

24. THE SECOND CALL TO TAKE THE OATH

In the castle of St. Cloud, wealthy because of the ancient remembrances of royal families, there was a meeting of the Council of State on 10 April 1812. It was necessary to discuss a projected decree which the Minister of State Boulay presented in order to establish that those who had opposed the oath in Rome ought to suffer the confiscation of all of their goods.

It was a grave step. Not all of the members of the Council of State approved this motion. Especially because it would harm not only those who refused to take the oath, but also their children and descendants. It was not just - said some - that the sin of the father bring about the ruin of his children and grandchildren.

Among those who held to this theory were Defermon, Segur, Regnault and General Gassendi. The last mentioned went to the bottom of the affair: "What value could an oath have that was obtained by threats? The heart and mind being the same, the sentiments and opinions are not modified by the force of perjury."

The emperor was present and he took the floor:

"As far as the children, they will have the necessary food; but it is not the interest of the State to maintain in riches the families in which reigns a spirit of disobedience. The children, often or very often, have the same ideas of their parents. If we are treating of rebel parents, the children of good conduct we will be happy to help generously. ... As to the validity of the oath, there will always be a brake, at least for those who have not been perverted completely. The oath is demanded of no one. But if someone presents himself for work in an office or profession for which it is

necessary to swear fidelity, and he refuses to take the oath, it is the same as if he had defied the law; to let him off without a punishment would be a scandal."¹

That was the imperial opinion. Gassendi declared himself unsatisfied: confiscation and deportation seemed to him to be excessive penalties. He believed that it was necessary only to put under vigilance those who refuse to take the oath.

"A general means is not a punishment," answered the emperor. "The government lessens itself by tolerating that an individual wants the protection of the authority and enjoys the advantages given to citizens, and at the same time that he will not recognize the emperor or the empire. It is natural that an individual thus remains discarded. The game is insulting and it should be done away with. It is our indulgence that fomented this audacity. When we act more severely, no one is permitted these excesses; up to now they have been joking, laughing in their homes with their own scandalous resistance. ... At least let them lose their money for having played with fire, and then we are sure that they will not continue to do so."

Then it was Fieves, in whom the emperor confided; but he also presented arguments of opposition.

It was a surprising spectacle to see the commander of the world who after having discussed the project and having had contrary opinions expressed to make a revision of the said project and suspend for the moment the decision which he wished to adopt.

This happened, as we said, on April 10, 1812 in Saint Cloud. We have to ask ourselves why was Napoleon so adamantly

¹ Madelin, *Op. cit.*, pp. 516 ff. Also for that which follows.

against Rome, the “second capital of the empire”, the same Rome which had awakened in him a swarm of political dreams, cultures, both artistic and urban: to make the Eternal City the city most splendid after Paris, unearthing ancient monuments, restoring its past grandeur, enlarging incredibly the Quirinal, building new roads, plazas and fountains, and exhibiting architectural sights equal to those already existing, with the triumphal arches and the ruins consecrated by history. ...

It has been said that Napoleon loved Rome with a unique love; the truth is that his ideal was to make himself love the Romans, so that they would be disposed to unaccustomed sacrifices. But the result of these pretensions was no other than the intolerance of the Romans towards his regime.

Accustomed to go from one triumph to another triumph, surrounded by affection and a reverence which at every step they offered him interested and cowardly adulation, Napoleon did not have time to reflect on the truth much more simple and basic: love is not imposed; it has to be inspired. No metropolis, no people committed to him dared to remind him of this; but the Romans were teaching him this.

Textually the emperor said in his anger: Rome is the only city of France that does not function (that is, does not obey) and it is scandalous.”²

It is a love refused or “bottled up”, as the Romans say. This undeceived dream of power presented itself one day as Father King before the Roman people, he played his cards with hardness and violence. At not being loved, the emperor only wanted to punish.

We have seen already the disposition that Rome had in the spring of 1812 on the eve of beginning his expedition to Russia; at

that decisive hour, before the last conquest necessary to dominate the whole world, the immortal Rome hid her young men and, more than ever, made for him a hindrance for the oath.

