of the Most Blessed Virgin, Greatest of the Patriarchs, Portrayed in Images and Ornamented with Verses*), ca. 1601–1633. Engraving, 8.9 × 5.3 cm. Antwerp, Plantin Moretus Museum, MPM R 35



FIGURE 15.5 Theodoor, Cornelis, and/or Jan Galle, Theodoor, Cornelis, and/or Jan Galle, "Nocturna hospitatio" (Nocturnal Lodging), from *Vita S. Joseph beatissimae Virginis sponsi patriarcharum maximi iconibus delineata ac versiculis ornata* (*Life of St. Joseph, Husband of the Most Blessed Virgin, Greatest of the Patriarchs, Portrayed in Images and Ornamented with Verses*), ca. 1601–1633. Engraving, 8.8 × 5.4 cm. Antwerp, Plantin Moretus Museum, MPM R 35



FIGURE 15.6 Antoon II Wierix, *Cor Iesu amanti sacrum* (Heart of Jesus Sacred to the Loving Votary or, alternatively, Heart Sacred to the Loving Votary of Jesus) (Antwerp, Antoon II Wierix: before 1604), title-page. Engraving, 9.1 × 5.6 cm. Antwerp, Plantin Moretus Museum, MPM R 35



FIGURE 15.7 Antoon II Wierix, "Fallax mundus ornat vultus" (The false world adorns her face), from *Cor Iesu amanti sacrum* (Heart of Jesus Sacred to the Loving Votary or, alternatively, Heart Sacred to the Loving Votary of Jesus), in *Vita S. Ioseph beatissimae Virg inis sponsi patriarcharum maximi iconibus delineata ac versiculis ornata* (*Life of St. Joseph, Husband of the Most Blessed Virgin, Greatest of the Patriarchs, Portrayed in Images and Ornamented with Verses*), ca. 1601–1633. Engraving, 9.1 × 5.7 cm. Antwerp, Plantin Moretus Museum, MPM R 35



FIGURE 15.8 Antoon II Wierix, “Ulro cordis portam pultat” ([Christ] knocks at the door of the [shuttered] heart), from *Cor Iesu amanti sacrum* (Heart of Jesus Sacred to the Loving Votary or, alternatively, Heart Sacred to the Loving Votary of Jesus), in *Vita S. Ioseph beatissimae Virginis sponsi patriarcharum maximi iconibus delineata ac versiculis ornata* (Life of St. Joseph, Husband of the Most Blessed Virgin, Greatest of the Patriarchs, Portrayed in Images and Ornamented with Verses), ca. 1601–1633. Engraving, 9.1 × 5.7 cm. Antwerp, Plantin Moretus Museum, MPM R 35



FIGURE 15.9 Antoon II Wierix, "Quis hic vultum non serenet?" (Whose face does he not make serene?), from *Cor Iesu amanti sacrum* (Heart of Jesus Sacred to the Loving Votary or, alternatively, Heart Sacred to the Loving Votary of Jesus), in *Vita S. Ioseph beatissimae Virginis sponsi patriarcharum maximi iconibus delineata ac versiculis ornata* (Life of St. Joseph, Husband of the Most Blessed Virgin, Greatest of the Patriarchs, Portrayed in Images and Ornamented with Verses), ca. 1601–1633. Engraving, 9.2 × 5.6 cm. Antwerp, Plantin Moretus Museum, MPM R 35



FIGURE 15.10 Antoon II Wierix, “Sunt auscultent qui Platoni” (These are they who give ear to Plato), from *Cor Jesu amanti sacrum* (Heart of Jesus Sacred to the Loving Votary or, alternatively, Heart Sacred to the Loving Votary of Jesus), in *Vita S. Ioseph beatissimæ Virginis sponsi patriarcharum maximi iconibus delineata ac versiculis ornata* (*Life of St. Joseph, Husband of the Most Blessed Virgin, Greatest of the Patriarchs, Portrayed in Images and Ornamented with Verses*), ca. 1601–1633. Engraving, 9.1 × 5.4 cm. Antwerp, Plantin Moretus Museum, MPM R 35



FIGURE 15.11 Antoon II Wierix, "Sume Iesu penicilla" (Jesus, grab hold of the little brushes), from *Cor Iesu amanti sacrum* (Heart of Jesus Sacred to the Loving Voluntary or, alternatively, Heart Sacred to the Loving Voluntary of Jesus), in *Vita S. Ioseph beatissimae Virginis sponsi patriarcharum maximi iconibus delineata ac versiculis ornata* (Life of St. Joseph, Husband of the Most Blessed Virgin, Greatest of the Patriarchs, Portrayed in Images and Ornamented with Verses), ca. 1601–1633. Engraving, 9.1 × 5.7 cm. Antwerp, Plantin Moretus Museum, MPM R 35



FIGURE 15.12 Antoon II Wierix, “Bone Iesu conde crucem” (Good Jesus, fashion the cross), from *Cor Iesu amanti sacrum* (Heart of Jesus Sacred to the Loving Votary or, alternatively, Heart Sacred to the Loving Votary of Jesus), in *Vita S. Ioseph beatissimae Virginis sponsi patriarcharum maximi iconibus delineata ac versiculis ornata* (Life of St. Joseph, Husband of the Most Blessed Virgin, Greatest of the Patriarchs, Portrayed in Images and Ornamented with Verses), ca. 1601–1633. Engraving, 9.0 × 5.6 cm. Antwerp, Plantin Moretus Museum, MPM R 35



FIGURE 15.13 Antoon II Wierix, "Euge puer, rosis pinge" (Bravo, boy, embroider with roses), from *Cor Iesu amanti sacrum* (Heart of Jesus Sacred to the Loving Votary or, alternatively, Heart Sacred to the Loving Votary of Jesus), in *Vita S. Ioseph beatissimae Virginis sponsi patriarcharum maximi iconibus delineata ac versiculis ornata* (Life of St. Joseph, Husband of the Most Blessed Virgin, Greatest of the Patriarchs, Portrayed in Images and Ornamented with Verses), ca. 1601–1633. Engraving, 9.0 × 5.8 cm. Antwerp, Plantin Moretus Museum, MPM R 35



FIGURE 15.14 Antoon II Wierix, “Cor exulta, quid moraris?” (Rejoice, heart, why do you delay?), from *Cor Iesu amanti sacrum* (Heart of Jesus Sacred to the Loving Votary or, alternatively, Heart Sacred to the Loving Votary of Jesus), in *Vita S. Ioseph beatissimae Virginis sponsi patriarcharum maximi iconibus delineata ac versiculis ornata* (Life of St. Joseph, Husband of the Most Blessed Virgin, Greatest of the Patriarchs, Portrayed in Images and Ornamented with Verses), ca. 1601–1633. Engraving, 9.1 × 5.6 cm. Antwerp, Plantin Moretus Museum, MPM R 35



FIGURE 15.15 Antoon II Wierix, "Pulsa chordas, sonet chelys" (Pluck the strings, let the lyre sound), from *Cor Iesu amanti sacrum* (Heart of Jesus Sacred to the Loving Votary or, alternatively, Heart Sacred to the Loving Votary of Jesus), in *Vita S. Ioseph beatissimae Virginis sponsi patriarcharum maximi iconibus delineata ac versiculis ornata* (Life of St. Joseph, Husband of the Most Blessed Virgin, Greatest of the Patriarchs, Portrayed in Images and Ornamented with Verses), ca. 1601–1633. Engraving, 9.1 × 5.8 cm. Antwerp, Plantin Moretus Museum, MPM R 35



FIGURE 15.16 Antoon II Wierix, “Sat est, Iesu, vulnerasti” (Enough now, Jesus, you have wounded it), from *Cor Iesu amanti sacrum* (Heart of Jesus Sacred to the Loving Votary or, alternatively, Heart Sacred to the Loving Votary of Jesus), in *Vita S. Ioseph beatissimae Virginis sponsi patriarcharum maximi iconibus delineata ac versiculis ornata* (*Life of St. Joseph, Husband of the Most Blessed Virgin, Greatest of the Patriarchs, Portrayed in Images and Ornamented with Verses*), ca. 1601–1633. Engraving, 9.1 × 5.7 cm. Antwerp, Plantin Moretus Museum, MPM R 35



FIGURE 15.17 Antoon II Wierix, "En armatas flammis tendit Iesus manus" (Behold, Jesus extends his hands armed with flames), from *Cor Iesu amanti sacrum* (Heart of Jesus Sacred to the Loving Votary or, alternatively, Heart Sacred to the Loving Votary of Jesus), in *Vita S. Ioseph beatissimae Virginis sponsi patriarcharum maximi iconibus delineata ac versiculis ornata* (*Life of St. Joseph, Husband of the Most Blessed Virgin, Greatest of the Patriarchs, Portrayed in Images and Ornamented with Verses*), ca. 1601–1633. Engraving, 9.1 × 5.6 cm. Antwerp, Plantin Moretus Museum, MPM R 35



FIGURE 15.18 Antoon II Wierix, "O beata sors amoris!" (O blessed condition of love), from *Cor Iesu amanti sacrum* (Heart of Jesus Sacred to the Loving Votary or, alternatively, Heart Sacred to the Loving Votary of Jesus), in *Vita S. Ioseph beatissimae Virginis sponsi patriarcharum maximi iconibus delineata ac versiculis ornata* (Life of St. Joseph, Husband of the Most Blessed Virgin, Greatest of the Patriarchs, Portrayed in Images and Ornamented with Verses), ca. 1601–1633. Engraving, 9.0 × 5.5 cm. Antwerp, Plantin Moretus Museum, MPM R 35



FIGURE 15.19 Theodoor Galle, *Vita S. Joseph beatissimae Virginis sponsi patriarcharum maximi iconibus delineata ac versiculis ornata* (*Life of St. Joseph, Husband of the Most Blessed Virgin, Greatest of the Patriarchs, Portrayed in Images and Ornamented with Verses*) (Antwerp, Theodoor Galle: ca. 1601–1633). Engraving, 10.1 × 6 cm. Antwerp, Plantin Moretus Museum, MPM R 35

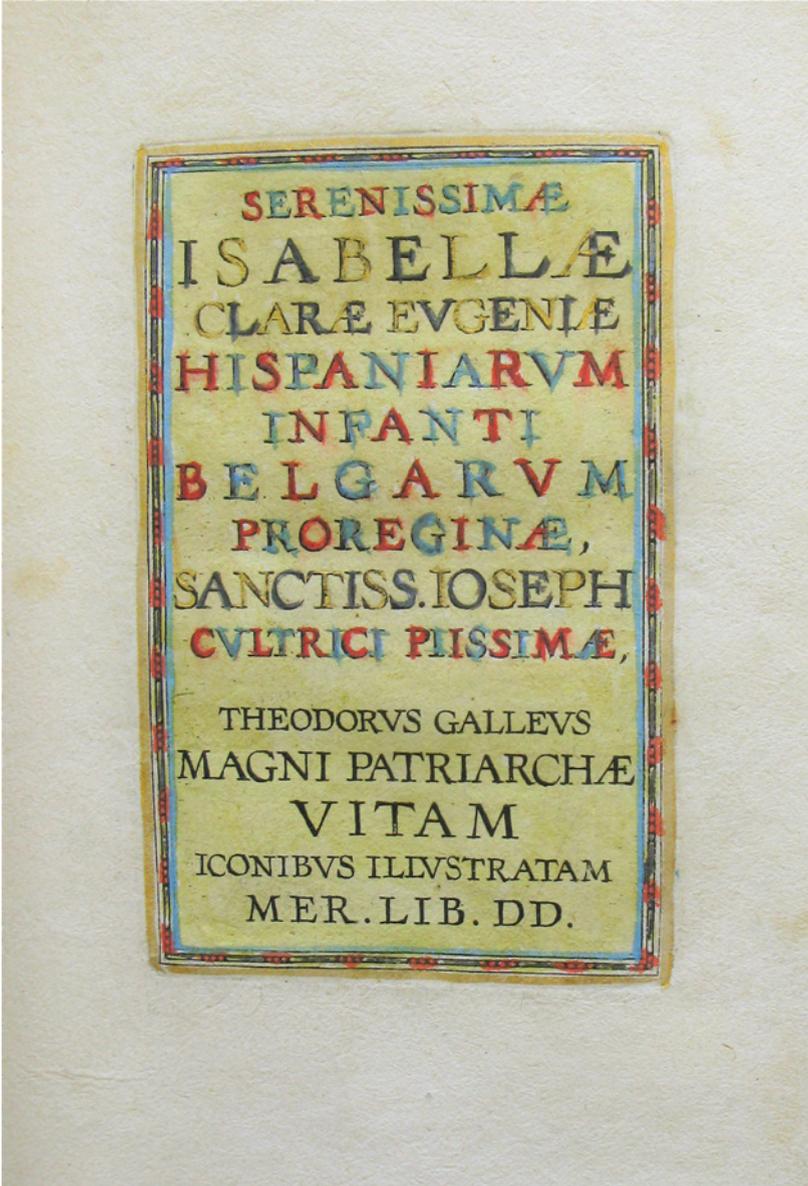


FIGURE 15.20 Theodoor Galle, “Serenissimae Isabellae Clarae Eugeniae Hispaniarum Infanti” (To the most serene Infanta of the Spaniards, Isabella Clara Eugenia), from *Vita S. Joseph beatissimae Virginis sponsi patriarcharum maximi iconibus delineata ac versiculis ornata* (*Life of St. Joseph, Husband of the Most Blessed Virgin, Greatest of the Patriarchs, Portrayed in Images and Ornamented with Verses*) (Antwerp, Theodoor Galle: ca. 1601–1633). Engraving, 9.3 × 5.9 cm. Antwerp, Plantin Moretus Museum, MPM R 35



FIGURE 15.21 Theodoor Galle, "In caelis gloriosa sessio" (Glorious Seat in Heaven), from *Vita S. Joseph beatissimae Virginis sponsi patriarcharum maximi iconibus delineata ac versiculis ornata* (Life of St. Joseph, Husband of the Most Blessed Virgin, Greatest of the Patriarchs, Portrayed in Images and Ornamented with Verses) (Antwerp, Theodoor Galle: ca. 1601–1633). Engraving, 8.9 × 5.3 cm. Antwerp, Plantin Moretus Museum, MPM R 35



FIGURE 15.22 “Pueri ad Joseph subiectio” (Subjection of the Boy to Joseph), from *Vita S. Ioseph beatissimae Virginis sponsi patriarcharum maximi iconibus delineata ac versiculis ornata* (Life of St. Joseph, Husband of the Most Blessed Virgin, Greatest of the Patriarchs, Portrayed in Images and Ornamented with Verses) (Antwerp, Theodoor Galle: ca. 1601–1633). Engraving, 8.8 × 5.3 cm. Antwerp, Plantin Moretus Museum, MPM R 35



FIGURE 15.23 Theodorus Galle, “Corporalis pia refectio” (Pious Bodily Refection), from *Vita S. Ioseph beatissimae Virginis sponsi patriarcharum maximi iconibus delineata ac versiculis ornata* (*Life of St. Joseph, Husband of the Most Blessed Virgin, Greatest of the Patriarchs, Portrayed in Images and Ornamented with Verses*) (Antwerp, Theodorus Galle: ca. 1601–1633). Engraving, 8.8 × 5.2 cm. Antwerp, Plantin Moretus Museum, MPM R 35



FIGURE 15.24 Theodorus Galle, “Sollicita manuum operatio” (Precise Labor of the Hands), from *Vita S. Ioseph beatissimae Virginis sponsi patriarcharum maximi iconibus delineata ac versiculis ornata* (*Life of St. Joseph, Husband of the Most Blessed Virgin, Greatest of the Patriarchs, Portrayed in Images and Ornamented with Verses*) (Antwerp, Theodorus Galle: ca. 1601–1633). Engraving, 8.8 × 5.3 cm. Antwerp, Plantin Moretus Museum, MPM R 35

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Privacy and Exemplarity in Gianlorenzo Bernini's Cornaro Chapel

Maarten Delbeke

This paper proposes a case study to test the relevance of architecture for our understanding of early modern notions of privacy.¹ At the Centre for Privacy Studies, privacy is understood as shaping relationships on different levels, from the individual body to society, entities each with their own spatial presence and relationships. To what extent is the spatial component of privacy also a matter of architecture, understood as the intentional design of the elements that define space and materialise its limits? To approach this question I will read the Cornaro Chapel, designed by Gianlorenzo Bernini for Federico Cornaro in 1647–52, as a site where an intimate and interior experience, set in a private space, is made public for the purpose of edification and devotion. I want to reflect on the role of architecture in the process of transforming the private into a public display, by establishing its spatial conditions and making them explicit. This reading is framed by a brief foray into statements about the private and public persona in a particular and historically important treatise on religious art, the *Discorso intorno alle immagine sacre e profane* written by Gabriele Paleotti and first published in 1582. Paleotti attributes a public dimension to religious art, as its subject matter transcends the intentions and ambitions of the private individual. I propose to read the Cornaro Chapel as a sophisticated device that performs the negotiations between these two dimensions. By reading the Cornaro Chapel as a site of conspicuous patronage where an intimate and interior moment is put on public display, this essay hopes to offer some suggestions about how architecture negotiates between the private and public in religious art and to provide some understanding of how the spatial component of privacy can be a matter of architecture.

¹ This essay is the keynote lecture delivered at *Early Modern Privacy – Notions, Spaces and Implications*, Copenhagen, 9–11 April 2019. I am grateful to the editors for welcoming this preliminary work in their volume and for their patience.

1 Paleotti on the Private and Public *Persona*

Over the course of the sixteenth and seventeenth centuries, confessional conflicts and reform movements prompted theoretical debates about religious art. One important Catholic strand in these debates was intended to provide guidelines for priests and patrons about the appropriate subject matter, use, and display of religious art. Formulated in the wake of the Council of Trent, it looked at religious art from a functional perspective, valuing works of art according to their ability to achieve their goals: to instruct and educate the people, to instill devotion, and to glorify God. From this perspective, art fulfills its function thanks to its choice of subject matter, the context of display, and its appeal to the emotions of the viewing subject. Many late sixteenth- and seventeenth-century texts of various genres characterise the visual arts by their capacity to express inner emotions through movements of body and face, the so-called *affetti*. Such forms of expression should appeal to viewers, make them experience similar emotions, and in so doing move them to virtue or devotion, instigating a mimetic process. Treatises on art describe and theorise this process and identify it as the essence and purpose of poetry, painting, and sculpture.²

To what extent does the process by which religious art affects its viewers imply a transition or negotiation between a private and a public dimension? The emotions on display in religious art are both intimate and interior. They become manifest at events that sometimes take place in public but often occur in spaces of solitude and that can be characterised to some extent as private: the desert, the home, the bedroom, or the cell. But in a public context too emotions always retain an interior component, since their ultimate locus is the heart.³ At the same time, religious art, whether in word or image, mobilises these emotions rhetorically, with the intention to reach and affect an audience. Religious art involves a transition from a singular, private realm to a shared, public one.

In order to test whether this transition was discussed in the post-Tridentine Catholic discourse on images and whether that discussion drew on notions of the private, the *Discorso intorno alle immagini sacre e profane* was mined for the occurrence of the so-called 'priv-' words.⁴ Repeated searches yielded 17

2 For an effective overview of the extensive literature on these topics, see Strünck Ch., "Die Kunsttheorie des Barock", in Brassat W. (ed.), *Handbuch Rhetorik der bildenden Künste* (Berlin – Boston: 2017) 435–450.

3 See Treffers B., *Een hemel op aarde: Extase in de Romeinse barok* (Nijmegen: 1995).

4 Paleotti Gabriele, *Discorso intorno alle immagini sacre e profane* (Bologna, Alessandro Benacci: 1582). I have used the pdf available at <http://www.memofonte.it/home/files/pdf/>

occurrences, not all relevant.⁵ Relevant occurrences (mainly of 'privato') bear mostly on two issues: whether it is appropriate to keep paintings with dubious subject matter in the private house and whether rulers have the right to have their statue erected and under what conditions. This question can be related to a third issue where 'privato' occurs, concerning when and how it is legitimate to attach one's name publicly to a book or a work of art.

The first issue, the appropriateness of paintings with dubious subjects, leads Gabriele Paleotti to distinguish the more public and more private zones in the private house and to relate this distinction to the potential effect of art works. The paintings Paleotti discusses here are portraits of individuals of dubious morality, such as emperor Nero. This is how such portraits should be treated:

[...] e perché la casa ha alcuni luoghi come pubblici et altri privati, potrassi più facilmente concedere ad una persona letterata e di giudizio di poterle tenere ad uso buono in luoghi privati per sua commodità, che nei luoghi pubblici, come nelle loggie, sale e cortili delle case, dove capitano altre persone, le quali non avendo il concetto che ha il padrone, ma giudicando essi secondo l'ordinaria condizione delle immagini, che siano fatte per onorare, possono insieme restare offesi che l'onore e dignità sia attribuita a persone indegne et infami.⁶

And because the house has some places that are public and some that are private, one could more easily concede to a literate and judicious person to keep [these paintings] in good use in private places, for his convenience, rather than in public places, like loggias, halls, and courtyards of the houses, where other persons convene, who do not have the same understanding the patron has; but judging according to the normal condition of images, [which is that they are] made to honour [the subject], [these other persons] could remain offended that this honour and dignity is attributed to unworthy and infamous people.

