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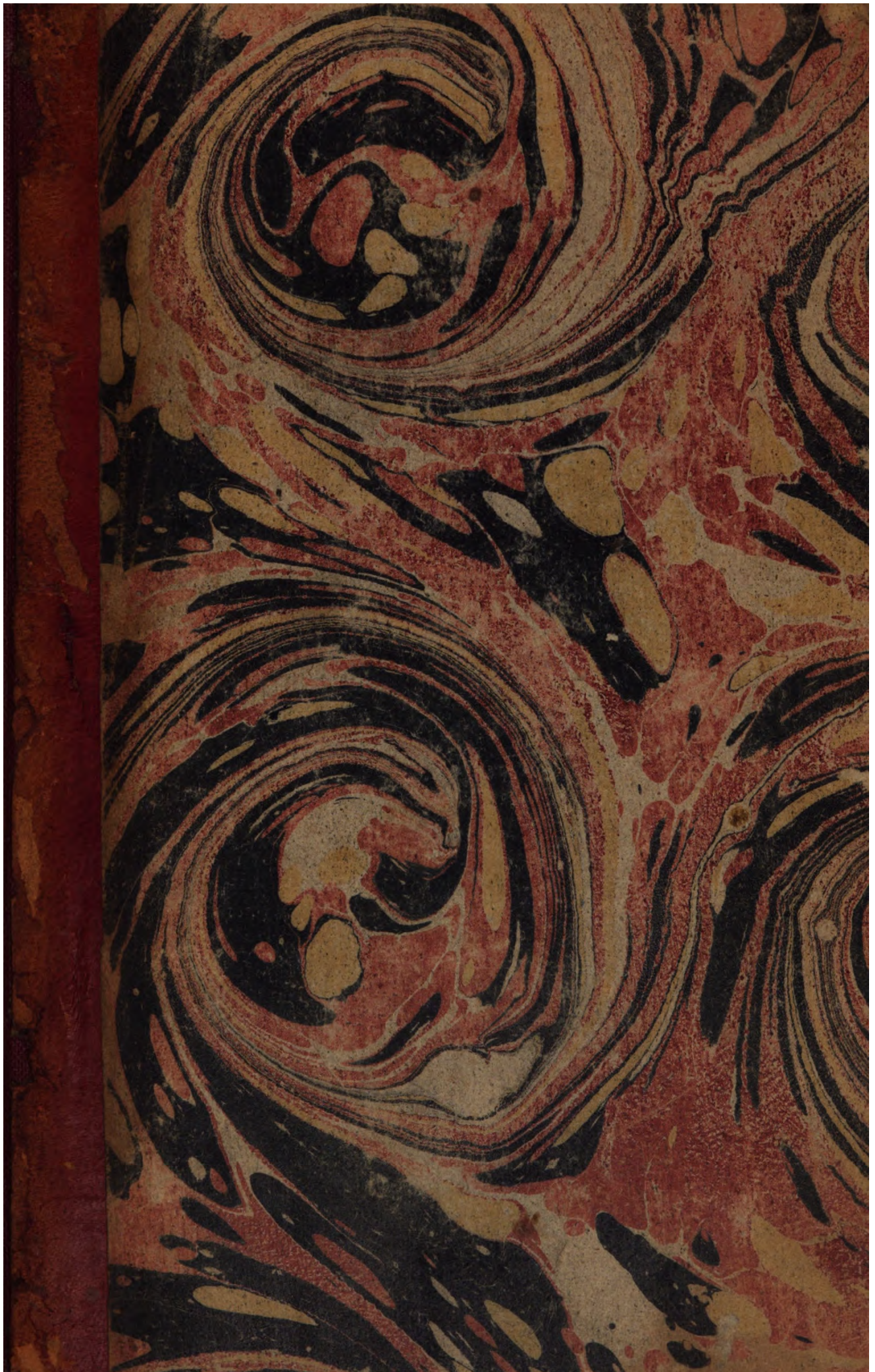
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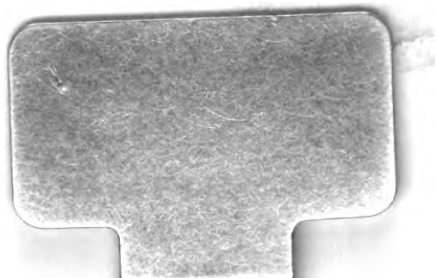


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A
LETTER
TO
THE REV. THE VICE CHANCELLOR
OF THE
University of Oxford
AND
THE LEARNED DOCTORS WHO ASSISTED HIM
ON A LATE OCCASION,
FROM
TORQUEMADA THE YOUNGER.



