



ISSN 2159-550X (Print)
ISSN 2159-5518 (Online)
DOI:10.17265/2159-550X

From Knowledge to Wisdom

HISTORY RESEARCH

Volume 6, Number 4, Oct.-Dec. 2016

David Publishing Company
www.davidpublisher.com

History Research

Volume 6, Number 4, Oct.-Dec. 2016 (Serial Number 24)



David Publishing Company
www.davidpublisher.com

Publication Information:

History Research (ISSN 2159-550X) is published quarterly in hard copy and online by David Publishing Company located at 616 Corporate Way, Suite 2-4876, Valley Cottage, NY 10989, USA.

Aims and Scope:

History Research, a quarterly professional academic journal, publishes research in all major areas of history, such as political history, economic history, art history and so on. It publishes articles that make outstanding contributions to scholarly knowledge about notable theoretical concerns, puzzles or controversies in any subfield of history.

Editorial Board Members:

Maurizio Ali (Italy), Itzhaq Shai (Israel), Jak Yakar (Turkey), Pramod Kumar Mohanty (India), Qiang Fang (China), Julio Moreno (USA), Brian Craig Miller (USA), David J. Pizzo (USA), Dana Lewis-Ambrose (Barbados), Daryl A. Carter (USA), Tobin Miller Shearer (USA), Mark M. Carroll (USA), Moushumi Datta (India), Liangni (Sally) Liu (New Zealand), Anastasia Siopsi (Greece), Jeff Thompson (USA), Raffaele Pisano (Italy), Seda Ünsar (USA), Kristen Rudisill (USA), Cristina-Georgiana Voicu (Romania), Derya Yılmaz (Turkey), Trevor O'Reggio (USA), Andrea Somogyi (Hungary), Wendy J. Turner (USA), Gulnara Dadabayeva (Kazakhstan), Maria Antónia de Figueiredo Pires de Almeida (Portugal), Ljubojević Ana (Serbia), Michael D. Severs (USA), Wendy Wilson-Fall (USA), Derya Yılmaz (Turkey), Siim Sultson (Estonia), Miguel Larrañaga (Spain), Manjil Hazarika (Ethiopia), Daniel Costache (Romania), Kate Papari (Greece), Enrica Salvatori (Pisa), Borja Antela-Bernárdez (Spanish), Amit Ranjan (USA), Alberto Rinaldi (Italy), Michele Finelli (Italy), Chayanika Saxena (India), Randall E. Basham (USA).

Manuscripts can be submitted via Web Submission, or E-mail to history@davidpublishing.org or shelly@davidpublishing.org. Submission guidelines and Web Submission system are available at <http://www.davidpublisher.com>.

Editorial Office:

616 Corporate Way, Suite 2-4876, Valley Cottage, NY 10989, USA

Tel: 1-323-984-7526, 320-410-1082; Fax: 1-323-984-7374, 1-323-908-0457

E-mail: history@davidpublishing.org; shelly@davidpublishing.org

Copyright©2016 by David Publishing Company and individual contributors. All rights reserved. David Publishing Company holds the exclusive copyright of all the contents of this journal. In accordance with the international convention, no part of this journal may be reproduced or transmitted by any media or publishing organs (including various websites) without the written permission of the copyright holder. Otherwise, any conduct would be considered as the violation of the copyright. The contents of this journal are available for any citation. However, all the citations should be clearly indicated with the title of this journal, serial number and the name of the author.

Abstracted / Indexed in:

Database of EBSCO, Massachusetts, USA
Chinese Database of CEPS, Airiti Inc. & OCLC
Cambridge Science Abstracts (CSA)
Ulrich's Periodicals Directory
Summon Serials Solutions

Subscription Information:

\$450/year (print); \$320/year (online); \$600/year (print and online)

David Publishing Company

616 Corporate Way, Suite 2-4876, Valley Cottage, NY 10989, USA

Tel: 1-323-984-7526, 320-410-1082; Fax: 1-323-984-7374, 1-323-908-0457

E-mail: order@davidpublishing.org



David Publishing Company
www.davidpublisher.com

History Research

Volume 6, Number 4, Oct.-Dec. 2016 (Serial Number 24)

Contents

- Liberal and Conservative Voices for Justice: John LaFarge, SJ, James Gillis, CSP,
and the Northeast Clergy Conference for Negro Welfare, 1933-1944** 165
Richard Gribble
- I Will Not Forget the Land Where I Was Born*—The Educational Legacy of Oliveira
Lopes Brothers** 180
Cláudia Pinto Ribeiro, Luís Alberto Alves
- Health Technology and U.S. Medicare Policy in the Late 20th Century** 192
Randall E. Basham
- “The Drama of the Tua Line”, a Fictional Narrative and Literary Dialogue With the
Contemporary Portuguese Railway Technology** 205
Maria Otília Pereira Lage
- The Development of the Primitive *iurisdictio episcopalis*** 212
Javier Belda Iniesta, Patricia Blanco Díez

Liberal and Conservative Voices for Justice: John LaFarge, SJ, James Gillis, CSP, and the Northeast Clergy Conference for Negro Welfare, 1933-1944

Richard Gribble, CSC
Stonehill College

For a period of some 10 years, two Roman Catholic priests, James Gillis, CSP and John LaFarge, SJ, became unlikely collaborators and colleagues in their common effort to bring greater justice to Black Catholics in the United States. Gillis, a strong political and theological conservative and LaFarge, a much more liberal thinker, were two prominent members of the Northeast Clergy Conference for Negro Welfare, a group that arose on the early 1930s and for the next decade produced documents, programs, and initiated various initiatives to better the life of Black Catholics, initially in the Northeast part of the country and then broadening out its reach in a more general way. The ability for two apparent opposites to collaborate in a common effort to assist an oppressed group tells an interesting story of cooperation between apparent political and religious opposites.

Keywords: Black Catholics, American Catholicism, racism, Northeast Clergy Conference for Negro Welfare, Jesuits, Paulists

Introduction

The Black Catholic experience in the United States is a story dominated by pain, discrimination, and in general a lack of understanding and acceptance. Indeed in 1904, the Apostolic Delegate to the United States, Archbishop Diomedeo Falconio, OFM, received a letter from the Cardinal Prefect of the Congregation of the Propaganda, Girolamo Maria Gotti, ODC, which in part read:

It has been referred to this Sacred Congregation that in some of the dioceses of the United States the condition of the Catholic Negroes, not only in respect to the other faithful but also in respect to their pastors and bishops, is very humiliating and entirely different from that of the whites.¹

In a similar tone, the Dean of American Catholic Black history, Benedictine Father Cyprian Davis, has described the history of Black Catholics in the United States as “systematically ignored.”² He continues, “Black Catholics have been here the longest, ... [b]ut, like Native Americans and Hispanics, they have been among the forgotten and neglected children of this ancient church.”³ A few historians and noted scholars have chronicled various dimensions of this overall story of misery and woe. For example, Stephen Ochs’

Richard Gribble, Ph.D., Professor of Religious Studies, Doctorate in American Church History.

¹ Quoted in Cyprian Davis, OSB, *The History of Black Catholics in the United States* (New York: Crossroad, 1990), 195.

² *Ibid.*, xi.

³ Cyprian Davis, OSB, “God of Our Weary Years,” in *Taking Down Our Harps: Black Catholics in the United States*, eds. Cyprian Davis and Diana L. Hayes, (Maryknoll, New York: Orbis Books, 1998), 41.

monumental study of the road to ordination for Black men, *Desegregating the Altar*, chronicles how even religious communities that sought to minister to the African-American community were often dismissive or even rejected the efforts of Blacks to enter the priesthood.

Despite general discrimination and even racism toward African-American Catholics, there are important, but lesser-known, triumphs in ministry to the Black Catholic population in the United States. During the period of Catholic Action, beginning in the early 1930s, prominent activists arose such as Dorothy Day and Peter Maurin, co-founders of the Catholic Worker Movement and Baroness Catherine de Hueck Doherty, a Russian émigré to the United States via Canada who started Friendship House, a specialized outreach ministry to the African American community. This essay chronicles the significant of two Catholic clerics, John LaFarge, SJ and James Gillis, CSP, who, coming from almost polar opposite political and social perspectives were, nonetheless, able to find common ground through their membership and work in the Northeast Clergy Conference for Negro Welfare and its promotion and support of Black Catholics.

John LaFarge, SJ and James Gillis, CSP

John LaFarge was born into an aristocratic family in Newport, Rhode Island in 1880. His father, John LaFarge, Sr. was a famous artist. After graduating from Harvard University in 1901, he trained for the priesthood and was ordained in 1905. However, he saw himself not suited for the secular (diocesan) priesthood and thus joined the Jesuits. He seemed headed for an academic career until ill health forced him to be sent to Southern Maryland for therapy. He ultimately stayed there 15 years, a period of great influence during which he encountered the Black population, many of whom were Catholic. Convinced of a gap between the creed of the universal Church and racist policies which he observed, he dove into racial work with great vigor. His ministry was highlighted by the foundation of the Cardinal Gibbons Institute in 1924.⁴ From 1926 to his death in 1963, LaFarge was on the editorial staff of *America*, the popular Jesuit weekly, serving as editor-in-chief from 1944 to 1948.

LaFarge was widely recognized as one of the most influential Catholic spokesmen on black-white relations in the United States.⁵ In September 1924 he established the Cardinal Gibbons Institute, the first high school for African-Americans in St. Mary's County, Maryland. Three years later he organized the Catholic Laymen's Union in 1927, a group of approximately 25 Black businessmen and professionals who were interested in deepening their spirituality by applying Gospel principles to their daily lives.⁶ His advocacy for interracial justice was paramount in his life. He called for general justice for African-Americans where injustice had reigned for many decades, such as the common use of public facilities, ways certain people were preferentially treated (or maltreated), and the all-too-common practice of lynching Blacks for sport. He asked, would a Catholic stand by and allow such injustices to happen if our friends and relatives were so treated?⁷

Interracial justice lay at the heart of LaFarge's advocacy for Black Catholics; he used it as the base from which his advocacy for the Black Catholic community took flight. In an article published in 1934, he wrote: "[Interracial justice is] the organization of society so that each racial (or minority) group obtains an equal share

⁴ The Cardinal Gibbons Institute was St. Mary's County's first high school built to educate Blacks. Located in Ridge, Maryland, it provided academic, vocational and religious instructions to black students from across the United States.

⁵ David W. Southern, *John LaFarge and the Limits of Catholic Interracialism, 1911-1963* (Baton Rouge: Louisiana State University Press, 1996), xiii-xiv.

⁶ Martin A. Zielinski, "Doing the Truth: The Catholic Interracial Council of New York, 1945-1965" Ph.D. Diss., The Catholic University of America, 1989, p. 13.

⁷ John LaFarge, SJ, "Communism and the Negro," *The Interracial Review* 9 (3) (March 1936): 40-41.

in the common benefits to which it has an equal claim.”⁸ He suggested that the main culprit that kept African-Americans from justice was in large measure due not only to present conditions, but past history. LaFarge once commented,

The condition of the Negro as he is now found in this country may be stated in terms of his past experience or of his present environment. It may be well to cast a glance upon both. His past experience is that of slavery; his present environment is that of our commercialized civilization.⁹

LaFarge strongly believed that Christianity demanded interracial justice. He wrote, “We have ... the duties toward one another of justice and love that is [*sic*] natural for the members of a body to entertain towards one another.”¹⁰ He believed that interracial programs were necessary for the advancement of African-Americans in general, including being a vehicle for their conversion to Catholicism. He believed that this justice could be achieved when, as a first step, there was recognition that interracial justice was a moral and spiritual issue. Additionally, a program of interracial justice necessarily implied a program for the increase of supernatural charity.¹¹

While LaFarge fully believed in and promoted interracial justice, he did not see it as a panacea for the plight of African-Americans. He wrote,

It is meaningless unless it is accompanied by the works of spiritual ministration, education and social welfare which are directly concerned with the Negro himself and not with what people say and think about him. But these same works are likewise without efficacy ... unless their operation is accompanied and sustained by a systematic, tireless campaign against the ignorance and prejudices which now close the doors of spiritual vocational opportunity to a great proportion of the Negroes.¹²

A close contemporary to LaFarge in age, but almost diametrically opposed in general political and theological thought, James Gillis was born in Boston on November 12, 1876, the second of four surviving children of James Gillis and Catherine Roche, both of whom traced their ancestry to Northern Ireland. An outstanding student, Gillis graduated from Boston Latin, one of the most prestigious high schools in the metropolitan area, attended St. Charles minor seminary in Ellicott City, Maryland, and then matriculated to St. John's Seminary in Brighton for the Archdiocese of Boston. During his early seminary years Gillis met Paulist Father Walter Elliott,¹³ whose enthusiasm captivated the young seminarian. Eventually on September 11, 1898

⁸ John LaFarge, SJ, “Interracial Justice,” *The Interracial Review* 7(10) (October 1934): 121.

⁹ Quoted in Robert A. Hecht, *An Unordinary Man: A Life of Father John LaFarge, SJ*. (Lanham, MD: Scarecrow Press, Inc., 1996), 104.

¹⁰ LaFarge, SJ, “Interracial Justice,” 121.

¹¹ *Ibid.*, 122, 123; Zielinski, “Doing the Truth,” 19-20.

¹² John LaFarge, SJ, “Speech,” November 16, 1941, Box 52, Folder 15, John LaFarge Papers, Archives Georgetown University (hereafter AGU), Washington, D.C.

¹³ The Congregation of Missionary Priests of St. Paul the Apostle, commonly known as the Paulists, was organized in 1858 under the guidance of Isaac Thomas Hecker and three associates, Augustine Hewit, George Deshon, and Francis Baker, all converts. Hecker had converted to Catholicism after searching for a religious practice and charism in accord with his personal spirituality. He was ordained a Redemptorist priest on October 23, 1849 at the hands of Bishop (later Cardinal Archbishop of Westminster) Nicholas Wiseman in England. Hecker's missionary commitment as a Redemptorist was soon manifested in his ministry in the United States. He became convinced that what America needed was a new foundation of the Redemptorists aimed toward mission work. When Hecker went to Rome in August 1857 to plead for such a wing of the community, he was promptly expelled from the order for his unauthorized trip. Hecker found friends in high places in Rome, however, in the person of Alessandro Barnabo, prefect of the Congregation of the Propaganda, which supervised American affairs. Barnabo spoke with Pope Pius IX, who released Hecker and his associates from their vows and suggested that they form a new community. Back in the United States, Hecker discussed his plan with his friends. A “Programme Rule” was drawn up and approved by Archbishop John Hughes of New York on July 10, 1858. Hecker believed that America needed the new religious community to carry the message of Catholicism to non-Catholics.

he officially registered at St. Thomas College, the religious house of formation for the Paulists in Washington, D.C. During the next two years Gillis' training in religious life and priesthood was dominated by the Paulist rule, the influence of community members, especially his mentor Walter Elliott, and his academic studies. On December 21, 1901 Gillis was ordained to the priesthood at St. Paul the Apostle Church in New York.

Gillis' philosophy of life and his understanding of America's role in the world were developed and honed through contact with influential people and experiences in his childhood and formative years. Gillis was imbued by his father with a sense of moral responsibility and personal duty. The senior Gillis believed in rugged individualism and promoted the idea that people contribute to society through their own initiative and effort; there was no place for laziness or inattention to duty.

Gillis' national consciousness and world view were formed through his initial experiences in ministry. Immediately after ordination Gillis attended The Catholic University of America, earning a STL in 1903. He was then sent to Old St. Mary's in Chicago to assist in the Paulist mission band. His mission preaching and painful encounters with fellow Paulists and parishioners left a bad impression on him, leading him to emphasize personal moral responsibility in his missionary preaching. He believed that sin was one's personal choice--one can accept or reject God at any time.

Gillis' inability to achieve inner peace because of a self-imposed goal of spiritual perfection, led him to project his need for moral rigorism and absolutism onto society, voicing his world view, developed from his spirituality, which pitted the forces of darkness against the righteousness of God. He used his strongly held convictions as the basis upon which he would critique the world's manifestations of moral irresponsibility--its leaders, institutions, ideologies, and programs, for more than three decades through the varied public media.

Over the decades of his public career the face of the enemy changed for James Gillis: apparent moral laxity, greed, and the demise of family life in the 1920s, the leviathan state and interventionist politics in the 1930s, and Communism, deceptive government, and imperialism in the 1940s and 1950s. In the 1930s one manifestation of moral laxity was the Church's failure to meet the needs of the burgeoning Black Catholic population. Working at the same time as John LaFarge, he acted stridently and with great fervor to right a long-standing wrong.¹⁴

Although a strong conservative politically and socially, Gillis was in union with LaFarge in his advocacy for Black Catholics, utilizing the vehicles of radio and printed media to voice his ideas. In November 1932 he gave a radio talk, "White Man and Black," on the nationally syndicated "Catholic Hour." Speaking generically of the situation experienced by Black Americans he commented:

On the whole the Negro is considered an alien, an outcast, and as it were, a leper in our midst. He is ostracized if not exiled. He is the victim of such discrimination and injustice as would precipitate unending race riots if he were not more tolerant, more patient, and more law-abiding than his white neighbors.

Basic justice to humanity mandated that Blacks receive the same rights or prerogatives given to the white population. Speaking to the white majority audience, he suggested that past treatment of African-Americans had been "manifestly and outrageously wrong." He continued,

We are treating the Negro as unjustly, if not with quite so much bloody cruelty, as we treated the Indian. Whatever we are doing now to atone for our crime against the red man from whom we stole the continent, we are doing little or nothing to atone for the crimes we commit against the black man. We have not even ceased to deal unmercifully with him.

¹⁴ For the complete story of Gillis' life see Richard Gribble, CSC, *Guardian of America: The Life of James Martin Gillis, C.S.P.* (Mahwah, New Jersey: Paulist Press, 1998).

He concluded, chiding the white population to demonstrate mercy but if this was not possible “at least let us give him [the African-American] simple justice.”¹⁵

Gillis was equally strident in his most popular medium of writing. In an essay published in June 1934 he continued his earlier themes, calling for Christian justice and criticizing the white population for its treatment of African-Americans. He wrote,

Any Christian who creates or perpetuates or tolerates race hatred or any race prejudice contradicts and crucifies Christ; any human being who discriminates against his fellow man because of the color of that man’s skin or because of the fanciful opinion that any other man’s blood differs essentially from his own is guilty of a crime against not one race, but against the human race.¹⁶

He suggested that any white man who presumed to speak on the subject of interracial justice should begin with a public confession of the sins and crimes that he and his race had committed against the Black population. He suggested further that the majority of Christians had failed to exemplify the most basic and elementary principles of the religion they profess. He concluded, “Hatred, prejudice, persecution, discrimination against any man because of his race is a sin against one’s own flesh and blood; race hatred in its ultimate manifestation is mystically fratricide, the crime of Cain.”¹⁷

The Black Catholic Experience in America

The early nineteenth century history of African-American Catholics is rooted in religious congregations, both communities formed for Black membership only and others organized specifically to serve the African-American Catholic community. The first Black congregation of women religious, the Oblate Sisters of Providence, founded by Jacques Joubert, SS and led by Elizabeth Lange, took vows in 1829. The Sisters of the Holy Family were established in New Orleans in November 1842; the Missionary Franciscan Sisters of the Immaculate Heart, under the guidance of Mother Mathilda Beasley, were founded in Savannah, Georgia in 1891. These communities sought to educate Black children, as public education was largely not available to them.¹⁸

In the latter quarter of the century three new congregations arose in the United States specifically to serve the African-American community. In 1891, a young Philadelphia heiress, Katharine Drexel, founded the Sisters of the Blessed Sacrament for Indians and Colored People. The Mill Hill Fathers, founded in 1871 by Herbert Vaughn in England, were manifested in the United States as the Josephites, beginning in 1893. In September 1923 the Divine Word Missionaries opened St. Augustine Seminary in Bay St. Louis, Louisiana, as a training ground for Black priests. The histories of these congregations produced many stories of both successful foundations and compassionate ministry, but their failures to move the African-American Catholic community towards an equal status with other Catholics, were often glaring.

Possibly the most significant champion of the Black Catholic cause in the late nineteenth century was Daniel Rudd. A newspaper man from Cincinnati and founder of the *American Catholic Tribune*, the first Black Catholic newspaper, Rudd was the driving force behind a series of five lay Black Catholic Congresses, held

¹⁵ James Gillis, “White Man and Black,” Catholic Hour Broadcast, November 20, 1932, James Gillis Papers, Box 34, Archives Paulist Fathers (hereafter APF), Washington, D.C.

¹⁶ James Gillis, “The Crime of Cain,” *Opportunity: Journal of Negro Life* 12(6) (June 1934): 185.

¹⁷ Ibid., 175, 185.