Paleotti suggests that in the public parts of the house images will be viewed by many and according to common expectations: that the painting is there to convey honour to the person represented and to teach viewers valuable lessons in history and morality. Paintings of a more ambiguous purpose – as when

scritti_paleotti.pdf, accessed on 4 April 2021. Pagination refers to this document, which is drawn from Barocchi P., *Trattati d'arte del Cinquecento*, vol. 2 (Bari: 1961) 117–517.

5 The search yielded, for instance, mentions of the adverb 'priva' that were irrelevant.

6 Paleotti, *Discorso* 310. Translations are my own.

one keeps a portrait of Nero out of sheer curiosity – should be kept away from the public eye. Paleotti compares paintings of illicit subjects to the ‘kind of weapons that, because they are so dangerous, should not be handled by anyone, but only serve those who are expert and trained in it’. These images should be held in ‘private rooms and separate spaces’.⁷

The problematic of the dubious portrait points towards degrees of privacy in the house. It suggests that these degrees assist in regulating the power of images, a power they exert thanks to the expectations they arouse. These expectations direct how paintings should be kept. When subject matter requires context and expert judgment, paintings cannot be left to their own devices.⁸

The expected effect of works of art is also at stake in the most dense cluster of priv-words in Paleotti’s *Discorso*, the discussion of the portrait of the ruler. Paleotti devotes a considerable section of his treatise to the question of whether it is legitimate to erect statues to rulers and to do so during their lifetime. Commissioning and erecting such statues is a long-established practice and a matter of equally long-standing debate.⁹ As a means of justification, Paleotti distinguishes the public from the private persona of the ruler and attaches the statue to the first:

Alla publica appartengono tutte le cose che toccano la maestà del grado, la administratione de’popoli e debita esecuzione della giustizia per conservazione della religione, della pace e della disciplina de’ costumi, ad utilità comune, essendo ufficio di persona publica. [...] Alla privata appartengono tutte l’altre cose che ad essi come uomini possono essere communi, o siano interne, come i pensieri, i desiderii e disegni loro, in quanto sono alieni dall’ufficio regale, o siano esterne, come sono le azzioni domestiche non dirizzate al governo universale.¹⁰

To the public persona [of the ruler] belong all things that touch upon the majesty of the station, the administration of the people and the due execution of justice so as to maintain religion, peace, and the discipline

7 Ibidem, 311.

8 This distinction recalls Paolo Cortesi’s discussion of the appropriate interior decoration of the residence of the cardinal, which also reflects the degree of privacy of various rooms. See Weil-Garris K. – D’Amico J., “The Renaissance Cardinal’s Ideal Palace: A Chapter from Cortesi’s *De Cardinalatu*”, in Millon H.A. (ed.), *Studies in Italian Art and Architecture, 15th through 18th Centuries* 35 (1980) 45–123.

9 Delbecke M., *The Art of Religion. Sforza Pallavicino and Art Theory in Bernini’s Rome* (Aldershot: 2012) 97–113.

10 Paleotti, *Discorso* 324.

of the customs, as it is an office of the public person [...] To the private person belong all the other things that to them, as human beings, might be common, either internally, such as their thoughts, desires, and plans, as far as they are foreign to the regal office, or externally, such as domestic actions that are not directed towards universal government.

The statue is an attribute that conveys majesty, authority, and power, and contributes to the ruler's public office. Only under this condition is the statue legitimate. Attached to the private persona, the statue becomes a matter of vanity and pride. This distinction appears to be quite clear cut and fits into a long tradition of thought about the relationship between the public and private persona of the ruler, developed for instance in mirrors of princes.¹¹ Nonetheless, Paleotti attributes astonishing power to the statue and sees it as an object capable of projecting the majesty of the ruler's office in public space. Precisely this power requires a careful distinction between the public and private persona, since it is easily misdirected. Just as the expectations regarding paintings impose restrictions on where they should be displayed, so the private and public persona of the ruler each define specific conditions for their respective representation. The 'public statue' pertains to the 'supreme dignity, and it is as it were part of royal magnificence [...]'; not to 'the other things that to them, as human beings, might be common'. Only the first dimension is properly public.¹²

The questions of proper display and the distinction between a public and private dimension of the artwork meet in a related problem, which concerns the question of attributing one's name to a commission. At the end of the *Discorso*, Paleotti discusses whether patrons should attach their name or arms to sacred paintings. As part of this problematic, Paleotti ponders the appropriateness of publicising a religious foundation by means of words, book, or painting. His discussion indicates how, thanks to its function, religious painting transcends private intentions. As expected, Paleotti warns against boasting about one's foundations, especially when it comes to writing, since print 'as a public and permanent matter, is exposed to all, and will receive harsher notice from judges'.¹³ Still, Paleotti continues, sayings and writings about such foundations are ultimately a private matter 'that depends on the will of each and

11 See Gaylard S., *Hollow Men: Writing, Objects, and Public Image in Renaissance Italy* (New York: 2013).

12 Paleotti, *Discorso* 324.

13 *Ibidem*, 486.

every one, and are composed, changed, and revoked as pleases us'.¹⁴ Under such circumstances, a signature has a particular function, as it literally authorises the work. This mechanism of conveying authority is not relevant when it comes to sacred painting. Since such works are dedicated to God, 'they escape our authority [...] and can no longer be transferred to private use, since they are already sacred, they are in the churches, they are for the teaching of the people, and they serve the divine glory. So for their subject, mystery, place, and purpose they should not be regulated with the measure of other things'.¹⁵ Paleotti thus suggests that a painting of sacred subject matter transcends the private interests that may have occasioned it, since it forms part of an economy different to that of the private writings of individuals and the potentially doubtful intentions that motivated them. The sacred painting becomes detached from volatile private desires and expressions. It enters the public sphere as subjected to the imperative of divine glory.

This imperative establishes an analogy between the statue of the ruler and the sacred painting. Both cases define a distinction between the private and the public sphere, not just because each sphere pertains to either the private or public persona of the ruler or patron, but also because both the ruler's statue and the sacred painting convey an authority that has its source beyond the circumstances of its creation and display – in both cases, ultimately, God. Taking Paleotti's point further, the author suggests that in sacred paintings the private becomes public thanks to its function and effect. Because there is a general and important truth at stake, the sacred painting detaches itself from the private individuals engaged in its production, such as the patron and the artist. With this stance, Paleotti circumvents the paradox of religious art outlined at the outset: that in order to be effective, such art needs to translate an experience from a singular, private realm to a shared, public one. In Paleotti's view, this transition shifts expectations and defines obligations: the representation is now subsumed by the realm of divine authority, and should conform to what the viewer expects.

2 Interior Space and the Architecture of the Cornaro Chapel

The Cornaro Chapel, designed and built by Gianlorenzo Bernini and his workshop for Cardinal Federico Cornaro, is situated in the left transept of the Santa Maria della Vittoria Church in Rome. The fame of the chapel rests in

14 Ibidem.

15 Ibidem.

large part on Bernini's sculptural group of the *Transverberation of Saint Teresa*. The monumental altarpiece of the chapel presents the viewer with the effigy of the languishing mystic, seemingly held aloft by the smiling angel who is about to transpierce her heart with a golden arrow. The sense of elevation is enhanced by Bernini's audacious move to make the sculptural group seemingly baseless.¹⁶ Because of its depiction of total abandonment, with her senses 'closed to the world', the swooning saint has drawn vehement and mixed critical responses, many of which point – admiringly or derisively – to the astonishing intimacy with which the viewer is presented.¹⁷ Famously, Charles de Brosses quipped: 'if this is divine love, I know all about it'; Luigi Scaramuccia, a contemporary painter and critic far more in tune with Bernini's intentions, wrote that 'just as she [Teresa] is seen to be in ecstasy, so she makes him who gazes fall into ecstasy by virtue of the excellence of that great master who made her', exploiting the affinity of aesthetic pleasure with religious ecstasy.¹⁸

In order to achieve this effect, Bernini's sculptural group evokes a passage from Teresa's autobiography, *The Book of Her Life* (first published in 1562), where she describes experiencing the at once unbearable and sweet pain of being deeply transpierced by divine love with an angel at her side. This experience soon became an emblematic part of Teresa's iconography and her claim to sanctity. The account of the transverberation was included in other biographies and from there into the bull of her canonisation. The event is shown in Matthias Greuter's famous print celebrating the 1622 canonisation of St. Teresa at St. Peter's.¹⁹ While the autobiographical passage itself is quite thin on details about where the transverberation took place, it is believed to have happened in April 1560 in a noble palace. Still, in the visual tradition the event is situated in a variety of more or less private rooms, ranging from cells through chapels to church interiors.

In the Cornaro Chapel, the question of the spatial setting of the transverberation informs many of Bernini's architectural decisions, especially as regards the niche of the sculptural group. The niche is designed on an oval ground plan, placed transversally, with the short axis determining the depth

16 Barry F., "Im/material Bernini", in Levy E. – Mangone C. (eds.), *Material Bernini* (London: 2016) 39–67; Pierguidi S., *Pittura di marmo. Storia e fortuna delle pale d'altare a rilievo nella Roma di Bernini* (Florence: 2017) 127–131.

17 Quotation from Levy E., "Gianlorenzo Bernini's Cornaro Chapel", in Snodin M. – Llewellyn N. (eds.), *Baroque: Style in the Age of Magnificence, 1620–1800* (London: 2009) 96–117.

18 Bolland A., "Alienata da'sensi: Reframing Bernini's S. Teresa", *Open Arts Journal* 4 (Winter 2014–2015) 134–157. Bolland's emphasis on the importance of 'witnessing' in the chapel has been crucial for the reading advanced here.

19 On the iconography and its impact on the design of the chapel, see Lavin I., *Bernini and the Unity of Visual Arts* (New York: 1980).

of the space. The paired marble columns of the frontispiece are placed along the perimeter of the oval, seemingly bending the pediment in the process. The taut points of the pieces of cornice that jut out over the double columns suggest the tension generated by this movement and convey the impression that the niche discloses its interior to the viewer. As such, the niche becomes a metaphor for the body of Teresa, whose heart is being opened by the arrow of divine love. This metaphor is further reinforced by the contrast between the niche that discloses its interior to the outside world and Teresa's body, which is almost entirely shrouded – as if the niche helps to explain what happens inside this mass of folding clothes. At the same time, the undulation of the pediment caused by the bend in the plan generates a form that recalls that of the human heart, again referring to the hidden site of the reverberation. This formal echo is emphasised by the image of the flaming heart at the centre of the frieze in the entablature. In a surprisingly straightforward way, the architecture of the niche helps the viewers to think about and relate to Teresa's intimate experience. With its architectural scenography, the niche expresses the notion of the interior. As an architectural body under the stress of transformation – the bending outwards of the structure of the pediment – it conveys what happens in the mysterious and rigorous body it contains.

The crucial role of the architecture of the niche in communicating Teresa's mystical experience recalls the prominent use of architectural metaphors in mystical writings. Several authors have drawn attention to the frequency of architectural similes in texts that aim to describe and communicate mystical experiences that are essentially beyond the grasp of language. As Barbara Kurtz has argued, this phenomenon is due to the large stock of available architectural similes in Scripture as well as to their easy mnemonic use. After all, the art of memory itself is deeply imbued with architectural thought, since it structures memories in architectural spaces. But, as Kurtz writes, there is also a more structural foundation for architectural similes in mystical writing:

As enclosure, the metaphor effectively expresses interrelated dualities basic to mystical experience: body-soul, outer-inner, carnal-spiritual. As designed edifice, the figure structuralizes delicate descriptions that without its use could lapse into an inchoate outpouring of sentiments or assertions scarcely comprehensible to the uninitiated reader or listener. And as Scripture-based allusion, the figurative edifice links personal experience with divine condescension.²⁰

20 Kurtz B., "The Small Castle of the Soul. Mysticism and Metaphor in the European Middle Ages", *Studia Mystica* 15 (1992) 19–39, here 29.

Following Kurtz, the architectural simile plays a key role in making public what happens in the most private recesses of the mystic's heart and soul, as it renders the relationship and tension between inside and outside tangible and explicit, provides a structure and a language common to the mystic and the uninitiated, and establishes typological relationships between the individual case of the mystic and key moments of sacred history, by referring to such structures as the tabernacle, the thalamus, or the temple.

Like many mystics, Teresa avidly used architectural metaphors, perhaps most famously in the *Interior Castle*, structured around the image of the seven castles of the soul, a sequence of buildings made from ever more precious matter which the apprentice must seek to penetrate. Bernini may have been aware of such literary devices, if only because they were commonplace enough to be generally available. But, as we have seen, the architectural device of the niche operates as an image for the body of Teresa through its visual and architectural presence, regardless of any precise literary reference. If Bernini engaged references, they would be drawn from architecture rather than literature. The architecture of the niche is of the Corinthian order, based on such examples as the Temple of Venus Genetrix on the Roman Forum. Today only three columns and a piece of architrave of the temple are visible, but the building was known from ancient texts and to Renaissance architects. Andrea Palladio, for instance, proposed a detailed reconstruction of the building in his *Four Books of Architecture*, published in 1570.²¹ Bernini may have had this model in mind for the design of the niche as it would translate elements associated with an ancient female deity to a female Catholic saint. As a protectress of the family, Venus Genetrix seems appropriate for the foundress of the Discalced Carmelites.

The entablature in the Cornaro Chapel employs a similar sequence of architrave, frieze, and cornice as the temple [Fig. 16.1]. The architrave presents an elaborate sequence of fasciae and mouldings. The acanthus rinceau of the frieze is quite similar to the Venus Genetrix, and frames the flaming heart at its centre. The cornice consists of dentils and a cyma recta, under modillions framing rosettes and supporting the corona. In a subtle play, only the cornice segments of the upper part of the pediment are crowned with the customary cyma recta, their offsets with the base creating the taut corners of the frontispiece.

If the exterior frame of the niche follows established models of the Corinthian order quite closely, in the interior Bernini deliberately manipulated

21 Palladio Andrea, *I quattro libri dell'architettura* (Venice, Dominico de'Franceschini: 1570) book IV, XXXI, 128–133, referred to as the Tempio di Nettuno.



FIGURE 16.1 Gianlorenzo Bernini, The niche of the Cornaro Chapel with the Transverberation of St. Teresa, Santa Maria della Vittoria, Rome, 1647–1652
PUBLIC DOMAIN, WIKIPEDIA COMMONS

the order and, with that, the expectations of the viewer. Generally, the architectural order – the sequence of column, capital, and entablature – follows the same sequence in the interior as the exterior of a building, since it represents both on the inside and the outside a construction supporting the roof and carrying its load to the columns. Often the exterior and interior order are not aligned in section. Famously, the interior cornices of Donato Bramante's *Tempietto* in Rome sit higher and closer to each other than the exterior ones, to compensate visually for the diminished diameter of the interior space compared to the exterior.²² Only careful comparison aided by measuring or drawing

22 See Serlio Sebastiano, *Il terzo libro [...] nel quale si figurano, e descrivono le antichità di Roma [...]* (Venice, Francesco Marcolino da Forlì: 1540) 44.

reveals such discrepancy. In the case of the Cornaro niche, by contrast, the exterior and interior are visible simultaneously. Bernini seizes on this condition to manipulate the architectural composition. The exterior would suggest that the interior dome rests on the cornice, as is customary. Yet in the interior of the niche only the architrave, the lower part of the entablature, is maintained; frieze and cornice are omitted. This lends the remaining element considerable ambiguity. The elaborate profile of the exterior architrave is rehearsed within and suggests the customary sequence of architrave, frieze, and cornice, yet on a smaller scale. At the same time, between the interior Corinthian capitals sit panels with acanthus rinceaus recalling the motif of the exterior frieze. Crowning these panels, the interior architrave acts as a cornice, the appropriate element to support the dome. In this reading, the exterior architrave becomes the interior cornice, and Bernini flips the entablature around.

Eliminating the better part of the entablature in the interior of the niche lowers the dome relative to the exterior and makes it visible to the viewer, to whom it would otherwise have remained hidden behind the pediment. While rendering the scale of the interior more intimate, the lowered gilded dome also intensifies the flood of heavenly light over Teresa, emphasising the action of divine grace on the saint. At the same time, the subtle manipulation of the architectural system of the niche signals that while exterior and interior are part of the same system, they follow a different order, the exterior reminiscent of the canonical buildings of antiquity, the interior unusual and therefore apposite for extraordinary events. The architrave-turned-cornice literally weaves these two conditions together, while pointing out their difference. Bernini would use the same device for the main altar of the Jesuit novitiate church of Sant'Andrea al'Quirinale, again to establish an architectural connection between an interior transformation and its external expression, now the martyrdom of St. Andrew. Here an additional layer is added by casting the pediment over the altar as a model of a sectioned dome, with a stucco effigy of St. Andrew escaping through its *oculus*. The elaborate profile of the pediment rehearses the entablature supporting the dome of the church, which suggests a two-stage transition from interior to exterior: between the niche of the altar and its architectural frontispiece, and the frontispiece and the space of the church.²³

23 Barry, "Im/material Bernini" 57–60.

3 Conclusion: Architecture and Privacy?

The passages from Paleotti discussed at the outset can be read as negotiations of a fault line which does not just modulate expectations but also entails obligations. These obligations concern the calibration of the private against the public persona with regard to a work of art. As we have seen, Paleotti presents the sacred and the magnificent as virtues whose very presence overrides private concerns. Considerations such as one's individual authority or reputation, which call for attaching one's name to a work or publicising one's views, become not just futile but also counterproductive and even dangerous when transferred into the public realm of sacred subject matter or royal representation. Conversely, only in the most private sphere can works of art be freed of their moral or religious obligations towards society.

At the Cornaro Chapel, the lodges on either side of the Transverberation display effigies of eight male members of the family of its patron, Federico Cornaro. The men are displayed under a giant and animated coat of arms, in one of the most conspicuous funerary chapels built in seventeenth-century Rome. If anything, Paleotti's concerns over the broadcasting of patronage would apply here. This condition allows us to read the chapel as a negotiation of the publicness and privateness we discerned in his *Discorso*. The illusionistic spaces where the Cornaros are seated recall loggias or andrones, parts of private palaces, not religious spaces. Crucially, the Cornaros look outward from these interiors, into the transept of the church. There they are lined up as a gallery of illustrious men, living proof of the virtue and success of the Cornaro lineage, examples worthy of emulation and driven by lofty aspirations.²⁴ Teresa, too, is an exemplum, her floating foot a dangling invitation to adherence.²⁵ Yet, as few commentators have failed to observe, the saint and the Cornaro-men remain in separate realms, with nothing suggesting actual interaction between the patrons and the drama unfolding in the niche. The event of the Transverberation is presented as a revelation of a most private experience, disconnected from the surrounding space. If the chapel inscribes the subjects of both the Cornaros and Teresa in the economy of public representation, they are each framed in their appropriate realm, the palace for the noble family, and the niche for the saint.

24 See the discussion in Barcham W.L., *Grand in Design. The Life and Career of Federico Cornaro, Prince of the Church, Patriarch of Venice and Patron of the Arts* (Venice: 2001) 366–382.

25 Treffers, *Een hemel op aarde* 163–165.

As a site of conspicuous patronage that makes a sophisticated public display of an intimate and interior moment, the Cornaro Chapel illustrates how architecture helps to negotiate the transition from the experiences and ambitions of the private individual – both Teresa and Federico Cornaro – to a representation laying claim to a higher authority. The sophisticated use of architecture allows the private to participate in the economy of public representation while anchoring the display in a suggestion of interiority or privateness. The means mobilised are architectural metaphors like the opening niche, design systems like the architectural orders, and forms of architectural scenography like the illusionistic loggias. If space is the field where privacy becomes articulated, and architecture is the articulation of space, then the chapel offers an example of how architecture is activated to render the transition from the private to the public productive in the creation of sacred art.

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Making Private Public: Representing Private Devotion in an Early Modern Funeral Sermon

Lars Cyril Nørgaard

On 1 October 1639, Christian Friis of Kragerup died. Born in 1581 and initially educated at the royal school in Sorø, he toured Europe together with his brothers and studied at leading universities. On his return in the winter of 1607, he served at the court of Christian IV (1577–1648). During the Kalmar War (1611–1614), Friis proved himself a skilled tactician and a careful administrator: these achievements during wartime paved the way for rising up the ranks and, in December 1616, he was appointed high chancellor. The passing of this prominent political figure was commemorated, first, at the Church of Our Lady in Copenhagen. This liturgical event took place on 23 October 1639, and the bishop of Zealand, Jesper Rasmussen Brochmand (1585–1652), was charged with the ceremony. As prescribed, the bishop delivered a funeral sermon: this oral event was later edited and published.¹ Of course, this printed version of the sermon does not mirror the occasion when the sermon was heard as part of a liturgical programme. The print is an edited version of the event: it marks the transition from a public event to a published event. Can we speak, within the space of such a transition, of anything private?