On April 24 the Council of State was convoked again, but this time in the Tuileries and Boulay of La Meurthe read a more benign second redaction of the previous proposal; nevertheless there was only a brief pause. Here is the fifth article: “Desiring to continue to use the indulgence with the men deceived by the abuse of the holy houses, we concede to all of them that the department of Rome and Trasimeno are found to refuse to pronounce the actual oath, there is a grace period of one month to pronounce the said oath.”

Cambacérès tried to emend the proposal; the time is too brief and he wishes it to be a period of five years. But the members did not wish to have another case where during the long time they could orientate themselves more advantageously to see how to end the game. Defermon proposes in the place of confiscation an embargo, which does not appear to be enough; but the emperor is disturbed, excited and with brief words supports Boulay.

The decree is approved; the ones who refuse to take the oath are declared “guilty of a felony” and were put outside the protection of the law. These consequences, which could be chosen, proposed: arrest them, confiscate their property, judge them by a military commission, deportation, ordinary jail or a severe prison.

The decree was published on May 4th and pasted on the walls of Rome on the 23rd of the same month.

It is hardly necessary to say that this provoked a violent reaction. The priests and lawyers felt that they were the principal

² Cf. Madelin, *Op. cit.*, p. 520.

targets, and with them, naturally, the functionaries of the State. In the middle of this general agitation they came to know with indignation the particular disdain that the emperor felt toward those of the curia, that is, the priests.

We see a tightening much too brutal. One thousand, two hundred and twenty-seven persons submitted and took the oath. All the rest continued resisting and they suffered the foreseen consequences: confiscation, deportation, Corsica or prison in Civitavecchia.

Two hundred and twenty-one priests repeated their refusal to take the oath; two regional counselors, four "*adjoints*", eleven archpriests and 67 canons and one of the most famous lawyers at that time, Cintarelli, repeated their "no". At the same time the condemnations and the executing of them began. Miollis, the military commander, did his job without vacillating; the prefect Tournon tried to get out of his hated work; more determined was Norvins and above all Roederer, the prefect of Trasimeno, and Janet, the commissioner of finances. In the month of October alone were deported 18 workers, six lawyers, 17 canons and pastors, a teacher; on November 18, 1812 another 18 who refused; on the 20th 22 workers of the Monte de Piedad; on the 29th six priests; between Christmas and New Years Day of 1813 43 persons were sent to Corsica. Roederer, in 1812, had arrested two octogenarian canons and they were judged by a military court. They tried to force on the priests without stable work the obligation to take the oath, which by the decree they were not required to take. But in this case it is Miollis himself who intervenes and frees these poor "unhappy ones that nothing happen to them".

But the wave of persecution was not restricted only to Rome: it extended itself even to Emilia. Between Parma, Piacenza and

Bologna there were 600 stubborn priests who refused to take the oath and for that reason were deported hoping the more severe penalty would change their minds. They were invited again to take the oath and since almost all of them refused, they were sent to different locations: Bologna, Piacenza, Parma, Alexandria, Corsica, Fenestrelle.

Famous is the case of Don Sebastian Lionardi, a "Don Camilo" of that time, pastor in the rural area in Lazio, very faithful but violent, who, in order to go to the prison in Fenestrelle, had to go through all of Lombardy with a chain around his neck.

A second chance to take the oath was offered Gaspar in Bologna on September 12, 1812. Shortly before he had written a letter to a religious, Maria Angelica Bertolotti,³ who lived in Medolo and which reveals his feelings; we quote the entire letter:

"The grace and love of our Lord Jesus Christ be always in our hearts. Amen.

"Most beloved in Jesus Christ and greatly revered Sister

"Here is for you another way of meriting for Heaven and performing acts of resignation at the foot of the most Holy Cross of Jesus, who makes me worthy of suffering some little thing for him. In these days they have been proclaiming from Police Headquarters the execution of that famed decree of May 4, which affects all exiles, in virtue of which S. Giovanni in Monte will continue to be a place of imprisonment, etc. To date, I have not been called, and I am afraid that there are only three days left; the notice will not be long in coming: In the meanwhile I am putting together the few little

³ In the original letter there was added, by a different hand than that of the saint: "ex Dominican"; cf. *Epistolario*, Letter No. 28.

things that I have. I simply cannot express to you how obligated I am to the Lord for the very special assistance by which he takes care of me; nor can I sufficiently indicate to you the peace and tranquillity and happiness of my spirit, which will always live, according to our agreements, united with the Sweetest Heart of Jesus.