¹⁸ Religious communities were basically segregated until the 1950s.

between 1889 and 1897. These national meetings, which drew some of the most talented and best educated Black Catholics, became venues to discuss many topics pertinent to African-Americans of the day, including education, vocational training, labor issues, establishment of better housing, and the problem of racism in the Church.¹⁹

The twentieth century provided new leaders but the plight of the African-American Catholic community improved little. Thomas Wyatt Turner, longtime professor at Howard University, held no punches in his strong criticism of the segregationist policies in the Church. In his writings he addressed five major areas where Black Catholics had been subjugated: (1) education, (2) Catholic organizations, (3) The Catholic University of America, (4) Black priests, and (5) racism in the Church. Apathy and indifference reigned, even with the significant migration of Black Catholics to the industrial North. George Hunton, a prominent Catholic layman who worked closely with LaFarge, commented,

The Negro admires Catholic teaching as to his equal dignity as a man and regarding his internal destiny and the sacredness of his natural rights. But he finds in the existence of Catholic indifference and neglect a grave inconsistency between Catholic principles and the attitude and conduct of the majority of the Catholic laity.²⁰

The Josephite priest, John Gillard, similarly commented,

Priests shall judge the Negro by his character, not by his color. ... It is strange that priests who ordinarily put much stress upon spiritual values, should be so blind to the vast reservoir of spiritual energy represented by millions of un-churched Negroes.²¹

Gillard suggested that there had been three basic responses to the movement of Black Catholics northward: (1) Some pastors saw it as an opportunity to harvest souls; (2) Some rather oblivious to the situation, while not antagonistic to Blacks, did little to help them; (3) Some, seeing the flight of white parishioners and thus the disintegration of the parish due to the arrival of Blacks became resentful of them. He suggested the largest groups “are simply indifferent to the welfare of Negroes.”²² Gillard declared that the white man was the Negro’s burden in that despite the fact that Black Catholic had proven himself “worthy to walk the streets of the New Jerusalem, he is forced to be satisfied with the alleys of life and the rear entrance to Paradise.” He concluded, “For the Negro there is nothing but the carrion of neglect in the valley of Catholicism.”²³

One bright spot in the history between African Americans and the Church was the formation in 1924 of the Federated Colored Catholics (FCC) by the Howard University Professor, Thomas Wyatt Turner. The group sought to bring unity to Black Catholics, enhance their possibility for Catholic education, and to raise the overall status of Blacks within the Church through greater participation in the cause of racial justice. The historian Martin Zielinski has written,

¹⁹ See Davis, *Black Catholics*, 164-72 for a synthesis on Daniel Rudd and the lay Black Catholic Congresses. Two additional sources are: Sr. M. Adele Francis [Gorman], OSF, “Lay Activity and the Catholic Congresses of 1889 and 1893,” *Records of the American Catholic Historical Society of Philadelphia* 74 (March 1963): 3-23; David [Thomas] Spalding, CFX, “The Negro Catholic Congresses, 1889-1894,” *Catholic Historical Review* 55 (October 1969): 337-57.

²⁰ George Hunton, “Communism and the Negro,” *The Interracial Review* 10(6) (June 1937): 87.

²¹ John Gillard, SSJ, “The Catholic Clergy and the American Negro,” *The American Ecclesiastical Review* 94 (February 1936): 150.

²² *Ibid.*, 148, 149.

²³ *Ibid.*, 144, 158. Interestingly, Gillard tried to dampen criticism of Church members for their failure to convert more African-Americans to Catholicism. He wrote, “The fact of the matter is that Negro converts are no easier to make than any other kind.” See *Ibid.*, 155.

The general purpose of the group was to provide support for the newly-opened [St. Emma's Industrial] School, to promote the cause of Catholic education among the black population, and to raise the status of black Catholics in the Church.²⁴

The FCC endeavored to act as a clearing house for Catholic African-American opinion. A dispute arose, however, between the Jesuit priests, John LaFarge and William Markoe, on one side and Turner on the other, leading eventually in December 1932 to Turner's ouster as head of the FCC. The famous African-American writer, W.E.B. DuBois, was highly critical of the "take over," seeing it as a power grab. He suggested that if Blacks had more priests and even one bishop, "all would work out normally," but the present situation does not allow a fair fight.²⁵

DuBois was generally critical of how the Church operated toward African Americans. His observations convinced him that the Church "stands for color separation and discrimination to a degree unequalled by any other church in America."²⁶ Indeed, he went so far as to suggest that Church practice toward Blacks was no better than the actions of the Ku Klux Klan. Additionally, DuBois criticized the Church for doing little to assist African Americans, especially its failure to evangelize the Black population and to seek converts.²⁷

The Northeast Clergy Conference for Negro Welfare

The interwar years saw a significant migration of African-Americans from Southern regions to the industrialized cities of the North. For example between 1920 and 1930 the African-American population in New York City increased from 152,000 to 327,000; in Philadelphia a similar rise from 134,000 to 219,000 was experienced.²⁸ Unfortunately, this migration of African-Americans north did not initially precipitate an enhanced outreach to this population by the Catholic Church. Rather, Blacks were often met with apathy and even hostility, even by ordained clergy. However, two other factors did prompt more progressive Catholic clergy to express concern over the lack of outreach in the northeast urban areas to the burgeoning Black population. First, Black Catholics had formed an organization to protest their treatment in the Church. Secondly, Pope Pius XI's encyclical *Rerum Ecclesiae* called for formation of native clergy. The Josephites, however, did not take the Pope's call as a reference to the need for African-American priests.²⁹ LaFarge hinted to the need for Black clergy by suggesting the benefits of Blacks and Whites praying together,

²⁴ Zielinski, "Doing the Truth," 7.

²⁵ Ibid., 9-11; W. E. B. DuBois, "The Negro and the Catholic Church," *Crisis* 40 (March 1933): 68-69. The "take over" of the Federated Colored Catholics by LaFarge and his fellow Jesuit, William Markoe, has been described by a few significant scholars. David Southern suggests that LaFarge originally simply wanted to reform the FCC, but Markoe and Turner got into an ugly public argument over control of the organization. At the 1932 FCC convention, LaFarge suggested changing the group's organ, *Chronicle*, to *Interracial Review*. This touched off a firestorm leading to Turner's ouster as President of the FCC. See Southern, *John LaFarge*, 130-36. Since, as Cyprian David has shown, Turner had no objection to using Markoe's parish organ *St. Elizabeth's Chronicle*, it seems that LaFarge's desire to place his moniker on the FCC was the straw that broke the camel's back in his relationship with Turner. The most extensive coverage of this controversy is presented by Marilyn Wenzke Nickels in *Black Catholic Protest and the Federated Colored Catholics 1917-1933* (New York: Garland Publishing, Inc., 1988), especially pages 96-135, 266-285 and 304-311.

²⁶ W. E. B. DuBois, "The Catholic Church and Negroes: A Correspondence," *Crisis* 30 (July 1925): 121.

²⁷ Ibid., DuBois, "The Negro and the Catholic Church," 68. An excellent overview and summary of the Church's triumphs and failures with respect to the Black Catholic community in the United States is found in Zielinski, "Doing the Truth," 1-45.

²⁸ Teresa Hruz, "The Northeast Clergy Conference for Negro Welfare, 1933-1944," M.A. Thesis, University of Maryland College Park, 1990, 15-16, 78. Hruz also points out that between 1930 and 1940, while the absolute members of Black Catholics increased in most Atlantic regions, the percent of Black Catholics to total Blacks remained the same.

²⁹ Ibid., 9-10.

The presence of the Negroes in our cities and in the midst of our majority communities has dramatized the basic truth that the Negroes' material and spiritual welfare alike are not the mere concern of the Negro alone, but the common concerns of us all. We can neither live nor work nor suffer not [*sic*] pray apart from one another.³⁰

Acting on the perceived needs and the past failures of the Church toward the Black Catholic community, eight priests met on November 13, 1933 at the Athletic Club in Newark, New Jersey at the invitation of Father Harold Purcell, C.P, editor of *Sign*, a weekly Catholic journal. The assembled clerics gathered to discuss a response to the aforementioned migration, seeking common ground "so that a unified logical presentation of the subject [Black apostolate] finally could be made to the general public."³¹ The group discussed methods to make Catholic clergy in the United States more "colored conscious." Commenting years later on the first meeting, LaFarge, who served as the chairman *pro tem* at this meeting, wrote, "All were animated by a common concern: the question of public opinion, especially among Catholics, as to the Negro and its effects upon what was being done for the Negro's spiritual welfare."³² The historian of the Northeast Clergy Conference for Negro Welfare, Teresa Hruz, has commented about the participants at the first meeting: "Their will and desire to secure a more just environment for black Americans as well as to increase the black apostolate in the Catholic Church gave their program the incentive to succeed."³³

Discussions at this initial meeting led to a proposed five-point program for the Conference to follow: (1) Spiritual care of Negroes; (2) Social justice; (3) Education; (4) Race relations; (5) Cultural development.³⁴ The participants were very strong on the influence that could be wielded by those who had connections to printed publications, such as Purcell and LaFarge.³⁵ At the meeting LaFarge voiced the view, "The Negroes will not be satisfied with any religious program which does not contain at least three elements: a program of social justice; Catholic higher education for Negro youth; a Negro clergy."³⁶ In his autobiography *The Manner is Ordinary*, LaFarge contended that the participants at the outset of the Clergy Conference were convinced of two things:

(1) That public opinion is a capital factor in the Negroes spiritual welfare and in the material circumstances that affect that welfare.

(2) That the combating of false opinions and the building up of a sound one cannot be left to mere chance.

He concluded that there must be "systematically and intelligently organized propaganda for the spiritual welfare of the Negro and its material implications and the clergy themselves should be leaders in such an undertaking."³⁷ LaFarge described the deliberations at this first meeting, and with all subsequent gatherings, as "off the record" and "free and frank." Indeed, one LaFarge biographer, David Southern, has written, "The meetings of the Northeast Clergy Conference on [*sic*—for] Negro Welfare resembled a modern-day

³⁰ John LaFarge, SJ, "Clergy Conference on Negro Welfare," *Interracial Review* 14 (November 1941): 169.

³¹ Zielinski, "Doing the Truth," 13.

³² LaFarge, "Clergy Conference on Negro Welfare," 168.

³³ Hruz, "Northeast Clergy Conference," 1, 13. The original eight clerics who met to form the Northeast Clergy Conference were: Cornelius Ahern, Pastor of Queen of Angels Parish in Newark, Bernard J. Quinn, Pastor of St. Peter Claver Parish in Brooklyn, Benedict Bradley, Ahern's assistant, Joseph Shovlin, Pastor of Christ the King Church in Jersey City, John Shanley, assistant to Quinn, Howard Purcell, Editor of the *Sign*, Edward Kramer, Director of the Catholic Board for Colored Missions and John LaFarge.

³⁴ "Report," March 20, 1934, John LaFarge Papers, Box 52, Folder 9, AGU.

³⁵ It should be noted that while James Gillis did not attend this first meeting, he had originally planned to be present. Thus, the assembled participants, knowing of his desire to be part of the group, also mentioned him as a primary player through his position as editor of *The Catholic World*.

³⁶ Memorandum of the First Meeting, n.d. John LaFarge Papers, Box 52, Folder 9, AGU.

³⁷ John LaFarge, SJ, *The Manner is Ordinary* (New York: Harcourt Brace and Company, 1954), 340.

consciousness—raising or support group. The discussion that took place was pastoral, frank and largely confidential.”³⁸

The initial meeting in Newark was followed only one week later on November 19 with a second gathering in Brooklyn. The original eight members were joined by four additional prominent clergymen, including John Ryan, professor of moral theology at The Catholic University of America and head of the Social Action Department of the National Catholic Welfare Conference and James Gillis.³⁹ At this second meeting the members, led by LaFarge, Bernard Quinn, and Cornelius Ahern, agreed to compose a body of doctrine for the Conference, agreeing that the ultimate goal of the organization and interracial work in general should be the conversion of African-Americans. This document, a *modus agenda*, written in seven sections, was presented to the conference members at the third meeting, held on March 20, 1934 at the Philadelphia home of Louise D. Morrell, sister of Mother Katherine Drexel.⁴⁰

Beginning at the second meeting and continuing in subsequent gatherings, the significant contributions of LaFarge and Gillis in their various manifestations began to emerge. Although his attendance was not as regular as LaFarge,⁴¹ Gillis was clearly the more outspoken of the two men when the Conference met. Indeed, the historian David Southern has written, “Gillis clearly was the most outspoken and mercurial of the lot. His impassioned speeches hammered Jim Crow Christianity and shocked and angered many.”⁴² Gillis suggested that American Catholics needed to be bombarded by the press towards making the clergy “colored conscious.” He argued that a conciliatory tone would not work, suggesting instead that confrontation might be necessary.

His no-nonsense approach was demonstrated at the Conference’s second gathering, the first that he attended: “Timidity and an apologetic attitude will not help. People need to be ‘shocked’; an ‘open row’ would not hurt.”⁴³ LaFarge, on the other hand, was much more measured in his approach, pushing publicity and the formation of doctrine within the Conference. He insisted that it was of paramount importance to proclaim the Conference’s message, set forth in a series of practical conclusions to which all could satisfactorily agree, and to transmit them to both clergy and laity.⁴⁴

In 1934 the Conference expanded its reach and membership while formalizing its own internal organization. On March 20, 1934 the Conference again met at the home of Louise Morrell with a total of 37 attendees. Nine committees were created. Gillis was appointed chair of the radio committee (later expanded to

³⁸ Southern, *John LaFarge*, 179.

³⁹ Hruz, “North Clergy Conference,” 18. The other two new participants were Joseph Corrigan, Rector of Overbrook Seminary in Philadelphia, and John Cooper, Professor of Anthropology at The Catholic University of America.

⁴⁰ *Ibid.*, 20. The seven sections of the document were: General Considerations, Conversions, Social Justice, Negro Clergy, Education, Race Relations, and Cultural Development.

⁴¹ Records for all of the meetings of the Northeast Clergy Conference are not extant, but LaFarge, as recording secretary, was present at all the meetings. Gillis, due in large measure to his extensive travel schedule as a public speaker, was present at approximately 60% of the meetings.

⁴² Southern, *John LaFarge*, 178.

⁴³ Meeting Minutes, Northeast Clergy Conference for Negro Welfare, November 19, 1933, John LaFarge Papers, Box 52, Folder 9, AGU. Gillis’ mercurial style with the Clergy Conference was consistent with his often bombastic comments in his monthly editorial comments in *The Catholic World*. For example, Gillis held no punches in his dislike for President Franklin Roosevelt, commenting on one occasion: “I confess I don’t understand the man [Roosevelt]. But I do think him inconsistent and unpredictable. A ‘dangerous,’ ‘reckless,’ ‘audacious,’ inconsistent, unpredictable man is no man to be three times President of the United States. To perpetuate in office a man with a mania for power who asks, obtains and holds all he gets, and demands ever more and more would be as great a political blunder as that of Hindenburg and the Reichstag that handed over liberties of the people to Hitler.” See James Gillis, “Editorial Comment,” *The Catholic World* 152 (November 1940): 132, 138.

⁴⁴ Meeting Minutes, Northeast Clergy Conference for Negro Welfare, November 19, 1933, John LaFarge Papers, Box 52, Folder 9, AGU.

publicity committee) with LaFarge assigned as the chairman of the lay organization committee, as well as serving as recording secretary. Discussing the events of the March 1934 meeting a few years later, LaFarge, Ahern, and Joseph Corrigan recalled, "The purpose of the various committees was not executive, but advisory in order to furnish information to the Conference, that the entire group be better able to act as a committee of the whole."⁴⁵ Conference members voiced the need to advance educational opportunities for African-Americans in general and seminary options for Black Catholics. LaFarge pushed for cultural advancement for the African-American community, but his most controversial contribution dealt with the question of episcopal sanction for the Conference. He commented at the meeting:

We have laid our cards on the table. The only way to progress in this matter is by frankness, whether the formation of a permanent organization is involved in further action at some point in the future, I don't know. ... An organization demands the sanction of the hierarchy. A more feasible way at present seems the one we have taken whereby the committee, although it has nobody definitely to report to, is nevertheless able to meet and go ahead developing ways and means to accomplish the objects which brought us together here today.⁴⁶

The question of episcopal sanction was tabled. At the next meeting in April 1934, it was agreed that the Conference must continue to function as a group of individuals gathered together, rather than an episcopally-sanctioned body. At this time, LaFarge contributed a "Clergy Pamphlet" that provided a synopsis of the Conference's history and work to date. The four-page pamphlet clearly stated that the Conference's program was "purely educational" and that each member had the "sanction of his own superior ... to promote an apostolic attitude toward the Negro."⁴⁷

Meetings of the Conference during the remainder of 1934 centered about publicizing the group's work more widely and the question of episcopal sanction. In May, LaFarge was tasked with writing an eight-page pamphlet to explain more fully the Conference's work. In October the Conference still held the opinion that it should not seek episcopal support:

We should remain an unofficial group; merely for discussion, not advisory. Each man's participation is known to his own Bishop or Religious Superior. We should remain as we are without attempt at further organization or a secretariat. Our goal: a converging of ideas.⁴⁸

The October meeting was also significant as it was decided to send a mass mailing to 10,000 priests in the Northeast, informing them of the Conference's work. The letter, signed by Gillis as chair of the publicity committee, read in part: "Perhaps there is yet time, but we shall have to act quickly ... if Blacks are to be converted. ... The next 10 years may decide the spiritual fate of American Blacks." The letter insisted that the clergy show that "the Church is consistent in her treatment of all people alike."⁴⁹ Reaction to the Conference's

⁴⁵ Memorandum of Conversation, January 10, 1939, John LaFarge Papers, Box 52, Folder 10, AGU; Meeting Minutes, Northeast Clergy Conference for Negro Welfare, April 11, 1934, John LaFarge Papers, Box 52, Folder 9, AGU. The original committees were, radio, literature, pamphlet, lay organizations, magazines and newspapers, seminary and schools, propagation of the faith and priests' retreats, sodalities, and liturgy.

⁴⁶ Meeting Minutes, Northeastern Clergy Conference for Negro Welfare, March 20, 1934, John LaFarge Papers, Box 52, Folder 9, AGU.

⁴⁷ Hruz, "Northeast Clergy Conference," 40, 28-29. It should be noted that while Conference was making strides within its membership, there were those who believed the group was headed in the wrong direction. Prominent among the detractors was Father Joseph Pastorelli, Superior General of the Josephites. Teresa Hruz believes that this opposition put somewhat of a damper on the Conference, even taming the language of James Gillis to a more "conciliatory tone."

⁴⁸ Meeting Minutes, Northeast Clergy Conference for Negro Welfare, October 9, 1934, John LaFarge Papers, Box 52, Folder 9, AGU.

⁴⁹ Quoted in Hruz, "Northeast Clergy Conference," 31.

letter was mixed. Gillis, despite the rather tepid response, insisted that another letter be prepared as the Conference needed to forcefully act on questions. He suggested that the Conference must make a strident statement in support of both “white and colored in Catholic schools in the North,” a highly controversial topic of the day.⁵⁰

The Conference closed out 1934 with a meeting in New York City on December 11. At this meeting, Gillis suggested that the assistance of the national clergy be sought through the mass media, including radio. He informed Conference members that the Paulist radio station in New York City, WLWL, could be utilized as well as various newspaper and magazine columns.⁵¹

The Conference’s 1935 meetings, while seeking a general program for race relations, featured the reemergence of the more forceful attitude of James Gillis. At the May 7 meeting, held in Cornwell Heights, Pennsylvania, Gillis pushed for a general formula for race relations as a means of removing obstacles that beset the Negro apostolate. The formal document asked for “full Catholic life for the Negro, and a full equality of opportunity and fulfillment of the Negroes’ duties toward God and his fellow man.”⁵² In October Gillis’ patented firebrand style came to the forefront. Again promoting his idea of co-education for Whites and Blacks in Catholic schools in the North, he pushed Conference members to be more proactive, especially in its published statements:

We must become specific we cannot help coming down to the difficult questions. What shall we do with specific statements and articles? Can we agree on some programs? People wish to know what we will do in such a case.⁵³

LaFarge, as in the past was more measured, responding to Gillis’ suggestion by stating that the Conference’s *modus agendi*, published in 1934, dealt with many of the issues that concerned Gillis. But the Paulist fired back, “Shall the Committee make a decision on whether these [emphasis original] controversial points in our program shall be made public, or whether such an article is in accordance with our principles?”⁵⁴ The minor battle between LaFarge and Gillis, at this point, was won by Gillis as the Conference began to confront issues in a more forthright manner.

The efforts of Gillis and LaFarge highlighted the work of the Conference in 1936 as well. Gillis again pushed for the Conference to draw geographic distinctions in its approach to its general goal of making people more “colored conscious.” For example when discussing the decision to publish a second generic letter to the American clergy he stated, “We cannot write one [a letter] that will stir up the North without offending the South.”⁵⁵ In a similar vein, with respect to radio, he commented, it would be impossible to obtain a series on the Catholic Hour, due to its national coverage. Thus, he suggested that the Conference should be strident in its message to the North, since this geographic area was the target for the organization’s work from the outset. Later in the year, Gillis asked whether or not the Conference should concentrate only on the Negro apostolate or if it should entertain wider questions concerning the Church in the Northeast.⁵⁶

⁵⁰ Ibid., 35-37.

⁵¹ Ibid.

⁵² Meeting Minutes, Northeast Clergy Conference for Negro Welfare, May 7, 1935, John LaFarge Papers, Box 52, Folder 9, AGU; LaFarge, *Manner is Ordinary*, 340.

⁵³ Meeting Minutes, Northeastern Clergy Conference for Negro Welfare, October 12, 1935, John LaFarge Papers, Box 52, Folder 9, AGU.

⁵⁴ Ibid.

⁵⁵ Meeting Minutes, Northeast Clergy Conference for Negro Welfare, February 12, 1936, John LaFarge Papers, Box 52, Folder 10, AGU.

⁵⁶ Ibid., Meeting Minutes, Northeast Clergy Conference for Negro Welfare, December 1, 1936, John LaFarge Papers, Box 52, Folder 10, AGU.