Brochmand's sermon belongs to a larger body of commemorative texts – a so-called funeral work.² As the high chancellor of King Christian, Friis was also commemorated at the University of Copenhagen. This took place the day after his funeral, when professor of theology Hans Hansen Resen (1596–1653)

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- 1 Brochmand, Jesper Rasmussen, *Hielp aff Himmelen, det er: Den CXXI. Davids Psalme / andragen / der Christian Frijs til Kragerup / Kongel. May. Cancellor / Danmarcks Rigis Raad / Befalnings = Mand offver S. Knuds Kloster udi Fyen / oc Munckeliff = Kloster udi Norge / hans Lijgs Begængelse / med Adelige Ceremonier bleff udi vor Frue Kircke i Kiøbenhaffn huldet / udi hans Kongl. Maj. Egen Nærværelse / oc Danmarckis Riges Raads / oc fornemme Adels offver = værelse / saa oc Geistliges oc Verdsliges Folckrige Forsamling* (Copenhagen, Melchior Marzan: 1640). The title page refers to the presence in the church room of the king, members of the high council, prominent members of the nobility, and a large crowd of clergymen and citizens.
 - 2 See Moore C.N., *Patterned Lives. The Lutheran Funeral Biography in Early Modern Germany* (Wiesbaden: 2006) 19ff. For Catholic funeral sermons, see Régent-Susini's contribution to this volume.

delivered an oration.³ It is unclear when this oration was published. Its prefatory statement is dated 22 November 1639 and was written by Claus Plum (1585–1649), professor of law and dean of the University. Resen's oration is appended with several poems that commemorate the deceased and the event of his commemoration at the University. Indeed, Brochmand authored one of these poems. In addition to these two prints, a compilation of popular songs was published,⁴ and another longer poem related to the chancellor's death can also be identified.⁵ In prefatory statements to his later works, the physician, natural historian and antiquarian Ole Worm (1588–1654) also lauded Friis by evoking his contribution to the scientific exploration of, e.g., rune-stones and inscriptions.⁶ Such different genres – a sermon, an oration, poems, popular songs, and dedications – belong to the symbolic space of commemoration that Friis's death prompted. Indeed, we must include an epitaph in sandstone that towers in the Abbey Church of Sorø and that was completed before 1648. This monument, together with an engraved representation of it, is also part of the commemorative space in which the memory of Friis lives on after his death.

In the following, I shall focus on Brochmand's printed sermon and heed special attention to its depiction of Friis's death.⁷ As mentioned above, the bishop of Zealand delivered his sermon on 23 October 1639, but this sermon also relates events that transpired from 17 September until 1 October 1639, when Brochmand administered the final spiritual care of the chancellor. While not unique,⁸ this level of disclosure requires careful consideration. Strategically, the preacher includes information to which his addressees – the immediate audience in the church and all subsequent readers – would not otherwise have

3 Resen Hans Hansen, *Orationis Funeris De Magnifico, Perillustri & incomparabili Heroe Dn Christiano Frisio* (Copenhagen, Salomon Sartor: 1640). The event was announced in a programme published the day before.

4 Barløse Oluf Rasmussen, *Sørgelig Klage offver Den Erlige / Velb. oc Strenge Ridder H. Christen Friis til Kragerup / oc Kong: May: Canseler / Danmarckis Rigis Raad / Nu salig i Herren / tile n Christelig Amindelse / oc hans effterlatte højbedrøffvede elskelige Frue / Fru Barbara Wittrop / Sampt deris elskelige / Velbyrd: oc Adelige Børn / til nogen Trøst / offver deris Velb: S. Herris oc Faders hæderlig oc saglig Affgang* (Copenhagen, Salomon Sartor: 1639).

5 Meier Johannes, *In Funere Christiani Frisii, Domini de Kragerup, Equitis Aurati [...] lachrimæ et planctus veri doloris* (Copenhagen, Melchior Martzen: 1639).

6 See, e.g., the prefatory statements in Worm Ole, *Monumenta Danica libri sex* (Copenhagen, Joachim Moltke: 1643); idem, *Museum Wormianum seu Historia Rerum Rariorum* (Leiden, Jean Elzevir: 1655).

7 I have elsewhere (in Danish) discussed the sermon's position within the overall funeral work, specifically with attention to the epitaph in Sorø, Nørgaard L.C., "Overvejelser over en ligprædiken", *Kirkehistoriske Samlinger* (2021) 7–39.

8 Moore, *Patterned Lives* 80.

been privy. Intimate details about the process of dying, then, become part of the public image of the deceased. These are not hidden under the seal of confession or silenced by other codes of confidentiality. In print, experiences of dying are represented, and the Lutheran funeral sermon brings forth what could not otherwise have been known.

1 Fear as Ideal

These personal moments pertain to the *pietas* of the deceased. Of course, such public portraits of private devotion were no neutral descriptions: the image of personal devotion flows naturally from the well of the sermon's epideictic language usage. As one of the three genera of discourse which Aristotle identified, epideixis from *epideiknusthai* means to give an exhibition or a display. The middle voice also allows for the meaning where individuals show off their rhetorical skill. This genus comprises speeches of both praise and blame, which act as a means to accomplish a specific communicative end. Epideixis prioritises present realities that the speech either praises or blames according to the ideal of *to kalon* ('the honourable'). While Aristotle limited epideictic speeches to a demonstration of skill, whereby its listeners became spectators to a show of skills, later interpreters like Quintilian saw a broader application of this genus. The orator aims to establish past actions of an individual as signs of virtues or vices, whereby the audience is encouraged to believe that this individual will perform similar actions in the future. However, the domain of praise was not limited to historical individuals: the sophists praised other objects such as animals, while Quintilian stretched the list to include gods, cities, monuments, places, and other inanimate objects.⁹

Brochmand's sermon belongs to the rhetorical genus of epideixis despite this type of speech falling somewhat prey to Protestant suspicions. Thus, the sermon's 'Første Part' ('first part') engages with Friis's 'Liffs oc Lefnets' ('life and deeds'), before turning to his 'saligste Affskeed fra denne Verden' ('most pious departure from this world').¹⁰ These *personalia* unfold in a little less than forty pages,¹¹ and they constitute the object of praise, that is, the subject of praise. However, the sermon's encomium is not limited to this personal level.

9 For this speech type and its Greco-Roman roots, see Pernot L., *La rhétorique de l'éloge dans le monde gréco-romain* (Paris: 1993); idem, *Epideictic Rhetoric: Questioning the Stakes of Ancient Praise* (Austin, TX: 2015).

10 Brochmand, *Hielp aff Himmelen* 32.

11 Ibidem, 32–70.

Initially, the 'Indgang & Fortale' ('entry and preface') proposes an exegetical elaboration of the fear of God.¹² This theological concept is divided into four aspects: (1) 'ikke at frygte andre end Gud' ('to fear nobody else than God'),¹³ (2) 'intet at have så kært som Gud' ('to love nothing as much as God'),¹⁴ (3) 'at elske og fremme sin fjende' ('to love and promote one's enemy'),¹⁵ and (4) 'at stå fast på Guds bud, selvom hele verden er imod det' ('to insist upon God's command even if the whole world is against it').¹⁶ This four-fold interpretation is elaborated by reference to biblical figures, and past actions performed by these figures become signs of the fear of God. Thus, the sacrifice of Isaac (*Genesis* 22:2–8) is evoked as proof that fear springs from the univocal love of God, while Moses (*Exodus* 10), King David (*Psalms* 73), and the Apostle Paul (*Romans* 8) prove that the fear of God does not comply with worldly standards.

Thus, the prefatory statement and its four-fold analysis of fear does not offer formal definitions, but rather evokes past individuals and displays how they enacted virtues. Moreover, these displays are structured around 1 *Timothy* 4:8: 'Gudfryctighed er nyttelig til alle Ting / oc hafver forjettelse baade paa det nærværende oc det tilkommende Liff' ('the fear of God is useful in every regard, holding promise for both the present life and the life to come').¹⁷ On this scriptural basis, Brochmand outlines what it means to fear God before he turns to its reward in this life and in the next life. The biblical verse mirrors what, in its rhetorical essence, is the concern of epideixis: this genus of speech offers praise or blame, but it advocates no specific course of action, because it evaluates actions in the light of an abstract ideal. The fear of God serves as an honourable state that biblical figures have accomplished by their past actions and that pertains to the present and the future of the collective.

Concluding his initial exegesis, Brochmand turns to *Ps* 121:1–8 and remarks how *Ps* 121:1–2 engages with the fear of God as a stance that humans either dismiss or work towards, while *Ps* 121:3–8 outlines the many benefits that can be procured by always fearing the divine.¹⁸ This distribution of the biblical text maps 1 *Tim* 4:8 and its distinction between the ethical analysis – the substance of the epideictic language usage – and the kinds of actions that support this vision of the common good, i.e. the exhortative end. Now, the sermon opens

12 Ibidem, 4–31.

13 Ibidem, 5–8.

14 Ibidem, 8–11.

15 Ibidem, 11–15.

16 Ibidem, 15–20.

17 Ibidem, 4.

18 Ibidem, 28–30.

by reproducing these precise verses from *Ps* 121,¹⁹ and in his account of Friis's death Brochmand also remarks how the chancellor, as he was dying, 'trøstede sig meget med den hundrede en oc tuiffvende Davids Psalme' ('took great comfort in David's 121st Psalm').²⁰ Indeed, Friis would often cite this text by heart, and therefore his widow, Barbara Wittrop (1591–1653), wished that it 'maatte udi hans Lijgs Begiengelse fremsættis oc forhandlis' ('should be presented and explicated at his funeral ceremony'). Accordingly, the sermon's longest exposition, entitled 'Den Anden Part' ('the second part'), analyses *Ps* 121.²¹ Moreover, this part of the sermon explicates 'hvor udi en sand Gudfryctighed monne bestaa' ('in what a true fear of God should consist') before moving on to 'hvade gode oc gavn dend med sig monne føre' ('what value and benefit this should bring with itself').²² Following the outline of the prefatory statement, Brochmand elaborates the fear of God with reference to *Ps* 121:1–2,²³ and exhorts listeners and readers about its 'Nytte oc gaffn' ('utility and benefit') with reference to *Ps* 121:3–8.²⁴ Thus, the funeral sermon clearly creates an intertextual echo that lingers across the threshold between theological claims to universal truths and the historical account of particular experiences. In more implicit ways, this link is reiterated as biblical passages are recycled. Having been explicated during the process of dying, these passages reappear in the theological sections: the print posits a relationship between specific experiences, as narrated by the preacher, and a conceptual reality, as elaborated by the same. As such, it is a matrix for exemplarity.

2 Death as Dialogue

The sermon's 'Første Part' ('first part') describes Friis in two sequences: it deals with his life and deeds and then outlines his departure from the world. This two-pronged approach is typical and can be found in almost every Lutheran funeral sermon from the seventeenth century. In Brochmand's sermon, it also resonates with the linking of *1 Tim* 4:8 with *Ps* 121:1–8. The fear of God, like the biographical sketch, combines two temporal orders: one sequence of events unfolds in this life; the other points towards the next life. Past and future are parallel, and thereby the epideictic speech, as an oratory form, addresses the

19 Ibidem, 1–3.

20 Ibidem, 62.

21 Ibidem, 71–164.

22 Ibidem, 73.

23 Ibidem, 71–102.

24 Ibidem, 102–164.

present condition of its audience. Relating these temporal orders to each other, Brochmand's description of Friis is asymmetrical, however. The bishop clearly favours what pertains to the process of dying, that is, the information to which he has direct access. Accordingly, the chancellor's life comprises less than one third of the encomium,²⁵ although this part, chronologically, covers the period from November 1581 until August 1639. The rest of the description focuses on the process of dying that lasted from 7 September until the early hours of 1 October 1639, that is, less than one month.

Within this month, the period from 7 September until 13 September 1639 constitutes a particular subsection of events. Brochmand relates that Friis fell ill at his apartments in Copenhagen Castle, and, most likely based on the attending doctors' reports, he recounts several diagnoses and the corresponding interventions.²⁶ On 13 September, the preacher states, Friis felt 'temmelig Svaghed udi Legemet' ('a substantial weakness of the body') but no longer wanted to neglect 'Siælen' ('the soul'). Therefore, he commissioned the services of the court preacher Jens Pedersen Schjelderup (1604–1665), who offered the body and blood of Christ to the suffering chancellor and his wife.²⁷ The distinction between body and soul, introduced in the narrative by Friis, corresponds to, on the one hand, what has been recounted about Friis's life and, on the other hand, what will be narrated about his departure from the world. The medical interventions, targeting the body and trying to combat its finitude, mark the end of earthly existence and transition into another register that focuses on the eternal destiny of the soul and requires theological expertise:

Den 17 Septemb. der jeg hjemkom aff Kirckernis Visitation, oc jeg da denne gode S. Herre besøgte / oc ønskede hannem Trøst aff Himmelen ved Jesum Christum / da svarede den S. Herre: Jeg finder aff Guds gode Aand retgod oc frydefykd Trøst / oc sagde derhos: Statum est apud me mori. Det er sluttet i mit hjerte / at ville døe.²⁸

On 17 September as I returned from church visitations, I proceeded to visit the good, blessed Lord and wished him comfort from heaven in Jesus Christ. To this, the blessed Lord answered: from God's good Spirit, I find sufficient and peaceful comfort. Furthermore, he said: *statum est apud me mori*. In my heart, it has been decided that I want to die.

25 Ibidem, 32–44.

26 Ibidem, 44–48.

27 Ibidem, 46–47.

28 Ibidem, 48.

Until this point in the biographical account, Brochmand has utilised a third-person perspective that, omnisciently, narrates the past. The last part, however, introduces the first-person singular. Thus, the bishop becomes a character in the biographical story that he recounts as the listener-reader is made privy to a series of meetings between Brochmand and Friis. These are dated 17 September 1639,²⁹ 18 September 1639,³⁰ 24 September 1639,³¹ 27 September 1639,³² 29 September 1639,³³ and 1 October 1639.³⁴ Reference is also made to the night of 29 September and 30 September, when Friis was quiet and lay motionless in bed. We learn nothing about the days from 18 September until 24 September or about 25 September, 26 September, or 28 September. These meetings fixate the description to Brochmand's physical presence: we see and hear what he saw and heard. The previous description of Friis and his life is accomplished in the third person and thereby distances itself from the object of praise, immobilising Friis in his biographical itinerary and making him into a perfect image for the audience's imitation. This constitutes the construction of a stable ethical model. The apostrophe to the dying individual turns our attention to the individuality of the deceased.³⁵

At their first meeting, the bishop refers the chancellor to the Lord's Prayer and, specifically, to *Mt* 6:10: 'Skee din Villie paa Jorden som i Himmelen' ('Your will be done on earth as in heaven'). Hereafter, the bishop 'holt han-nem Jesu Christi Eksempel for' ('related him the example of Jesus Christ'), and, more specifically, showed in words how Jesus had prayed in Gethsemane (*Mt* 26:36–46).³⁶ In response, Friis states that he, at this moment and by the grace of his Saviour, is ready 'at dricke Dødens Kalck' ('to drink from the chalice of death'), but he is unsure if he 'en anden Tiid kand være saa bequeem dertil' ('would feel so at ease at another time'). The dying individual is comforted by reference to *Acts* 1.7, which Brochmand interprets in the following manner: 'Dødens Tijd staar i Guds Haand / oc er skiult for vore Øjne: hvorfor at saadant

29 Ibidem, 48–49.

30 Ibidem, 49–56.

31 Ibidem, 56–63.

32 Ibidem, 63–64.

33 Ibidem, 64–65.

34 Ibidem, 65–67.

35 The anchoring of the perspective to Brochmand's mind is not absolute. About the interval between 24 September and 27 September, the sermon remarks that Friis repeated many pieces of Scripture, found joy in the heavenly glory about to be bestowed upon him, prayed the Lord's Prayer, recited the Articles of Faith, read *Lk* 2:29–30 and *Ps* 121, cf. Brochmand, *Hielp aff Himmelen* 61–63. These pieces of information are not anchored to the 'I', but rather stated from the Olympic position of the third-person narrator.

36 Ibidem, 48.

skal indstillis udi Guds egen Villie / hvilcken I med all lydig Hørsomhed skal underlegge eders Villie' ('the moment of death lies in the hand of God and is hidden to our eyes: accordingly, this moment should be relegated to the will of God to which you, in careful obedience, should submit your own will').³⁷ To this interpretation, the dying chancellor responds: 'Skee da udi Jesu Naffn Guds Villie / enten det behager Gud / det skal være til Lifvet eller til Døden' ('in the name of Jesus, let, then, the will of God be done, whether it pleases God that this entails life or death').³⁸ This acquiescence ends the first exchange: Brochmand does not mention the presence of other individuals, and, while the two men might not have been alone, the exchange is presented as such.

The sermon, as performance and publication, grants access to something that the addressees would not have had access to. Indeed, we learn about Friis's unease not with death itself but with the process of dying. On 17 September, the chancellor is ready to die but worries that he, as the process of dying continues, will lose his conviction. Such emotional states can also be found in medieval and early modern texts that formulate advice on the good way to die. Indeed, this genre often presents advice as a conversation during which a figure of authority educates someone in need of guidance. In line with this dialogical structure, a second meeting, dated 18 September, unfolds as Friis's condition worsens and he exclaims to the bishop:

Udi Jesu Blods kraft vil jeg stride / oc jeg er vis paa / at den Guds om gaff mig Jesum / hand skal icke undfalde mig / indtil all Strijden vel er offverstanden, Oc der hos sagde hand: O hvad er jeg meget svag: Gud stat mig udi min Svaghed bij.³⁹

By the power of the blood of Christ I shall fight,⁴⁰ and I am certain that the God, who gave me Jesus, he will not let me down until all fighting is over. In addition, he said to me: Oh! how very weak I am: God protect me in my weakness!

Like in the first dialogue, the bishop addresses a worry that is particular but not specific to Friis. Brochmand's response voices *Lk* 15:3–7 and the Parable of the Lost Sheep. He identifies Friis as a 'skrøbelige Faar' ('a weak sheep') that Jesus

37 Ibidem, 49.

38 Ibidem, 49.

39 Ibidem, 50.

40 This refers to the words uttered by Brochmand as he comes to the deathbed: they originate from *1 Tim* 6:11–16 (and not from *1 Tim* 6:7–8 as the print notes in the margin), cf. Brochmand, *Hjelp aff Himmelen* 49–50.

lays on his shoulders, promising not to let go of him until he has carried him through death's darkness, through its 'besværlige Dal' ('troublesome valley'), and into the realm of eternal honour. These words transition, exegetically, into a reading of *Ps* 23, and Friis 'faldt [...] straks ind i Ordene / oc self klarligend gandske Psalme fra Begyndelsen oc til enden opregnede' ('immediately joined the recited words and, by himself and in clear voice, recounted the entire Psalm from the beginning until the end').⁴¹ Here, the sermon ascribes a level of agency to the dying individual. Indeed, Friis would allegedly repeat a specific verse (*Ps* 23:4) and state the following as his uptake:

Jeg finder i mit Hierte / at min Jesus er mit Lius / oc hand vil liuse for mig ind i Himmerige / oc jeg tviler icke / at hand jo vil selff tage mig ved Haanden / oc lede mig igennem Dødens mørcke Dal ind i Himmeriges.⁴²

In my heart, I find that Jesus is my light, and he will shine a light for me into heaven, and I have no doubt that he, indeed, shall take me by the hand and guide me through the dark valley of death and into the heavenly realms.

Now, the print does not relate the implied biblical framework, but Friis's words echo *Jn* 8:12: 'I am the light of the world. Whoever follows me will never walk in darkness but will have the light of life'. Indeed, Brochmand proceeds by interpreting *Jn* 14:6 and *Jn* 5:24. Thus, the dying chancellor is taking active part in the interpretation of his death, and Friis, increasingly, speaks the language of Scripture. As such, the funeral sermon imitates the itinerary of, e.g., catechetical manuals. Its dialogical exchange, however, relates affective states, and Brochmand therefore recounts affects as he witnessed them at the deathbed: he is an eyewitness to different emotional states and the ways in which they become manifest. About this eyewitness, that is, the bishop himself, we learn nothing: he paints a portrait of the dying Friis, but his own emotions are not narrated. In this connection, Brochmand describes what was seen and the context within which he beheld the chancellor. He does not reproduce, it seems, the ways in which he, as a viewer, was affected by viewing Friis.

41 Ibidem, 50–51.

42 Ibidem, 51.

3 Intimacy

The second dialogue, dated 18 September, comes to its conclusion as Friis states: 'Loffvet være Gud for saadan Trøst fra nu oc til ævig Tijd' ('from now until eternity, praise be to God for this comfort').⁴³ After this statement, Brochmand remarks that he next noticed how Friis's hands and arms were cold as ice, while his body was soaked in cold sweat. The observation, presupposing a physical proximity between the two men, makes the bishop ask the chancellor 'om hand icke udi Tijde vilde i Jesu Naffn besikke sit Huus' ('if he, in time, wanted to set his house in order').⁴⁴ On the following pages, Brochmand recounts Friis's farewell speeches to his wife and to his children.⁴⁵ These speeches differ, however. The speech to his wife is introduced by the following show of affection: 'der den gode V. Frue med højbedrøffved Hierte kom til Sengen til hannem / racte hande hende Haanden / oc faffnede hende om Halsen' ('when the good, blessed wife with most saddened heart came to him at the bed, he offered her the hand and embraced her around the neck').⁴⁶ As Friis proceeds to praise his wife, an epideictic speech is recounted inside another epideictic speech. This speech concludes with Friis's wish that 'at hvis hand hafde nogen tjd fortørnet hende / hun hannem det da for Christi skyld vilde tilgiffve' ('if he had ever angered her [the now widow], she would forgive him for the sake of Christ'). The bishop portrays the chancellor's words as having a profound effect upon his wife: she is left speechless by grief. Friis turns next to his children, who are all present, and he delivers an exhortation. He concludes his deliberative speech by enticing the children: 'det er eders Faders sidste Ord til eder / seer til I glemmer dennem aldrig' ('this is your father's last word to you / see to that you never forget it').⁴⁷ The print, in this regard, extends the limits of human memory, allowing the children to honour their father's wish and not forget his admonition. As a conclusion, the children kneel by their father's bed and receive his blessing.