“With these few lines I am asking you to do me three favors: the first is to pray to the Lord that I, who am isolated in prison, will always continue to have joy of soul, clarity and peace of conscience, and also health of body, if it so pleases him. In the second place, of asking the almighty to give me opportune illumination in the handling of confessions, so that I will not be confused, since in this matter I find myself a bit weak; but I hope to overcome it with your many prayers.

In the third place, that you keep in mind my family, my niece, the Holy Father and all those who are in distress for the Lord, to whom you will say each morning that he should deign to accept the very little that I can do in payment for my sins. You can thus be assured that you will be doing a great good, and you will help me to bear the Holy Cross patiently, which tearfully I kiss wholeheartedly and clasp affectionately to my breast.

“Moreover, because of the love which you bear for the Lord, for the honor of virtue itself and because of whatever sway I may have over your heart, I beseech you to be courageous and exult ultimately in seeing me more like my Crucified Jesus. You will, recall the Mother of the Maccabees who, to the end, was present at the sacrifice of her sons; turn your eyes toward the Crucified One and the Martyrs, and you will be comforted. Again I say courage, for we will be at the end of this trying time; our friendship in Jesus will last forever and ever, and throughout all ages; if,

for now, we will not be able to write to you, that will be more merit for Paradise.

From time to time get in touch with La Costa, to whom I entrust many of my matters to be made known to you conveniently after her visit to the country; and from this same person I hope that you will be able always to get news of me. If those of you who are acquainted with Magnoni can work it out that a third person visit me, in that case I will know better by spoken word the news of your state of health, in which I have a very deep interest. In this whole situation we will regulate our actions in accordance with the orders that will be imposed on us and in time made known. If I get out of this prison and am exiled elsewhere, in that case I would make every effort to write to you immediately: in short, be assured of my concern for you, and only force or necessity will be able to suspend the execution of my most vivid desires.

“Ask a thousand pardons likewise of Luigina whom I beseech to be considerate of heart, for not answering her directly; I simply do not have the time; beg her please not to attribute this to ill-feeling. Tell her that I really appreciated her letters and wholeheartedly wish her every good thing, while recommending myself to her prayers.

“La Costa knows already that she is living almost directly in front of S. Bartolomeo, and quite near a little food-shop.

“I leave you now reminding you that if you do not overcome this tribulation courageously, it will bring me the greatest displeasure, and more so to the Lord, for whose greater glory all things redound. Your virtue is a source of calm for me and makes me tranquil; so, without further ado, giving you in the name of God the greatest and most copious blessing, at the foot of the cross, I am

“*S. A. in G. C.*

“Casa (Bologna) September 8, 1812”

The scene which is played out on the 12th is similar to that which happened two years previously in Rome. The commissioner of the police invites Gaspar to take the oath and he (Gaspar) then explains briefly the reasons for which he refuses to do so. Then they try to convince him and the others with theological strategy to take the oath; but they respond with an simple argument: “Our Holy Father has already spoken.”

They offered other worldly arguments: the emperor is unconquered and all-powerful: what do you hope to gain by refusing? What good can you do for yourselves or for others by refusing? In the case of Gaspar, a young man of recognized talent, there were other suggestions: if you swear you could be put in charge of the schools of Bologna and you could continue freely your apostolate without suffering the interference of anyone, and you would be able to do an immense good.

Gaspar gave the same answer he gave last year: “I cannot, I ought not, I will not.”

Thus he refused, conscious of what was expected of him and of what he lost; at that time Napoleon was really “all-powerful”.

The commissioner, surrounded by notaries, judged that this young Roman was a rebel, stubborn and determined. The punishment for him was quickly given: arrest and imprisonment, together with the other stubborn ones in the prisons of San Giovanni in Monte in Bologna.

The arrest took place in the home of Count Bentivoglio, where Gaspar was lodged. Meanwhile he prepared himself by following the guards, picking up his few personal belongings, with the wife of the servant, who witnessed the whole scene, crying uncontrollably.

“Do you need anything? Should I fix you something to eat? Can I help you with anything? ”

“Dear Señora Mariana,” replied

Gaspar, “do you know how Jesus suffered for us? ... If we ourselves also offer something, however small it may be, will it not become a good for us?”⁴

⁴ Cf. Santelli, I, 94.