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TEMPLE BAR.

GENTLEMEN,

I congratulate you,—you have revived the system of my illustrious namesake at a time when the mouldering prisons of the Inquisition proclaim that even in Spain, the land of its nativity, it has expired;—and, profiting by a happy combination of circumstances, you have done so amidst the plaudits of those to whom such a system would, *à priori*, appear least congenial. Whilst you heap the fagots and light the torch, the “Globe” applauds you, and the “Standard” bids you prosper.

You will say that these fires are now but metaphorical. It is a sad truth that they are so. But the inquisitorial system was twofold: as punitive, it inflicted upon the condemned punishments severe in degree and cruel in their nature; as judicial, it condemned by means of

a procedure that rose superior to considerations of equity, and the forms and safeguards with which the reason of mankind has fenced the ordinary administration of justice. You cannot, alas! revive such punishments; and we are left to console ourselves with the hope that, to a generous and pious mind, the stigma of undeserved reproach, and the sense of diminished usefulness, may bring the pains without the crown of martyrdom. But you *have* revived the procedure; you have done what you could; and I, who have inherited the name of Torquemada, am bound to thank you.

I have alluded to the general applause which has attended your efforts: this is due to the discrimination you have shown in the selection of a victim. In the present age it would be difficult, perhaps hazardous, to persecute Jew, Turk, infidel, or ordinary heretic: but Puseyism has contrived to attract the hostility of those who agree in nothing else but in reviling it. The Orangeman and the ultra-Radical,—the man who still smells fire on the 5th of

November, and he who calls O'Connell friend, —the sleek canon, and the hungry dissenter,— all denounce Puseyism. Nor does it only engage the attention of newspaper writers and reviewers, and spouters at Exeter Hall; or agitate the common rooms of colleges, or excite discussions at clerical meetings; it has infected with the spirit of controversy, and the *odium theologicum*, every class of society. Squires prose about it over their port; wits scoff at it over their claret; in the senate it is made the subject of questions by those who “ must still be talking,” and have nothing else to talk about; loungers in the club windows anathematize, as if they understood it; and even young ladies have been heard to lisp its condemnation in the brief interval between the waltz and the quadrille.

You wisely therefore inferred that a Puseyite, being an object of such general animadversion, might safely, if not fairly, be treated as *caput lupinum*—an animal to be hunted down and allowed no law. Some difficulty there might

have been in affixing a charge so vague upon a given individual; for a distinct and intelligible definition of Puseyism has not yet been given to the world. You however have triumphantly cut this knot. No such difficulty could protect Dr. Pusey. With him you were safe. If there were no other Puseyite in the world—he at least was one.

This happy choice however constitutes but a small part of your merit. You have not only revived the procedure of former Inquisitors—you have improved upon it. Of course in comparing you with these your illustrious predecessors, I have no intention of exploring the gloomy pages of Llorente, and of inquiring how things were managed whilst Spain still rejoiced in her Autos-da-fé. Such precedents would not be *in pari materiâ*. Racks and dungeons, and secret tribunals (good things enough in their time) have past into the world of shadows, or live only in melodramas. Now-a-days craft must supply the place of force. Every judge is in some sense responsible to public opinion,

and he is the best Inquisitor who best knows how to elude that responsibility.