Six days later, on 24 September, the bishop visits Friis again, and the chancellor asks him to relate something from *Romans*. Brochmand recites *Rom* 8:33–34,

43 Ibidem, 52.

44 Ibidem.

45 Ibidem, 52–54. The trope of putting one's house in order is found in medieval and early modern manuals on the good death. For this practice, see, e.g., Palladius Niels, *Huorlunde ith Christet Menniske skal paa sin Soteseng besikke sig til Døden* (Copenhagen, n.p.: 1558) Part 4, [Unpag.] 7v–8.

46 Brochmand, *Hielp aff Himmelen* 53.

47 Ibidem, 54.

and Friis proceeds to quote *Rom* 8:35 from memory.⁴⁸ Hereafter, the biblical exploration continues, but the bishop just mentions that he evoked *1John* 1:7: 'Jesu Christi / Guds Søns Blod / renser os aff alle vore Synder' ('the blood of Jesus Christ, the son of God, washes us clean of all our sins').⁴⁹ Explicating this verse, Friis is told that 'Nu toer Jesus eder med sit Blod aff alt det I nogen Tjd haffver giort Gud imod / saa eders Gud / for eders Jesu skyld / vil aldrig mere ihukmme eders Synder' ('with his blood, Jesus will now clean you of everything you have ever committed against God, so that God, for the sake of your Jesus, never will recall your sins').⁵⁰ This affirmation of *Solus Christus* (Christ alone) is part of the dialogue on death, but the dying chancellor reframes its meaning: 'nu beder jeg for Jesu skyld / at det hellige Jesu Legem oc Blod maa mig igjen paa ny meddeelis' ('for the sake of Jesus, I now pray that the holy body and blood of Jesus could be offered to me again').⁵¹ Indeed, Friis asks if his wife and children might participate in this final communion. Granting him this wish, the final farewells include a listing of the individuals, who, we must infer, were present at Copenhagen Castle. Indeed, these members of the family would also have been seated in the church room.

Describing the family's presence at the deathbed, the bishop writes that Friis, after the communion had been completed, called him to his bed and whispered concerns: his weak body had not allowed him to kneel when receiving the body and the blood of Christ. Brochmand answers this concern by returning to Gethsemane, where Christ knelt and even prostrated out of humility to the divine. However, at the moment of his death, when he was nailed to the cross, he could no longer kneel. Delivering his soul unto God, limitations upon his movement had been imposed and these denied him a physical display of humility. Instead, Brochmand avers, Christ knelt down in his heart. Friis is bound to the deathbed that, by comparison, becomes equal to the cross: he too should kneel in his inner self.⁵² In spatial terms, this advice also creates an intimate zone within a somewhat crowded location: Brochmand's words address a concern that is not voiced openly, but communicated within an intimate space. Words whispered seem to us private. They express doubts that Friis, intentionally, reserved for Brochmand. In his turn, the bishop, from the pulpit and in print, discloses what he had witnessed. The theological response

48 Ibidem, 57.

49 Ibidem.

50 Ibidem, cf. *Rev* 7.14.

51 Brochmand, *Hielp aff Himmelen* 58.

52 Cf. Brochmand, *Hielp aff Himmelen* 60–61.

that facilitates the silencing of the reported doubts, then, becomes part of the official portrait of the chancellor, his pious character, and his way of dying.

4 Locating the Soul

Above, we mentioned how the process of dying is initiated when Friis acknowledges the irreversibility of his condition and, by implication, turns our attention towards the soul. Protestants had rejected Purgatory as a concept: souls, for them, could not go there after death. Where, then, to locate the soul? This question did not have an obvious answer.

Brochmand's sermon first approaches this question in an undated dialogue, probably taking place between 18 September and 24 September. During this period, we learn that Friis would often say: 'Kom Herre Jesu / kom snart: jeg lengis meget effter dig' ('come Lord Jesus, come soon: I very much long for you').⁵³ In addressing this longing, the bishop evokes the martyrdom and vision of Stephen, stating that 'Tijden var icke langt borte / at hand skulde sige: See, jeg seer himmelen aaben / oc Jesum staa hos Guds højre haand' ('the time is not far away, when he should say: Look, I see the heavens opened and Jesus standing at the right hand of God').⁵⁴ To this, Friis promptly answered: 'Effter den Tjme længis jeg: der paa vil jeg sige, sagde hand: Herre Jesu udi din Haand befaler jeg min Aand' ('for this hour I long: then, I shall say, he said, Lord Jesus, in your hand I give over my spirit').⁵⁵ By the latter statement, the dying chancellor, silently, makes Stephen's last words into his own: his experience is guided by the martyr's model. Moreover, these words were also used as proof in the prefatory statement. The fear of God entails the love of one's enemy, and Stephen proves this as he, according to *Acts* 7:60, asked God that he would refrain from punishing the individuals who were in the process of stoning him.⁵⁶ By way of this model, Friis also anticipates his death. Using biblical

53 Ibidem, 56. In the margin, the print relates these words to *Revelations* 20:22.

54 Ibidem, cf. *Acts* 7:56.

55 Ibidem, cf. *Acts* 7:59. This verse was commonly used in Reformation manuals on the preparation for death, see Resch C., "Reforming Late Medieval *Ars Moriendi*: Changes and Compromises in Early Reformation Manuals for Use at the Deathbed", in Rasmussen T. – Øygaard Flæten J. (eds.), *Preparing for Death, Remembering the Dead* (Göttingen: 2015) 153–172, here 166.

56 Brochmand, *Hielp aff Himmelen* 13–14.

language, the chancellor, proleptically, engages with the dramatic moment of death.⁵⁷

As Brochmand recounts another meeting on 27 September, we learn that he had been called for but almost missed the call: he reacted to the second call, however, and upon the bishop's belated arrival at Copenhagen Castle Friis tells him:

Jeg kand icke andet end lade eder vide / at Herren haffver bevist stor
Miskundhed mod mig. Nu haffver jeg hvercken ont i Hoffvet eller Hierte /
eller i Lemmer; Jeg var en sted henne / hvor alting var saa meget dejligt:
Jeg kand icke nocksom sige hvor herlige der var: Men jeg var der saa
meget stacket: O maatte jeg snart komme did igien!⁵⁸

I cannot inform you of anything more than that the Lord has shown me great mercy. Now, I have pains in neither head nor heart nor limbs. I was in some place where everything was so very lovely. I cannot fittingly express how glorious it was there, but just for a brief moment I was there: Oh! May I soon return there!

This statement completes a shift in perception, which was prepared on the preceding pages that evoke Stephen's vision. Until this shift, Friis and Brochmand had exchanged words, and the sermon presents the dying man as increasingly apt in biblical language usage. This aptitude corresponds to his increasing detachment from his body. However, the meeting on 27 September turns from words to a mystical experience. According to Brochmand's immediate response, Christ will soon return the chancellor to this place. Indeed, Friis need not worry about his inability to understand what he had seen. With reference to Paul's vision in *2 Cor* 2:9 and *2 Cor* 12:2–3, the bishop affirms that such experiences cannot be represented in language. As the individual approaches the threshold between life and death, his soul speaks, and the meaning of its words resides beyond what human language can express. Indeed, Friis is alone with his vision, and should we, then, view such a vision as private? Theologically, the question of salvation, of locating the soul in the everlasting realm, cannot be confirmed by reference to deeds or events. It resides beyond what the public

57 Such continual meditation, whereby the singular moment of death is extended and encompasses all of life, is a feature of the *ars moriendi* as it developed during the fourteenth and fifteenth centuries, see Hamm B., *Religiosität im späten Mittelalter. Spannungspole, Neuaufbrüche, Normierungen* (Tübingen: 2011) 475–476.

58 Brochmand, *Hjelp aff Himmelen* 63.

might see. Even the bishop by the deathbed cannot confirm this with certainty, and the Lutheran funeral sermons rehearse a level of essential unknowability. Nevertheless, this experience is posited in the description of Friis – it is uttered by the dying chancellor – even though it cannot be narrated fully. The presence of God in an intimate encounter resists representation even as it is represented.

We should remark the quasi-fictional introduction to this meeting, where Brochmand almost misses the call: this circumstance – true or false – underlines the liminal nature of what we learn about Friis. As a framing device, it underlines the ephemeral nature of experiencing the divine. Two days later, on 29 September, Friis evokes the related topic of the angels that will soon ‘bære hans Siæl ind i Himmerige i Abrahams Skiød’ (‘carry his soul into heaven and to Abraham’s bosom’).⁵⁹ Brochmand proceeds by reading ‘den gledelig Loffsang: O Gud vi lofve dig / vi bekiende dig en Herre’ (‘the joyous song of praise: O God, we praise you / and confess you the only Lord’).⁶⁰ Hereafter, the bishop recalls:

Oc der same Loffsang aff mig vaar udlæst: begyndte hand self allene strax at siunge med livdelig / dog svag / Røst: *In te Domine speravi, non confundar in æternum*: Jeg haaber paa dig Herre / jeg skal icke beskæmmis Evindeligen. Oc disse Ord: *Non confundar in æternum*: Jeg skal ick beskæmmis Evindeligen: tog hand to eller tre gange igjen.⁶¹

And when this very song of praise had been read aloud by me, he began immediately by himself to sing with a lively but weak voice: *In te Domine speravi, non confundar in æternum*: I have hope in You, Lord, I shall never in eternity be confounded. And these words *Non confundar in æternum*: I shall never in eternity be confounded, he repeated two or three times more.

59 Ibidem, cf. *Lk 16:22*. The metaphor expressed the location of the soul before the idea of Purgatory became normative, see Baschet J., *Le sein du père: Abraham et la paternité dans l'occident médiéval* (Paris: 2000). For the new location of the dead, see Wangsgaard Jürgensen M., “Spacing Death – Facing Death: Conceptualizing the Encounter with Death during the Early Modern Period”, in Rasmussen – Øygaard Flæten (eds.), *Preparing for Death, Remembering the Dead* 123–151.

60 Brochmand, *Hielp aff Himmelen* 64.

61 Ibidem, 64–65.

Initially, it seems Brochmand read from the Danish rendering of *Te Deum Laudamus*,⁶² before Friis, spontaneously, reverts to the Latin original.⁶³ From his use of Latin we could infer that Friis, effectively, is turning back the hands of time: this language use refers back to his youth, his education, and travels in Europe.⁶⁴ Indeed, the chancellor continues by singing Martin Luther's 'Mit Fried und Freud ich fahr dahin' in Danish translation: 'Met glæde oc fryd faer jeg nu hen' (In happiness and joy, I now move on).⁶⁵ Indeed, Friis 'den alleene til Enden klarligen oc redeligen / dog svageligen / udsang' ('sung it by himself to the end in a clear and distinct yet weakly manner').⁶⁶ When the physical powers left Friis and he could no longer sing, Brochmand continued by reading aloud 'Naar min Tijd oc Stund er forhaand' ('When my time and day has come').⁶⁷ Friis listens to these words crying and with his hands folded, the tears serving as a material manifestation of words resonating in the interior realm. Without evidence to corroborate the claim, we cannot know if these hymns were sung in the Church of Our Lady. It would have been an obvious choice, however.

The transition from spoken to sung words underscores that the process of dying has entered a crucial stage. Like the mystical vision of heaven that within the biographical outline resists narration, the singing on earth, by the death-bed, is a prefiguration of the angelic song in heaven: it parallels the *mundus visibilis* with the *mundus intellectualis*. The parallelism becomes evident after Friis has passed away, and Brochmand concludes his narration:

Siælen staar nu udi største Ære for Guds oc Jesu Ansiet / oc uden affladelse
tiener oc tacker baade Dag oc Nat Gud / oc haffver erlangt Sejervinding

62 See Thomissøn Hans, *Den danske Psalmebog met mange christelige psalmer* (Copenhagen, Lorenz Benedict: 1559) 304–308.

63 The *Te Deum Laudamus* is traditionally ascribed to Ambrose or Augustine. Friis sings the final verse that, in Thomissøn's rendering, sounds as follows: 'Til dig Herre staar all vort haab / derfor lad os icke bliffve til skendzel evindelig' ('In you, Lord, all our hope is placed / therefore let us not ever be to disgrace'), Thomissøn, *Den danske Psalmebog* 307v.

64 See Lund T.-T., *Dagligt liv i Norden i det sekstende århundrede*, vol. 14 (Copenhagen: 1901) 48–49.

65 Brochmand, *Hielp aff Himmelen* 65, cf. Thomissøn, *Den danske Psalmebog* 333v–334. In Thomissøn, this belongs to the section 'Om Døden / oc begraffvelse' (On death and funeral). Luther's original was based upon the 'Nunc dimittis' or the canticle of Simeon (cf. *Lk* 2:29–32) and was first published in 1524.

66 Brochmand, *Hielp aff Himmelen* 65.

67 Thomissøn, *Den danske Psalmebog* 336v–337v. In Thomissøn, this psalm also belongs to the section on death and funeral. It was originally written by the Lutheran cantor Nikolaus Herman (ca. 1500–1561).

offver Verden / Synden / Døden / Dieffvelsen / oc siunger denne ny Sang:
Loff oc Ære / oc Viissdom, oc Tack oc Prijs / oc Krafft / oc Styrcke / være
vor Gud / fra Evighed oc til Evighed / Amen. Legemet som seeis her for
Øjen / skal den Herre Jesus udi sin Tijd opvæcke aff Jordens Støff / oc det
giøre sit ærefulde Legemligt / effter den Kraft / som hand oc kand giøre
sig self alle Ting underdanige.⁶⁸

Now, the soul stands in the greatest honour before the face of God and Jesus and it, incessantly, serves and praises God day and night, and having procured the victory over the world, sin, death, the devil, and now singing a new song: blessing and glory and wisdom and thanksgiving and honour and power and might be to our God, forever and ever! Amen. In due time, the body that now can be seen before our eyes the Lord Jesus shall resurrect from the dust of the earth and make into his honourable body, according to the power with which he can also subject everything to himself.

5 The Moment of Death

Before this transition was completed, Friis had been quiet and motionless for hours. In a troubled voice, he repeated 'Herre Jesu / Herre Jesu' ('Lord Jesus, Lord Jesus'), and Brochmand mentions that 'vi [...] alle haffde gjort voris Bøn til Gud for hannem' ('all of us had said our prayers for him to God').⁶⁹ 'Vi' ('we') implies that the bishop was not alone with the dying man. The pronoun, however, remains unspecified, and it serves, strategically, to underline the following statement:

jeg kom til Sengen til hannem oc sagde: Herre Jesu / lad nu dine hellige
Engle lejre sig om denne din udvalde Tienere / oc føre hans Siel ind i
Himmerigis ære / der at skue sin Gud oc sin Frelser Jesum Evindeligen:
Aabne hans Siæls Øjne / at hand maa see din Ære: Herre Jesu annamme
din Tieneris Aand udi din haand.⁷⁰

I came to him by the bed and said: Lord Jesus, let now your holy angels group around this your selected servant and guide his soul into the glory

68 Brochmand, *Hielp aff Himmelen* 67–68, cf. *Rev* 7:12.

69 *Ibidem*, 66.

70 *Ibidem*.

of heaven, in order there to see his God and his Savior, the eternal. Open the eye of his soul that he may see your glory: Lord Jesus, receive your servant's spirit in your hand.

In response, Friis lifts both his arms and, in a quiet voice, says: 'Jesu' ('Jesus', vocative). It seems as if the chancellor is about to pronounce a longer sentence, but, immediately, his breath turns still and, Brochmand explains, 'hvorfor jeg bøjede mig ned til hannem / oc da haffve den Herre Jesus i samme Øjeblik annammet til ævig Ære hans Siæl' ('therefore I leaned down towards him, when the Lord Jesus in the same moment had taken his soul to eternal glory').⁷¹ The bishop, withdrawing from this close proximity, proceeds to the blessing of his body that it, in time and together with the soul, would be accepted into the eternal joy of heaven. Then, 'soff [...] denne S. Herre saa sødelig oc sactelig bort udi Jesu Paakaldelse / uden all Legemens besværilig Bevegelse' ('the blessed Lord, sweetly and quietly, died by the calling of Jesus').⁷² How are we to evaluate this last scene? Is it private or public? It seems that Brochmand's sermon presents the moment of death as an intimate experience. A similar strategy can be identified during the other meetings. The way of dying was part of public praise, but it contains pockets of privacy.

6 Private or Public?

We should recall that the description of Friis's death is part of the overall eulogy of his person. As such, the private scenes and states are part of the epideictic speech, defined by Philipp Melanchthon (1497–1560) as a speech that 'continet laudationem et vituperationem, sed multum interest, utrum personae tractentur, an facta, aut res' ('covers praise and blame but it makes a great difference whether persons or deeds and things are dealt with').⁷³ This classical definition is followed by the equally traditional observation that the praise of an individual requires the relevant commonplaces, known in Greek as *topoi* and in Latin as *loci*. Again, this observation is not novel: all rhetorical *inventio* is structured according to complex commonplaces because the orator, without being an expert in all domains, must be able to speak about all topics. The *topoi/loci* facilitate a method that allows a trained orator to

⁷¹ Brochmand, *Hjelp aff Himmelen* 67.

⁷² *Ibidem*, 67.

⁷³ Melanchthon Philipp, *Opera Omnia*, vol. 2/2, eds. W.P. Weaver – S.Strohman – V. Wels (Berlin – Boston: 2017) 314.

find relevant ideas for every situation. Since antiquity, lists of relevant commonplaces were compiled. They aim to be exhaustive, but, as the epideictic speech gained in popularity, such lists multiplied. With regard to the praise of persons, lists survive from the fourth century BC. Thus, Isocrates outlines eight commonplaces,⁷⁴ while Menander Rhetor II posits a longer list.⁷⁵ In Melanchthon, we find several lists including the following: 'Patria, Sexus, Natales, Ingenium, Educatio, Disciplina, Doctrina, Res gestae, premia rerum gestarum, unitae exitus, opinio post mortem' ('homeland, ancestry, birth, character, education, career, habit, knowledge, honours won by actions, death, and name after life').⁷⁶ Laurent Pernot remarks that such lists follow a division of goods. Homeland, ancestry, birth, and character refer to exterior goods that the person enjoys throughout life, while education, deeds, and honours are goods of the soul, which generate certain actions and virtues.⁷⁷ The rise of epideixis hinges upon the multiplication of social scenarios during the Imperial period, which required such a speech. However, the first rhetorical eulogies were public funerals. Within this setting, rhetorical praise adhered to a chronological order of events: death facilitated the telling of the history of society in which the deceased individual had played a role. Accordingly, encomium seems to rule out privacy, understood as something that is not public: praise and blame target the good of the object, that is, the virtuous actions of an individual, and such goods are inherently social; visible actions manifesting virtues that can be praised. Here, *privatus* takes on an entirely negative meaning, and such an understanding is still preserved in Melanchthonian rhetoric:

In funebribus privatorum persona laudatur iis, quos praescipsi, locis: natalibus, educatione, cursu gestisque vitae. In funebribus multorum laus aliunde petitur, ut a decoris patriae, gentis, urbis, pro qua illi mortem oppetierunt. Deinde a commodis, quae peperit illorum mors, quin et a generali mortis ratione, qua fere in consolando, si desit honestior occasio, utimur.⁷⁸

74 See Pernot, *Epideictic Rhetoric* 35–36.

75 Ibidem, 32–34.

76 Melanchthon, *Elementorum rhetoricae* 314. This list is close to the outline in Cicero Marcus Tullius, *De Inventione* 1.34–36 (Cambridge, MA: 1949) 70–74. Another list appears in Melanchthon's earlier *De Rhetorica*, where six *loci* are posited: 'Natales' ('birth'), 'Educatio' ('upbringing'), 'Adolescentia' ('youth'), 'Iuventus' ('manhood'), 'Senectus' ('old age'), and 'Mors' ('death'), Melanchthon Philipp, 'De Rhetorica libri tres', in *Opera Omnia*, vol. 2/2, 87. This shorter list of *loci* is no less complex, since its entries are not boxes to be checked off but vantage points that the orator can use to structure his praise of an individual.

77 See Pernot, *Epideictic Rhetoric* 37–39.

78 Melanchthon, *De Rhetorica* 92.

In the funerals of private individuals, the persona is praised by these prescribed topics: birth, upbringing, life trajectory, and deeds. In the funeral of many other individuals, praise can be sought in other sources, like from the glory of the country, people [and] city on whose account they went to their deaths. Thereafter, [praise can be sought] from the advantages that their death had produced: indeed, and if there is not a better alternative, [praise can be sought] from the general destiny of death as a way that we usually use in consolation.

The public funeral of a private individual places great constraint upon epideictic speech because its object of praise – the deceased individual – is not in itself praiseworthy. Put differently, individuals are private in death when their death has no immediate meaning to society and when their life has left no clear mark on the history of the collective. Indeed, the term *privatus* can refer to an individual that has no civic office.⁷⁹

In Brochmand's rendering of Friis's life that precedes his illness and death, he utilises many of the abovementioned *loci*, and the print evokes them in the margin. In total, nineteen marginal notes refer to various aspects of the chancellor's life. Initially, the sermon recounts the birth of the deceased,⁸⁰ his noble heritage,⁸¹ Christian upbringing in his parents' household and further education at the royal school of Sorø. The latter *locus* about education refers to the parents' actions: they did not neglect to have Friis baptised or 'at holde hannem til Bogen / oc ellers udi god Optuctelse' ('to educate him and also to give him a proper upbringing').⁸² Furthermore, they also had him enrolled into 'den berømte Kongelig Skole' ('the famous royal school'). Together, this early part of the life of the deceased corresponds to headlines in the margin: these could comprise the *loci* of homeland, ancestry, birth, and education, whereby they praise exterior goods.