LaFarge played multiple roles in the Conference during this same year. He was called upon to respond to a rather scurrilous attack on the Conference by the Josephite priest John Gillard. Utilizing two organs, *America* and *Interracial Review*, LaFarge refuted Gillard's categorization of the Conference's members as full-time advocates for African Americans. While some of the Conference members worked directly with Black Catholics, others had no contact with this population at all, but simply supported the Conference's efforts. This critique of the Conference led to the first manifestation of ecclesiastical recognition. On May 6, the 14th gathering of the Conference, LaFarge hosted Bishop Thomas Molloy of Brooklyn, the first member of the hierarchy to attend a meeting of the group. Molloy told the Conference members, "Your method of extending information through circularizing is a splendid general program of approach." He went on to suggest that the Conference should reconsider its apparent aversion to ecclesiastical approval.⁵⁷ At the Conference's December 1 meeting it was decided that another letter should be written to the American clergy, updating them on the Conference's work. LaFarge was again assigned to write the communiqué.⁵⁸

The Conference's work during the latter years of the 1930s featured some important administrative moves. In 1938 the Conference reorganized its committee structure establishing three new groups: "Colored Non-Catholics," "Seminarians," and most importantly "Episcopal Relations," the latter precipitated not only by the aforementioned visit of Molloy, but the attendance of four bishops at a special meeting held at Hartford, Connecticut in October 1938.⁵⁹

Gillis' work with the Conference in the late 1930s highlighted a new and significant issue not previously addressed. Even though greater ecclesiastical approbation for the Conference and its work was clearly evident, Gillis reported to the members a harangue published by the *Baltimore Catholic Review* which "severely criticized" him and LaFarge claiming that "any more utterances by men like Gillis and LaFarge would disrupt the entire educational system in Baltimore." The criticism, clearly a reference to Gillis' advocacy for integrated Catholic schools, only prompted the prominent Paulist editor to give more support for African-Americans in additional areas.⁶⁰ At the Conference's 31st general meeting, held on November 21, 1939, Gillis gave a prepared talk, "Obstacles to the Conversion of the American Negro." In his speech he suggested that African-Americans cannot be converted unless they receive help in their social situation. Thus, it was absolutely necessary to reach out to a population that had been neglected by the Church and society in general for far too long. Ringing the alarm bell, Gillis, accompanied by LaFarge and others, suggested that if the Church does not reach out, the Communists will.

The issue of Bolshevism, which was heightened in 1933 when the Roosevelt administration, seeking open markets during the depths of the Great Depression, gave political recognition to the Soviet Union, never went away totally.⁶¹ At the November 23, 1937 Conference meeting, Gillis suggested that Communists had invaded the Black population and were sowing seeds of their atheistic ideology in the population. He opined, "We are

⁵⁷ Hruzd, "Northeast Clergy Conference," 43-48.

⁵⁸ Meeting Minutes, Northeast Clergy Conference for Negro Welfare, December 1, 1936, John LaFarge Papers, Box 52, Folder 10, AGU.

⁵⁹ Hruzd, "Northeast Clergy Conference," 64; Meeting Minutes, Northeast Clergy Conference for Negro Welfare, October 4, 1938, John LaFarge Papers, Box 52, Folder 10, AGU.

⁶⁰ Hruzd, "Northeast Clergy Conference," 51-53, 58-59.

⁶¹ For a full analysis of the 1933 decision to recognize the Soviet Union and Catholic reactions to it see: Richard Gribble, CSC, "United States Recognition of Soviet Russia: 1917-1933 B Church and State Responses," *American Catholic Studies* 119(4) (Winter 2008): 21-51.

not exaggerating the danger.”⁶² Similarly, writing in March 1936, LaFarge, addressing the Communist question directly, suggested a twofold method to keep the red menace away from the Black population: combating race prejudice, and promoting social justice. He wrote, “The Negro looks at the Catholic Church for such intelligent interest. From us, who are members of the one Body of whom Christ Himself is the Head, he [the African American] expects a wide and sympathetic point of view.”⁶³ George Hunton, warned that Blacks were the central target for communist propaganda. Therefore, he enjoined the Church to rise to the occasion and to bring interracial justice to the forefront. He wrote,

While many Catholics are deeply concerned with the threat of Communism and others are keenly aware of the need of social justice, it cannot be denied that the vast majority of white Catholics are oblivious to the problems confronting the Negro, and at the same time are indifferent to the need of interracial justice. They have not realized that the Negro group is the most disadvantaged in America. While many would arise to warn the Negro against the false promises and hopes of Communism, most Catholics have little or no conception of the barriers to Negro progress, or of the cruel discriminations and denials that surround him on every side.⁶⁴

In the late 1930s, LaFarge, aware of the Communist threat, and not averse to speaking about it, returned to his basic message of racial justice. He feared that the Conference might be pulling away from its original goals and thus he promoted a return to the basic objective of procuring a “colored conscious” clergy. He suggested one method to broaden the message was for parishes in the North to “adopt” parishes in the South. From an economic perspective Southern pastors and bishops responded enthusiastically to the proposal yet, no mandates could ever be presented. Since the Clergy Conference could only make suggestions, the program found few takers.

The contributions made by the Northeast Clergy Conference for Negro Welfare were often directly tied to the contributions of James Gillis and John LaFarge. The strong conservative and traditional theological perspective so evident in the editorials, essays, and public speeches of Gillis make his participation in the Conference rather surprising and certainly historically significant. While being a great advocate for African-Americans in general and Black Catholics specifically, Gillis was simultaneously “hammering” the Roosevelt administration for its policies, both domestically and internationally. Gillis saw FDR’s New Deal as a behemoth national takeover of individualism; on the international front Roosevelt’s policies, such as Lend-Lease, which moved the country closer to eventual involvement in the European war theater, prompted Gillis to be an active member of America First.⁶⁵ Thus, his firebrand method that pushed the Conference to do more was completely consistent with his method of operation; its progressive tone was, however, a shift from his otherwise conservative mindset. The historian of the Conference, Teresa Hruzd presents Gillis’ contributions in a very positive light.⁶⁶

The contributions of John LaFarge, while clear in their physical manifestations, have been reviewed with some skepticism. The historian David Southern has undoubtedly been the chief critic. Southern characterizes LaFarge as much more conservative than his lifetime commitment to Black Catholics might indicate. Indeed, referring to the Jesuit’s work with the Conference as a reforming action, he has written, “So fiercely loyal was

⁶² Meeting Minutes, Northeast Clergy Conference for Negro Welfare, November 23, 1937, John LaFarge Papers, Box 52, Folder 10, AGU.

⁶³ John LaFarge, “Communism and the Negro,” *The Interracial Review* 9(3) (March 1936): 40.

⁶⁴ George Hunton, “Communism and the Negro,” *The Interracial Review* 10(6) (June 1937): 87.

⁶⁵ See Gribble, *Guardian of America*, especially pages 123-62. America First was the organization started in September 1940 that promoted an isolationist policy, thus rejecting Roosevelt’s series of initiatives that aided England materially after the onset of World War II on September 1, 1939.

⁶⁶ Hruzd, “Northeast Clergy Conference” 42-66.

LaFarge to the institutional church that his efforts to reform it seemed almost out of character.” Southern suggests that there were other Catholics who were more advanced concerning the race issue in the Church. He describes LaFarge as “an exceedingly cautious reformer who was slow to condemn segregation and reluctant to support nonviolent direct action by blacks.” He concludes, “His [LaFarge’s] aristocratic background and his Eurocentric bias, which often aided him in the racial apostolate, and in higher-echelon Catholic politics, saddled him with a lingering paternalism and ambivalence about black culture.”⁶⁷ Hruzd finds it an anomaly that while LaFarge was a prominent public advocate for Black Catholics, his role in the Conference was limited to recording secretary.⁶⁸

LaFarge’s contributions to the Conference can be viewed, however, in a more positive light. While a complete record of the meeting minutes of the Conference is not extant, the available information shows that LaFarge, as recording secretary, was always present, which cannot be said for any other member, especially Gillis. Although more subdued in his general approach, especially when compared to Gillis, he was nonetheless the one to whom the members went for the production of various documents that outlined to non-members the Conference’s purpose, work, and agenda. His fidelity and production of documents is itself significant, but when his work is seen in a broader context, especially his eventual work with the Catholic Interracial Council of New York, his contributions to the Clergy Conference are indeed significant.

The contributions of LaFarge and Gillis notwithstanding, the Clergy Conference did not survive the War years. The final meeting was held in April 1944. The deaths of several significant founding members of the Conference, especially Cornelius Ahern, Joseph Corrigan, Bernard Quinn, and Augustine Walsh, created a huge gap not only in membership, but more importantly in leadership. While this loss was indeed significant, nonetheless, LaFarge, writing to a fellow Jesuit some five years later, hinted that a lack of support from the Archdiocese of New York was also a significant factor in the Conference’s demise. He wrote,

Off the record, another obstacle which had impeded the Conference from the beginning was the curious indifference shown to it by Msgr. William R. McCann, pastor of St. Charles Borromeo Church, Harlem. Msgr. McCann always took the peculiar position that appeals of the Conference to the interest of the clergy toward the Negro throughout the country were a personal reflection on himself and the Archdiocese. This point [of view] was adopted at the Chancery and no amount of explanation could dislodge it.⁶⁹

Conclusion

Started in November 1933 the Northeast Clergy Conference for Negro Welfare was the first clerical organization inaugurated in the United States for the support and promotion of Black Catholics. While the work of the Conference is noteworthy in its own right, the partnership forged between James Gillis and John LaFarge, two clerics who were politically polar opposites could, nonetheless come together and combine their efforts under one banner in order to aid an oppressed minority within the Church is significant. Contributing in their personal ways, Gillis more as a firebrand and LaFarge more of a conciliator, the two, combined with the efforts of many others, fueled the machine which allowed the Conference to move forward, making significant strides in multiple ways. The unlikely partnership between Gillis and LaFarge forms an important story in the history of Black Catholics in the United States.

⁶⁷ Southern, *John LaFarge*, xix, xviii.

⁶⁸ Hruzd, “Northeast Clergy Conference,” 38.

⁶⁹ John LaFarge to Albert Foley, November 28, 1949, John LaFarge Papers, Box 64, Folder 11, AGU.

References

Primary Sources

John LaFarge Papers, Archives Georgetown University, Washington, D.C.

James Gillis Papers, Archives Paulist Fathers, Washington, D.C.

Secondary Sources

Davis, O. S. B. (1990). Cyprian Davis. *The history of Black Catholics in the United States*. New York: Crossroad.

Davis, O. S. B., & Diana L. Hayes. (Eds.). (1998). *Taking Down Our Harps: Black Catholics in the United States*. Maryknoll, New York: Orbis Books.

DuBois, W. E. B. (1933). The Negro and the Catholic Church. *Crisis* 40(March), 68-69.

Gillis, CSP, James. (1934). The Crime of Cain. *Opportunity: Journal of Negro Life* 12(6), 175-85.

Gillard, SSJ, John. (1936). The Catholic Clergy and the American Negro. *The American Ecclesiastical Review* 94, 144-158.

[Gorman], OSF, Sr. M. Adele Francis. (1963). Lay Activity and the Catholic Congresses of 1889 and 1893. *Records of the American Catholic Historical Society of Philadelphia* 74, 3-23.

Gribble, CSC, Richard. (1998). *Guardian of America: The Life of James Martin Gillis, C.S.P.* Mahwah, New Jersey: Paulist Press.

Hecht, Robert A. (1996). *An Unordinary Man: A Life of Father John LaFarge, S.J.* Lanham, MD: Scarecrow Press, Inc.

Hruzd, Teresa. (1990). The Northeast Clergy Conference for Negro Welfare, 1933-1944. M.A. Thesis, University of Maryland College Park.

Hunton, George. (1937). Communism and the Negro. *The Interracial Review* 10(6), 86-87.

LaFarge, SJ, John. (1934). Interracial Justice. *The Interracial Review* 7(10), 121-123.

LaFarge, SJ, John. (1936). Communism and the Negro. *The Interracial Review* 9(3), 39-41.

LaFarge, SJ, John. (1941). Clergy Conference on Negro Welfare. *Interracial Review* 14, 168-170.

LaFarge, SJ, John. (1954). *The Manner is Ordinary*. New York: Harcourt Brace and Company.

Nickels, Marilyn Wenzke. *Black Catholic Protest and the Federated Colored Catholics 1917-1933*. New York: Garland Publishing, Inc., 1988.

Southern, David W. (1966). *John LaFarge and the Limits of Catholic Interracialism, 1911-1963*. Baton Rouge: Louisiana State University Press.

Spalding, CFX, David [Thomas]. (1969). The Negro Catholic Congresses, 1889-1894. *Catholic Historical Review* 55, 337-57.

Zielinski, Martin A. (1989). Doing the Truth: The Catholic Interracial Council of New York, 1945-1965. Ph.D. Diss., The Catholic University of America.

I Will Not Forget the Land Where I Was Born—The Educational Legacy of Oliveira Lopes Brothers

Cláudia Pinto Ribeiro

University of Oporto, Portugal

Luís Alberto Alves

University of Oporto, Portugal

The tendency to participate with solidarity in the religious and assistance initiatives is a trademark of the Portuguese who returned from Brazil. The major novelty in the second half of the nineteenth century is the conduction of large sums of money towards education, in a framework of philanthropy that was unusual. This inclusion of education in the field of charity was in the concerns of politicians and intellectuals of the time who argued that “only by educating people, nations can achieve its independence, wealth and freedom (...)”. Inserted in this context we can find examples that deserve, by their paradigmatic profile, a more detailed attention. After making fortune, Oliveira Lopes and his brother tried to solve problems that seemed without solution in their homeland. This example assumes a synthetizing nature for several reasons. Firstly, because it portrays the typical Brazilian of the end of the nineteenth century that saw education as a fundamental tool to approach Portugal to the international standards. Secondly, because with the well-being of his fellow countrymen and the “notoriety of his hometown” he can diminish the pain of the “abandonment in search of wealth”. Thirdly, because his return introduced a new sense and a new rhythm in searching solutions for eternal problems in the field of religion, assistance or education. Finally because, even though they are the minority of Brazilians that achieved fortune, they put their wealth in the service of the country that made them leave in order to try to stop the flux of emigrants.

Keywords: school museum, history of education, material culture

From Colony to Independent State

Brazil was fertile ground for the most far-fetched imageries of 19th-century and early 20th-century Portugal and, at the same time, the most present reference in various spheres of national life in that period. Those indelible marks are owed not only to what the Brazilian space continued to represent for several aspects of Portuguese life, but essentially due to the creation of the character that left its mark on Portuguese social life—the *Brazilian*, that is, the Portuguese emigrant returning from Brazil.

The first marks of our modern times are inseparable from the Brazilian colonial reality, which at times (1807-1821) and given the presence of the king, takes on the role of metropolis. This unexpected prominence will drive Brazil towards a new identity which will allow it to break away from the colonial chains (1822), despite the *Velhos do Restelo* [the prophets of doom], in the form of constitutionalists, who took too long to realise the inevitability of the separation:

The Portuguese nation represents the union of all Portuguese of both hemispheres. Its territory forms the United Kingdom of Portugal, Brazil and the Algarve (...).¹

¹ 1822 *Constitution (full text)*. Braga: Livraria Victor—Centro Cultural do Minho, 1954, p. 9 (Art 20).

Once independence was recognised in 1825—after most European countries had already done so since 1822—it was time to accept all the consequences of this “beginning of the absence” of a space that dragged us, in terms of history and because of its wealth, towards an inadvisable *policy of transport*. The clarity shown by Mouzinho da Silveira in the revolutionary legislation of 1832 would cause the shift from the cycle of conquests to that of productive activities:

The kingdom has lived for more than three centuries from the labour of slaves, but once these were gone, a new way of life had to be found, multiplying the values of work on one’s own (...).

Only the ports of Brazil were open to all, and the relative monopoly ceased to exist, as did the wealth many Portuguese had acquired there to bring to Lisbon, Portugal descended even more into the abyss than it had risen during the glorious times (...).

Portugal cannot continue to be an independent nation without advancing its labour and industry (...).²

The fact we were able to unequivocally accept the need to regard our former colony from another perspective, combined with a relative political stability and with the need to focus on an effective settlement policy, would enable an evaluation of our ability to make the most of the country’s potential. Disappointment soon took hold of the best expectations and the best scenarios defined for the required development. Although slow, demographic growth soon put pressure on and expelled population “surpluses”. Civil governments soon saw an increasing number of candidate emigrants (legal) and our ports became filled with people eager for a place for adventure.

After having the Brazilian colony in its history, Portugal could have also saved some space for the Portuguese people who, on the other side of the Atlantic Ocean, hoped to find what avaricious mainland Portugal hid from them, cynically returning to it, and whenever possible in a generous way, what it denied them—the opportunity for a better life.

From Being Portuguese to Being *Brazilian*

Emigration to Brazil has been a constant phenomenon in our history, lasting until the 1960s as a priority destination and, at times, practically the only one. In this respect, as a destination, a facilitator of dreams impossible to achieve in mainland Portugal and as a relief valve of both demographic growth and of the absorption capacity of production facilities, the Brazilian space defined itself as a mandatory reference in our modern-day history. We only need to bear in mind the conditions endured during the sea voyages in the second half of the 19th century—“(…) poorly fed, harboured like animals in cramped, dirty, hot and smelly spaces, hiding in ship holds on their arrival in Rio de Janeiro, to avoid being caught by the consular authorities (...)”³—to realise how important this rediscovery of Brazil was in the *imagery and reality* of some Portuguese families.

Thousands of Portuguese nationals found their way across the Atlantic in the second half of the 19th and early 20th centuries based on a reciprocity of interests, as the Brazilian economy needed capable hands to replace slavery, which, in the meantime, had been abolished⁴, and hoped to make the best of a work force

² Sá, 1981, pp. 105-111.

³ Cruz, 1991, p. 188.

⁴ “(…) The former colony, that had based all its economy on slave labour, began on 4th September 1850, as approved by Imperial decree 584 which established the final regulations on the suppression of the slave trade, a long and difficult journey that would lead to the abolition of slavery on 13th May 1888 (Golden Law)(...)”. In *Ibidem*, p. 186.

wasted by the “unrealised Portuguese industrialisation”. The money sent by the emigrants guaranteed a fragile and delicate balance of the Portuguese finances; the investments made in mainland Portugal by some of the better off *Brazilians* in a way compensated the Diaspora and brought in a new type of social actors, repeatedly commented by numerous writers.

From Camilo Castelo Branco to Ferreira de Castro, including Júlio Dinis and Eça de Queirós, the figure of the *Brazilian* took on an identity that reproduces, as a whole, an accurate picture of its place in society and in the economy of that time. Whether the figure is Feliciano in “A Brasileira de Prazins”, Manuel da Bouça in “Emigrantes”, Eusébio Seabra in “A Morgadinha dos Canaviais”, or José Urbano in the short story “Justiça de Sua Majestade”, or “Mr. Bazílio de Brito” in “O Primo Basílio”, they all reflect the different hopes in the outward journeys, the different meanings of the stays and, in particular, the different impacts of the homebound journeys.

The image of success or failure conveyed in the literature depicts the reality of Brazilian emigration at that time:

(...) One can say that of 100 individuals who emigrate, only 40 will return, 20 of which come back as poor as when they left and in poorer health, 15 have a little capital enough just to set up their industry in better conditions, or buy a property in their home towns, and 5 return with a sound fortune (...).⁵

Recent studies comparing a large amount of other data, including analyses of passport applications and elements on the travels of some emigrants, point to about 40% and 60% return rates, reaffirming, on the one hand, the importance of those who return and abandoning the idea of a demographic “bleed-out” that only took into account the outward movement.

The Return of the *Brazilian*

The homebound journey is made between the ages of 40 and 50, depending on how lucky they are in Brazil, on the investment opportunities in Portugal, and on surrendering upon realising that prolonging the stay will not improve the situation. Besides the many travels to and from Brazil, particularly the successful businessmen linked mainly to commercial activity, the main purpose for those between the ages of 42 and 50 was to have a stable life in the much longed-for homeland.

The return was to be marked by an effort to be reintegrated, always seeking to be discreet and ashamed when the return is tarnished by failure, or grand and ostentatious when economic success marked his stay in the land of Vera Cruz. History will reserve a privileged place in particular for the successful *Brazilian*, on the basis of his new status.

Upon his return, the social and economic role played throughout the stay in Brazil, by regularly sending money to the family, becomes more intense and diversified. More intense because there is a clear desire to show himself (and show off) in the living space, which he modifies and creates with his *foreign-like* marks. More diversified because whereas he did not forget his origins while living across the Atlantic, it nevertheless opened new horizons as to how to multiply his savings or make a fortune.

For many of them, having assumed the clear purpose of going to Brazil to solve the problems that an impoverished primary sector had created due to troubled times, customs tariffs, or agricultural crises, to return

⁵ *Primeiro Inquérito Parlamentar sobre a Emigração Portuguesa pela Comissão da Camara dos Senhores Deputados*. Lisboa: Imprensa Nacional, 1873, p. 176.

meant they would be able to pay their debts, improve their houses, or buy new land. For their daughters, it could mean having a dowry that would make them more eligible to marry, in a context where love would not be sufficient.

On a more capitalist note, better suited to the experiences that living in contact with other worlds had provided them, the banking institutions, the public limited companies, the trade, the industry, the hotel business and insurance were seen as profitable investments in which the *Brazilians* could invest all their experience and, especially, quickly multiply their fortunes. Banco Comercial do Porto, Mercantil Portuense, Banco União, Seguros Garantia, Mineração Perseverança, Carris do Porto, Companhia do Palácio de Cristal and the Grande Hotel do Porto are only a tiny show of what the presence of Brazilian money represented, especially in the northern part of the country where the overwhelming majority of those who sought the various Brazilian destinations lived, the possibility of taking fast steps towards industrial and financial capitalism⁶.

The contemporaries reaffirm the meaning of this *Brazilian* return:

(...) We have lately received from blessed Brazil fortunes and some active and enterprising men, who have reserved part of their lives to come and put it to their own use and that of their country. Before, it was only money that came. Those who brought it, they either came to Caldas, or then spent the winter in bed. Their lives were exhausted from work. They had nothing else to give. Today, the quick and easy communications have transformed everything. They absorb from America habits and work skills that are learned as a result of needs in places away from the family home. Some of the important houses in Lisbon and Porto, as well as some of the modern companies are governed by individuals who started their careers in Brazil (...).⁷

The marks of the presence of this *well-off Brazilian* extend far beyond an obsessive and exclusive concern with work. His religious conscious and love for his village are shown in the many ways in which he shows his success. Whether it is Eusébio Seabra, who “began some repair works in the parish church and offered new garments for all the saints in the altar, and had a church bell repaired because it had been making a cracked sound for twelve years”⁸, or those “who went to Brazil” and radically transformed the “Festivities of Nossa Senhora de La Salette”⁹, they are all quite enthusiastic about being useful “to the place where they were born” and to the their fellow-villagers who stayed behind.