Allow me, then, to illustrate your merits by a closer parallel. I have not very far to travel for the purpose. Jansenism, like Puseyism, was the offspring of a soft and refined age—like Puseyism it affronted the Spirit of its Age by preaching mortification and self-denial—like Puseyism also the charge was vague, and consisted in the imputation of the supposed opinions of one writer to a class—like Puseyism it not only divided divines, but, permeating the frivolous classes of society, disturbed even the repose of courtiers.

Now what did they who, under the authority and in the name of Pope Alexander VII., condemned the book of Jansenius?—They laid down five distinct propositions, which they said they found in that book, and condemned them as heretical. Clumsy fellows! they did not foresee that the Jansenists would say, “We agree with you, the propositions are heretical; unfortunately we do not find them in the book

of Jansenius, and you, the Inquisitors, cannot point them out." Hence, as you know, issue was joined on a question of fact; hence arose questions whether the Pope was as infallible in matters of fact as in matters of doctrine, and hence great scandal to the Church, and no small discredit to the Inquisition.

Again, you will recollect that in the course of that controversy the Doctors of the Sorbonne had to deal with a letter of M. Arnauld. The situation of that writer, as represented by his admirers, was singularly like what many people believe to have been that of Dr. Pusey when he fell into your hands.

"Ignorez vous," says Pascal,—*"ignorez vous ces deux choses, que les moins instruits de ces affaires connoissent? L'une que M. Arnauld a toujours évité de dire rien qui ne fût puissamment fondé sur la tradition de l'Eglise; l'autre que ses ennemis"* (do you know such, Dr. Faussett?) *"ont néanmoins résolu de l'en retrancher à quelque prix que ce soit; et qu'ainsi les écrits de l'un ne donnant aucune*

prise aux desseins des autres, ils ont été contraints, pour satisfaire leur passion, de prendre une proposition telle quelle, et de la condamner sans dire en quoi, ni pourquoi. Car ne savez vous pas comment les Jansénistes les tiennent en échec, et les pressent si furieusement que, la moindre parole qui les échappe contre les principes des pères, on les voit incontinent accablés par des volumes entiers, ou ils sont forcés de succomber ? De sorte qu'après tant d'épreuves de leur foiblesse, ils ont jugé plus à propos et plus facile de censurer que de repartir, parcequ'il leur est bien plus aisé de trouver des moines" (when monks are not to be had, Heads of Houses will serve the turn) " que des raisons."

How, then, did the Doctors of the Sorbonne deal with M. Arnauld ? Hear again Pascal, whose prejudices do not lead him to extenuate the dexterity of these well-meaning men :

" On a choisi la seconde lettre de M. Arnauld, qu'on disoit être remplie des plus grandes erreurs. On lui a donné pour examinateurs ses

plus déclarés ennemis.” (Had Dr. Pusey any advantage over M. Arnauld in this respect, Mr. Vice Chancellor?) “ Ils emploient toute leur étude à rechercher ce qu’ils y pourroient reprendre ; et ils en rapportent *une proposition* touchant la doctrine, qu’ils exposent à la censure.”

Again a *proposition* ! And what did the Jansenists ? Why they were men of learning, and they undertook to show that the proposition condemned was based on the authority of the Fathers. The Jesuits asserted there was a difference ; the Jansenists denied it ; and many have thought our friends had the worst of the argument.

Now how have you, the Doctors of Oxford, dealt with Dr. Pusey ? Warned perhaps by the examples I have cited, you have not laid down five propositions : you have not even taken “ *une proposition telle quelle* ” to condemn it. Not only are the why and the wherefore of the condemnation, but the thing condemned is shrouded in impenetrable mystery. Herein

consists your immeasurable superiority over all inquisitors — past, present, and to come. Your opponents cannot take issue with you upon the fact, whether certain things are in Dr. Pusey's sermon, because of nothing do you assert that it *is* there. They cannot take issue with you upon the orthodoxy of what is there, because you refuse to state in what sentence or page of the Sermon heresy lurks, and nobody pretends that the whole is heretical. No issue can be joined where no issue is tendered. Your position was, in truth, a critical one. You make no pretensions to infallibility. Your "placuit" does not even carry with it the weight of a decree of the Sorbonne. Hence, had you assigned any particular passage of the Sermon as pregnant with heresy, this dangerous man might have brought up his artillery of Fathers, crushed you with the weight of authorities, and peradventure proved you, his judges, to be the heretics. But you have condemned the whole. Powerless with all his learning, he cannot disprove the charge