However, the *locus* on education introduces an element that is not about goods awarded to Friis, but rather a result of his own enterprise: we are informed that the chancellor showed intellectual promise and progress at Sorø, which constitutes a good of the soul. This perspective is continued in the account of his travels,⁸³ which prefaces his way of life and deals with the career embraced by Friis at the court of King Christian iv.⁸⁴ These two

79 On this root meaning of *privus*, see Bruun's contribution to this volume.

80 Brochmand, *Hjelp aff Himmelen* 33.

81 Ibidem, 33–34.

82 Ibidem, 34–35.

83 Ibidem, 35–37.

84 Ibidem, 37.

sections align, making Friis's youth in foreign lands a preparation for his royal service. Hereafter, his career trajectory is charted: Brochmand mentions Friis's role as an envoy to Holland,⁸⁵ together with his critical function during the Kalmar War.⁸⁶ We also learn how he travelled with Christian IV to England, where the King visited his older sister, Anne of Denmark (1574–1619), and her husband, King James I (1566–1625).⁸⁷ Brochmand mentions that Friis, after his safe return to Denmark, was appointed 'Prinselig Højheds Hoffmester' ('High-Master of the Princely Court'),⁸⁸ before he was knighted and became member of the Royal Chancellery. That same year, in December 1616, Friis was appointed High Chancellor.⁸⁹ The sermon mentions Friis's belongings,⁹⁰ while his marriage to Barbara Wittrup also plays an important role.⁹¹ At the end of the sermon, their children are mentioned by name.⁹² The latter section corresponds to the initial rendering of Friis's birth and heritage: the portrait of his individuality is framed by his family name. The framing underlines how the pure portrait of an individual is a challenge to epideixis that, in its traditional model, subsumes individuality under a shared social identity: the particularities of Friis's life illustrate a shared model of identity. However, the final *locus* in the description returns to individuality. Entitled 'Christelig førte Leffnet' ('Christian conduct'), the section states:

Ald sin Lifvis tijd haffde den gode S. Herre / Gud hierteligen for Øjne / paakallede hannem inderligen i alle sine Idretter forsømmede aldrig frivilligen Guds Tieniste / forvarede sig / det allermeste it Menniske mueligt være kunde / fra det hans Samvittighed kunde besverge: vilde hver mand vel / ingen ilde med Forset [...] Oc med faa Ord sagt / holdte sig i alt sit Leffnit / som en retsindig Christen eigner oc sømmer.⁹³

For all of his life, the good and blessed Lord held God before his eyes with joy, evoking him internally in all his deeds and he never willingly neglected the worship of God: as much as it is humanly possible, he kept himself from what might trouble his conscience; and he wanted the best

85 Ibidem, 37–38.

86 Ibidem, 38–39.

87 Ibidem, 40–41.

88 Ibidem, 41.

89 Ibidem, 41.

90 Ibidem, 39; 40; 41–42.

91 Ibidem, 39–40.

92 Ibidem, 43–44.

93 Ibidem, 44.

for all men and intended no evil for anybody [...] To put it in so many words, he carried himself in everything in his life as is fitting and appropriate for a just Christian.

This statement is slightly surprising, since we have heard little about the chancellor's religious beliefs. It seems rather to prepare what Brochmand is about to explicate, namely Friis's death and its theological value. Until this point, the sermon has portrayed the public image of the deceased, and Brochmand therefore remarks:

Foruden mange andre den Salige Herris berømmelige Idretter / som her icke giøris behoff vidløftiger at udføre / efftersom størsteparten enhver vitterlige ere / oc hans Kongelige Mayts: egen Kongelige oc Naadiste ofverværelse til denne hans Jordefærd.⁹⁴

In addition, [there are] many other [and] well-known actions of the blessed Lord, which here do not need to be lauded, since most are known to everyone, and since His Royal Majesty is present in His royal and merciful person to witness this his funeral ceremony.

Hereafter, the sermon proceeds to detail Friis's death, and this description, it seems, is not redundant but rather worthy of attention. Thus, Brochmand's recounting of Friis's 'Liffs oc Lefnets' ('life and deeds') is publicly known, while his 'saligste Affskeed fra denne Verden' ('pious departure from this world') involves scenes that reside beyond what the public knows. Indeed, this part of the representation posits a level of essential unknowability, which even extends to Brochmand and to dying Friis.

94 Brochmand, *Hielp aff Himmelen* 42. The presence of Christian IV is also communicated on the title page. Brochmand supplies further reasons why he condenses Friis's life. According to the bishop, the deceased 'alvorligen begierede / at alt for meget Verdslig Prang / saa vel udi hans Ligs Begiengelse udi sig self / som udi Ord oc Tale offerer hannem / at matte forbigaa' ('firmly desired that too much worldly glory should be disregarded in the funeral ceremony itself as well as in the words and speech about him'), *ibidem*, 32–33. Thus, the abbreviated *Vita* expresses a devotional stance of humility. Such second-hand professions of humility are common within the Lutheran funeral sermon and constitute a preemptive response to the suspicions against hyperbolic praise.

7 Conclusion

Brochmand's funeral sermon transitions from a public event – an oration delivered to an audience – to a published event – the printed page making information available to readers. This transition rehearses a social model of identity that is essentially public: it outlines the life of the deceased in keeping with a list of *loci*, which allows the speaker to praise past actions as manifestations of virtues and thereby as societal goods. Based on this model, the sermon introduces information that is not in the public domain: Brochmand shows Friis where nobody could have seen him and confirms the public image of the chancellor in his most personal moments. The private realm of experiences, however, does not contradict public knowledge. It is not an isolated realm, but rather part of the shared space of society. Death individualises, but the sermon presents this individuality as exemplary – as private but public.

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Secret Routes and Blurring Borders: The New Apartment of Giuseppe Papè di Valdina (Palermo, 1714–1742)

Valeria Viola

By ascribing various names and functions to a significant number of different rooms, early modern treatises suggest that an increasing specialisation of domestic spaces was in progress in Italian residential architecture.¹ Despite the manifold nuances often emerging from case studies, scholars have usually identified this period as showing the beginning of a rising quest for intimacy and privacy connected to a more defined division between anterooms open to visitors and more withdrawn backrooms, owners' and servants' areas, male and female spaces, and so on.² However, other studies investigating the interactions between domestic spaces and the people experiencing them have argued that the spatial arrangement of aristocratic dwellings long remained adaptable to multiple uses and allowed continuous negotiations of roles and

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- 1 This case study was first approached in my PhD thesis *Architecture, Devotion, Family Life: Aristocratic Houses of Baroque Palermo (ca. 1650–1770)*, which was conducted at the Art History Dept. of the University of York and supervised by Prof. Helen Hills (PhD awarded in 2020). I sincerely thank the architect Giuseppe Barresi, who provided me with drawings and photographs that were essential to understand the internal structure of a building that is now inaccessible. The paper also benefitted from my participation in the Early Modern Privacy conference, *Notions, Spaces, Implications*, organised by the Danish National Research Foundation Centre for Privacy Studies in Copenhagen in April 2019. All translations from Italian are mine. By 'early modern treatises' I refer here to architectural treatises and etiquette manuals circulating in the Italian peninsula and in Sicily in the early modern period. In the same context, however, legal documents and notarial deeds provide us with a more complicated picture, thus allowing historians to overcome what Giulia Calvi defines as the 'distortion between representation and practices'; see Calvi G., "Maddalena Nerli e Cosimo Tornabuoni: Comportamenti domestici ed affettivi (XVI–XVII secolo)", in Visceglia M.A. (ed.), *Signori, patrizi, cavalieri nell'età moderna* (Rome: 1992) 265.
 - 2 For Southern Italy, see Luise F., "Gli spazi delle residenze aristocratiche tra intimità e esigenze rappresentative", in Denunzio A.E. – Di Mauro L. – Muto G. – Schütze S. – Zezza A. (eds.), *Dimore signorili a Napoli. Palazzo Zavallos e il mecenatismo aristocratico dal XVI al XX secolo* (Naples: 2013) 95; Giuffrè M., "Palermo. La cultura dell'abitare fra tradizione e rinnovamento", in Simoncini G. (ed.), *L'uso degli spazi privati nell'età dell'Illuminismo* (Florence: 1995) 543–544.

spaces.³ The issue has also provoked interesting debates in relation to places other than the Italian peninsula.⁴

This paper contributes to the discussion by challenging the overwhelming attention paid to Central and Northern Italy, that is, by focusing on the renovation of the Palazzo Papè di Valdina in Palermo, which was carried out between 1714 and 1742. As an example of extremely complex connections between various dwellings, a monastery, a church, and the city, this case study offers the opportunity to explore the boundaries between different areas and spheres (private and public, personal and familial, female and male, secular and religious) and to investigate the issue of privacy in relation to the negotiation of these boundaries.⁵

1 Looking for Space and Visibility

Hailing from Antwerp, the Papè family began rising to prominence in Naples in 1535 with the military career of Giovanni Tomaso Papè, knight of Charles v (1500–1558).⁶ After a century, the family moved to Palermo, where they found

3 Maurer M.F., *Gender, Space and Experience at the Renaissance Court: Performance and Practice at the Palazzo Te* (Amsterdam: 2019) 43; Smith A. “Revisiting the Renaissance Household, in Theory and in Practice: Locating Wealthy Women in Sixteenth-Century Verona”, in McIver K. (ed.), *Wives, Widows, Mistresses, and Nuns in Early Modern Italy: Making the Invisible Visible through Art and Patronage* (Farnham: 2011) 141–157.

4 In relation to early modern French abodes, Sara Galletti underlines the need of clarification when terms such as *private* and *public* are used, see Galletti S., “The Royal Gallery at the Time of Henry IV. Architecture and Ceremonial”, in Nativel C. – Capodiecì L. (eds.), *Henri IV: Art et Pouvoir* (Tours: 2016) 329; Juan Postigo Vidal argues for a temporary balance between versatility and specialisation of domestic space in seventeenth-century Zaragoza, see Vidal J.P., “El Espacio Domestico en Zaragoza en el siglo XVII: Versatilidad y Especialización”, *Historia Social* 73 (2012) 22–23; Lena Cowen Orlin’s research on domesticity argues that privacy was a secondary objective in designing houses in Tudor London, see Orlin L.C., *Locating Privacy in Tudor London* (New York: 2009) 9–10.

5 The paper investigates privacy in spatial and experiential terms, by exploring the distance that people could experience from spaces variably shared with others, both within and without the house. In this sense, the term privacy is associated with the Italian word *riservatezza*, which implies both withdrawal and confidentiality. However, the paper does not rely on individual perceptions of the space nor on personal memories of its use since no personal letter or diary has been traced.

6 Archivio di Stato di Palermo (hereafter: ASP), *Papè*, vol. 395, fol. 1. The document, which reports the services of the heads of the Papè family to the Crown of Spain, gives no other information regarding this ancestor except that on 20 October 1535 he was granted the privilege of becoming a royal soldier.

suitable ground for their social ascent.⁷ Like many other aristocratic families, as soon as they were established in Palermo, they started negotiations for social and physical space to enhance their visibility. In society, the heads of the Papè household pursued political recognition through engagement with the administration of the viceroyalty.⁸ In 1624, Cristoforo Papè (1607–1666) bought the office of *Protonotario del Regno* (Master Notary of the Kingdom) for 27,000 scudi, and in 1643 asked for and obtained from the king the extension of it ‘a due vite’ (‘to two lives’), namely to his son Ugo (1647–1701) and his grandson Giuseppe (ca. 1685–1742).⁹ The office long remained the most significant trait of the lineage, but the family also supported their position and wealth by collecting many rich fiefs around Palermo through profitable marriages into families of ancient nobility.¹⁰ Within the urban fabric, the Papè family settled in the highest part of the most central street, known as the *Cassaro*. The palace was a complex of pre-existing houses, which in 1651 passed into the hands of Cristoforo from his wife’s assets.¹¹ This block was part of the first settlement of Palermo (sixth–seventh centuries BC), not far from the cathedral, and flanked by two narrow alleys starting from the *Cassaro* and perpendicular to it [Fig. 18.1a–b]: to the east the alley today called *via del Protonotario* and to the west the alley now known as *vicolo del Lombardo*.

The family negotiated its own spaces in the neighbourhood through architecture. For example, the renovation of the adjacent church dedicated to Saint Thomas of Canterbury became a way to forge alliances as Giuseppe chose a Jesuit architect, Agatino Daidone (1672–1724), from the nearby *Collegio Massimo* to direct the works. However, architecture also generated rivalries and disputes, especially because the search for space often entailed an ambition for a view. Joseph Connors argues that much of the residential architecture in Baroque Rome was shaped by adjustments aimed at visual prominence – in

7 Mugnòs Filadelfo, *Teatro geneologico delle famiglie nobili di Sicilia nobili, titolate, feudatarie*, vol. 3 (Messina, Stamperia di Giacomo Mattei: 1670) 56. On the mobility of aristocracy towards and within Sicily, see Ligresti D., *Sicilia aperta (secoli XVI–XVII): Mobilità di uomini e di idee* (Palermo: 2006) 78–91.

8 At that time, Sicily passed from the Spanish Crown to the House of Savoy (1713–1720), to the Habsburgs of Austria (1720–1734), and to the Bourbons of Naples (from 1734). Palermo was the main ceremonial venue of the viceroy.

9 Salamone L., *L'archivio privato gentilizio Papè di Valdina* (Messina: 1999) 19–20. The role of *Protonotario* included the organisation of ceremonials of the viceroy, the surveillance of the notaries of the kingdom, their designation, destination, and removal, and special offices inside the Sicilian Parliament and the Deputation of the Kingdom. Emanuele e Gaetani Francesco Maria, *Della Sicilia nobile*, vol. 1 (Palermo, Stamperia de' Santi Apostoli: 1754) 84–85.

10 Salamone, *L'archivio privato*, 21, 37.

11 ASP, *Papè*, vol. 54, fol. not numbered.

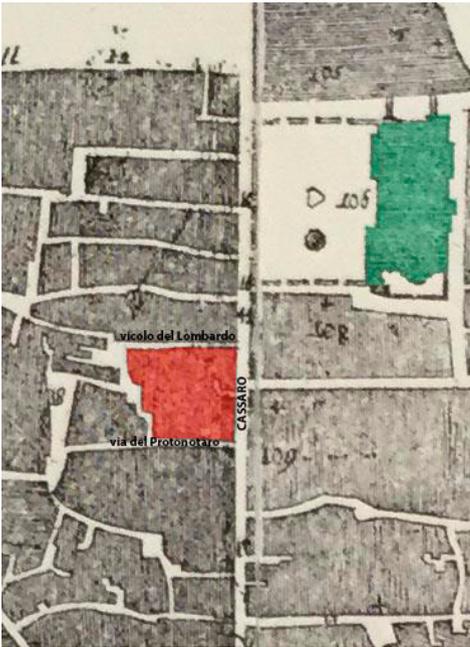


FIGURE 18.1A–B
Francesco Maria Emanuele e Gaetani, Marchese di Villabianca, *Pianta geometrica e novella secondo lo stato presente della città di Palermo capitale del Regno di Sicilia coll'antico Palermo giacente in essa e co' sobborghi, molo e campagna*, Biblioteca Regionale Palermo, 1777. In the detail: Palazzo Papè is in red, the Cathedral in green

the sense of a better view and greater visibility – thus implicating both political alliances and enmities.¹² In Palermo the blocks that flanked the Cassaro were so densely built that any enlargement or raising of palaces could prompt contrasts. Satisfactory agreements for both opponents were possible between parties of equal social weight, as it happened in 1704, when the impeded view of the outdoor events taking place along the Cassaro drove the nuns of the *Monastero dell'Oreglione* to ask Giuseppe Papè for a passage over the roof of his palace. Yet on most occasions, such conflicts were resolved in favour of the most powerful contender. In 1693, the raising of a room by Ugo Papè was strenuously – albeit ineffectively – opposed by the duke of Rinella, who owned the palace opposite Ugo's, along the vicolo del Lombardo, because the new room reduced the light and the view from one of his windows.¹³ For the same reason, in March 1737 the 'aromataio' (apothecary) Vincenzo Romagnolo tried in vain to stop the building of a part of Giuseppe Papè's new apartment.¹⁴

The view represented a (visual) encroachment into the outdoor space and, as such, an instrument of political strategy. Participating in outdoor events from windows and balconies meant seeing from above and being seen from below, i.e. being framed in a higher position, physically and socially. The Papè family used the front on the Cassaro mainly for renting, perhaps sensing its profitable potential. The advantages that the view on the Cassaro could offer were obtained, to some extent, from the side front, the via del Protonotaro, where the main entrance of the palace was located. Since the Protonotaro organised the routes of the most important processions, he could easily make them pass along this alley.¹⁵ Significantly, most anterooms of his main dwelling were located along this side. These rooms were open to visitors and used for banquets during the urban processions passing under their balconies: for example, in July 1714 refreshments were organised on the eve and the day of Saint Rosalia's feast.¹⁶

Observing with nonchalance from a balcony facing an open space was a usual way to attend outdoor festivities without mixing with the crowd that generally accompanied these events. In 1693, Ignazio De Vio reported that, during the passage of Saint Rosalia's cart along the Cassaro, some spectators attended the event from their own houses as they 'a gran folla aspettavano la comparsa su i balconi, e finestre, che davano in quella strada' ('crowdedly waited for

12 Connors J., "Alliance and Enmity in Roman Baroque Urbanism", *Römisches Jahrbuch der Bibliotheca Hertziana* 25 (1989) 207–294, here 209.

13 The long legal dispute is reported in ASP, *Papè*, vol. 77.

14 ASP, *Papè*, vol. 47, fol. 76.

15 On the Protonotaro's management of processions, see Salamone, *L'archivio privato* 27.

16 ASP, *Papè*, vol. 884, 14 and 15 July 1714.

the appearance [of the cart] on balconies and windows that opened on that road').¹⁷ This participation from above was not specifically related to aristocracy since everybody could see processions from the windows of their houses, and, at the same time, aristocrats often walked (or rode) along the streets following the Saints' statues. Yet the aristocratic palaces had the best positions on the principal routes and the view from balconies was also often deemed as more appropriate for highborn people by the most conservative voices. In the description of the running procession of Saints Cosmas and Damian, the Marquise of Villabianca reported:

[H]o veduto io, Villabianca, persone civili e di qualche riguardo non avere ribrezzo a corrervi di appresso meschiati a plebei, sperando nei Santi ottener fine a' loro mali e perchè, nel corrervi, vi provavano un gran piacere.¹⁸

I myself, Villabianca, saw civilised people of some respect not disdain- ing to run behind [the procession] mixed with the plebeians, hoping to obtain from the Saints the end of their pains and because they felt pleasure in running.

The episode and the tone of the comment reveals Villabianca's irritation but also the contradictory attitude of a social rank that wanted to participate in common life and devotion (even if just for a goliardic purpose) but was, despite this, in need of distinction. Analogously, Filippo De Vivo argues that for Venetian patricians walking was considered an abasement of aristocratic etiquette and that the potential contact with people of lower classes provoked anxiety.¹⁹ Given the height of processional carts, the looking from above arguably happened in Palermo without contradicting the noble arched posture which, according to Georges Vigarello, emphasised the distance and pride of the aristocrats, preventing them from lowering their heads either in a real or metaphorical sense.²⁰

17 De Vio Ignazio, *Li giorni d'oro di Palermo nella trionfale solennità di Santa Rosalia, vergine palermitana celebrata l'anno 1693* (Palermo, Pietro Coppola: 1694) 42.

18 Emanuele e Gaetani Francesco Maria, *Processioni di Palermo sacre e profane*, ed. A. Mazzè (Palermo: 1989) 59.

19 De Vivo F., "Walking in Sixteenth-Century Venice: Mobilizing the Early Modern City", *I Tatti Studies in the Italian Renaissance* 19.1 (2016) 133–135.

20 Vigarello G., *Storia della bellezza. Il corpo e l'arte di abbellirsi dal Rinascimento ad oggi* (Rome: 2007) 84–85.

To sum up, instead of truncating relationships with the outside world out of a desire for intimacy and isolation, architecture seems to arrange them according to temporary agreements affected by political and social causes. However, at this point it seems licit to ask whether this negotiation for space did not also determine the presence of *more* private places, in the sense of *more* isolated, at least in the internal arrangement.

2 The New Apartment

The inner articulation of the palace articulated familial relationships in several coexisting apartments. Analogously to Neapolitan palaces, a complex network of relationships shaped the building from the inside, articulating what Gérard Labrot defines as a ‘constellation of satellites’.²¹ In 1713, in addition to Giuseppe’s two apartments and some rented houses, the palazzo accommodated Giuseppe’s mother, his two brothers, and his mother-in-law, arguably all located in different quarters. Even if the articulation and the interconnection of the apartments cannot now be reconstructed, as the palace is largely ruined, it is still possible to assume that the inside of the palace featured the same crowded density of its neighbourhood and produced the same need for the inhabitants to negotiate their own space.