It will be, however, in education, in particular primary education, where we will be able to better assess the new mentality brought by the *Brazilians* and the philanthropic sense they like to give to their wealth.

Education in the Horizons of Solidarity of the *Brazilian*

The tendency to participate in a spirit of solidarity in religious and health care initiatives is the hallmark of the Portuguese man returning from Brazil. For a long time, the charity institutions or the village priests played the role of interlocutors between the kindness of the emigrants and the needs of the places in which they lived. This attitude represents a visible appreciation for their success, but also meant continuing the way in which these generous offerings were used.

The great novelty which we will see from the second half of the 19th century on is that significant amounts of money are channelled into education, in a framework of philanthropy that the country was not used to. To include education in the charitable area was one of the concerns of politicians and intellectuals at that

⁶ Mónica, 1987, pp. 819-863.

⁷ Alves, 1994, p. 308.

⁸ Dinis, 1982, pp. 163-164.

⁹ Castro, 1977, p. 44.

time, who held that “(...) it is only through the education of the common people that the nations will achieve their independence, richness and freedom ... because education is, in itself, a virtual progress in any kind of endeavour (...)”¹⁰. This commitment sprang from the concern with an illiteracy rate of 75%¹¹ in 1910, which hindered a real and consistent economic growth and a political clarification that would necessarily have to provide more access to information and would have to reduce (or if possible abolish) the influence of political landlords, curiously an area of intervention dear to many *Brazilians*, to rise to a new social status (together with nobilisation).

The number of examples began to increase: in Santo Tirso, the Count of S. Bento founded an Agricultural Home, two schools, the Misericórdia Hospital, the Tirsense Club, and the Santo Tirso Factory; in Leça da Palmeira, Maria Francisca dos Santos Araújo built a school for girls with the inheritance she received from her brother José Pinto de Sousa; in Maia, the Viscount of Barreiros used part of his fortune in education, improving old schools and building new ones; in Vila do Conde, José da Silva Carneiro invested in a school for both boys and girls; also in Vila do Conde, the Viscount of Santa Marinha wished to donate part of his income to improve the education level of the local population. At the same time as these examples of individual financial availability, others existed but less personal, but no less important, for example, the Liga Propulsora da Instrução in Portugal [Education League], established by the S. Paulo Portuguese City Council, who set aside in 1930, 600 *contos* [thousand escudos] for the construction of “hygienic and modern school buildings in the regions more remote from the main centres and less privileged in terms of official education”. Following these intentions, five new schools were built in Freixo Numão and Vilar Formoso (Guarda); Camarneira and Avelãs de Caminho (Coimbra) and Rio de Moinhos (Viseu).¹²

Although different investments were made in the various levels of education, primary education was the primary focus of generosity, thus addressing the support that the political power wished to give to a sector known for its shortcomings: “the lack of properly qualified teachers, the lack of school facilities, the lack of schools for girls”¹³.

Within this context of political and national concern, and of emphasis on areas targeted by the *Brazilian generosity*, we will find examples that due to their pragmatic nature deserve a more detailed study. We have chosen the inevitable Joaquim Ferreira dos Santos, but also the Oliveira Lopes brothers and Domingos Joaquim da Silva.

(...) I am convinced that public education is essential for the good of society, so I want my executors to order the building and furnishing of one hundred and twenty houses to be used as primary schools for both genders, in the municipal seats, consisting of one same plan, with accommodation for the teacher, each house and furniture costing no more than 1,200\$000 *reis*; when each house is ready, it will be given to the board of the parish in which the school is built; there will be no more than two houses in each municipal seat, and they may choose the location as they see fit (...).¹⁴

This legacy that, according to D. António da Costa, should be “written in golden letters”¹⁵, represents a significant milestone in Portuguese primary education at various levels.

Firstly, because it is a provocation against the political power, which had allocated from the 1866 budget

¹⁰ Horta, 1881, pp. 44-45.

¹¹ Reis, 1993, p. 16.

¹² Rocha-Trindade, 1986, p. 153.

¹³ Gomes, 1985, pp. 127-180.

¹⁴ Ribeiro, 1884, pp. 5-6.

¹⁵ Costa, 1900, p. 197.

the ridiculous amount of 10.000\$000 *reis* to the “construction plan for primary education”¹⁶, considered a priority area of investment, in particular in the election programmes of the various parties. Additionally, one could infer the foolishness of never having established a Ministry of Education until then, which only materialised sporadically in 1870.

Second, because it will force this very political power to define and assume itself and, obviously, to provide appropriate legislation in a sector where the occasional measures, lacking continuity and especially identity, were embodied as customary. The legislation published already on 27th June and 20th July 1866, reveals the embarrassment that the legacy had caused, and the need called attention to the value of education and instruction:

(...) In terms of education and public instruction, the loss of one day may be the moral loss of many members of society, for which it has the duty to watch over, and is responsible for helping diligently in the successive periods of life.

(...) it is essential to draw attention to the civil governors and education commissioners about education and instruction affairs that are entrusted to their care and diligence (...).¹⁷

(...) The expropriation of houses or land needed for the construction of buildings and related facilities are considered of public utility, intended for the establishment of public primary schools. The expropriation processes for this purpose are free of charge even when a dispute is involved.

(...) The parish boards may lease or sell in a public auction their own assets or commonage land and common paths, and use the proceedings to buy, build, rebuild or repair primary school buildings to be established in their parishes.

(...)The city councils are authorised to contract, with the executors of the late Count of Ferreira, the construction of buildings and the provision of furniture for the primary school buildings, commissioned pursuant to the testamentary provisions of the Count (...).¹⁸

This transcript shows, on the one hand, the timeless meaning of the ideas that came up at each election time, but were always put aside once the party came to power, and on the other hand the importance of a legacy such as the one of Count of Ferreira for removing bureaucracy, which was always an excuse when decisions had to be made (in the case of Válega-Ovar, we will see that it was all just empty words). In fact, we just have to read the answers given by various city councils in 1875 to understand the reach of such bureaucracy¹⁹.

¹⁶ Bárbara, 1979, p. 57.

¹⁷ *Colecção Oficial da Legislação Portuguesa - Ano de 1866*. Lisboa: Imprensa Nacional, 1867, p. 320 (Preamble to the Ordinance of 20th July 1866).

¹⁸ *Ibidem*, pp. 268-269 (Charter of 27th June 1866).

¹⁹ When the mayor of Guimarães in 1875 asked the other city councils (26 in total) how they were using the legacy of Count of Ferreira, he sent a small questionnaire with the following requests for information: date on which the executors offered the subsidy of 1,200\$000 *reis*; date when this subsidy was accepted; date on which the executors acknowledged the receipt of the contract; date on which the city council came into the possession of the land; starting date of construction; opening date of school; date when the subsidy was paid to the city council; doubts between the city council and the executors. From the answers given by some of the city councils, it is clear that the offers takes place between 22nd September 1866 (Caminha) and 14th January 1867 (Vila do Conde, Esposende and Gondomar), and they were accepted between October 1866 and 27th April 1870 (Póvoa de Varzim). Of the 17 city councils that answered, 5 did not accept or gave up the subsidy (Santo Tirso, Vila Nova de Gaia, Valença, Vieira do Minho and Barcelos). In 1875, date on which this private questionnaire was sent by the mayor of Guimarães, 10 city councils had already opened the new schools. According to the correspondence exchanged, it is clear that some places found it difficult to acquire land, and especially to find sources of income to cover the costs higher than the subsidy received. These answers essentially affirm the inability to meet the requirements of the 20th July 1866 law: “(...) The city councils or parish boards that want the subsidy (...) are required to provide the building and land plan, which should not be less than 600 square meters in addition to the area taken up by the building; the budget for the project; a copy of the overall or supplementary budget duly approved, with an amount of no less than \$400000 *reis* set aside for the construction of the desired school (...).” These

From another perspective, the legacy addresses, at the same time, five of the most important problems in primary education: it underpins a lasting investment by supporting the construction of buildings; it strives to solve the housing situation for teachers, reducing travels to more distant areas from city centres; it addresses on the same level the need for education for both sexes; it envisions the school in global terms, attaching particular importance to the appropriate furniture²⁰; it gives the local power the responsibility for conservation, by handing the school over to the parish board, adopting a clear position regarding the discussion on centralisation or decentralisation of educational initiatives.

These aspects, together with a concern with architectural uniformity have allowed us to identify, even today, the “Conde Ferreira schools” that have survived our neglect for heritage, will also make them examples of involvement in Portuguese instruction that other *Brazilians* will use to also leave the mark of their solidarity with education in a country they have never forgotten, and which they have always wanted to bring closer to a *greater civilisation*.

The example of the Count of Ferreira will serve to awaken the benefactor minds of those who had been blessed by success. We would like to emphasise another example: the Oliveira Lopes Schools in Válega, Ovar.

The life story of one of the benefactors - José de Oliveira Lopes—summarises many of the examples that we have referred above:

(...) One day, after having lived long enough to love him, where he was born, José Lopes travelled to the lands of Santa Cruz and stayed there for many years, working and cherishing the golden dream of one day becoming useful to his fellow countrymen and his village. When he returned, he had a great fortune. That was a happy day, because the feelings of longing he had for his homeland and village, without that delicious sting, had transformed into a quiet love of possession, an active, laborious, communicative and benefactor love. Since then, plenty of droplets have fallen from that richness, in the form of rainfall of prosperity and joy, on the land where he was born (...).²¹

Having made a fortune away from the place where he was born, this *Brazilian* and his brother turned their attention to solving, precisely in this place, the problems that seemed insurmountable. The primary school teacher of Válega, Father Francisco Marques da Silva, had been appointed in 1864. In that same year, the search began for a worthy place for both the teacher and the students. More than 40 years elapsed dedicated to poor adaptations of old buildings, expropriations of land capable of accommodating the school, requests for subsidies by the Parish Board, and discussions involving the plan! When “at the (Board) meeting on 19th January 1908 (the brothers José and Manuel José Oliveira Lopes) submitted a request to build a house for the primary school in the Souto square, to be offered to the government... this patriotic and generous gesture was welcomed, as one would expect, with much enthusiasm, and the works soon began”²².

In early October 1910, before the re-establishment of the Republic, the following was said about the conclusion of works:

obligations coincided with another burden put on the consulted city councils for the acquisition of land for building the public cemeteries. Information collected in ARQUIVO MUNICIPAL DE GUIMARÃES, *Relação das Camaras a quem se pediram informações sobre o subsídio legado pelo Conde de Ferreira*. 1875.

²⁰ The government is forced to legislate for the first time on the matter, standardising “the capacity and overall conditions of the building, exposure and lighting, ventilation, temperature, furniture and qualifications of teachers” (instructions contained in the Law of 20th July 1866).

²¹ *Almanaque d’Ovar para 1914*. (S.l.), (s/data), pp. 78-79.

²² Oliveira, 1981, pp. 176-179.

(...) The building is majestic, elegant, airy, situated in the most central place and in the largest square in the parish; the halls are enormous, but not disproportionate; the houses of the male teacher and female teacher, modern, forming a harmonious arrangement with the schools, are spacious, comfortable and well distributed. The school materials are first class, the mahogany furniture rivals with that of the best schools in Lisbon and Porto.

These schools were officially opened [for girls and boys] after works were completed, on 2nd October 1910 (...).²³

Although it was inaugurated with pomp and “a pigeon shooting tournament” before the re-establishment of the Republic, the list of distinguished guests was a reflection of the sympathy José de Oliveira Lopes had for the republican ideals. In fact, from among the guests was António Valente de Almeida, president of the Municipal Republican Committee of Ovar, and representatives of the republican municipal and parish committees of Ovar and Válega. As was the practice, the inauguration was also attended by the Civil District Governor, A. Cardoso, the Government’s representative, MP Egas Moniz, the Mayor of the City Council of Ovar, Joaquim Soares Pinto, the vice-school inspector, José de Castro Sequeira Vidal... and many anonymous people who wanted to witness that solemn event in their town.

The ceremony, followed by a banquet with the menu written in French (as dictated by etiquette), was in the newspapers the next day (*Jornal de Notícias*, *O Primeiro de Janeiro*, *Comércio do Porto*, *Pátria*), who praised the commendable work of these returned emigrant Brazilians.

The years that followed have sunk into oblivion. We know that in 1953 a school canteen was opened, next to the school building, also paid by one of the family’s heirs, a nephew of José and Manuel José—Manuel Alves de Oliveira—and by António Maria Augusto da Silva. The role of this facility was essential to the local people: it gave them food, warmth, and allowed young girls to acquire practical knowledge of housekeeping.²⁴

In the 1980s, the building was rehabilitated, leaving only the original external load-bearing walls. It was also in this decade that the museum-hall was built, commissioned by Joaquim de Almeida Pinho, a former teacher at the school, who collected and organised the collections. Indeed,

With the ideas then in vogue for improving the conditions, the school materials began to be replaced. When he realised that the school materials would be lost forever, that decades of history of education would be lost, unique items, irreplaceable documents, the teacher was overcome by a sort of illness, and practically alone, because his fellow colleagues at the school did not believe much in the project, set to work vigorously, surmounting every difficulty, to gradually store, preserve, and beg for support. He managed to recover and show the materials which today are admired and recognised by those interested in education issues.²⁵

Once again, a descendant of the Oliveira Lopes family decided to support this initiative. With the help of the nephew José Pereira Herdeiro many of the original items of this school space were recovered. In this sense, one of the aspects that made this Museum unique is the fact that its collection is not the result of the collection of items from all over the council or even from beyond, but it consists of the original collection purchased by the founding benefactors. This amounts to saying that when we look at the classroom showcased at the museum, carefully reconstructed based on the information provided by period photographs, we know that rigour cuts across decades and finds in the original furniture the possibility of making a journey back in time.

The museum contains the following:

²³ *Ibidem*, p. 179.

²⁴ Pinho, 2010, p. 21.

²⁵ *Ibidem*, p. 10.

- Desks, cupboards, display cases and mahogany chairs (probably imported from Brazil);
- Mahogany chairs with a “two-screw mechanism under the seat to allow the chair to be lifted or lowered depending on the student’s height” (according to the ergonomic studies that determined the healthy posture of students);²⁶
- World globes by Forest, the Portuguese Chart in relief by Victória Pereira, dated from 1912, the political planisphere from the early 20th century with the states, cities, colonies and roadways, the general map of America dated from 1905;
- Painting of the History of Portugal by Carlos Franco and João Soares, with illustrations by Roque Gameiro and Alberto Sousa;
- Individual pictures (300 items) on natural sciences, geology, physics, arithmetic, Portuguese language...

If we look at, for example, the picture on “Lessons on Things - Madeira Island and its fruits”, maps of cereals, medicinal plants, plant dyes, of products used in the industry, such as linen, hemp, cotton, silk; If we look at the picture with the Earth’s History or others with the history of the production of iron, steel, copper, paper, glass, we have the image of the great book of Nature and human toil. We can also see the remarkable and unusual set of pictures on Physics (...) and realise that the Republic was interested in instilling in children respect and love for Nature (...).

The collection also includes metric and geometric boxes (...), the abacus, a type of mechanical counting system that helps to understand mathematical calculations (...), the reading book *Cartilha Maternal de João de Deus* (...).²⁷

- Textbooks used at different times, since the monarchy to the New State period;
- Dictionaries such as those by José Roquete, published in Paris in 1856;
- Various documents related to the school administration, such as registration and enrolment books, exercise books, students’ exams, etc.;

In October 1998, an agreement was signed between the Association of Former Students of the Oliveira Lopes School and the City Council, making the museum official. At the same time, 1st cycle classes continued to be taught for the children of the parish of Ovar. With the revamping of the school complexes, the drop in the number of students, the degradation of facilities and the construction of a school facility more suited to the learning activities (in Regedoura), the Oliveira Lopes School closed its academic activities, but strongly contested by the local population and forcing the involvement of certain entities (2014). The School Museum continued its activities, trying to ignore the surrounding controversies. Its activities include: a) visits by school children from all over the country, guided by the technical staff of the School Museum, who explain how the school first began, provide bibliographical data on its benefactors, the daily life of a school in the early 20th century, experiences and memories, the origins of the Museum and its operation; b) partnerships with the schools in the council network and from other regions, and also with shops, holding photograph exhibitions and showcasing items from the museum collection, in order to publicise the contents of the School Museum among the school audience and the public in general; c) collaboration with commemorative entities (National Committee for the Commemorations of the 100th Anniversary of the Republic, 2009-2010) as part of the national celebrations.

In November 2011, a musealisation proposal was made for an application to the QREN funds, entitled “Proposta de musealização da Escola Oliveira Lopes - Memória Justificativa”, in a joint effort between the City Council of Ovar and the Department of Culture; of the Association of Former Students of the Oliveira Lopes

²⁶ *Ibidem*, p. 13.

²⁷ Rodrigues, 2002, p. 14.

School, and with the scientific and executive coordination of João Borges, Alice Semedo and Célia Machado.

The fruits of this initiative materialised a couple of years later. In fact, in early September 2015, the City Council of Ovar has indicated its intention to requalify the building of the Oliveira Lopes School. “The project was presented to all the executive council members, at a City Council meeting, for which a municipal investment of more than 1.2 million euros is expected” and an implementation period of no more than 360 days.”²⁸

In order to “return the Oliveira Lopes School building to the population, without neglecting the purpose for which it was built: promote education, training for the community and the revitalisation of local economy”²⁹, the reconstruction of the building will consider a number of new purposes, not forgetting, of course, its unique function as a museum:

- A space to support the activities of associations, which includes an office and a multipurpose rehearsal hall equipped for theatres rehearsals, dancing, music and exhibitions and workshops; a multipurpose space for plastic art installations;
- A cafeteria open to the public;
- A space dedicated to teaching, formed by a library, the Senior University/educational service, and a Creative Industries Room;
- A space dedicated to museology, with rooms for archives/document centre, workshop, museum reserves and technical offices;
- performance hall and auditorium;
- two exhibition rooms.³⁰

Having well-defined objectives, the intention of the School Museum is to value the building and the collection of the Oliveira Lopes School; study, inventory, preserve and properly showcase the school collection; research the history, the memories and the representations of the school space and its collection; collect, register and analyse the immaterial heritage related to the school museum heritage, and be part of the Portuguese Museum Network.³¹

In the meantime, it will be closed so that a new phase in its history may begin.

Conclusions

This example has been summarised for various reasons.

First, because it portrays the typical *Brazilian* from the late 19th century and early decades of the 20th century who, far from being part of the illiteracy numbers wrongly attributed to our emigrants, sees in education an essential opportunity for narrowing the gap between the country and the standards of culture and civilisation, which he has already noted in the many countries that he has visited.

Second, because the pain he feels of “abandonment in search of fortune” is mitigated with the welfare of his fellow countrymen and the “reputation of his homeland”. Third, because his return unquestionably introduces a new meaning and a new pace to the search for solutions to everlasting problems, whether in the

²⁸ <https://www.cm-ovar.pt> accessed on 6th September 2015.

²⁹ *Ibidem*.

³⁰ *Ibidem*.

³¹ “Proposal document for the musealisation of the Oliveira Lopes School”, lent by the Board of the Oliveira Lopes School Museum.

area of religion, health or education.

Finally, because even though the *Brazilians* belonged to the reduced 5% who had managed to find in Brazil the fortune that allowed them to become benefactors, they used part of it at the service of their country, a country so lagging behind that it had pushed them into emigration. But they nevertheless wished to put an end to that migration flow, by investing in the only way that would make this utopia possible - to leave wealth in Portugal to create, both through the economy or instruction/education, the potential for a life that did not force anyone to resort to going overseas to be fully accomplished.

This example, however, is also quite unique.

The status of the Oliveira Lopes Schools is dear in the imagery of the local people. Modern, well-equipped, comfortable, central, set in a rural area that lacked almost all but misery and desolation, these schools played a fundamental role over more than a century for the people from this parish in the municipality of Ovar. But much more interesting than seeing its respectable long life is to see how this institution was able to reinvent itself. It is obvious that many have come together to make this possible: the Oliveira Lopes family who from the early benefactors to their descendants has never abandoned the project begun in 1908; the energetic, active and resilient Association of Former Students of the Oliveira Lopes School; Joaquim de Almeida Pinho, who taught for more than thirty years at the school for boys. Although nearly retired, he cannot accept the loss of this unique collection in Portugal.