because there is no specific charge on the record. Let him show that each substantive proposition in his discourse is borne out by Cyprian, by Cyril, or by Augustine, you may still reply, "It is not that we mean, the parts may be orthodox, but the whole is heretical, we have condemned and do condemn it." Honour then to you, Doctors of Oxford! To convict upon insufficient evidence, to sentence without hearing the defence, these are the mere commonplaces of injustice—but to try, to convict, and to condemn without specifying a charge,—without, to use technical language, laying a traversible indictment,—this indeed is a novelty in criminal jurisprudence, and entitles you to the high praise of inventive genius. Fallible Doctors—you have taken up a position less assailable than that of an infallible Pope. Protestants—you have shown yourselves less fettered by rules than the Inquisitors of Rome, more subtle than the Jesuits of the Sorbonne.

I have not the honour to be a member of your University—(I graduated at Salamanca

in the good times of the late king Ferdinand) —and therefore I do not enter at large into the constitution of your Board. A word however to one of you—Dr. Faussett.—The title of a cause in the Ecclesiastical Court runs sometimes thus, “The Office of the Judge promoted by John Doe v. Richard Roe.” It is new, I believe, that the same person should both promote and exercise the office of Judge, —sharpen the judicial scythe as accuser and direct it as assessor. Dr. Faussett has thought fit to combine these functions—I admire this as evidence of zeal, but I am not sure that in point of policy he would not have done better if, out of deference to the prejudices of mankind in favour of fair dealing and regularity of proceeding, he had confined himself to one of these characters.

Again, I attribute much of your success to the presence of so many Heads of Houses amongst you. We all know that Sir Robert has shaken his head about Puseyism, and perhaps this may be the reason why at the pre-

sent conjuncture μέγας ἐλέλιξεν Ὀλυμπος. Heads of Houses are peculiarly susceptible to such considerations as the credit of the University with men in power, or the danger that Lord A. or the Duke of B. will not send his son to his former College, from a pious dread that the youth will turn out a Puseyite instead of a fox-hunter. Heads of Houses too are just the wood out of which to cut Inquisitors. From their position they acquire a sort of pedagogal strut, and the habit of looking at the rest of mankind as undergraduates, to be dealt with on the “*stet pro ratione voluntas*” principle. I am told too that this system of suppressing the articles of charge has been partially acted on by them upon a former occasion—that of Dr. Hampden’s condemnation in Convocation. By the way, Gentlemen, may I ask whether any of you had anything to do with that proceeding? If it be so, I am afraid your liberal allies will accuse you of inconsistency; I shall only infer that, like myself, you admire persecution in the abstract.

I am unwilling to dash your triumph, and yet I cannot but express my fears it will not be durable. Truth has an invincible reluctance to be stifled ; and the public, when not blinded by passion, has an ugly prejudice against what it calls injustice, particularly that form of it which denies a fair trial to an accused. Moreover, Dr. Pusey's friends, it is vain to deny it, are both learned and active, and Puseyism may find its Pascal. I should be sorry to anticipate evil, yet I much fear the day may come when you, my worthy friends, will be written down as doctors without learning and judges without justice. In the mean time console yourselves with this: Dr. Pusey is condemned, and the newspapers applaud his condemnation.

“ Pourvu qu'on crie dans les rues, ‘ Voici la censure de M. Arnauld, voici la condamnation des Jansénistes, ’ les Jésuites auront leur compte.”

May you, my excellent friends, make the most of yours.—May Homilies of the purest

Protestantism induce — may visions of preferment soothe your slumbers. Above all, rest assured that, whatever happens, you will long enjoy the high consideration of your very humble admirer,

TORQUEMADA THE YOUNGER.

LONDON:
C. ROWORTH AND SONS, BELL YARD,
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