When Giuseppe Papè succeeded Ugo in 1701, the palace was already equipped with a spacious main dwelling or *quarto nobile*.²² The main dwelling was accessible through a large Sala that gave entrance to the row of anterooms located along via del Protonotaro. Amongst them, a ‘Camera di Negotijo’ (‘room for business’) with two tables for the secretary was most probably used for daily institutional duties.²³ The last anteroom was a large ‘Camera di Strato’, used for gatherings of every sort.²⁴ From here, the dwelling folded along the side that fronted the dormitory of the Monastero dell’Oreglione and a small adjacent piazza. [Fig. 18.2] On this side, the main bedroom, with its bed-alcove and chapel, could hardly boast an intimate atmosphere as it was directly accessible from the Camera di Strato and had to be crossed to reach numerous subsequent backrooms. To sum up, despite its folding around the eastern corner of the palace, the main dwelling had a substantially linear articulation that located the

21 Labrot G., *Palazzi napoletani. Storie di nobili e cortigiani 1520–1750* (Naples: 1993) 38.

22 ASP, *Papè*, vol. 1250, fols. 2v–11v.

23 Ibidem, fols. 1v–2.

24 Ibidem, fol. 9. On the use of this room for entertainment, see Amico Giovanni Biagio, *L'architetto pratico in cui con facilità si danno le regole per apprendere l'architettura civile*, vol. 2 (Palermo: 1997 [1750]) 67.



FIGURE 18.2 The *piano nobile* in 2001. Manipulation of drawing provided by Giuseppe Barresi. In yellow the anterooms, in light red the bedroom area with the bed alcove and the chapel, in light blue the backrooms

bedroom area between anterooms and backrooms, providing the former with a view of the most frequented alley and pushing the latter towards a quieter neighbourhood. However, this arrangement created a movement that, rather than increasing the inhabitants' privacy, allowed the sphere of business and public relations to insinuate into the domestic. From the first anteroom to the bedroom, each threshold represented for any outsider a change in the grade of intimacy with the host and closeness with his authority.²⁵

Unlike his father and his son, who dedicated time and money to decorating the family's main dwelling, Giuseppe concentrated his efforts on a new apartment.²⁶ This was smaller and effected greater distance from both institutional life and the city by having its entrance on the narrow vicolo del Lombardo and unfolding internally, along the inner courtyard. [Fig. 18.3]

25 Katie Scott argues for both the communicative role of movement along the enfilade of the apartment of Madam Pompadour in Versailles and the diverse importance of the rooms in the row. Scott K., "Framing Ambition: The Interior Politics of Mme de Pompadour", *Art History* 28.2 (2005) 248–290, here 260.

26 ASP, *Papè*, vol. 464, fols. 170–359.

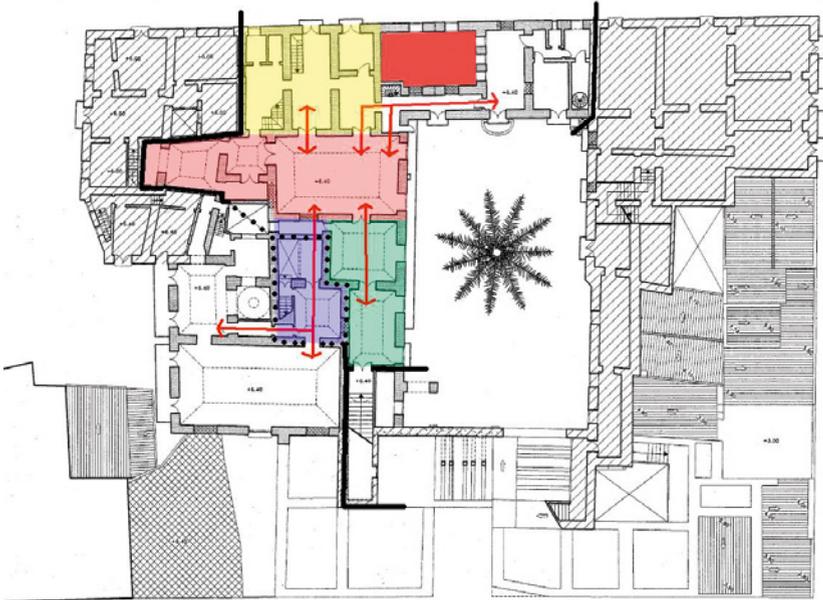


FIGURE 18.3 The *piano nobile* in 2001. Manipulation of drawing provided by Giuseppe Barresi. The new apartment is highlighted with colours: in yellow the anterooms, in light red the bedroom area, in red the chapel, in light blue the backrooms, in green the library. The red arrows indicate connections present in Giuseppe's time

The 1742 inventory groups Giuseppe's possessions here in two anterooms, a bedroom, a small room, some backrooms, a library, and another room after that.²⁷ The bedroom can be identified as the room that, during the works, the architects named 'camerone' for its large size, and a couple of times 'camerone di dormire' (large room for sleeping), that is, the large room at the centre of the apartment.²⁸ Due to its central position, the bedroom was linked to the anterooms and the church to the west, the bed-alcove to the south, and the backrooms and the library to the east, whilst it received light and air from the two balconies that opened in the northern wall onto the garden in the courtyard.

It is difficult to say if this sort of radial arrangement around the bedroom resulted more from pre-existing constraints, the architect's project, Giuseppe's

27 Ibidem, fols. 36–59.

28 ASP, *Notai defunti*, Magliocco Carlo, vol. 2344, fols. 998v and 999v. The payments for the renovation helped to identify the *camerone* thanks to the description of the subjacent wall that rests under the flooring. ASP, *Papè*, vol. 464, fol. 42v.

own indications, or from a combination of all these factors. Whatever the case, this articulation had the striking consequence that it gave prominence to the bedroom as the core of the apartment, more than in the main dwelling. Its importance emerges as a consequence of being the main dwelling place of the prince. Opening onto the bedroom and opposite to the courtyard, the vaulted alcove offered rest to Giuseppe while, in front of it, the fireplace warmed both his body and the surrounding environment. Special structural attention was devoted to the bedroom as it was reinforced by new masonry walls and four 'catene' (iron bars), which were located along its walls.²⁹ Furthermore, the room was equipped with two trapdoors, hidden in the flooring and leading to two different rooms on the lower floor, most probably to allow escape in case of emergency.³⁰

The apartment was probably for Giuseppe's almost exclusive use and can, therefore, be considered a *personal* space more than the other parts of the palace. Unlike the possessions inventoried in the main dwelling, the objects inside the new apartment supported the practicalities of his daily life.³¹ A gendered (male) characterisation reflecting Giuseppe's role as the head of the household can also be sustained.³² This does not necessarily mean, however, that the prince always dwelt in these spaces neglecting his bedroom in the main dwelling nor that he dwelt here alone. For instance, the backrooms were used by female servants.³³ Furthermore, the presence of two crucifixes of ivory and tortoiseshell on each side of the bed might suggest both a search for symmetry and the (occasional?) presence of both spouses in the bed.³⁴

The close relationships that Giuseppe had with the other family members were not in contradiction to the realisation of his new apartment nor to the

29 ASP, *Notai defunti*, Not. Magliocco Carlo, vol. 2345, fols. 54–56v, 66v.

30 Ibidem, fols. 66 and 293v.

31 It is worth noting that Giuseppe's inventory names the main dwelling as the 'casa di propria abitazione' ('house where he lives'). ASP, *Papè*, vol. 1250, fol. 1. The document seems to suggest that the 'new apartment flanking the church of San Tomaso di Cantoaria' was a sort of additional space for him. However, Giuseppe's clothes were stored in its backrooms. Ibidem, fol. 38.

32 An allusion to Giuseppe's role as head of the household arises from the presence of six arrases depicting the story of Samson hanging in his bedroom. Ibidem, fols. 29v and 37. Depictions of heroic biblical characters were often used to delineate the role of the universal heir, but the story of Samson, who was deprived of the source of his strength (his hair) by Delilah while he slept, could also alert the heir to the (female) danger at the moment when he was weakest.

33 Ibidem, fols. 38v–39. Beds, linen, and other things are listed as 'per le donne' ('for women') or 'per serv[izi]o di donne di casa' ('for the use of women of the house').

34 Ibidem, fol. 37.

search for room that this realisation seems to imply. Rather, this interior space articulated these relationships by allowing different grades of participation and isolation through the closing and opening of doors placed between the new apartment and the main dwelling. Since the two houses were wedged into each other, the backrooms of the new apartment could be entered from the bedroom of the main dwelling as well as from its Camera di Strato. This articulation allowed the prince to take refuge in his quarters during a social event or from the bedroom he shared with his wife. Of course, it also allowed Giuseppe to return to his daily duties as the head of the household and Master Notary of the Kingdom. Analogous examples of this versatility emerge from Sandra Cavallo's investigation of the inner articulation of baroque palaces in Rome.³⁵ Cavallo highlights how fluid arrangements, temporary adjustments, and movements of the family members from one apartment to another resisted permanent divisions between male and female spaces and prevented the formation of a stable demarcation between private and public spheres.³⁶

As to gender relationships, Giuseppe was surrounded by strong female members of his family, such as his mother Camilla Montaperto (?–1716), who oversaw everything in the palace until her death, his wife Caetana Ballis (m. 1710–1770), who gave him an heir and a conspicuous patrimony, and Anna Valdina (1634–1702), who bequeathed her possessions to Giuseppe.³⁷ In this respect, the origin of some of the furnishings in Giuseppe's bedroom is particularly significant: the bed in the alcove, for instance, was made of precious embroidered fabrics of different colours interwoven with some damasks donated by his wife and others coming from the inheritance of Anna Valdina.³⁸ Female support was deemed to be part of the structure sustaining – literally and symbolically – the body and role of the head.

In conclusion, despite the greater isolation that the new apartment produced in comparison with the main dwelling, it did not seclude its primary occupant within untraversable boundaries but connected him to people,

35 Cavallo argues that, despite the increasing specialisation of domestic rooms emerging from early modern literature, the practical daily use of inner space remained variable. Cavallo S., "Space, Privacy, and Gender in the Roman Baroque Palace", *Historische Anthropologie* 26.3 (2018) 287–307, here 290–291.

36 *Ibidem*, 294.

37 On Camilla's domestic management, see ASP, *Papè*, vol. 885. After struggling for ages to abandon her position as a nun, Anna Valdina managed to leave the convent thanks to the help of Ugo Papè, in whose house she lived for the last three years of her life.

38 *Ibidem*, fol. 36v.

places, and roles. This coexistence of opening and closing aspects becomes more significant in the connection between the apartment and the church of San Tomaso.

3 San Tomaso ‘chiesa seu cappella’

From the outset, the works on the new apartment involved the adjacent church of San Tomaso, a sign that the apartment was already considered an integral part of the building. This peculiar bond represented the last phase of a gradual process of appropriation that the church underwent long before the settlement of the Papè family. The fact that in seventeenth-century documents the name of San Tomaso is often followed by the appellation ‘chiesa seu cappella’ (*‘either church or chapel’*) suggests an existing tradition of dual use.³⁹ Constructed soon after 1173 by a Norman queen, the church had undergone various modifications since 1549.⁴⁰ These modifications increasingly provided the subsequent inhabitants of the adjacent building with the possibility of attending services from a room of their house with a window open onto the nave.⁴¹ This artifice *de facto* connected the domestic and the religious spheres.

Giuseppe’s renovation went further. Against all previous prescriptions forbidding a direct connection between the house and the church, a hidden wooden spiral staircase connected the new apartment with the church nave.⁴² Each upper landing of these stairs corresponded to a small corridor – or *passetto* – located between the nave and the palace courtyard. [Fig. 18.4]

39 Unlike the conjunctions *aut*, which opposes two terms, and *vel*, which proposes a choice between two terms, *seu* or *sive* (often repeated as *seu [...] seu [...]*) in Latin indicates a plurality of conditions, even coinciding.

40 In 1522, this small church came under the patronage and care of the abbess of the *Martorana* monastery, who granted to various beneficiaries a right (*beneficio semplice*) over the church. They, in turn, were obliged to pay an annuity, celebrate religious services, and support a referent. ASP, *Papè*, vol. 54.

41 Biblioteca Comunale di Palermo (hereafter: BCP), Ms. Qq E 9. Mongitore Antonino, *Le Confraternite, le chiese di nazioni, di artisti e di professioni, le Unioni, le Congregazioni e le Chiese particolari*, fols. 454v–456.

42 Beneficiaries running the church could not remove the old depiction of Saint Thomas or create stairs connecting their house to the church. ASP, *Papè*, vol. 54, index. The staircase was called ‘*secretata*’ (secret), because it was understandably hidden from the sight of the faithful. ASP, *Papè*, vol. 464, fol. 83v.

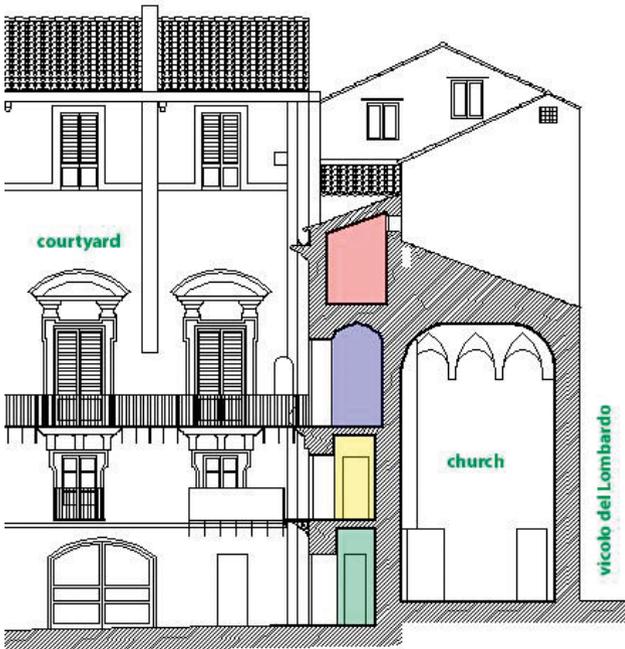


FIGURE 18.4 Overlapping corridors (section). Manipulation of drawing provided by Giuseppe Barresi. The nuns' corridor is in red, the passage in connection to the courtyard is in green, the passage leading to the *litterino delli musici* in yellow, and the prince's *passetto* in blue

The first corridor, without any inside view, led to a lower space for musicians (*litterino delli musici*), which had three arched openings onto the nave and was equipped with an organ. Above it, the second corridor connected the new apartment to a higher *litterino*, equipped with three other arched windows onto the nave [Figs. 18.5–18.6] and accommodating the family members while they attended the mass.⁴³ An inside view of the church was possible also from the second corridor itself, which had, on one side, a large window onto the palace courtyard, and, on the other, two iron-grating windows onto the church

43 The word *litterino* – also *letterino* or *lettorino* – in seventeenth and eighteenth-century documents indicates an inner balcony or a room with a view from above into a larger space (usually a church); it was often a protruding space planned to accommodate musicians or a choir. Tedesco A., “Musica, architettura e arti figurative nella Palermo di Giacomo Amato”, in de Cavi S. (ed.), *Giacomo Amato. I disegni di Palazzo Abatellis. Architettura, arredi e decorazione nella Sicilia Barocca* (Rome: 2017) 114.

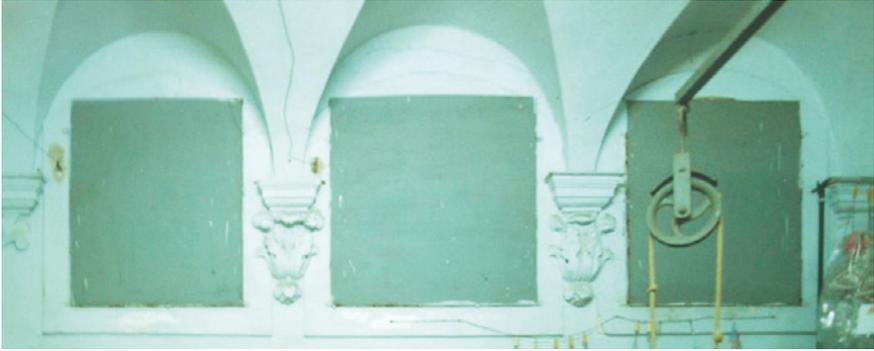


FIGURE 18.5 The three arched windows of the two superimposed *litterini* from the church. Photograph by Giuseppe Barresi (ca. 1999)



FIGURE 18.6 The three arched windows of the *litterino* on the piano nobile from inside the new apartment. Photograph by Giuseppe Barresi (ca. 1999)

nave.⁴⁴ [Fig. 18.7] While the *litterino*, located in front of the altar but behind

44 The word *passetto* recalls the Spanish *pasadizos*, which were often used in the same period to extend the aristocratic dwelling above urban streets, mostly, but not exclusively, to reach a church and attend its services. Tovar Martín V., “El pasadizo, forma arquitectónica encubierta en el Madrid de los siglos XVII y XVIII”, *Villa de Madrid* 24 (1986) 38. Although the Spanish version already had a long tradition and a more extensive use, its influence on similar examples in Southern Italy cannot be excluded. For Neapolitan examples, see Labrot, *Palazzi napoletani* 91.



FIGURE 18.7 The windows of the *passetto* onto the nave.
 Photograph by Giuseppe Barresi (ca. 1999)

the congregation, facilitated hidden participation, the *passetto*, with its two windows along the nave, deliberately made the family visible to the people gathered there. The two windows were equipped not with grilles but with panels, which, because of their height from the nave floor, were arguably opened and closed by the people of the house.⁴⁵ The opposite window, opening onto the courtyard, illuminated the *passetto* from the east and its occupants from

45 ASP, *Papè*, vol. 464, fols. 84v and 95v.

behind. In this way, the nobles could make an unexpected and surprising occasional appearance from above, and the luminous figure of the Protonotaro could itself be associated with a powerful devotional image, in a way similar to his appearance on the balconies along via del Protonotaro during processions, but here enhanced by the location inside the church.⁴⁶

Scholars working on domestic devotion in early modern Italy have often considered the domestic chapel as one of the most withdrawn places of the house, suitable for prayer and meditation.⁴⁷ Due to the limited intimacy of the bedroom in the main dwelling, this interpretation hardly suits the small chapel flanking the bed alcove there, but even less does it describe the chapel of the new apartment that was *de facto* a church open to the neighbourhood. Instead, it must be considered that views and connections were intended, primarily, for the benefit of the main user of the new apartment, namely the Protonotaro. From the core of the apartment Giuseppe could either reach a first-floor elitist position – either in the corridor or in the *litterino* – whence he could attend religious celebrations or go down into the nave and participate in the services together with the congregation.⁴⁸ Additionally, more than one priest's salary was paid to have services celebrated in both the church of San Tomaso and the chapel of the main dwelling.⁴⁹ Therefore, the family might be divided between the two devotional spaces for ordinary services and reunited for special celebrations in the church.⁵⁰ All this suggests that, although inserted

46 It has been argued that the veiling and unveiling of devotional images was a way to preserve their protective power, both in church and at home. Cooper D., "Devotion", in Ajmar-Wollheim M. – Dennis F. (eds.), *At Home in Renaissance Italy* (London: 2006) 192.

47 Brundin A. – Howard D. – Laven M., *The Sacred Home in Renaissance Italy* (Oxford: 2018) 87; Howard D., "Family Life", in Corry M. – Howard D. – Laven M. (eds.), *Madonnas and Miracles: The Holy Home in Renaissance Italy* (Cambridge: 2017) 9.

48 To shorten the distance between Giuseppe's bedroom and the church a new door between the *passetto* and the bedroom was opened. ASP, *Notai defunti*, Not. Magliocco Carlo, vol. 2341, fols. 993r, 993v, 999v, and 1000. The opening of this door so close to the extreme edge of the wall was followed by a reinforcement of the masonry at the corner. *Ibidem*, fol. 994v.

49 The family's registers report numerous payments to priests for religious services, but they are frequently divided into masses celebrated 'nella cappella della casa delli Sig[no]ri n[ost]ri' ('in the chapel of the house of our Lords') and 'nella chiesa di S. Tomaso' ('in the church of San Tomaso'). ASP, *Papè*, vol. 819, on 30 November 1707.

50 Silvio Antoniano suggested a separate use, for men and women, of the same chapel. Antoniano Silvio, *Dell'educazione cristiana e politica de' figliuoli: libri tre* (Florence, Tipografia della Casa di Correzione: 1852 [1583]) 316. Laura Malo Barranco hypothesises that Antoniano's suggestion could be easily converted into the use of two different chapels when the aristocratic house was equipped with them. Malo Barranco L., "Los espacios

in an apartment more distant from institutional life, the church/chapel of San Tomaso had a more *political* role than the other chapel.

It is worth noticing that the renovation coincided with a difficult period for the family. In 1708, the king rejected Giuseppe's request for an extension of the Protonotaro's office to two subsequent generations of the family as he disagreed with the sum that Giuseppe proposed to pay.⁵¹ The rejection put the entire family in an uncertain situation, since the position not only provided Giuseppe with connections, power, and prestige within Palermitan society, but also confirmed his role as a vehicle of transmission of the family's achievements incremented by his individual contribution.⁵² The dispute lasted until the entry of Austrians as new rulers of Sicily (1720), who offered the office to another nobleman.⁵³ This occurred also because the new king was mistakenly informed about Giuseppe's death. The misunderstanding was probably caused by the fact that Giuseppe was suffering from pulmonary tuberculosis at that time.⁵⁴ Giuseppe dealt with this difficult period of his life with the support of all his family. He was strongly supported by his brother Domenico, who frequently substituted him in the main tasks of the Protonotaro.⁵⁵ The fact that the substitution occurred at crucial moments like the official visit of the King of Savoy to the Parliament (4 March 1714) or for prestigious roles like the Governor of the *Compagnia dei Bianchi* suggests the strength of the

de religiosidad y la devoción femenina en la nobleza moderna. El ejemplo de los linajes Aranda e Hjar", *Cuadernos Historia Moderna* 42.1 (2017) 175–193, here 182.