References

- Alves, J. F. (1994). *Os Brasileiros - Emigração e Retorno no Porto Oitocentista*. Porto: Edição de Autor.
- Alves, J. F. (1992). Percursos de um brasileiro do Porto - O Conde Ferreira. In *Revista da Faculdade de Letras - História*, II série, vol. IX, Porto, pp. 199-213.
- Bárbara, A. M. (1979). *Subsídios para o Estudo da Educação em Portugal - da reforma pombalina à 1ª República*. Lisboa: Assírio & Alvim.
- Campagne, E. M. (Dir.) (1873). *Diccionario Universal de Educação e Ensino*. Porto: Livraria Internacional de Ernesto Chardon, vol. I.
- Castro, F. (1977). *Emigrantes*. Lisboa: Guimarães & C.ª Editores.
- Colecção Oficial de Legislação Portuguesa - Ano de 1866. Lisboa: Imprensa Nacional, 1867.
- Colecção Oficial de Legislação Portuguesa - Ano de 1907. Lisboa: Imprensa Nacional, 1908.
- Comissão Nacional para as Comemorações do Centenário da República. (2011). *Educar: educação para todos: ensino na I República*. Lisboa: Comissão Nacional para as Comemorações do Centenário da República.
- Costa, D. A. (1900). *História da Instrução Popular em Portugal (Desde a fundação da monarquia até aos nossos dias)*. Porto: Editor António Figueirinhas.
- Cruz, M. A. (1986). Agruras dos Emigrantes Portugueses no Brasil - Contribuição para o estudo da emigração portuguesa na segunda metade do século XIX. In *Revista de História*, Porto: INIC/Centro de História da Universidade do Porto, 87, vol. VII.
- Cruz, M. A. (1991). Do Porto para o Brasil: A outra face da Emigração Oitocentista à Luz da Imprensa Portuense. In *Revista de História*, Porto: INIC/Centro de História da Universidade do Porto, vol. XI.
- Dinis, J. (1982). *A Morgadinha dos Canaviais*. Lisboa: Editora Ulisseia.
- Dinis, J. (1991). *Serões da Província*. Lisboa: Publicações Europa América.
- Escolas Primárias no concelho de Guimarães - 1866 a 1900. Arquivo Municipal Alfredo Pimenta - Guimarães.
- Gomes, J. F. (1985). *Relatórios do Conselho Superior de Instrução Pública (1844-1859)*. Coimbra: INIC/Centro de Psicopedagogia da Universidade de Coimbra.
- Mónica, M. F. (1987). Capitalistas e Industriais (1870-1914). In *Análise Social*, Vol. XXIII (99).
- Nóvoa, A. (1987). *Letempsdesprofesseurs: Analyse socio - historique de la professionenseignante au Portugal (XVIIIe-XXesiècle)*. Préface de Daniel Hameline. Lisboa: INIC.

- Património Escolar - Uma cultura de sensibilidade. Revista "Educação no Centro", n. 2, Abril de 1999. Edição da Direção Regional do Centro.
- Pinho, J. A. (2010). *A Centenária Oliveira Lopes. A História. O Museu*. Ovar: Câmara Municipal de Ovar.
- Pinho, J. A. (2002). *Museu Escolar Oliveira Lopes. Pequena História*. Ovar: Associação de Antigos Alunos da Escola Oliveira Lopes.
- Reis, J. (1993). *O Analfabetismo em Portugal no século XIX: uma interpretação*. In Colóquio/Educação e Sociedade, Lisboa.
- Ribeiro, D. A. (1884). *Notícia das Irregularidades da Execução do Testamento do Benemérito Snr. Conde de Ferreira e dos prejuízos causados por culpa ou dolo dos seus testamenteiros*. Porto: Tipografia de A.J. ds Silva Teixeira.
- Rocha-Trindade, M. B. (1986). Reflexos culturais da emigração portuguesa para o Brasil. In *Análise Social*, vol. XXII (90).
- Rodrigues, A. S. (2002). Imagens da memória educativa. O Museu Escolar de Válega. In RODRIGUES, António Simões (coord.) – *Património Escoar. Escola Primária, alicerce de uma caminhada*. Lisboa: Ministério da Educação.
- Sá, V. (1981). *Época Contemporânea Portuguesa I - Onde o Portugal Velho Acaba*. Lisboa: Livros Horizonte.
- Silva, M. J. S. O. (1992). *As Elites Locais e sua influência nos fins do século XIX e primeiras décadas do século XX - um exemplo: Domingos Joaquim da Silva, Visconde de Salreu (1854 - 1936)*. Coimbra: Edição de Autor.
- Valério, N. (1998). *A Imagem do Brasileiro na obra literária de Júlio Dinis*. Lisboa: Gabinete de História Económica e Social.

Health Technology and U.S. Medicare Policy in the Late 20th Century

Randall E. Basham

The University of Texas at Arlington

Much of the history of the American Social Welfare movement has been directed to the identification and development of entitlement programs needed to strengthen the health and economy of even the neediest members of the society. The emergence of health technologies have precipitated and supported policy advances. The Medicare Act (Title XVIII the United States Social Security Act of 1935) as such an entitlement program, was originally directed to resolving the health coverage concerns of the elderly without families or finances to afford coverage. The program entered crises periods over rising costs and continuity of funding concerns. Many have been assisted, in the U.S., in addition to the aged population, by the development of Medicare entitlements. These entitlements have emerged during periods of social need often accompanied by health technology or service delivery innovation. The program benefits more than its constituents and contributes to the health of the overall society. This paper will provide both a historical overview of the conflicts and uncertainties weathered by the Medicare Act in the later quarter of the 20th Century in the U.S. (United States of America). The paper will also explore the implications of changes in the technology of federal and state funding mechanisms along with demographic changes that offered the greatest challenges to the continuation of the Medicare Act as a mainstay of stable health coverage to millions of needy Americans, into the 21st century.

Keywords: health technology, U.S. medicare policy, 20th century

Introduction

Ushering in of the new millennium has brought sweeping geopolitical changes and socio economic responses to our nation and to our world. In the years leading up to the change from the past millennium to the initial decade of the new millennium, global conflict and uncertainty and national reactions to rapidly changing health service technology have been unparalleled. International conflict and human suffering have become pandemic. New violence and new disease and new economic strife have served to ruin the relatively stable health and cultures of large portions of the world of the last millennium. These changes occurred despite the best intentions of global leaders and service delivery planners and the dramatic improvements in the capacity of developed nations to grow and deliver large inventories of sustaining food and water, to rapidly access information and technology to improve health services and health service delivery.

A 1998, U.S. Census Bureau Current Population Survey indicated that approximately 35 to 36 million recipients, at that time, were covered by Medicare Health Insurance, which represented over 13 percent of all persons surveyed further, an estimated 3 to 4 million Medicare recipients that were not considered elderly. In

most available survey information of the period, the poor represented a larger proportion of the Medicare recipients (Bureau, 1998).

Medicare had been fraught with change and uncertainty almost since passage of the program in 1965. A combination of increasing demands from vocal and needy constituencies has resulted in continuous expansion of critical health care services, along with clinical and technical innovations, which held the promise of reduced costs. The unanticipated costs of providing these services however resulted in tighter cost containment efforts from oversight authorities. However, a series of funding and economic crisis in the health funding sector of state and federal government resulted in the substantial threats to the continuity of the program, over time as compared to its original conception. The ideals of the original program were best summed up by President Lyndon Baines Johnson at the signing of the Medicare Act.

No longer will older Americans be denied the healing miracle of modern medicine.
No longer will illness crush and destroy the savings they have so carefully put away
over a lifetime so that they might enjoy dignity in their later years. No longer will
young families see their own incomes, and their own hopes, eaten away simply
because they are carrying out their deep moral obligations (*President Lyndon B. Johnson, at the signing of the
Medicare legislation. July 1965: Cassel, Besdine, & Siegel, 1999, p. 118*)

These changes have contributed to an exponential rise of health service and delivery costs, changes in usage of services, increased accountability considerations, and changes in the types of service programs that are needed for differing consumers. Service provider groups have also changed with respect to which groups are supported in efforts to deliver health care. Competing interest groups vie for limited funding to gain higher quality and quality of care and services. Therefore, these changes have led to politically charged competition for comprehensive care among the most vocal.

The Medicare of the Last Millennium

During 1965 the United States Social Security Act of 1935 was amended to include an entitlement program designated as Title XVIII and known as Medicare, or “Health Insurance for the Aged and Disabled” (Social Security Administration, 1998b). This program supplemented the already existing retirement and disability benefits that had been developed through the previous titles of the legislation (Noridian Mutual Insurance, 1999).

The Medicare program opted to cover a single group of citizens who were over the age of 65 (Social Security Administration, 1998a). Other groups were eventually included such as those who were entitled to disability benefits for 24 months or longer, individuals suffering from end stage renal disease, and those eligible but not covered and wishing to purchase Medicare (Social Security Administration, 1998a).

Medicare was formally implemented in 1966 and contained two forms of insurance. One program consisted specifically of hospital insurance coverage. This coverage option was designated as “Part A” or HI (Hospital Insurance). The other program known as SMI (supplementary medical insurance), or “Part B” was designed to cover various approved primary care and outpatient services for recipients. Part B included voluntary coverage upon payment of the “SMI” premium (Noridian Mutual Insurance, 1999). These covered services included physician services, outpatient clinic and hospital services, and home health services (Social Security Administration, 1998a).

Changes in Medicare

The first major additions to covered groups were legislated in 1972. At that time both disabled individuals and those with end stage renal disease under the age of 65 were entitled to enroll in “Part A” coverage and “Part B” coverage. Additionally, supplemental “Part B” benefits were expanded to include the services of chiropractors, speech pathologists, and some limited physical therapy services. Since this expansion, most revisions or broadening of coverage have involved “Part B” benefits only (Social Security Administration, 1998a).

Medicare Part A coverage has remained the core portion of entitlement available to most beneficiaries. Types of institutional services have been stable, but reimbursement criteria for care have become more restrictive (Noridian Mutual Insurance, 1999). A number of cost containment efforts over the years have eroded the availability of some services for segments of beneficiary populations.

Hospital insurance (HI) has not been expanded since 1972 (Noridian Mutual Insurance, 1999). Outpatient services and benefits have been added throughout the history of Medicare. Benefits have some additional restrictions on eligibility. For example, hospital services are reviewed to determine if they were medically necessary and are reimbursed based on diagnosis related groups (DRG's) criteria. Reimbursement criteria depend upon similar diagnoses and are paid as a lump sum. Coverage includes all charges for hospitalization, services, supplies, and procedures.

Eligibility criteria must also be met for coverage of skilled nursing facility (SNF), home health (HHA), and hospice care. Hospice care was not added as a benefit until 1983 and requires the patient sign a waiver of hospital coverage (Social Security Administration, 1998b). Skilled nursing facility placement is covered if the placement occurs within 30 days of hospital discharge and is considered medically necessary (Noridian Mutual Insurance, 1999).

“Part B” Medicare services as mentioned earlier must be secured through payment of a monthly insurance premium by the beneficiary. Eligible beneficiaries include both resident citizens and some aliens over age 65 years. Those who receive “Part A” benefits due to disability are also eligible for Supplemental Medical Insurance, or “Part B” coverage.

In recent years, leading up to the new millennium, Medicare service providers including institutions have been certified under a variety of managed care programs. These services include types of services, as part of a package, which are not traditionally offered. Services such as preventative care may be included. However, provider facilities and providers are restricted in some ways.

The Need for Medicare

According to one source, during the early 1960's only about half of older Americans had any health insurance compared to 75% of all of those under 65. Some were reported to have sought private coverage and were denied on the basis of age or pre-existing conditions. Others had not been able to afford it (National Academy On Aging, 1995).

Medicare was originally proposed as a mechanism to bring affordable coverage to the underinsured and uninsurable aging population. Disabled individuals were also included. Enhancements to the original entitlement program and additions to the original constituency have acted as a health care economic safety net for families, in addition to the elderly. For example, one estimate in 1994 indicates that Medicare was already

providing coverage and services to an estimated 36 million beneficiaries (National Academy On Aging, 1995). The actual numbers of people positively affected by the program may exceed the mandate of Medicare.

The Effect of Changing Technology and Health Service Delivery Needs

For the 35 years of the last millennium that Medicare was available, the numbers of services available, populations eligible to receive services and mechanisms needed for accountability and cost control have responded to periods of conflict and uncertainty. This is even truer for the first few years of the new millennium. During the 1960's in a period of relative optimism and idealism, Medicare was enacted as part of a plan to support "the great society" under the Johnson administration. There were few initial changes other than to improve the reimbursement structure for physicians, outpatient care, and the inclusion of some allied health services such as physical therapy, chiropractics, and speech pathologists through the end of the Viet Nam conflict, with the notable exceptions of extending coverage to the disabled under age 65 and to provide coverage for those with end stage renal disease. However, following the oil and gasoline shortages of the early seventies, and the subsequent decrease in mobility of the automobile driving population, there were efforts to extend rural health clinic services and increase reimbursement schedules for home health related care.

Then, in the 1980's under the Reagan administration there were a number of service additions that included public health initiatives for vaccinations following the Swine flu reoccurrence anxiety of the late 1970's. Additionally, with increasing awareness of human immunosuppressive virus (HIV), policy makers passed legislation that provided coverage and services, for blood related pathogens such as Hepatitis-B vaccine and clotting factor coverage for hemophiliacs. First legislation providing benefits related to immunosuppressive drug therapy also emerged late into the decade.

However, during the Reagan era of the 1980's, and during a period of relative conflict and uncertainty that included an economic recession, and dramatically increased defense budget spending, additional legislation relative to cost containment efforts of rising health care costs emerged. These included Medicare coverage for hospice care and the inclusion of occupational therapists and clinical social workers as more cost efficient outpatient service care providers for a number of health and mental health services. Capitated health coverage service plans began to emerge in the delivery of care for health maintenance organizations (HMO's) and various prospective payment organizations (PPO's), and began to be debated as cost savings options for the public Medicare system.

Yet, in the 1990's, during a period of relative prosperity Medicare had the most numerous program expansions while legislators became aware of the need to develop responses to fraud and abuses in billing and reimbursement and coupled with perceived abuses in the social welfare economic supports system in general. Expansions included, the Catastrophic coverage act (P.L. 100-360), the Health Insurance Portability and Accountability Act of 1996 and Mental Health Parity Act of 1996, as well as provisions of the Balanced Budget Act of 1997, the Medicare, Medicaid, and SCHIP Balanced Budget Refinement Act of 1999, the Ticket to Work and Work Incentives Improvement Act of 1999 and the Benefits Improvement and Protection Act of 2000.

Health Care Crises of the Later Quarter of the 20th Century

A study of the contribution of demographics to the Medicare financing problem raised concerns that delayed eligibility may not be sufficient to solve growing service delivery problems. The McKusick study

reported that the Medicare financial burden is expected to double in the next 75 years relative to earnings. Moreover, persons born in 1946 would reach age 65 in 2011, and it is estimated that Medicare enrollment, at 15% of the population in the late 1990's, would increase to 25% by 2073. During this same period, the 20 to 64 years old work force would decline from 59% of the population to 55%. The actual ratio of older population to working age population would change from 20% to 40%. Medicare costs per person are reportedly expected to rise 35% by 2023 and up to 83% by 2073. Mortality is expected to decline, as fertility remains stable, or increase and immigration rates steadily contribute to the population (McKusick, 1999). However, projections were not fixed and may be affected by numerous unforeseen contingencies beyond 20 years.

In response to these concerns, there were a number of research inquiries reported in the literature that have addressed the utilization patterns of service provision as well as the costs of deciding to retire under Medicare coverage in the past Millennium and the economic costs of attempting to implement cost containment for Medicare coverage. To this end they were instructive in attempting to understand the effect of changes and/or reform to the Medicare program in response to conflict and uncertainty, as well as to understand the affect these changes might have with respect to the changing demographic landscape of the United States in the new Millennium.

Health Care Utilization

For example, several sources provided information relative to understanding Medicare and health care utilization patterns late in the last Millennium. These demographic and research projections covered a range of utilization issues including types of coverage, family concerns, and minority utilization. A 1992 study attempted to examine three factors of health care utilization using the perspective of patient populations of young-old (65 to 74 years) and old-old (over 75 years) consumers. The study included the selection of a random sample of 804 enrollees of Medicare Part B. The investigation attempted to assess the adequacy of a behavioral model (Anderson's Behavioral Model) by employing a structural modeling approach. The predictors of health care utilization examined were predisposing health factors, enabling factors, and need factors of the two aged groups. The two measures of health care utilization in the study were number of nights spent in a hospital in the previous six months and number of physician office visits annually. Survey data from the sample were linked with existing archival insurance data for analysis. Findings demonstrated a moderate model fit for both populations. Need appeared to be the strongest direct positive influence on utilization. Utilization also increased with age. The authors noted that separate literature supported mental health status as a predictor of utilization, an observation that was not included in this study (Jewett, Hibbard, & Weeks, 1991).

Another health service utilization investigation late into the last Millennium (Gibbons & Wilcox-Gok, 1998) used a statistical multivariate probit analysis for multiple response variables as applied to a sample of 4,658 persons over age 65 on Medicare. The study evaluated the relationship between health insurance coverage and health service utilization. Response variables included: 1) medical provider visits, 2) hospital outpatient visits, 3) emergency room visits, 4) hospital inpatient stay, and 5) home health care visits. Separately types of supplemental insurance were categorized as either: 1) Medicaid, 2) private insurance, and 3) employer purchased private insurance. A number of demographic covariates were also included such as sex, age, race, marital status, education, income, urban location, and health status.

The study revealed a strong positive association between Medicaid and the utilization of all services. Other findings include: that income is negatively related to hospitalization, reporting of health status as excellent is

negatively associated with utilization of all types of health services, and that the greatest correlation between services utilization is defined by two factors: 1) emergency room, hospital, and home health care service use, and 2) medical provider and outpatient service use.

The study also noted an increased probability of emergency room only use for Medicare only enrollees relative to Medicare enrollees with private insurance. This was also the case for Medicare plus Medicaid coverage. Medicare enrollees relative to enrollees with private insurance, tended to differ in use of outpatient treatment only for the Medicare only group, and increased use of home health care only or in combination with other services for the Medicare + Medicaid group (Gibbons & Wilcox-Gok, 1998). Prediction aspects of Medicare utilization patterns based on this research from the last Millennium may not be limited to the existence of health factors, need, and type of coverage. Family and minority considerations are also important factors in utilization patterns.

Medicare is of benefit to families in addition to the elderly and disabled. According to one reporting source, in 1998 there were 70.9 million or 69.1% family, and 31.6 million or 30.9% non-family households in the United States. Fewer than half of these households or 49% had children under age 18 years living at home. About 14.4% had children above age 18 residing at home. People living alone accounted for more than 82% of non-family households (Casper & Bryson, 1998). Family households were estimated to represent approximately one third of the United States population of 269,094,000 (United States Census Bureau, 1998b). Health concerns of persons eligible for Medicare were expected to be distributed within these families to some proportion as would be anticipated within the general population.

The Federal Medicare program had provided subsidized health insurance for one in every seven Americans by the later years of the last Millennium. However, a larger number of these had been rural residents (Frenzen, 1997). Previously women have represented almost 60% of those covered by Medicare and received 54% of all Social Security benefits (Erhenreich & Piven, 1984). Payments of Social Security have been reported as less than those paid to males. During the implementation and revisions of Medicare, family households and children have been represented to some degree as indirect and direct beneficiaries of Medicare.

Another government source (United States Census Bureau, 1998b) revealed that 66,685,000 persons or 24.8% of the population, and 16,800,000 children or 23.4% of children received some form of government sponsored health insurance, with an estimated 395,000 or 6% of all children receiving Medicare insurance coverage specifically by the end of the Millennium. An estimated 217,000 or 1.5% of these Medicare recipient children were considered poor (United States Census Bureau, 1998c). Children, and thus their families, are well represented as Medicare beneficiaries. However, utilization patterns appeared to occur differently for minority portions of the population as compared to families in general.

An examination of the effects of proposals to replace premiums with tax based financing had focused on how costs are distributed among families by income, race, and ethnicity (Rasell & Bernstein, 1995). Minorities for the study were limited to Blacks and Hispanics only. Data on premiums and out of pocket expenditures from a 1987 National Medical Expenditure Survey (NMES) were reviewed for the study. Income tax rates from 1993 were matched to filing units in NMES using a weighted "hotdeck" technique. The 1987 expenditures in the data were aged to 1992 values. Some additional statistical adjustments with respect to income components were also performed. Results indicated that in 1992 white families average health care spending was \$3,735 greater than average health care spending by minority families. A high level of spending among lower income families occurred even though these families had high levels of being uninsured. Notably, at incomes below

\$76, 260 minorities spend less than whites. Among families with public insurance, minority families were found to spend 13% less than white families. A simulation of universal health insurance coverage demonstrated that families in the lowest income quintile would pay a greater portion of cost than the highest quintile, if the coverage had been paid through a personal income tax. On the other hand, when premiums were paid through payroll tax, the per incidence premium is fairly flat (Rasell & Bernstein, 1995).

Other available research from the last Millennium suggested differences in Medicare health care utilization rates among minority groups, in part due to cultural differences (Gordon, 1995). Reasons reviewed include continuity-of-care requirements, and criteria entailing the availability of primary care providers. African Americans are reported to distrust white service providers, a situation that causes some limitations. Hispanics, based on immigrant and other status, are less likely to have primary care providers and rely on other support systems.

Medicare: Costs or Cost Savings

Given these last Millennium utilization patterns and the emerging demographic crises, concerns over costs and cost savings are vital to balancing needs and expenditures. A descriptive study of hospitals and the provision of “pro-bono” or uncompensated care for the poor, under recent changes in market conditions of the insurance industry, was undertaken and completed. The study noted that the lack of a universal entitlement system in the United States means that the health care system has relied on charitable care by medical providers to serve 40.6 million uninsured people. The study notes that uncompensated care delivered by all nonfederal community hospitals in the United States grew from \$6.1 billion in 1983 to \$17.5 billion in 1995 (Mann, Melnick, Bamezai, & Zwaniger, 1997). Uncompensated care per insured person however, declined due to growing numbers of uninsured persons, even though uncompensated care as a portion of hospital expense remained stable from 1989 to 1993. Interestingly, the hospitals reporting the lowest gains in Medicare provided uncompensated care in similar proportions as in 1983. Medicare fiscal pressure is thought to have played a role, as hospitals less pressured by Medicare tend to have greater growth in uncompensated care. Changes in Medicaid as primary or supplemental insurance also increased the rate of uncompensated care by providers. However, HMO penetration within the same type of hospital market structure resulted in a lowering of the provision of uncompensated care when controlling for hospital size, and with the effect stronger in competitive markets (Mann et al., 1997).