51 Salamone, *L'archivio privato* 22–23.

52 Giuseppe rearranged most of the documentation regarding the family's assets between 1724 and 1729, that is, between the period of his illness (1720s) and the reconfirmation of the office of Protonotaro (1731). This fact can be read as an attempt to reaffirm his political role through the memory of familial achievements.

53 ASP, *Papè*, vol. 395, fols. 204–204v.

54 *Ibidem*, fol. 204v. It has been written that Giuseppe eventually accepted the king's price as he was in a 'pericoloso stato di salute per il sputo di sangue' ('dangerous state of health for the spitting of blood').

55 At the joint sessions of the three parts of the Sicilian Parliament, Domenico replaced his brother on 4 March 1714, 25 October 1720, and 7 July 1732. However, Giuseppe was present on 13 November 1723, 13 August 1725, and 26 June 1728. The two brothers were so interchangeable that the report of the session held on 20 April 1734 cites, by mistake, both present in the same capacity. Mongitore Giuseppe Antonino, *Parlamenti generali del Regno di Sicilia dall'anno 1446. fino al 1748. con le memorie istoriche dell'antico e moderno uso del Parlamento appresso varie Nazioni, ed in particolare della sua origine in Sicilia, e del modo di celebrarsi*, vol. 2 (Palermo, Nella Nuova Stamperia de' ss. Apostoli in Piazza Vigliena presso Pietro Bentivenga: 1749) 130, 140, 169, 179, 188, 200, and 214.

bond of trust between the two brothers.⁵⁶ However, this familial strategy was severely tested in 1716, when Domenico himself had some health problems and Giuseppe's mother suddenly died.⁵⁷ It is impossible to know the reasons for all these medical troubles, but they make comprehensible the fact that the family turned to both medicine and worship when Giuseppe's wife gave birth to their son in 1715.⁵⁸

These facts may have increased the family's need for political visibility and consequent reaffirmation that architecture could provide. The church brought to the family a significant bond with the Norman past (1072–1198), idealised as a period of splendour and reborn Christianity for Palermo after the Islamic rule (904–1072). The church also made visible the family's direct management of the sacred analogously to the chapel of the Holy Shroud for the House of Savoy. As Belton Scott argues, in Turin a proscenium was built by Guarino Guarini between the shrine and the cathedral nave and in connection to the *piano nobile* of the duke's palace.⁵⁹ The aim was both to show the relic to pilgrims and worshippers and to indicate its ownership by the House of Savoy, thus increasing the dukes' political prestige. To make this bond tighter, the ostensions of the Shroud coincided with significant moments in the history of the family and were extended to the adjacent open spaces through processions during which the members of the family carried the relic personally. It is unknown in what ways the heads of the Papè household were involved in the devotional rites to Saint Thomas, but they certainly had the responsibility to celebrate Mass in honour of the saint. Furthermore, although the inventory of Giuseppe's possessions lists all the relics in the sacristy, it also reports 'autentiche' (the certificates of authenticity) to be stored in 'the archive of the most illustrious prince of Valdina'.⁶⁰ This location cannot be deemed a temporary solution to a lack of space (like other pieces of church furniture that were stored in the mezzanines). Rather, it seems that the Protonotaro was guarantor of the relics' authenticity.

56 Despite being chosen as Governor of the Company in 1714, Giuseppe was replaced by Domenico from April 1715 to January 1736. Emanuele e Gaetani, *Della Sicilia nobile*, vol. 2, 153.

57 Domenico's medical visits increased between May and June 1716. ASP, *Papè*, vol. 885.

58 For a safe delivery, whilst the doctor used bloodletting for the mother-to-be, the family paid for prayers to Saint Margaret, protectress of pregnant women. ASP, *Papè*, vol. 885, 15 January and 26 June 1715.

59 Beldon Scott J., "Seeing the Shroud: Guarini's Reliquary Chapel in Turin and the Ostension of a Dynastic Relic", *The Art Bulletin* 77.4 (1995) 609–637, here 636–637.

60 ASP, *Papè*, vol. 1250, fols. 28–28v.

All this blurs the borders between secular and religious spheres and raises questions concerning the close connection between Catholic post-tridentine devotion and political strategy.

4 Aristocratic Distinction and Catholic Sharing

The political use of the holy did not exclude a sincere devotion but was embodied within it. Understandable anxieties for the future of the family, related to social position and health, may have driven Giuseppe's mind to religion in search of assistance and salvation. An idea of the efficacy attributed to devotion seeps from the lines with which, years later, the Marquise of Villabianca interpreted the opinion of Giuseppe's son:

E, però, oh!, Dio volesse che tutte le altre famiglie di grandi con santo ora consiglio seguissero il fatto della Papè, imitandone la pietà, chè certamente in tal modo si farebbe lungi da esse e dal Papè la decadenza e la pauperie si bandirebbe, che or dapertutto, per la nostra commune disgrazia, va a deplorarsi.⁶¹

And yet, oh! May with God's will all the other great families now with holy advice follow the agency of the Papè [family], imitating their piety, that certainly in this way decadence would be distanced from them and from the Papè [family], and the poverty, which now, for our common misfortune, is everywhere deplored, would be banished.

What emerges between the lines is the conviction that devotion guarantees divine protection for the family against decadence and poverty and that this protection results in wealth and prosperity for the household. This process of salvation, however, was considered neither individual nor familial. The aristocratic search for redemption was with and within the city, even if it had its own routes and modes of access, partly brought about by architecture. It was a matter of tactfully aligning the evangelical duty of participation – ensuing from the Council of Trent (1545–1563) – with the need of aristocratic distinction, and of establishing a temporary balance between the collective aspects of devotion and the spiritual life of the person and their family. In the examined case, this objective was achieved through tactical positioning and visual supremacy, that is, through the same strategies that were used within the broader competitive

61 BCP, Ms. Qq E 88, n.3. Emanuele e Gaetani, *Delle antiche chiese e de' privati oratori*, fol. 14.

context of the city.⁶² The aristocratic ambition for visual control was practised over a church nave and its congregation and implemented by measures that significantly orchestrated the appearance of the nobles to stress their presumed greater closeness to God.

The participation of the Papè family in processions should be read in this sense. By organising processions, the Protonotaro enabled distant saints to act in the city and for the city's salvation and, thereby, acquired authority from his mediating role. At the same time, the Papè family benefitted from the same process of salvation as the city but from an elitist position. It would be an understatement, however, to claim that there is in this distance a dualistic opposition between public and private space, in the sense of an undifferentiated space for everyone and an exclusive space for the noble family. The issue was more complicated than this. During these events, participants appropriated and somehow *privatised* the urban space by dividing it and using it according to the dynamics of social hierarchy. For instance, during the 1610 *Corpus Domini* procession, there was unrest due to the fact that the manifold religious associations acting in the city (companies, confraternities, and congregations) started fighting for the best position in the cortège.⁶³ In turn, the anterooms of palaces were open also to people outside the family and the parties taking place there were used for political manoeuvres. In 1656 and 1660, the prince of Cattolica, whose palace was in front of one of the principal processional stops, i.e. the church of San Francesco, had the pleasure of hosting the viceroy himself to attend the event 'dalli finestroni' ('from the big windows') of his palace.⁶⁴ The mention of the event in an urban chronicle suggests the extent of the political benefit that this invitation guaranteed to the host.

5 Conclusion

The Papè palace produced interrelated spaces and multiple paths, thus articulating the roles of the family members and their gender relationships and organising the interactions between the family and the city. The palace location, its inner arrangement, and its bond with the church of San Tomaso

62 For another significant example in Palermo see Viola V., "Excess without Display. The Chapel of Palazzo Scordia in Palermo (1683–1720)", in Viola V. – La Delfa R. – Scordato C. (eds.), *La Sovrabbondanza nel Barocco* (Leonforte: 2019) 286–309.

63 Scalisi L., *Il controllo del sacro. Poteri ed istituzioni concorrenti nella Palermo del Cinque e Seicento* (Rome: 2004) 25.

64 Mazzarese Fardella E. – Fatta Del Bosco L. – Barile Piaggia C. (eds.), *Ceremoniale de' Signori Vicerè* (Palermo: 1976) 238, 260.

politically enhanced the family's involvement in the city and its mediating role in the management of the holy. The new apartment, i.e. Giuseppe Papè's own quarters, arranged different sites around the bedroom, thus placing the prince at the centre, but simultaneously directing him towards a range of possible rooms and manifold modes of occupation. Every site participated in the production of the different aspects of Giuseppe's persona, as he was the accomplished man studying in the library, the guiding *pater familias* who took care of his family, the Protonotaro with his responsibilities, and the religious devotee. Instead of enhancing Giuseppe's seclusion, architecture generated for him different degrees of participation in the family's and city's events according to how and when the prince of Valdina occupied its spaces. In this sense, the new apartment was both the product of Giuseppe's use of space and the pre-existing condition that determined this use.

In conclusion, this chapter reveals residential architecture more prone to organise connections and to regulate the crossing of borders and the sharing of spaces than to clearly divide areas. In comparison with the main dwelling, the new apartment was more distant from the institutional life and more personalised, that is, built for and around Giuseppe. However, it also created familial and social connections for its occupant and enhanced his political role, especially through its link with the church of San Tomaso. In this context, the search for personal isolation appears secondary to political priorities. The boundaries of the architectural space were the result of hierarchical conventions, continuous negotiations, and temporary agreements, which were affected by issues of rank and gender but rather heedless of aristocrats' privacy.

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What Lies between the Public and the Secret?

Marian Rothstein

Is it appropriate to apply the simple dichotomy opposing public and private, transparently in use today, to the early modern period? Close examination of the evidence supports the notion that if, by and large, the *public*, can readily be identified in that world as in ours, the same understanding privacy in the early-modern era is provided by conceiving of it as a relatively rare occurrence, and by reframing our understanding of the two opposing categories rather as *public* and *secret*, contrasting what is broadly known and what is closely held, protected, special information. The evidence in what follows, while drawn largely from nobles in sixteenth-century France, will be found to be broadly applicable to other parts of Europe. Privacy, in that it concerns that which was shielded from general view, is tricky to investigate; secrecy even more so. If something was public, it was there for all to see; if private, not so much; if secret, one might expect it to leave few traces. The question then is what kind of spaces, behaviours, and assumptions are shaped by each of these three categories.

1 The Implications of Public

The *Dictionnaire du moyen français* barely records the presence of *public* as a noun, the expression ‘en public’ being the exception.¹ Adjectivally it means something that has official standing, that concerns everyone. Perhaps not so far from our modern suppositions, although usage raises questions. Not quite in the sense of *public* intellectuals today, high nobles, certainly, were *public* people. Jeanne d’Albret (1528–1572), queen regnant of Navarre, for example, explicitly declares herself to be a *personne publique* (public person) as she defends her decision during the wars of religion, in 1568, to flee Béarn of which she was sovereign countess:

1 The entry for *public* in Huguet E., *Dictionnaire de la langue française du seizième siècle*, 7 vols. (Geneva: 2010 [Paris: 1925–1967]) seconds that of the *Dictionnaire du moyen français*, which, although it focuses on the French language 1330–1500 is a useful modern instrument, readily consulted on the site of the Centre National de ressources textuelles et lexicales, <http://atilf.atilf.fr/>.

[M]es enfans et moy estions personnes publiques, et qu'il ne nous failloit ainsi hazarder; [...] et d'un costé me peignoyent si au vif l'affliction d'un peuple affligé loin de secours de sa dame souveraine, de l'autre la conscience, que (il faut que je confesse mon infirmité), ceux-là m'ont fait entrer la pitié au coeur, esmeue par cest amour naturelle que je doy à mes subjects.²

My children and I were public persons, and we were obliged not to put ourselves in such danger [...] On the one hand, they told me so vividly of the suffering of my people far from the support of their sovereign lady, on the other hand (and here I must confess my weakness) that awareness evoked pity in my heart, from that natural love I owe my subjects.

The queen declares that in her flight, she was motivated not by fear, but by a sense of public duty to preserve her power and thereby to protect all those subject to it. Kantorowicz's familiar distinction between the king's two bodies is in keeping with *public* as Jeanne uses it: the monarch had a (public) body politic, an immortal instantiation of the dignity of prince, at the same that time she or he had a mortal body natural.³ Only the latter retained access to the private, limited by the higher responsibilities of the public body politic. The passage quoted above shows that Jeanne, as queen regnant, was keenly aware of this distinction. Evoking it as she does could only be effective if she could equally count on her readers to be conscious of it.

Another case in point is that of King Henry II (1519–1559), who, at the time of his marriage in 1533, was second in line to the throne. Not unreasonably, his marriage contract declared that he and his spouse had communal goods. When he became king in 1547 this was no longer possible: he was now a fully public person. The state, deathless France, was effectively his spouse.⁴ Other provisions applied to the goods of his mortal wife, the queen, Catherine de' Medici (1519–1589).⁵ In fact, the monarchy, in part because it was so obviously

2 Albret J. d', *Mémoires et poésie*, ed. A. de Ruble (Paris: 1970 [Paris: 1893]) 87. <http://gallica.bnf.fr/ark:/12148/bpt6k4467k/f3.image.r=memoires%20et%20poesies%20de%20Jeanne%20d'albret>. Translations are mine.

3 Kantorowicz E.H., *The King's Two Bodies: A Study in Medieval Political Theology* (Princeton, NJ: 2016 [Princeton: 1957]).

4 Rothstein M., *The Androgyne in Early Modern France: Contextualizing the Power of Gender* (New York: 2015), chapter 6, especially 135–136 and 112–119 on Queen Anne.

5 Cosandey F., *La Reine de France, Symbole et Pouvoir* (Paris: 2000) 86. She cites Jean Du Tillet *Mémoires et recherches* (Rouan, Philippe de Tours: 1578) 'la bourse du roy est celle du peuple, non particulier au roy ni a la royne' ('the king's purse is that of the people, not the private possession of the king or the queen'), and Réne Chopin *Trois livres du domaine de*

a family undertaking, provided the model of a macrocosm, mirrored by the microcosm of personal estates understood by analogy in the same terms, with the same public responsibilities. Well-managed family estates offered promise of a well-managed nation. Francis de La Noue's *Discours politiques et militaires* explicitly speaks of the domestic realm as 'an apprenticeship' for public matters.⁶ In this context, *domestic* turns out not to belong to the realm of the private, as modern usage would suggest; more often it considers family holdings as a basic unit of political economy, and in this sense, inherently building blocks of the public.

The family connections of Jeanne's mother, Marguerite de Navarre (1492–1549), queen consort of Navarre and sister of King Francis I (1494–1547), meant that she was often charged with official duties which she performed skilfully. Her role as a public person began when her brother became dauphin and she and her mother were included in the 'Valois trinity', images presenting Francis, Marguerite, and their mother, Louise de Savoy (1476–1531), joined as a single body politic with a single will and a single heart.⁷ The image was politically potent, strengthening Louise's hand as regent while Francis was imprisoned in Spain (1525–26), and reinforcing Marguerite's position as she negotiated with the emperor for her brother's release. It subsumed three individuals into what was intended to be received as a single public person.

2 What Remains for the Private?

The foregoing considerations of the implications of *public* set the lexical field implied by *private* in a different light. In antiquity, the dichotomy public-private tended to contrast political concerns of state with more generally

la Couronne de France (Paris, Michel Sonnius: 1613) 408. The King 'estant obligé de le [unclear antecedent] rendre à l'Estat, comme à son espouse toute entiere solide et sans aucune diminution' ('being obliged to render it to the State, as to his spouse, in its entirety without any diminution').

6 Noue François de La, *Discours politiques et militaires du seigneur de La Noue*, ed. F.E. Sutcliffe (Geneva: 1967) 62: 'Avant de traiter de la publique, je veux parler un peu de la domestique qui est comme un apprentissage et un degré pour parvenir à l'autre.' '[L]es gens de bien ont tant de contentement de voir l'union entretenuë, soit en une famille, ou en une cite' ('respectable people take pleasure in seeing unity preserved whether it be in a family or in a city') *ibidem*, 63. See also Hoffmann G., *Montaigne's Career* (Oxford: 1998) esp. 29–33 where the parallel is to Montaigne's estate and France. Such parallels were inherited from the Ancients starting with Aristotle and Xenophon.

7 See Lecoq A.-M., *François Ier imaginaire. Symbolique et politique à l'aube de la Renaissance française* (Paris: 1987), chapter 11, "L'un des angles du 'parfait triangle'" esp. 393–397.

social, convivial ones.⁸ The limits of *privé* are more difficult to draw based on sixteenth-century usage; examples quickly take us to a world we have lost.⁹ By private life we today understand individuals' domestic and non-professional arrangements including their families and their domestic space. This is not easy to apply to early modern nobles whose family business was running the county, the duchy, or the country. Political and dynastic concerns, not private preferences, shaped marriage arrangements. Job One for married noblewomen was to produce an heir, if they were queens of France, a male heir. Capable wives, like Marguerite, were often called upon to carry out their husbands' public, administrative tasks when the men were away on other business, usually fighting wars. These women might also be the chief administrative officer of a region in their own right, as Marguerite was of the duchies of Angouleme and of Berry. Infant princesses were betrothed at the age of two or three, allowing them to be raised in the country of their prospective husbands, better preparing them for the public tasks of their adult lives. Children were game pieces in the family business, assuring the continued prosperity of the kingdom or of their paternal house. Margaret of Austria (1480–1530) and Mary Stuart (1542–1587) come to mind as unhappy examples of toddlers who were sent to the French court with such expectations only to spend their adult lives elsewhere. All this is common knowledge, but so different from current conventions that it is worth pausing over to consider how many of the most private of modern decisions – whom to marry, how and where children are to be raised – were public matters of state for nobles in another age. This is perhaps further complicated in French where *privé* and *particulier* are often used as simple

8 See for example Delignon B. – Dauvois N. – Cottagnies L. (eds.), *L'Invention de la vie privée et le modèle d'Horace* (Paris: 2017), especially Auger C., “*Privatus* chez Horace et dans sa première réception”, in *ibidem* 91–108, who remarks (94) that the primary sense of *privatus* was negative: that which was not political or public. He elaborates (104), that Romans seem never to have been alone, suggesting little appetite for privacy as we understand it. Galland P., “Jean Salmon Macrin, peintre de sa vie privée”, in *ibidem* 109–123, makes a similar argument by contrasting the French Neo-Latin poet Salmon Macrin's domestic, marital sense of *private* to Horace's non-political one.

9 Huguot, *Dictionnaire de la langue française*, vol. 6, entry *privé*, gives examples. From Amyot's translation of Plutarch (*Vie d'Alexandre*): ‘Il luy fut aussi apporté un petit coffret [...] et il demanda à ses privez qui estoient autour de luy quelle chose leur sembloit plus digne d'estre mise dedans’ (‘He was also brought a small case [...] and he asked those whom he trusted who were close to him what seemed to them most worthy of being put in it’). The sense here would be his most trusted associates. The same can be gleaned from several other quotations in this lemma. In the *Dictionnaire du moyen français* ‘privé’ is often presented in opposition to foreign, not to public. The public-private opposition appears by the mid-seventeenth century, attested by the *Dictionnaire de l'Académie Française*, which now also recognises a pejorative, *trop privé* for someone who does not respect social distance.

synonyms, setting the individual against a group, a private residence, *maison particulière*, against one occupied by, say, a business.¹⁰ In the period that concerns this essay, businesses were in any case often housed in their owners' residences: nobles ruled from their châteaux, printers tended to live over and in their shops, bakers in theirs. This conflation of functions further undermined the possibilities of giving a distinct status to the private.

Similarly, household domesticity cannot be taken as a synonym for privacy. A careful reading of the tales in Marguerite de Navarre's *Heptameron* quickly makes it clear that this was true throughout society. Certainly, life in a royal château was anything but private. The Habsburg princess Eleanor (1498–1558) became queen of France in 1530 when she arrived with twelve Spanish ladies in waiting, who accompanied her day and night. Three years later she had thirty-four ladies.¹¹ By mid-century, the household of the queen of France numbered in the hundreds.¹² The size of the royal household made space an issue for the itinerant court. Physical evidence of royal abodes suggests how little private space the queen or her ladies in waiting might expect. This was equally the case for others following the court.