The costs associated with post-acute care provided by skilled nursing facilities (SNF) and home health agencies (HHA's) were also becoming of increasing concern especially since affected by provisions of the 1997 Balanced Budget Act. The rise in post-acute care is thought to have occurred since the implementation of the Medicare Prospective Payment System (PPS) and Hospital Diagnostic Related Group (DRG) criteria for discharge. A current study analyzed data from a nationally representative sample of Medicare enrollees (N = 1,195) to extend previous research. The study proposes models of the likelihood of any individual's use of post-acute care, and a subsequent likelihood of choosing a skilled nursing facility over home health care. The study included personal characteristic variables, and market area and policy related variables. The study relied on binary dependent variables, which were analyzed through a multivariate analysis. An interactional analysis however found “few situations where personal characteristics had different effects when the intensity of supply differed”. The findings indicated that for the total sample of people who had a hospital stay, that 63% had no post-acute services, that 13% had only SNF stays, and that 22% had only HHA care, with 1.6% having both.

For the total sample, Medicare payments averaged \$4,950 with a standard deviation of the distribution of payments being \$7,105. Average payments between patients in SNF's and HHA's differed by more than \$1,000 with SNF payments being larger. However, changes in one aspect of the post-acute care system are considered likely to affect other areas (Liu, Wissoker, & Rimes, 1998).

A review of earlier research from the last Millennium on End Stage Renal Disease (ESRD) related that forestalling death from failed kidneys represents the 20th century's only example of vital organ replacement on a large scale. The review reported that "more than 500,000 people with ESRD are alive today as a product of research and teachings by nephrologists and transplant surgeons (Friedman, 1996). Surprisingly, ESRD was not included in Medicare until 1972. However, Medicare disbursements exceeded \$180 billion in 1993. The cost of Medicare reimbursement for ESRD has increased 10.5% annually between 1991 and 1993 at nearly twice the rate of private health insurance. The author states that on a per patient basis, ESRD is the most expensive single kidney or urologic disorder billed to Medicare. With respect to incidence the study reports that in 1992, more than 205,000 patients were treated for ESRD in the United States with an unadjusted acceptance rate of 212 per million and a point prevalence rate on December 31, 1992 of 794 per million (Friedman, 1996).

Increasing rates of utilization and the high costs of specialty care in the last Millennium led some researchers to examine systemic cost saving strategies such as changes in distribution of some types of care. Multiple service delivery systems as compared to specialty service systems have been analyzed with respect to cost savings. The decision to retire and the effect on Medicare and other costs during periods of uncertainty have also been evaluated.

Medicare: Cost Risks and the Decision to Retire

An empirical analysis late in the last Millennium was undertaken to determine how Medicare, as part of the U.S. Social Security system, affects the retirement behavior and available labor supply of older males, considering incomplete markets for loans, annuities, and health insurance (Rust & Phelan, 1997). The study utilized a sub-sample of 2,599 men for a total of 7,574 person-year observations. The study hypothesized a dynamic programming model (DP) to explain and estimate the joint labor supply and the decision to accept Social Security retirement and Medicare under specified market conditions. The model was able to generate a set of economic predictions of the dynamics of retirement behavior. The model accounted for retirement distribution at ages 62 and 65. Authors noted that a combination of risk aversion and the distribution of health care expenditures suggested a security value for members of the sample to remain employed until eligible for Medicare at age 65 (Rust & Phelan, 1997).

Data from the 1987 National Medical Expenditure Survey (NMES) had been analyzed in another study to determine if Medicare supplemental insurance demand is related to attitudes directed toward avoiding costs of medical care and reducing economic risk (Vistnes & Banthin, 1997). Attitudes were found to significantly influence beneficiaries decisions to avoid out of pocket expense and purchase supplemental insurance. Decisions to purchase or not purchase supplemental insurance and avoid risk were affected by attitude toward medical care, as well as, self-reported health measures, education and asset income. Other analysis efforts have investigated the costs versus cost savings related to services provided at the end of life and the possible economic implications during times of economic uncertainty.

Cost Savings at the End of Life

One research review of earlier studies that involved randomized trials to determine if claims that hospice

care and advanced directives actually save on the costs of medical care at the end of life (Emanuel, 1996). The ability of Medicare to develop cost savings methods at the end of life could well affect the viability of the program during times of economic uncertainty given the emerging demographic changes in the geriatric population. To respond to these issues a separate national survey indicated that there were an estimated 2.5 million current patients and as many as 8.2 million discharges from 13,500 home health and hospice care agencies during 1996 (Centers for Disease Control, 1998). Medical care at the end of life was reported to consume 27% of the Medicare budget and 10% to 12% of the total national healthcare budget. The existing data suggested that hospice care and advanced directives can save from 25% to 40% of healthcare costs in the last month of life at that time (Emanuel, 1996).

A separate extensive literature review on the cost of illness at the end of life, differed with the previous study. The review found that hospice care and advance directives were unlikely to have a major impact on the costs of dying, except possibly for patients having executed an advance directive *before* admission to a hospital. The grant funded investigation also concluded the hypothesis could not be supported, which proposed that it was the high cost of high technology treatment of patients who died that had driven up the costs of dying. Elderly decedents were found to account for a disproportionate share of total Medicare cost, but the cost had actually remained constant at 27% to 30 % of the total Medicare budget through the previous decade. Decedents in the 65 to 74 years of age range Medicare costs were 74% higher than decedents age 90 or over. About 73,000 decedents or under 5% had high costs for the year 1988 using per capita payments of \$40,000 a year as a high cost threshold (Scitovsky, 1994).

The Cost of Controlling Costs

A Medicare proposal in the last Millennium attempted to project some of the future benefit needs for Medicare beneficiaries based on what was then known about the growing geriatric population. The tendency of the American population to live longer has meant that management of multiple chronic disorders has become a challenge for geriatric service providers. Preserving function has become a health requirement. Benefits are suggested which would maintain functioning into later years. For instance hearing loss affects over 40% of those over age 65 and is not covered currently by Medicare. More than 90% of those over age 65 had one or more chronic health conditions. Further, of the 31.4 million Americans at this age or older who reported income in 1997, 79% reported income of less than \$25,000 with 37% reporting income less than \$10,000. Health costs are contributing to impoverishment. Efforts to control costs through Managed Care options for seniors have been inconsistent with some Managed Care entities having withdrawn from Medicare due to reported financial losses (Cassel et al., 1999).

A separate research inquiry attempted to analyze patterns of outpatient drug dispensing rates and costs, which are the focus of concern in the new Millennium, by the levels of cost sharing per dispense for elderly enrollees in a Managed Care program. The research used data from three national data sets to include enrollment history records, group benefit history, and outpatient drug dispense records (N = 129,874). Three dependent variables were analyzed. Analysis utilized regression models to include: the probability that an enrollee is dispensed a drug from the Managed Care outpatient pharmacy, per month number of dispenses given at least one dispense per enrollee, and the, per month, per enrollee costs of drugs dispensed given at least one dispense. Independent variables included age, gender, Medicare status, enrollment status, and outpatient benefit class per enrollee. Findings reported included the effect of no outpatient drug benefit is to decrease the

probability of dispense by 33% per enrollee per month, and the number of dispenses by 59% and increase per enrollee per month costs of drugs by 71% (Roblin, 1994). The research demonstrated the need for coverage of drug costs to manage chronic ailments. Medications are necessary to prevent loss of function and more expensive institutional forms of care.

Medicare Reform: Who Benefited? Who Paid?

There are a number of health successes attributable to Medicare benefits (Centers for Medicare and Medicaid Services, 2000). A review of some prior Millennium empirically based studies found cost rather than positive contributions to health as the focus of study. Expected fiscal constraints may require difficult choices concerning limiting benefits and who will carry the burden of costs over the next century.

A recent descriptive summary of the effect of The Balanced Budget Act of 1997 reported that the legislation would realize program savings of \$150 billion during the first 5 years. However, this savings was expected to postpone the depletion of the Medicare Hospital Insurance (HI) trust fund from 2001 until no longer than 2010 (Foster, 1998). This projection occurred prior to the current deficit.

A separate Medicare projection study attempted to use a research method known as “incidence analysis” to attempt to determine who will pay and who will benefit under proposed Medicare reform efforts in the last Millennium. Incidence analysis traced the overall impact of a given program policy on the financial or more general well being of various groups of people, with a full accounting of dollar values of costs and benefits for each group (McClellan & Skinner, 1999). From the perspective of cohorts of persons born in 1925 or 1945 the benefits and burdens of Medicare have been shared differently.

For example, the first group paid for coverage about half of their working life, had the knowledge of long term insurance security to facilitate financial planning, a lower proportion of taxed income, and a greater number of younger persons contributing to the benefit program. For the later cohort, the entire working life is spent contributing, without certainty of health care coverage in old age, a higher proportion of taxed income results in a decreased standard of living in some ways, and a decreasing labor pool to contribute to the viability of the program. Proportional differences in real adjusted income for the later group were expected to result in a greater proportion of income-based mortality changes. This means that those supporting the health and welfare of an aging generation are making sacrifices that will diminish their own prospects of longevity and optimum health care. Additionally the later cohort will experience less redistribution from middle low-income groups to upper middle income-groups.

The popular notion that higher income groups will pay a higher portion of financing costs with similar coverage, as the fairest way to administer the program, is also questioned. Higher income cohorts enjoy better health and will likely live longer thus using a greater proportion of total benefits.

Another relatively recent research effort attempted to break out costs by categories in ways not usually reported in Medicare reports. Costs broken out were used to identify trends in funds to health care providers. Such information is considered vital for planning policy for Medicare cost control. The study undertaken by Welch published in 1998 determined that nearly 40% of payments to non-Perspective Payment services were made to rehabilitation hospitals. Further review determined that patients in skilled nursing facilities, who were no longer eligible for Part A (HI) after exhausting their benefits, were increasingly recipients of rehabilitation services. The study also revealed a number of relationships in payment to skilled nursing facilities, rehabilitative services, and home health services with programs based within hospitals using various “swing

beds” approaches to provide services. Various outpatient services including imaging services, diagnostics and other procedures were also related to hospital services. The “dis-aggregation” analysis revealed that fiscal intermediaries for Medicare paid out \$1.7 billion through the Part B benefit to providers of rehabilitation services and that this expenditure had grown rapidly (Welch, 1998).

Sufficient empirical literature existed at the close of the last Millennium to demonstrate the heavy cost to society and to individuals of under funding the Medicare program. There are costs associated with delaying retirement, costs associated with not addressing adequately end of life care issues, costs of failing to address the prescription medication costs among the elderly, and to address the affect of cost containment efforts in times of uncertainty. Times of conflict are most certainly also times of uncertainty. The original need for Medicare; as expressed eloquently by President Johnson was, in part a way to aspire to achieve the great society in the last Millennium. A society of a well supported and well educated working population with the necessary economic assurances from the Federal government that the least able among them would have the health service delivery system, to care for their loved ones, infirmities as younger and more able members of the society set out an agenda to advance individual, and national achievements.

The Medicare Transition to the New Millennium

The new Millennium has not seen a resolution of conflict and uncertainty. Medicare is currently affected by a wave of tumult both politically and economically since the turn of the century marking the change in the Millennium. The United States has been deeply affected by the holocaust of September 11, 2001, as well as by the change in administrative geopolitical and social welfare philosophy of the Bush administration. The destruction of the world Trade Center in New York and the attack on the Pentagon in Washington D.C., have served to greatly contribute to concerns about the future of Medicare and to the capacity of the United States to finance a long term adequate level of health care coverage for its most needy citizens.

The last few years have seen a shift in spending to fight the war on terrorism including; the Development of a Department of Homeland Security, increases in security intelligence and defense spending and appropriations (nbc6.net, 2003), the War in Afghanistan, increasing tension with North Korea, the war in Iraq, military deployments in numerous locations to assist other governments fight terrorism and reduce conflict as in the recent deployment to Liberia. Simultaneously, a recession in the making prior to September 11th has intensified to create a set of conditions that have rapidly eroded a formerly perceived budgetary surplus to a verified deficit economy that has undermined both federal and state governments capacity to respond to the social needs of their respective populations. The national deficit is expected to reach record highs in 2003 and 2004. These deficits began in 2001 in response terrorist attacks in 2001 according to White House spokesman Ari Fleisher (nbc6.net, 2003). These economic conditions resultant from conflict and uncertainty are taking a toll on the Medicare program. Out-of-pocket costs for Medicare beneficiaries enrolled in health plans have doubled since 1999, to an average of \$1,964 in 2003. People in poor health have much higher costs, averaging \$5,305 a year (Abelson, 2003). \$400 billion is currently being sought by lawmakers designated to be spent over a 10 year period to overhaul Medicare. At his time, in 2003, the Medicare program provides health care coverage for 40 million Americans. Total enrollment is expected to reach 77 million by 2031, when the baby boom generation becomes fully enrolled.

The Public Health Security and Bioterrorism Response Act of 2002 (“The Act”) (Public Law 107-188) included changes to certain provisions of the Social Security Act governing the Medicare + Choice program. At

this time, the enrollment lock-in period has been delayed for three years meaning that there are fewer viable Medicare + Choice contractors available due to the current economic uncertainty. Efforts to stimulate the economy amid current world conflict have not been fully effective. Tax cuts promoted by the Bush administration as economic stimulus following deficits expected actually expected to add up to \$1.3 trillion, but may not have the intended effect of restoring economic certainty (Abelson, 2003).

Implications for Millennial Social Work and the Future

Social Workers are faced with difficult choices in promoting and meeting public health care needs. At risk is the real possibility of diminishing benefits and loss of nearly 35 years of health care progress. Maintaining current benefits however, may result in a reduced standard of living for much of the current and next generation and eventual loss of benefits. The consequences of failing to fund, or severely reducing funding of the Medicare program would also be catastrophic.

References

- Abelson, R. (2003). Report on medicare legislation raises concern on costs. *New York Times*, August 11.
- Casper, L. M., & Bryson, K. (1998). Current population reports, population characteristics, household and family characteristics: March 1998 (Update) (pp. 20-515). U.S. Department of Commerce Economics and Statistics Administration.
- Cassel, C. K., Besdine, R. W., & Siegel, L. C. (1999). Restructuring medicare for the next century: What will beneficiaries really need? *Health Affairs*, 18(1), 118-131.
- Centers for Medicare and Medicaid Services. (2000). History of medicare and medicaid [Available: online] <https://cms.hhs.gov/about/history/ssachr.asp>. Accessed August 22, 2003.
- Centers for Disease Control. (1998, December 8). Abstract and result from the 1996 national home and hospice care survey [On-line]. Available: <http://www.cdc.gov/nchswww/about/major/nhhcd/nhhcdh.htm>
- Emanuel, E. J. (1996). Cost savings at the end of life: What do the data show? *Journal of the American Medical Association*, 275(24), 1907-1914.
- Erhenreich, B., & Piven, F. F. (1984). The feminization of poverty. *Dissent*, 31(2), 162-170.
- Foster, R. (1998). The financial status of medicare. *Public Health Reports*, 113(March/April), 110-117.
- Frenzen, P. D. (1997). Issues in rural health: How will measures to control medicare spending affect rural communities? Agriculture Information Bulletin No. 734. Washington D.C.: Rural Economy Division, Economic Research Service, U.S. Department of Agriculture.
- Friedman, E. M. (1996). End stage renal disease: An American success story. *Journal of the American Medical Association*, 275(14), 1118-1122.
- Gibbons, R. D., & Wilcox-Gok, V. (1998). Health service utilization and insurance coverage: A multivariate probit analysis. *Journal of the American Statistical Association*, 93(441), 63-72.
- Gordon, A. K. (1995). Deterrents to access and service for blacks and Hispanics; the medicare hospice benefit, healthcare utilization, and cultural barriers. *The Hospice Journal*, 10(2), 65-83.
- Jewett, J. J., Hibbard, J. H., & Weeks, E. C. (1991). Predictors of health care utilization for the young-old and the old-old: A structural modeling approach. *Behavior, Health, and Aging*, 2(1), 29-41.
- Liu, K., Wissoker, D., & Rimes, C. (1998). Determinants and costs of medicare post-acute care provided by SNF's and HHA's. *Inquiry*, 35(Spring 1998), 49-61.
- Mann, J. M., Melnick, G. A., Bamezai, A., & Zwaniger, J. (1997). A profile of uncompensated hospital care, 1983-1995. *Health Affairs*, 16(4), 223-232.
- McClellan, M., & Skinner, J. (1999). Medicare reform: Who pays and who benefits. *Health Affairs*, 18(1), 48-62.
- McKusick, D. M. (1999). Demographic issues in medicare reform. *Health Affairs*, 18(1), 194-207.
- nbc6.net (2003). Record deficits seen in Bush's \$2.23 trillion budget [Available: online] <https://nbc6.net/money/1953414/detail.html>. Accessed August 22, 2003.
- National Academy on Aging. (1995). Facts on medicare: Hospital insurance and supplementary medical insurance. [On-line]. Available: <http://www.epn.org/library/agmedi.htm>

- National Center for Health Statistics, (1997). Advance data No. 289 (p. 3). Hyattsville Maryland: Public Health Service. [Online]. Available: <http://www.cdc.gov/nchswww/>
- National Center for Health Statistics. (1998). Abstract and result from the 1996 national home and hospice care survey. [Online]. Available: <http://www.cdc.gov/nchswww/about/major/nhhcsd/nhhgdh.htm>
- Noridian Mutual Insurance, Government Services. (1999). Medicare: A brief history and summary. [On-line]. Available: <http://www.bcbsnd.com/medweb/history.html>
- Rasell, E., & Bernstein, J. (1995). Implications of health and welfare reform for the black community: An assessment of health-care expenditures within and across racial and ethnic groups. *AEA Papers and Proceedings*, 85(2), 127-131.
- Roblin, D. W. (1994). Drug dispense rates and costs by benefit type: An analysis of purchase patterns by the elderly in a prepaid group practice HMO. Paper presented at the 1994 ASHR Annual Meeting: Research in Health Economics and Health Finances, San Diego, California.
- Rust, J., & Phelan, C. (1997). How social security and medicare affect retirement behavior in a world of incomplete markets. *Econometrics*, 65(4), 781-831.
- Scitovsky, A. (1994). The high cost of dying revisited. *The Milbank Quarterly*, 72(4), 561-591.
- Scott, J. S. (1996). The new health insurance act: A powerful weapon for fighting fraud and abuse. *Healthcare Financial Management*, November, 224-226.
- Social Security Administration, Office of the Chief Actuary. (1998a). History of the provisions of old age, survivors, and disability insurance 1935-1996. [On-line]. Available: <http://www.ssa.gov/OACT/HOP/hopiii.htm> Accessed April 16, 2000.
- Social Security Administration, Office of the Chief Actuary. (1998b). Legislation affecting social security and medicare programs. [On-line]. Available: <http://www.ssa.gov/OACT/HOP/hopiv.htm>. Accessed: April 16, 2000.
- United States Census Bureau. (1998a). Current population survey (Vol. March.). [On-line]. Available: <http://www.census.gov/hhes/hlthins/hlthin97/>
- United States Census Bureau. (1998b). Health insurance coverage: 1997-Table 1.
- U.S. Census Bureau, March 1998 Current Population Survey. [On-line]. Available: <http://www.census.gov/hhes/hlthins/97/hi97t1.html>
- United States Census Bureau. (1998c). Health insurance coverage: 1997-Table 6.
- U.S. Census Bureau, March 1998 Current Population Survey. [On-line]. Available: <http://www.census.gov/hhes/hlthins/97hi97t6.html>
- Vistnes, J. P., & Banthin, J. S. (1997, Winter). The demand for medicare supplemental insurance benefits: The role of attitudes toward medical care and risk. *Medicare Supplemental Insurance Inquiry*, 34, 311-324.

“The Drama of the Tua Line”, a Fictional Narrative and Literary Dialogue With the Contemporary Portuguese Railway Technology

Maria Otília Pereira Lage
CITCEM – FLUP, Porto-Portugal

This paper is a socio-literary approach to the book «TUA» *COLECTÂNEA LITERÁRIA: Memórias do Vale e da Linha Férrea*, a collection of literary texts on the Tua centenarian railway, like the Swiss or French Alps railways, highlighting the analysis of the short story “The Tua Line drama” which builds a fictional dialogue between objects of a technological museum about the past and the future of the Tua railway, which is now disabled. It aims to focus on and discuss relations between technology and literature within its contemporary social context and to understand their complex and dynamic interrelations of interest regarding musealization. This paper will discuss the source base, methods and theory. The source base consists of literary publications appearing throughout the twentieth century. These texts, with originate from various authors, both classic and anonymous (novels, poetry, short stories, popular literature, news columns), illustrate the action of/in the history of individuals and populations in relation to the Tua Valley, River, line and train, over the course of more than 100 years. Narratives, characters, events and episodes in various timeframes make up the set of literary fictions that provide an approximate and sensitive vision of the Tua Valley and realities around the construction, operation and closing of the railway line. Memories, identities, and historical contexts where norms, customs and social representations operate under various logics or social worlds which illustrate, by means of the fictional production of an imaginary realism, the socio-historical meaning of the Tua Valley and line. The methods employed are a longitudinal qualitative analysis of the occurrence of these themes during this period, and a socio-historical content analysis, drawing from literary studies, which aims to identify the main patterns of fictional narrative, in which sociotechnical knowledge regarding railways was packaged. The interdisciplinary analysis which is made is developed in the socio-historical framework (M. Block), the “sociology of action” (Thévenot & Boltanski), the theory of social representations (Durkheim) and literature theory (Todorov) and aims to open other avenues of academic research on this topic.

Keywords: fictional narrative and musealization, memory of Tua railways, railroad history and literature on the Tua Line

Unpublished text of the paper presented to International Committee for the History of Technology *Technology, Innovation, and Sustainability: Historical and Contemporary Narratives*. 43rd ICOHTEC meeting. Sub-theme: Displaying the past or teaching the future? In quest for sustainable museum of technology.

Maria Otília Pereira Lage, Ph.D. in Contemporary History, Historian and Integrated researcher at the CITCEM–FLUP (Oporto - Portugal).



The Tua River and the Line.

Introduction

This paper is an approach to the subject of literary fiction and technology from the short story “The drama of the Tua Line...”, of which the author is a Portuguese emigrant in France, and holds the pseudonym António Cravo. It is a fictional dialogue between human objects (railway staff) and non-human (rolling stock versus espólio Railway Museum) of the Tua Line. This story is included (pp. 162-175) in the work *LAGE*, Otilia, Eduardo Beira (1st ed. 2012, 2nd ed. 2014) “‘Tua’ Literary Collection: the valley, the river and the railway line”¹ and its analysis, developed on the border of literature and technology, allows for the discussion of the theme of the symposium “Displaying the past or teaching the future? In the quest for sustainable museum of technology”, highly topical and relevant.

An Approach to “‘Tua’ Literary Collection: The Valley, the River and the Railway Line”

This work is a book of memories, historical, social representations and literary impressions, which in the form of hypertext brings together 45 authors from the nineteenth century to the end of the twentieth century. These selected texts come from various literary genres (novels, poetry, short story, popular literature, etc.) providing access to knowledge which crisscrosses science, technology, education, art and culture, in one social and literary space configuration susceptible in the museum area of the centennial railroad in northern Portugal. Such is the central argument of “The drama of the Tua line: Mr. Manuel ‘Moreno’ last rail of the ‘district’”, the tale chosen for particular analysis.

Art and Technology: from Walter Benjamin’s concept of “Technical Reproducibility”² to the proposal of the virtual museum, it was the transformative array of editorial organization “of ‘Tua’ Literary Collection...” which leads to noting the documentary and artistic functions of photography, and relates them to the notions of technical reproducibility and mechanical reproduction approached by W. Benjamin.

¹ This book occurred within the context of the FOZTUA Project (2001-2004), a joint interdisciplinary project between MIT (USA) and University of Minho (Portugal), sponsored by EDP and under the auspices of the MIT Portugal Program. The projects aims to study, preserve and disseminate the memory of the Tua valley and its historically significant narrow gauge railroad.

² BENJAMIN, Walter (1994), “A obra de arte na era de sua reprodutibilidade técnica”, in BENJAMIN, Walter, *Magia e Técnica, Arte e Política: Ensaios sobre literatura e história da cultura*. 7.^aed. São Paulo: Brasiliense. (Obras escolhidas; v. 1).

Hypertext Narrative

This hypertext narrative or “hiperficción” combines photography and literary text, and as such, readers build their own ways, temporal sequences and “jumps” as their informational requirements. The hypertext structure consists of “us” or “lexias”, information units containing different data types such as text, graphics, photos, sounds, animated sequences, information codes, applications, etc. These lexias necessarily are connected by links to a number of other composite structures also by “lexias”. Each of these can be viewed by one or more windows on the computer screen.

This was the way chosen to organize this literary collection of the “Tua” valley and the railway line.

Social Representations in “‘Tua’ Literary Collection...”

The Tua train whistle that, with the clank of its carriages on the tracks, pierces the silence of the valley, the narrow railroad that runs in echoes through the granitic slopes, *Transmontano* country, the space traversed by the locomotive coal and steam, a symbol that the industrial revolution came, late and incomplete, appears as a strong image of “progress, development and communication.” It organizes the possible readings of this collection, refocusing the voices around the nuclear social representation of the rail path, the first major machine which churned north-eastern delay sediment, shifting their ancestral notions of space, time and speed.

The bars of iron machine, moving and/or still in uncharted stations and tiny halts, bringing about new and successive configurations of space-time, people and goods in transit not only by its induced transformations but also seeing past the train. The opening of the Tua centennial railway line and the circulation of the train were attracting businesses and markets, passengers, visitors, and curious, bringing news from the world’s most remote places, revolutionizing slowly but decisively confined everyday, producing new memories and causing other perceptions.

This is a first and crucial set of social representations, transversal to all literary fictions of this “Tua” Literary Collection, around which gravitate other social representations for which, in its spatio-temporal dimension, as an element of fiction [Aguar and Silva (1974)], it continues.

The explosions of dynamite, the engineering of buildings, as the employment of modern techniques in the opening of the new road bridge at the mouth of the river Tua, a whole historic landscape in which the imposing nature coexists strangely with the technique.

The literary fragments that make up the analyzed collection, united in its diversity by a common theme of the Tua Valley—the opening of the railroad, its operation for more than a century and the closing of the line—perceived and reinvented in multiple “logics” or “social worlds”, build as an epic collective crossed by different signs of a vaunted progress and regional development.

Logics or Social Worlds: Another Perspective of Analysis

Table 1

Social Worlds or Social Logics

Domestic logic	Industrial logic	Market logic	Inspiration logic	Civic logic
Estates and the absent farm owner	The train as the iron horse and beautiful iron monster	Train and railway, means and connection route	Literary fictions	Denunciation of the line's closure and the “night of theft” of the engines
Agriculture in the Tua Valley, toil of agricultural land	Construction of the Tua line	Transportation of people and goods	Poetic writing	Defense of a world of values and of natural and historical heritage
Relation between railway and local populations.	Railway workers	Controversial debates around the opening of the line	Norms and customs	Abandoned stops and closed stations
Local rural practices, uses and customs	Whistle of the train and the noise of the rails	Mobility and emigration	Literary plots	Controversy surrounding the construction of the dam
River ferries	Steam engine, locomotives, handles, levers	Transportation of agricultural products and goods	Erudite and mythological perceptions	Uproar and social revolt Scuffles
Hospitality of local populations and socialization	Idea of progress and regional development	English Port wine merchants	Diachronic perception of time	Official opening of the line, construction and progress of a region.
Beliefs and superstitions (the devil...)	Explosive force of dynamite	Highly competitive environment of wine and spirits	Mountains' open arms. Womb of strange fragrances	Right to the continuity of life of the Tua Valley populations

This theoretical coordination framework was built to face problems and questions deriving from the plural use of the micro and macro scales and the necessity of integration between action and structure. It allows us to approach this regional case and other national or international cases at an interpretative and explanatory level.

“The Drama of the Tua Line: Mr. Manuel ‘Moreno’ Last Rail of the ‘District’”/António Cravo

This short literary story is a multi-perspective discursive construction of the literary memory of the centenarian Tua Line and train. It is an anthropomorphized demonstration of the railway world at a socio-cultural, “natural”, technical, and historical level, and as a spatio-temporally anchored object.

The author, born in a village of the Tua Valley but residing in Paris for many years, is a journalist, associative, writer and sociologist who obtained with this short story an honorable mention in the competition held in the centennial celebrations of the Tua Line in 1988, a quite significant year, and can show us, through experiences marked into society, the purpose of the operation, maintenance and closure of this railway.

“The drama of the Tua line...” is a short narrative (p. 9) which tells, dialogically, the socio-history of the construction, operation, technical maintenance and closure of the Tua line, through a dialogue between human objects (railway staff of the track and train, passengers) and non-human objects (locomotives, trolleys, rails, sleepers, wheels, screws, pails of zinc, coal machine and diesel engine trains, goods produced and transported between transmontana region and major cities).

All these literary characters cross the countryside into the socio-technical world of this railway and live together in a shed which has been transformed into a railway museum, where they exist as discarded tools in disuse, old machinery and rolling stock, transformed into museum objects which highlights the functional role of the fast centennial train.

In this metaphorically-built setting takes place, in simultaneously technical and poetic language, a friendly and didactic conversation between two old friends, a trolley and a locomotive, who go about commenting on stations and stops, tunnels and bridges, track work and the motion of the Tua Line, while seeing very few visitors of the virtual museum.

The ideological universe in which the story is built is the social denunciation of the closure of the railway line—harbinger of future public polemic regarding the end to the operation of the Tua train—which is attributed to the greed of so-called “auditing men.”

In a socio-historical perspective the author denounces the neo-liberal political decisions to dismantle this narrow gauge line to the detriment of the interests and needs of local populations and the region which, for a century, were served by the train, and counteracts this economic situation of abandonment and social impoverishment, recovery, museum preservation and processing of railway technical infrastructure.

Configurations: Literature, Technology and Railway Museums

“The drama of the Tua Line ...”—An allegory of a train ride and representation of a virtual railway museum—requires a more comprehensive analysis, as literary works and documentary corpus which allow one intuit the intersection of literary, technological and museological settings.

The museum supports today’s current discussion of the virtual world and the difficulty that museums in the contemporary world face to change the “place of memory” which is now attributed to them.

It raises the issue of the relationship between museums and science: museums as scientific knowledge production sites and scientific research as a basic function of museums. In the past, science was clearly linked to museums, which only later became associated with the protection of places of old things and exhibitions.

This work suggests thinking the railway museum along the lines of museums of science and technology with a holistic view of movable cultural property, sites and monuments.

This work opens for discussion the multiple temporalities present in a museum, the relational issues between information, communication and education and the use of digital media, in the shape of support resources banking increasingly on interactive learning.

As such, one must also equate the four types of internet-based concepts of museum which Schweibenz (2004) establishes: Brochure Museum, which is in fact a common web page that provides the information that belongs to the museum (e.g. opening hours, exhibitions, etc.); Content Museum, which concentrates the museum’s information, through the use of little textbooks, and is aimed at experts; Learning Museum, which, similarly to the former, but to a non-expert general public; Virtual Museum, whose presentation is exclusively this digital internet-based medium.

Accordingly, this work suggests as necessary the articulation of these four internet-defined types of museum (Schweibenz, 2004): *Brochure Museum*, *Content Museum*, *Learning Museum* and *Virtual Museum* as much-recommended dimensions in the field of modern museology, as they are consistent with the relevance of the sub-theme of this symposium “Displaying the past or teaching the future? In quest for sustainable museum of technology”.

Analytical Framework

Events and episodes in various time spaces make up the set of literary fictions which provide an approximate and sensitive vision of the Tua Valley and the realities around the construction, operation and

closing of the railway line. Memories, identities, historical contexts where norms, customs and social representations operate under various logics or social worlds which illustrate, through the fictional production of an imaginary realism, the socio-historical meaning of the Tua line and train, throughout over 100 years.

Therefore, the methodology used was necessarily a longitudinal qualitative analysis of the occurrence of these themes during the twentieth century, and a socio-historical content analysis, drawing from literary studies, which aims to identify the main patterns of fictional narrative, in which sociotechnical knowledge about “railway” was packaged.

The interdisciplinary approach made is grounded on the socio-historical framework (M. Block), the “sociology of action” (Thévenot and Boltanski), the theory of social representations (Durkheim) and literature theory (Todorov), and aims to open other avenues of academic research on this topic.

Final Considerations

Through the aforementioned and analytical interest of literary writing produced around a socio-technical universe, such as this rail world, this work has permitted us to reveal the important role that literary text can play with regards to knowledge of the socio-history of science and techniques in relation to its context and environment.

These different representations, within logical or identified social worlds, illustrate the potentially pedagogical and didactic function of literature in the field of musealization sites and technological infrastructure.

This case study shows the multiple interrelations that can be established between literature and technology, contributing in this way to foresee rail museums within the scope of the emerging educational paradigm and a consistent and focused education for the future.

References

- BLOCH, M. (1997). *Apologie pour l'histoire ou Métier d'historien*. Paris: Masson, Armand Colin.
- BOLTANSKI, L., & THÉVENOT, L. (1991). *De la justification: Les économies de la grandeur*. Paris: Gallimard.
- BURKE, P. 2009. Afterword. In SORLIN, S. and WARDE, P., Org. (2009), *Natures' send: History and the environment*. Houndmills: Palgrave Macmillan.
- DELEUZE, Gilles e GUATTARI, Félix. 1992. O que é a filosofia? Lisboa: Editorial Presença.
- DOMINGUES, Álvaro. (2014). “Fotografalar do Tua”. *Prefácio a «TUA» Colectânea Literária: Vale, Rio, Linha e Comboio*. 2ª ed. Foz Tua: FOZTUA Project; EDP; MIT Portugal. pp. V-X.
- DURKHEIM, É. (1970). *La science sociale et l'action*. Paris, PUF.
- FONSECA, Luís Adão da. (2004). As relações entre História e Literatura no contexto da actual crise da dimensão social da narrativa historiográfica. *Actas do Colóquio Internacional Literatura e História. Porto, 1*, 265-278.
- LAGE, Maria Otilia Pereira, & LAGE, Jorge, M. B. (2005). “Saber Sever”: Geios de Escrita e História. *Estudos & Documentos. Douro, 19*, 237-262.
- LAGE, Maria Otilia Pereira, & BEIRA, E. (2013). “Tua” *Colectânea Literária: Vale, Rio, Linha e Comboio*. Foz Tua: FOZTUA Project, EDP, MIT Portugal.
- LATOUR, Bruno. (2004). *Politics of nature: How to bring the sciences into democracy*. Harvard University Press.
- LE ROY LADURIE, E. (1974). Présentation. *Annales - Économies, Sociétés, Civilisations*, 29(3).
- MATURANA, H. R., & VARELA, F. G. (1987). *The tree of knowledge*. Shambhala, Boston.
- POMIAN, K. (1999). *Surl histoire*. Paris: Gallimard.
- PRIGOGINE, I., & STENGERS, I. (1985). *Order out of chaos: Man's new dialogue with Nature*. London: Flamingo.
- RHEINBERGER, H.-J. (2013). *Itérations*. Paris: Diaphanes.
- SILVA, Vítor Manuel de Aguiar e. (1974). O texto literário e os seus códigos. *Revista Colóquio/Letras. Ensaio, 21*, 23-33.

- THÉVENOT, L. (1983). L'économie du codage social. *Critiques de l'économie politique*, 23-24, 188-222.
- TODOROV, T. (2008). *Teoria da literatura II*. Lisboa: Edições 70.
- WORSTER, D. (1991). Para fazer história ambiental. *Estudos Históricos. Rio de Janeiro*. 4(8), 198-215.

The Development of the Primitive *iurisdictio episcopalis*

Javier Belda Iniesta, Patricia Blanco Díez

Universidad Católica de Murcia (UCAM)

The irruption of Christianity in Roman society implied a necessary process of adaptation of both realities, which coexisted in a common political and cultural space. Outside of first incomprehension from both sides—crystallized in groups that, on the one hand, foresaw the imminent *Parousia*, and the periodic violent reactions against this weird group of followers of an executed Galileo, on the other hand—truth is that both parts must have little by little adapted to a cohabitation they saw themselves headed toward, since they shared a common space. In turn, Christians, no matter their diverse origin, social or geographical, had to become little by little aware of their own identity, building through the years an internal organization that should answer not only to the necessities of this primitive religious society inside the enormous frame of the Empire, but also to some circumstances presented in their own evolution, as they were a particular human group with a clear mission—Gospel preaching—and with very specific sources they could not separate from. Within these organization needs, one of them was the administration of Justice, needed in all societies, and clearly articulated in the Roman world, but completely distant from the evangelic principles that must guide every action of a Christian. There begins the difficult task of constructing an organization able to answer to the needs of the community and to the mission given by Jesus, doing this task, firstly, in parallel to the Empire, and later under its protection. However, this will not mean the abandonment of the authority due to the established political power, but a complicated combination between obedience toward the authorities and the application *ad intra* of a Law in accordance with the condition of being “saved” of the believers, whose starting point will be, no doubt, the Gospel. It is clear that when both visions collide, that born from the faith should be given priority, but both will be combined as much as possible. Our paper tries to show the relations of the ecclesiastic authority as long as the temporary power was changing, from the end of secrecy to the fall of the Empire and the beginning of Middle Ages. We must take into account that concepts such as *potestas*, *iurisdictio* or *auctoritas* are still in a first state of gestation, not only to the temporary power, that to some extent still conserves the imperial inheritance, but also to a Church that has just left secrecy and must live with an authority that is taking conscience of itself and reaching its age of majority.

Keywords: *Iurisdictio episcopalis*, *Potestas directa*, *Potestas indirecta*, *auctoritas episcopalis*, relations Empire-Church

Introduction

Prior to the fall of the Roman Empire, and all the administrative and political organization implied, there was a lack of power where no Roman authority or any other public administration was present, something that entailed a gradual seek of the few structures that still survived in order to find its own identity, as a basis to exercise a truly, authentic authority (Belda Iniesta, 2015). After many centuries of imperial organization, administrations were absolutely lost without anyone exercising control in a clear and undisputed way. That

circumstance, together with the development lived by the ecclesiastic world since secrecy was abandoned thanks to the decrees of Emperor Constantine (Mommson & Meyer, 1990, p. 62), made the people turn to the bishops seeking a strong authority, given that they knew no other superior authority. For years, they have been exercising judicial tasks, and they were an example not only of moral superiority but also of equity and the wish of the well-being of all (Maymot, 1997, p. 165).

However, even though they had such a good reputation, the loss of the centrality of Rome also had serious consequences from the point of view of the primacy of Churches. Many cities will surpass Rome in importance as well as in political power or even in the military one: for so long, Byzantium itself enjoyed a good economic and political health, superior to the Latin one, let alone the fact that there will stand the imperial structures that will favor the centrality of the importance of its capital. So will start a hard process through which the Church, with its central structures incarnated in the bishopric, will fight to find the place it deserves, not only in the acceptance of the people, but only in a political level (Festugiere & Fabre, 1955, p. 14). All these facts will produce a number of complicated, and sometimes tense, relations that will lead to the raising of awareness of their own authority by all ecclesiastic authorities, as well as of their scope of competence. Evidently, this will not happen immediately, in fact, it will be a long and hard process not exempt of some moments of real danger for the newborn *christianitas*.

The Transition From the Empire to the Christianitas

This transition from the roman world and the acceptance of the roman structures by the Church to the new conception that will appear through the Middle Ages, will be a long process of agreements and disagreements between two completely different realities. In fact, the roman heritage is fundamental, from a juridical or social point of view as well as from an ecclesiastic one (Salegui Urdaneta, 2009, p. 54), but at the same time the new support found by the papacy is not strictly a roman descent, but an external one. The political organization of these peoples is fundamentally customary and has nothing to do with the centralist and absolutist organization of the roman world (Ullman, 1983, pp. 9-11). Thus, we find two completely different ways of political organization: on the one hand the ascendant one, typical of the German people, characterized by the creation of the Law—fundamental element to bring together a society—in assemblies and according to the decisions taken by all members; on the other hand, the Roman juridical system, showing an elaborated concept of authority and power based on the divine conception of the imperial authority. The meeting point of these two systems will be the fact that the king will be considered the receiver of the power in the hands of God, a transmission that will be confirmed by the ecclesiastic authority (Mato Ortega, 2003, pp. 20-24).

At the same time, the Episcopal ministry has been developed, receiving some attributions as the result of the theological reflection of the assignment given by Christ, and it will also imply their transformation into new figures that must be taken into account from a political point of view and from a hierarchical one (Belda Iniesta, 2015, pp. 399-401).

From the point of view of the articulation of the power, the Emperor was little by little leaving his function of *princeps senatus* (Ullman, 1983, p. 11) in order to take the place of the *dominus* in times of Diocletian. This change will imply the equivalent evolution regarding sovereignty: if before the Emperor received the power directly from the people, in Late Antiquity he will receive it directly from God, exercising the functions of a king and of a priest. Regarding the Christian vision, this step from a principal to a Lord finds an easy theological explanation, as long as there is only one God above, there can only be a Lord in earth. These theocratic

principles will be reinforced when the capital is taken to Constantinople (Castaños-Mollor, 1981, p. 474)

It is particularly relevant who takes the capital from one place to another. It will be Constantine who starts the integration policies of the Church and the Empire—starting from his mother and his marvelous conversion (Belda Iniesta, 2012)—and the one who will end up by proclaiming himself the Vicar of Christ and the representative of Christ on Earth (OrlandisRovira, 1999, p. 227). This is something that will present some consequences: if what is said by the emperor in the civil domain automatically becomes the law, as the owner of the title of Vicar of Christ, the doctrine also becomes a matter of his authority. This idea of sovereignty will be noted by Justinian, who will base it on History as well as on the sacred acknowledgement of his authority (Reina, 1969, pp. 179-220).

These arguments will imply some problems regarding the jurisdictional point of view and the legal authority, and they will reach their zenith during the Middle Ages. The Church, led by the bishop of Rome, was eminently a roman institution, and therefore, under the imperial jurisdiction (Reina, 1969, pp. 179-220). This situation, obviously, could not be accepted by the papacy, which will show a completely different attitude: since the Empire is Christian, it must submit the supreme authority of Christ, who entrusted Peter and his followers with this mission.

Actually, it is difficult to talk about a problem of *iurisdictio*, as long as it is not a matter of competences, but an attempt from both sides to hold the same power, and it is not still differentiated one domain from the other at that moment (Baus, Beck, Ewig, & Vogf, 1972, p. 29). The papacy will argue, in front of the imperial thesis supporting the coronation in the power given by God, that it cannot be claimed what it has been given as its own (Ullman, 1983, p. 12). If the Pope represents Christ, he is at the same time the owner of the tutelage (formulated according to the principle of *auctoritas*) (Fabrini, 1978, pp. 492-561) over the secular domain, whose ruler will only possess the *potestas* (García Villoslada, 1963, pp. 294-296).

The *potestas indirecta* and the *ratione peccati*

In order to obtain a better understanding of which are the reasons adduced by the different groups, we should, first of all, focus on the idea of the *potestas indirecta* (Reina, 1966, pp. 107-118). Great authors of this issue of the XVIth and XVIIth centuries such as Vitoria, Belarmino, Suárez (Lo Grasso, 1939, pp. 489-490) have analyzed it as a problem of the ecclesiastic power applied to the temporal order. However, this approach implies the acceptance of an indirect responsibility of the temporal order, given that the Church is not the holder of a single power, that is, the spiritual one, and it will not directly touch the human order (Riviere, 1962; Arquilliere, 1965; Maccarrone, 1940; Leclerc, 1959; Stöckler, 1954, pp. 1-26).