3 Lodging Royalty

The historian Lucien Febvre suggested long ago that, at a minimum, domestic privacy requires hallways. Hallways make bedrooms private by eliminating the need to pass through them to get to another part of the dwelling. While hallways exist in sixteenth century châteaux, they are generally limited to the wings that housed less important members of the court. The layout of the *logis*, the suite of rooms intended for the owners of a great châteaux in the sixteenth century, suggests that privacy was not a priority and indeed perhaps not even a consideration for either their architects or their inhabitants. Over the years, as the suite of rooms preceding the king's bedchamber grew, each room came to have a filtering function, making the king less readily accessible to outsiders, or even to the court as a whole. The general practice, starting in the reign of Henry II (r. 1547–1559), was that the king's quarters be tri-partite: *salle*,

10 See Duby G. – Ariès Ph. – Chartier R. (eds.), *Histoire de la vie privée*, vol. 3 (Paris: 1986).

11 Rentet T., *Anne de Montmorency, Grand maître de François I* (Rennes: 2011) 249.

12 Kolk C. zum, "L'Evolution du mécénat de Catherine de Medici d'après sa correspondance depuis son arrivée en France jusqu'à la mort de Charles IX", in S. Frommel – G. Wolf (eds.), *Il mecenatismo di Caterina de' Medici: Poesi, feste, musica, pittura, scultura, architettura* (Venice: 2008) 63–87, here 65. See also Akkerman N. (ed.), *The Politics of Female Households: Ladies-in-Waiting across Early Modern Europe* (Leiden: 2014).

ante-chambre, chambre. Earlier, there was only a *salle* preceding the *chambre*, offering the king even less protection from the general public received there. All parts of the king's *logis* remained places where the king conducted business and all were places where the king was not alone. The *chambre*, the most intimate of the three, was generally about ten meters on each side.

The queen had no more privacy than did the king. Her bedchamber was nearly as spacious and had, like most *chambres* in the *donjon* (the renovated original part of the *château* where the royal quarters were situated), an attached *garderobe*. This was not, as modern usage might lead one to suppose, some kind of *armoire* or wardrobe; it was a true room, smaller than the *chambre* but generally with a window, intended for the chests containing clothing and other effects that moved with an itinerant court. It also held cots for some of the queen's unmarried ladies in waiting, placing them close by, should they be needed. There is no documentation of how many cots – presumably rather like sturdy folding camp beds – were included with the furnishings that travelled with the court. Permanent beds were for those assigned a *chambre*, generally placed next to the fire-place, surrounded by curtains, sometimes on a raised platform, sometimes partially surrounded by a railing to hold back the crowd of courtiers. The royal *château* of Saint-Germain-en Laye may serve as an example. Dating from the Middle Ages, heavily renovated in the 1530s, it was a frequent residence of the French court, second only to Paris in the reign of Francis I (r. 1515–1547) and of Charles IX (r. 1560–1574), most frequented under Henry II.¹³ Rooms in the *basse-cour*, the expansive extension built on to the old central castle (the *donjon*), were reserved for important but not royal courtiers and were connected by a corridor. On the ground or first floor (terminology shifts), nobles' rooms in the *donjon* also open on to an exterior hallway. Although courtiers and others were in public view in such a passageway, it protected privacy within their *chambre*. The hallway disappears in the floor above where the royal *suites* are located.

In the *logis* of the king and of the queen, the only rooms that are not on the way to other rooms are the small *cabinets* built into nooks and towers. These often contain small circular stairs giving another avenue of access to the royal quarters and at the same time providing a way for the king, unobserved, to leave his *logis* for the gardens, the park, or the world beyond. Whether this was

13 See Chatenet M., *La Cour de France au XVI^e siècle: vie sociale et architecture* (Paris: 2002) 318–323. Idem, “Une Demeure royale au milieu du seizième siècle. La distribution des espaces au *château* de Saint-Germain-en-Laye”, *Revue de l'art* 81 (1988) 20–30; see 25, 27 for the distribution of rooms in the *basse-cour*. See also Faisant É. (ed.), *Henry II à Saint-Germain-en-Laye, une cour royal à la Renaissance* (Paris: 2019).

private or secret must have depended on individual circumstances. In addition to what carefully historically reconstructed ground plans make visible, contemporary texts explain that the king's *premier gentilhomme de la chambre* (first gentleman of the chamber), an office and honour conferred upon such favourites as the maréchal de St-André or Albert de Gondi, duke of Retz, had the right to a bed at the foot of the king's, as well as to a logis of his own. The size of the king's bedchamber in Saint-Germain was about 100m² allowing space for several cots in addition to the king's bed. In the absence of the *premier gentilhomme*, the king could offer that bed to someone else. *Valets de chambre* might have cots in the adjoining *garderobe*. The ambassador from Ferrara, Alverotti, noted disapprovingly that Henry II sometimes chose to share his own bed, often with the constable (chief military officer), Anne de Montmorency.¹⁴ In Saint Germain, the separate, personal logis of the *premier gentilhomme* also communicated directly, now vertically, with the *garderobe* next to the king's *chambre* above, via an interior staircase. In the Louvre, that was true for Montmorency, who paid for the construction of stairs giving him direct access to the king's quarters.¹⁵ The king's best hope of a space to which he could control access was in the smaller rooms attached to his *chambre*, primarily a *cabinet* and perhaps the *garderobe*. As regent, Catherine de' Medici's instructions concerning the conditions of the Prince de Condé's imprisonment in 1562 imply this division of space: the prisoner is not to be left alone in his *chambre*, but his *garderobe* is to be respected as a private space, one which he may control.

Qu'il couchera en la chambre du Prince deux de ses Valletz de chambre ausquelz avec le reste de ses gens il pourra communiquer et parler en l'oreille; que ledict Prince pourra aller en sa garde-robbe sans qu'aucuns desdictz gardes y entrent.¹⁶

Two of his valets de chambre are to sleep in the prince's chambre with whom he may speak or whisper, as with the rest of his entourage; the prince may enter his *garderobe* without being accompanied by any of the aforementioned guards.

14 Chatenet, *La Cour de France au XVI^e siècle* 133.

15 Ibidem, 77–79.

16 Letter of Catherine de' Medici from Chartres, 3 Jan 1562 OS, adding a postscript in her own hand describing the surveillance of Condé. Medici Catherine de', *Lettres de Catherine de Médicis*, ed. H. de la Ferrière, vol. 1 (Paris: 1880) 462.

Such spaces would have been available for conversations conducted in secret and unexceptionally, at Saint Germain, many have not been preserved. Galleries, where they existed, also seem to have been treated as the king's preserve.¹⁷ At Fontainebleau, where the *galerie* is famous for its decoration, it was connected both to the *salle* and the *chambre* of the king.

As in most royal châteaux, the two royal suites in Saint Germain communicated directly with one another.¹⁸ The queen's *chambre* was the one place where the king might expect to control access, his own and others' – although the queen's ladies remained, if perhaps only in the *garderobe*. The architecture bespeaks a society that had little need for the kind of basic privacy we might consider essential. The queen's *chambre* could however be used to provide the king the possibility of secrecy, as when in 1551 Henry II wished to speak to François de Scépeaux, sire de Vieilleville (1509–1571) without the knowledge of other courtiers.¹⁹ The master of the king's wardrobe instructed Vieilleville to knock on the door of the *queen's* chamber in the evening, something unthinkable without such an invitation. Their meeting was presumably conducted unobserved. Before dinner, however, the queen's chamber was as much a public place as the king's; like him, she too was constantly attended, from the time of her *lever*, as she dressed, and not only by women. Alvarotti, the ambassador from Ferrara, wrote to Modena that he had heard that Francis I, coming to the baths on the ground floor of Fontainebleau on 18 June 1540, accompanied by the Constable, the Cardinal of Lorraine, and Hippolito d'Este, chatted with Mme d'Etampes, Mme Marguerite, and Mme de Rothelin naked in the waters.²⁰

The royal château at Villers-Cotterets, another frequent stop for the court, similarly had about 40 rooms for guests who were not direct members of the royal family. Located in the *basse-cour* were nearly 100 meters of corridors in the newly added section of the château.²¹ Once again, the *logis* of the king and queen are in the recently remodelled original part of the building. The queen's bedroom allows access to the smaller rooms in her suite and directly to the

17 Taking the term in its modern sense. In sixteenth-century usage 'galerie' designates such large, long, narrow, often elaborately decorated spaces but also hallways, corridors, balconies, and raised walkways.

18 Chatenet, *La Cour de France au XVI^e siècle* 142.

19 Ibidem, 194.

20 Ibidem, 168–71.

21 Ibidem, 83–93. Construction of the *basse-cour* started early in the 1530s, was ready by 1539.

king's antechamber. Several small staircases in this wing also allow direct entry from the royal logis to the palace gardens.²²

The construction of the 'new' section of the Louvre, now the oldest remaining section, the Cour carré, tells much the same story. Here the logis of the king and queen were joined via their *cabinets*. Privacy might have meant situations in which one was, or hoped to remain, in control of the people to whom one might be visible or audible, but the ground plans of châteaux suggest the degree to which such control was hard to come by and hard to maintain.

4 Verbal Evidence

Textual evidence seconds what architecture suggests. Marguerite de Navarre's poem, *Les Prisons* describes the creation of a private place for her mother, Louise de Savoy, on her deathbed – made by drawing the bed curtains. Louise de Savoie: '[...] seule en son lict estant, / Ce que a ouy qui l'aloit escoutant, / Parloit à Dieu comme espouse à espoux' (l. 2530). ('being alone in her bed / As was heard by the listener / She spoke to God as spouse to her husband') (l. 2337–39).²³ Small privacy accorded a princess.

Sometimes bed curtains seem not to have done the trick; intimacy too may need to be redefined or questioned. We are told that Francis I observed the wedding night of the first of his sons to marry, the future Henry II.²⁴ Then the bride's uncle, Pope Clement VII (1478–1534), stopped by the couple's bedroom in the morning, while they were still in bed. Our understanding of the several the sexually explicit anecdotes concerning the infancy and childhood of Louis XIII (1601–1643) recounted by Jean Héroard (the dauphin's appointed physician), in his *Journal*, might be received differently when read in the light of a more historical sense of what was normal in the early seventeenth century.²⁵ After close examination of many ground plans of Renaissance châteaux, Monique Chatenet, the architectural historian from whom I have drawn much of my knowledge of royal residences, is brought to wonder:

22 See Villers-Cotterets, <http://aisne.media.tourinsoft.com/upload/Telechargez-la-brochure-Le-Chateau-de-Villers-Cotterets.pdf>.

23 Navarre Marguerite de, *Les Prisons*, ed. S. Glasson (Geneva: 1978).

24 Knecht R.J., *Renaissance Prince and Warrior* (Cambridge: 1994) 300. The passage continues: "Next morning, Clement found the young couple still in bed and noted with pleasure their satisfied looks".

25 Héroard Jean, *Journal de Jean Héroard, médecin de Louis XIII*, ed. M. Foisil, 2 vols. (Paris: 1989).

que signifie 'privé' à une époque où toute personne de qualité vit entourée d'une nuée de familiers, dans une société dont la faveur, c'est à dire le passe-droit, est la pierre angulaire [...]?²⁶

what 'private' might mean at a time where nobles lived surrounded by a swarm of domestics and followers, a society where the keystone was favour, that is, the freedom to approach.

Architectural evidence cannot tell us much about other social classes since few more modest houses have survived sufficiently intact to speak to questions of privacy. In other forthcoming work I expand the focus of my investigation of the nature of privacy (including its absence or violation) to other social classes where the evidence tends to be primarily textual, gleaned from the many tales, *nouvelles*, of the period, especially Marguerite de Navarre's *Heptameron*, involving beds shared among travellers, invaded by masters, servants, or neighbours. Speaking in generalities for the moment, apprentices slept under a bench in the shop; with some luck, they would take up their private lives later. Peasant houses often had only a single room in which the family slept, the same space where all the activities of daily life took place unless there was a sleeping loft, in which, again, everyone slept. Historically contextualised, all these facts converge to undermine the application of *privacy* in the modern sense to the world we are examining, and consequently to call for its reconsideration.

5 The Public, the Private, and the Secret in Early-Modern Correspondence

If, as the evidence presented above tends to argue, the twenty-first century understanding of privacy has only limited application in the sixteenth century, this puts new pressures on our third category, the secret: that which is to be divulged only to a select few, and to be kept from all others. We have seen a glimmer of it in the king's manoeuvre, inviting Vieilleville to knock on the queen's door. Written correspondence can be a useful reference point as it operated in all three modes, the public, as in royal edicts, decrees, or notifications addressed to the general public; the private, as in letters inquiring after an addressee's health, family, or sharing news of mutual interest; and the secret, as in diplomatic correspondence. Letters give us authentic access to interpersonal relationships among contemporaries, preserving the words and thoughts

26 Chatenet, *La Cour de France au XVI^e siècle* 52.

of primary actors interacting among themselves, allowing us to see how they configured their relationships. As Juan Luis Vives put it: 'epistola est sermo absentium per litteras' ('a letter is a conversation by means of written words between people not in each other's presence').²⁷

Letters are generally addressed to a specific person, inviting the assumption that correspondence between two people who know each other well might generally be private, that is, limited to the writer and the addressee. This was rarely the case. In fact, such letters often include overt references to the expectation that they might well be read aloud to people in the recipient's circle or passed on to others who might be interested.²⁸ So we find the Cardinal Jean Du Bellay (1492–1560) writing to Anne de Montmorency (1493–1567), when he was Grand Master of France: 'Quant voz lectres pour elle [Marguerite de Navarre] tombent en mes mains, je ne les garde guerre'.²⁹ ('When your letters for Marguerite de Navarre fall into my hands, I do not keep them long'). Or: 'Monseigneur, incontinent que j'ay receu vostre lectre du 6^e, je l'ay portee à la royne de Navarre qui y a beaucoup plus prins de plaisir que de déplaisir'.³⁰ ('My lord, as soon as I received your letter I took it to the queen of Navarre who took more pleasure than displeasure from it'). Letters are filled with what might seem to be trivial reports of good health, minor illnesses, as well as more serious ones. Given the dynastic and policy implications of the birth or death of nobles, given how quickly minor illnesses might turn intractably deadly, this can be understood as news of general, public importance.³¹

Much of Marguerite de Navarre's correspondence has been preserved and published. As a matter of protocol, no secretary wrote the letters from Marguerite to her brother, they were written entirely in her hand. Still, she

27 Fantazzi Ch. (ed.), *De conscribendis epistolis* (Leiden: 1989) 22.

28 Daybell J., *The Material Letter* (New York: 2012) 18. See also Lestringant F. (ed.), *L'Epistolaire au XVI^e siècle* (Paris: 2001) where Catherine C. Mangien in her "Conclusion" (237–244) to this volume, 240, cites Pasquier writing to Eduard Molé after he had seen the letter Molé wrote to someone else, evidence that in an age of limited sources of information, letters were shared among people with social ties, here, among *robins*.

29 Letter 499, Du Bellay to Montmorency, 7 July 1537, in Du Bellay J., *Correspondance du Cardinal Jean Du Bellay*, ed. R. Scheurer – L. Petris et al., vol. 3 (1537–1547) (Paris: 2008) 51.

30 Ibidem, 52, letter dated 10 July 1537.

31 Other seemingly personal, private, letters were in fact received by a trusted secretary, or even sent from secretary to secretary, as seems to have the case for the correspondence between Marguerite and her husband, explaining why almost none of her many surviving letters were addressed to him. Rentet, *Anne de Montmorency* 29, responding to the observation of Pierre Jourda in his biography of Marguerite. Montmorency too relied on his secretary, Nicolas Berthereau, to conduct the bulk of his correspondence.

never forgets his public status.³² He is always addressed as *Monseigneur* (lesser nobles and commoners would address the king as *sire*).³³ Mixing the political and the private, they end with some close variant of ‘your humble and obedient subject and sister, Marguerite’. Their contents were protected from prying eyes by the courier (whence the modern French for mail, *courier*); the envelope had yet to be invented. The addressee was indicated on the verso of the folded document: *to the King my sovereign lord*. Seals were attached to official letters, not to close them but to denote the status of the writer. Still today, in modern French, the verb to seal, *sceller*, has as its first meaning to affix an authenticating mark to something rather than to close it.

In diplomatic correspondence, it was often essential to limit access to the information conveyed, to protect secrecy.³⁴ Such letters, like those from Jean Du Bellay to the king, often alternated passages written in normal script with encoded passages, clearly demarking the public and the secret parts of a letter. The use of ciphers is a familiar means of preserving secrecy. My concern here is primarily with some other means of concealment that may be less familiar. Letters containing sensitive information, including those between the king’s sister and the monarch, were generally transmitted by a trusted courier known to both sides. The bearer himself was likely to be noble. Unlike Du Bellay, Marguerite does not seem to have protected the politically sensitive contents of her letters by any using ciphers or invisible ink. However, she frequently had recourse to another common method for assuring the secrecy of political correspondence, what was termed a *lettre vive* (living letter) wherein the written missive (holograph) was limited to a declaration that the bearer was authorised and competent to convey the essential message which was to be conveyed orally. She does this quite regularly when conveying diplomatic matters to the king: ‘Ce porteur vous en dira la vérité de tout; qui me gardera de

32 In the king’s own verse epistles, he addresses his sister in the familiar *tu*, a form he never uses to his mother. See Ep. 2 and 4 in François I, *Oeuvres poétiques*, ed. J.E. Kane (Geneva: 1984) 296–297, 303–304.

33 See Du Bellay, *Correspondance du Cardinal Jean Du Bellay*. The king and his family might address high nobles as *mon cousin*, or more rarely *mon neveu*, etc.; the response to them was generally addressed to *monseigneur* or if to a woman, *madame*.

34 Writing in ciphers is well known from at least the fifteenth century as is writing in various kinds of ‘invisible’ ink (artichoke, lemon juice). Modern research has drawn attention to other available physical methods of rendering a letter tamper-proof. See *The Dictionary of Letterlocking* (2015). Online edition, <http://letterlocking.org/dictionary> (2015), or <https://www.youtube.com/watch?v=dzPEiMCgXxo>, an example modeled on Mary Stuart’s last letter to King Henry III of France.

vous en faire redite'³⁵ ('The bearer will tell you the entire truth, which spares me having to recount it to you').

The correspondence of Henry II is also filled with such missives, like this one to Montmorency while the constable was held prisoner by the emperor (10 August 1557–October 1558):

Mon amy le porteur vous dyra les resons pour quoy je le vous anvoye et ausy qui massamble que par une lestre je ne vous sares sy byen fayre antandre mon intansyon coume il fera de vive voix quy me gardera vous faire plus longue lestre sy n est de vous prier de croyre que vous maves an porte tout lese e le contantemant que je saves james avoyr et nespere point le recouver que je ne vous voye du tout an lyberte quy ne sera james sy tost que le desyre vostre bon et parfait ami HENRY.³⁶

My friend, the bearer will tell you why I am sending you this letter and also why it seemed to me that by a letter I could not explain my aims to you as well as he will do by speaking, which spares me writing further except to beg that you believe that you have given me all the ease and contentment that I know I will never have hope to recover until I see you entirely at liberty, which will never be so soon as desired by your good and total friend, HENRY.

Catherine de' Medici's correspondence also contains such *lettres vives*, of which the first may have been written to Montmorency on 5 December 1560, the very day of the death of Francis II (1544–1560), that is, the day she took over the power of the sovereign.

Mon cousin, j'ay choisy le s[ieu]r de Lanssac, chevalier de l'ordre, présent porteur, comme personnaige auquel je me fye grandement et sçay aussi que vous croyrez bien volontiers, pour envoyer devers vous vous dire et faire entendre aucune choses de ma part; à quoy je vous prie adjouster autant de foy que vous ferez à moi mesmes.³⁷

35 Navarre Marguerite de, *Nouvelles Lettres de la Reine de Navarre adressées au roi François I^{er}, son Frère*, ed. F. Genin (New York: 1965 [Paris: 1842]) 186.

36 'Lettre 11' in Gail J.-B. (ed.), *Lettres inédites de Henry II, Diane de Poitiers, Marie Stuart, François, dauphin, etc, adressées au connétable Anne de Montmorency, ou Correspondance secrète de la cour sous Henri II* (Paris: 1828) 40.

37 Medici Catherine de', *Lettres de Catherine de Médicis*, ed. H. de la Ferrière, vol. 1 (Paris: 1880) 155. The spelling makes clear that exceptionally, this letter was not a holograph.

My cousin, I have selected the lord of Lansac, knight of the order [of Saint Michel], who brings you this as a person in whom I have great confidence and whom I know that you will readily believe, to send to you to tell you and explain several things, whom I beg you to trust as you would myself.

This may be the shortest example of a *lettre vive* from the queen-mother; Catherine was a prodigious letter writer.³⁸ Most of her letters declaring that their secret contents are confided to oral transmission also include in written form some anodyne news. The strength of the *lettre vive* is that the living code could not be broken and indeed could easily be falsified by the bearer if captured; and if the recipient was not in the expected location, the bearer would feel himself honour-bound to continue until the message had reached its intended recipient. In all events, secrecy would be maintained.

6 In Conclusion

Public, private, and secret demonstrably had different ranges than modern customs would suggest. Among high nobles in sixteenth-century France, the lack of focus on privacy in our modern sense is salient in the physical arrangements of the living quarters of the most powerful people in the realm. This bespeaks how far the domain of the public extended, and how little our need for personal privacy was current in the past. For most people, arguably peasants as well as the elite, being alone was an exceptional state, as it seems to have been for elites among the Ancients. While there may be a special case to be made for *personnes publiques*, other aspects of my research into this question support the idea that it was broadly true for society at large. The realm of the private, while it certainly existed, was narrow. Intimacy, in all its senses, surely existed, but its boundaries are difficult to trace exactly: they blend, often unexpectedly, on one end into the public, and often unremarked on the other, into the consciously protected secret.

38 On Catherine's letter writing see Gellard M., *Une Reine épistolaire: lettres et pouvoir au temps de Catherine de Médicis* (Paris: 2014).

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