Nevertheless, from our point of view, this is not really a matter of definition of competence domains, but a matter of how this sacred power is exercised, being characteristic of the Church, in the temporal domain, as long as the only space to exercise this power is not the temporal world we know.

This trouble of the separation of the direct and indirect power will be aggravated with the fact that different competencies will be transferred, fundamentally from the Church to the secular world, in order to face some problems that, *ratione peccati*, necessarily implied the exercise of power from the secular world, although it implied some eminently sacred connotations. Then, the conception of the secular arm will be established, even though it is perfectly comprehensible in the historical context in which we move, due to the limited capacity of action of the ecclesiastic hierarchy, it does not have a clear doctrinal basis (Reina, 1966, p. 110). At the same time, we should understand that the temporal power and the spiritual one find in humanity the same

problems, and the same obligation of answer before God, something that makes the task even more difficult. The Emperor receives such a mission in order to protect the Church: in that sense, the *potestas indirecta* could be used to clarify the autonomy of the civil power that, not having received the mission from Christ, has some capacity to act.

However, this conception of independency in front of the spiritual authority, when interests and obligations of both parts converge, has ended in a deep confusion of the supernatural order and natural one. This is an issue coming from the times of Augustine, meaning the dichotomy between nature and grace that finally underlies in both authorities (De La Hera, 1965, p. 788).

Although, during the last century, the ambiguity and dependence of the historical context and, therefore, of the circumstances of the moment pulsing at the basis of this theory, have been criticized (Saraceni, 1951, p. 45; Congar, 1952). In turn, REINA report us that LUBAC has stated three fundamental aspects in the critic of the theory of the indirect power:

First of all, the approach implying the dilemma between jurisdiction and direction is not adequate, for it evades the necessary presence of the command in one, whereas in the other one its basis is a moral advice searching some specific effects.

Secondly, even though in occasions it has been a recurrent argument: “No es necesario insistir en el error de perspectiva que ha supuesto muchas veces trasladar la supremacía de lo espiritual como base de la supremacía jurídica del *poder* espiritual sobre el temporal en razón de los fines” (Maritain, 1947; Reina, 1966, p. 111), adducing that the presence of necessities directly related to the Kingdom of God and, consequently superior, would imply justifying any mean used to reach such goals. This would also leave unsolved the question of the effective or not effective power of the Pope in the temporal domain, since we could not understand the spiritual aspect but inside the human one.

Finally, if the Pope can exercise a temporal authority in some cases, such as those justified by the *ratione peccati* formula, we would find ourselves before a power that changes dependent on the circumstances, no matter how extreme these could be (De Lubac, 1952, pp. 335-340).

Another one of the aspects that could create different discussions would be the fact that in order to base the sacred power on the temporal domain we would find an unsolved question, and this question is how a decision taken by the sacred power could affect those who are not faithful and, subsequently, do not consider themselves within the spiritual order subject to the supreme authority of the Roman Pontiff.

Potestas and auctoritas

In order to answer to this question, we should delve into the concepts of power and authority and how they have evolved through the centuries. Professor D’ORS (D’Ors, 1964, pp. 23-35) was the one who, according to REINA, has made one the most accurate contributions in this sense to the juridical science (Reina, 1966, p. 112).

D’ORS will use the simile of the powers of the soul, among which we can distinguish intelligence and will, in order to explain both concepts. Even though when these powers act we perceive them in a combined way, they are still different, finding the same situation in the social domain. Thus, he will say that the authority is the socially acknowledged truth, and the power the socially acknowledged will of the power. Although they are presented in a combined way, the social acknowledgement, common to both of them, is not enough to confuse one and another (D’Ors, 1964, p. 23). The problem, however, is found when we try to move this simile to the

ecclesiastic hierarchy. In this case, it is much more complex to find the difference, since the ecclesiastic authority, given its sacred character, is the continuation of the intelligence and the will of God (*ratio divina vel voluntas Dei*). D'ORS solves the problem stating that the hierarchy, even being a divine institution, is made of men, what helps us differentiate both:

En efecto, el alcance de la potestad y de la autoridad no es el mismo, y así, podemos distinguir en el Papa una potestad católica, pero limitada por razón de la materia (lo contrario sería convertir al Papa en un rey universal) y una autoridad realmente universal, que excede de su potestad. Esta autoridad universal es la que aparece en un primer plano cara al mundo. Esto mismo explicaría la naturaleza de aquella que se ha venido llamando “potestas indirecta”, y que excede de la potestad propiamente dicha, y que es, en realidad, una especial manifestación de la autoridad universal del Papa. (Reina, 1966, p. 113)

This position, as we see, poses some problems. On the one hand, if the authority is the socially acknowledged truth, and at the same time, the *potestas indirecta* is a way of showing the universal authority of the Roman Pontiff. If we leave the ecclesiastic domain, we could base the papal authority on questions strictly unconnected to its proper nature. On the other hand, we should also see the fact that, because the mission given by God, the Church not only possesses enough authority to transmit the Gospels, but also the power to fix such teachings and the way of transmission of the good news with the authority given by this assignment (Mateo, 16:19). Moreover, we should not forget the problem of the obligation of Christians and non-Christians to the commands of a spiritual authority in the temporal order.

The Problem of the *iurisdictio*

Therefore, it is necessary to address the problem related to the jurisdiction (Garroté, 1997, p. 298). The ecclesiastic conception of the *iurisdictio* came from Roman Law (Corecco, 1968, p. 107), and it was associated to the jurisdictional function of the magistrate who dealt out justice, that is, the capacity of channeling trials and creating new formulas regarding the necessities of the citizens coming to him. Little by little this concept evolved, extending itself from the justice administration (Reina, 1969, pp. 179-220) to all magistrates, whether they exercised judicial task or not (Fabrini, 1978, p. 512). Thus, it will finally imply all competences from the magistracy, creating a federal power, legislative, administrative or judicial, that maintained its organized and hierarchical character and omnicomprehensive at the same time (Fabrini, 1978, p. 512).

This was the concept adopted by the canonistic doctrine over the base of the roman term, producing an evident continuity between both Laws and finally defining the amount of powers exercised by the bishop (Martínez Blanco, 1994, p. 167).

Today, the acceptance of the existence of the Episcopal power during the first centuries of Christendom is common doctrine. The question, then, is not exactly its existence, broadly accepted, but how it will be exercised and who will be its holder: many authors will consider such power as a unique and integral reality, leaving aside the separation of the powers of jurisdiction and its exercise outside the power of order. This position will be defended by scholars like Mörsdorf and Bertrams (Bertrams, 1965, pp. 175-176), and in a material but not formal way, by CORECCO (Corecco, 1985, pp. 64-75). Others, like STICKLER, however, defend the bipartition of the ecclesiastic power.

Jurisdiction as a Unity

The main defender of the jurisdiction as a unity will be MÖRSDORF (Cattaneo, 1986, p. 383), who mainly in two works (Cattaneo, 1986, pp. 440-441), will present his thought in a gradual way. Actually, Mörsdorf does

not support that historically only one power is known until well into the XIIIth century, but the fact that the elements composing it were so united that it is not possible to find ways to differentiate which ones belong to one or the other (Garroté, 1997, p. 260). He refers to the prohibition by the Council of Chalcedon (451) of the absolute ordinations, making them ineffective. Such absolute ordination could not be exercised in any place. Actually, this prohibition referred to the exercise of ordination, not its validity.

These two elements, consecration and office, will be intimately related and they will be the main reason of the great problems and discussions of the time of reflection in which the Church is contemplating the basis that sustain it. Moreover, until the arrival of Gratian, it will not start to establish the lines that, even not completely solving the problem, at least will show the way to be covered in order to find the solution. Thus, the key to distinguish the two elements lies in the fact that the first one is absolutely indelible and cannot be cancelled by any human power whatsoever, whereas the second one keeps being a canonical mission, and, therefore, a mission that can be revoked by the competent authority (Cattaneo, 1986, pp. 141-142).

Regarding this formal distinction of the origin and the possibility of revocation of both powers, will Mörsdorf build his doctrine, and it will imply the essential element to understand his attitude towards the matter of jurisdiction (Garroté, 1997, p. 261). We can see here that the differentiation between both powers is merely formal for him, and not also material, final and by origin, like in Stickler. The Second Vatican Council will be given this doctrine and will develop it more in depth. In the article *De sacra potestate: Quinquagesimo voventeanniversario a Codice Iuris Canonici promulgato. Miscellanea in honorem Dini Staffa et Periclis Felici S. R. E. Cardinalium I*, en «Apollinaris» 40 (1967) 45, Mörsdorf sums up the teachings of the Council considering that the sacred power has its origin in Christ, and it has been exercised in his name in the fulfillment of the ministry that he himself establish in his Church.

We could consider this author, as CATTANEO and GARROTE do, as one the forefathers of the councilor doctrine of the unity of jurisdiction (Cattaneo, 1986, pp. 131-132). Evidently, the doctrine has to think about how this power must be developed and organized, given that the detailed study of its articulation is not the proper field of the magistracy (Mörsdorf, 1967, p. 49).

Following GARROTE (Garroté, 1997, p. 260), we will summarize in three fundamental points the doctrine of MÖRSDORF related to the differences in the unity of the power of jurisdiction and the power of order:

First of all, the author points out that the power of social order is equivalent to a vital principle, whereas the power of jurisdiction would be the organizing principle within the Church (Mörsdorf, 1967, p. 54). Thus: “*principium generans—potestad de orden— y principium dirigens—potestad de jurisdicción—. Se trata de dos fuerzas divinas que dan vida a la Iglesia de modo distinto: una como fuerza generadora (zeugende), la otra como fuerza ordenadora (ordnende)*” (Mörsdorf, 1967, p. 48).

The next point to summarize the German master is the logic consequence of the development of both principles, posing the same relation found between Word and Sacrament (Celeghin, p. 179): being two diverse ways of administering the Salvation irradiated by the Cross, they form by themselves an inseparable unit:

El anuncio de la Palabra y la administración de los sacramentos son dos modos diversos de proceder con los cuales la Iglesia comunica la salvación, pero que se encuentran íntimamente unidos entre ellos y forman una unidad operativa porque es el mismo Cristo quien, de estos dos modos, continúa su obra salvífica. (Cattaneo, 1986, p. 145)

As we can see, according to MORSDORF, within the Church a dual structure is presented, whose external manifestation will be this distinction between the power of jurisdiction and the power of order as if they were the two sides of the same coin (Garroté, 1997, p. 261). In the same way that the Word cannot live without the Sacrament and the Sacrament is the incarnation of the Word, given that both realities are united in Christ. One requires the consecration, the other the *mission canonica*, that is, is essentially revocable (Mörsdorf, 1967, p. 53).

Finally, the union of both parts is perfectly seen in the case of the bishop, in which his sacramental consecration implies assuming the creation of a new jurisdictional category:

La consagración episcopal constituye—en los diversos grados jerárquicos que van desde la suprema potestad del Romano Pontífice hasta el Obispo diocesano—el fundamento ontológico, tanto del oficio, como de la potestad episcopal. Más concretamente, se debe sostener que existe un núcleo esencial e interno (innerer Wesenskern) sin distinción de orden y jurisdicción. Me parece que este núcleo esencial se puede individuar en la configuración personal (personale Prägung) del Obispo, y en particular en el poder indeleble y siempre eficaz (aunque en modo absoluto no sea lícito ejercitarlo) de conferir las órdenes sagradas, de modo que sean garantizadas la indefectibilidad y la ininterrumpida permanencia de la sagrada potestad en la Iglesia. (Mörsdorf, 1967, p. 54)

The great distinction point between MORSDORF and BERTRAMS will essentially be at the end. Even though the former shares the idea of the unity of the *sacra potestas*, he cannot accept the distinction and the classification according to the functions of teaching and sanctifying in the power of order and the function of ruling in the power of jurisdiction (Garroté, 1997, p. 262). For the German author, the three will be present in both powers.

The Bipartition of the Jurisdiction

On the other hand, we find an opposed position that will propose a gradual but clear division of the *iurisdictio*, and whose school will be led by STICKLER. According to this author, during its first centuries the Church did not delve into the concept of jurisdiction, being absolutely impossible to differentiate both powers in the ecclesial reality of the world (Cattaneo, 1986, p. 149). However, the heretic positions that flourished when the Church was trying to understand the Revelation will finally make effective such division that was not proper of the ecclesiastic world.

As we did previously, we can summarize in three points the reasons why, in his opinion, there is only one indistinctive concept of power (Stickler, 1975, p. 47).

Firstly, in a similar way of what happened in Roman Law, the Church did not divide power at all (Stickler, 1975, p. 49). As we have noted, from the gradual unification of powers in the figure of the Emperor, the power directly assumed the *potestas*, the authority and the empire. If the Church inspires itself in the roman juridical sources in those moments in which it starts little by little to organize it and obtaining a specific articulation, the Bishop, logically as an equivalent figure to the supreme power of the emperor, assumes all powers (Garroté, 1997, p. 311). We should add the fact that the same person exercising the *tria munera* is directly the divine will:

el Divino Fundador de la Iglesia quiso que fuesen confiados los oficios de magisterio, sacerdotal y de gobierno a una y a la misma persona del pastor» Es una realidad que remite así al derecho divino y que da lugar a una organización «sin aquella división de potestades que por todas partes en los modernos Estados se afirma del sistema de gobierno democrático. (Stickler, 1982, p. 68)

If this first reason can be considered as positive, the next one will have a negative character: the Church did not have the necessary means to elaborate such a doctrine (Stickler, 1975, p. 47). Some centuries were needed to pass until the birth of canonical science, in order to the Church could make their people understand the terms and the doctrine able to encompass such position (Stickler, 1982, p. 67). Then, lacking developed methods to solve diverse conflicts, means at its reach will be used to answer any kind of concern, based always in the artistic sources and those of the dogmatic science (Garroté, 1997, p. 270). In fact, during this period, those priests guilty of heresy must have been ordained again, without any distinction of validity or unlawfulness. Augustine will be the one who firstly raises his voice to acknowledge the validity of the sacraments administered by the heretic ones, opening a path for the future theological expression *ex opera operato* (Stickler, 1982, p. 54).

Finally, STICKLER adduces a juridical argument: in some occasions, for instance in what is known as the relative ordination, in order to be able to carry out a specific office, the Church will give the faculties to exercise it, clearly differentiating it from the absolute ordination:

la llamada ordenación relativa, para un concreto oficio de una determinada Iglesia (...) Consistía en otorgar todas las facultades propias del oficio al mismo tiempo que el orden (...) Toda otra ordenación sin una eficacia concreta, la llamada ordenación absoluta, estaba estricta y conscientemente rechazada y si tenía lugar era declarada directamente írrita, ineficaz (Concilio de Calcedonia, a. 451, can. 6) (...) Esta terminante prohibición no daba pie para una investigación positiva más detallada. (Stickler, 1982, p. 47)

Therefore, it is seen how in the canonical law it was not possible to separate ordination and office since they were two realities so intimately linked that the doctrine was not able to distinguish them (Stickler, 1975, pp. 67-68). In fact, and following the words of GARROTE:

No se distinguían los requisitos para ordenarse y, por otra parte, para desempeñar el oficio; las facultades provenientes de la consagración sacramental y del oficio confiado; por fin, la potestad derivada del orden y de la colación del oficio. El superior tenía una única potestad en razón de la sagrada ordenación y, en consecuencia, del oficio eclesiástico encomendado. (Garroté, 1997, p. 271)

Although, according to what has been exposed, it seems that we could affirm the inexistence of a diversity of powers during the first centuries, STICKLER himself will accept the existence of a diversity of powers, fundamentally from a practical point of view, mainly from the Augustinian texts against the ordained donatists, “entre el sacramento del orden y su ejecución o ejercicio por los citados donatistas, declarando válido aquél —el sacramento—, e inválido éste —suejercicio—” (Stickler, 1975, p. 67). That is the way in which it is produced a distinction between the ordination, valid and comparable to the sacred power, and its exercise, comparable to the power of order and, in this case, invalid (Garroté, 1997, p. 301).

According to STICKLER, there are many examples we can find in the first millennium that make a difference, even though it is not reflected in the doctrine, it will do so in the practice: “*distinction facti apparet inter potestatem officii (regiminis) et potestatem personae (ordinis), quam vis doctrina distinctionis ad huc desideretur*” (Stickler, 1975, p. 69).

There will be some moments in which there will exist a power of jurisdiction and not the other one, in the same way we will have the contrary, and also some cases where there is a different power of jurisdiction even having the same power of order. STICKLER will conclude that, in the Church, there are some practices and institutions that underline the fact that, even the doctrine had not reflected on that situation and, therefore, being

completely aware of this distinction, already existed in practice. Moreover, in not, it could have not been possible the reflection on a nonexistent object (Stickler, 1982, p. 71).

Then, and to conclude, we can assert that in the first period of Christianity, together with the power of order, obtained with the sacred order, the Church assumes little by little a new power related to the government of the faithful, and based on the division of jobs it was not bound to the person who carried it out (Stickler, 1975, p. 67).

Conclusions

As we have seen, Church and Empire, inseparable since the acceptance of the former by the latter, will be the touchstone for a mutual understanding. The *potestas sacra* that usually accompanied the emperor will have a new figure, the bishop, who as long as Christianity is expanded will claim as own the exercise of what is sacred.

However, both will assume little by little that reality, only one as the power who ruled it up to that moment, could be divided into two parts, a spiritual one and a temporal one. Therefore, and given that the Church was still becoming aware of itself, during the first centuries it will not develop the concept of *iurisdictio*, something that hindered, even made impossible, the possibility of differentiating the sacred and jurisdictional powers of the ministers, since their acts and not their conscience will be classifiable.

Then, the Church will be a structure inside a structure, reflecting the temporary realities it knew in order to give them a spiritual sense: in this way, learning from roman juridical sources, much more evolved, the articulation of the Church will usually copy the imperial structure, being all powers assumed by the Bishop.

Thus, there will be some moments in which a jurisdictional work is developed but not with a sacred character, and, in other moments, in which even possessing the same sacred order, the same jurisdiction will not be possessed.

On the other hand, it will not be easy to differentiate the ecclesiastic authorities from the civil dignities, since in many cases they will coincide or will little by little having ties as close as blood itself. Thus, different confrontation will arise, in which the Church will demand the necessary space to accomplish with the mission given by its founder, leaving aside the interferences of the temporal power. This vindication, whose first trace will be the conflict between Pope Gelasius and the Emperor of Byzantium, implied at the same time some problems: obviously, even though the freedom claimed by the Pope is only related to the spiritual problem, it is also true that the consequences were so many that stopping the influence in such decisions was a real danger for the civil rulers.

With the passage of time, feudal lords had to maintain an apparent unity at the same time, since all were part of the *res publica christiana*; whose unity was fundamental to face the uncertainties of the moment.

Probably the highest peak of this difficult situation and of the weak balance of the relations between the Church and the State is found during the XIth century. Pope Gregory will carry out a deep reform whose object will be, on the one hand, the reorganization of the external relations of the Church with the political power, reaching the desired independency of the Emperors of the Holy Roman Empire, dedicating itself exclusively to the Christian message; and on the other hand, the organization of the internal relations, centralizing the papal authority and strengthening the ecclesiastic government before situations that weakened the received message as well as the transmitted example.

References

- Arquilliere, H. X. (1965). *L'augustinisme politiqueo Essai sur la formation des théories politiques du Moyen Age*. París: Librairie Philosophique J. Vrin.
- Baus, K., Beck, H. G., Ewig, E., & Vogf, H. J. (1972). La Iglesia Imperial después de Constantino hasta finales del siglo VIII. In Jedin, E. (ed.) *Manual de Historia de la Iglesia* (Trad. De D. Ruiz Bueno). Barcelona: Herder.
- Belda Iniesta, J. (2012). *La donation constantini y los dictates papae como hitos de las relaciones Iglesia-Estado*. Valencia: UCV.
- Belda Iniesta, J. (2015). El ministerio judicial del obispo hasta el surgimiento de la lex christiana (ss. I-IV). *Anuario de Derecho Canónico*, 4, 387-401.
- Belda Iniesta, J. (2016). The pleasure of privacy: Confession and inquisition as means to cause the correction of sinful consciences around the IV Lateran Council. *Journal on European History of Law*, 7(1), 54-59.
- Bertrams, W. (1965). De subiecto suprema epotestatis Ecclesiae. *Periódica*, 54, 173-232.
- Castañón-Mollor, M. I. (1981). *La secularidad en los autores cristianos de los dos primeros siglos*. Pamplona: Eunsu.
- Cattaneo, A. (1986). *Questioni fondamentali della canonistica nel pensiero di Klaus Mörsdorf*. Pamplona: Publicaciones de la UNAV.
- Celeghin, A. (1985). Sacra Potestas: Quaestio post conciliaris. *Periodica*, LXXIV, 165-225.
- Congar, Y. (1952). en Catholicisme, París.
- Corecco, E. (1968). L'origine del potere di giurisdizione episcopale. Aspetti storico-giuridici e metodologico-sistematici della questione. *La Scuola Cattolica*, 96, 3-42.
- Corecco, E. (1985). Estructura y Articulación del Poder en la Iglesia. *Communio*, 14, 64-75.
- De La Hera, A. (1965). Posibilidades actuales de la teoría de la potestad indirecta. *Revista española de derecho canónico*, 19(57), 775-800.
- De Lubac, H. (1952). Le pouvoir de l'Eglise en matière temporelle. *Revue des sciences religieuses*, 12(3), 329-354.
- D'Ors, A. (1964). Autoridad y potestad. en *Lecturas jurídicas*, 21, 23-35.
- Fabrini, F. (1978). "Auctoritas", "Potestas" e "Iurisdictio" in Diritto Romano. *Apollinaris*, 51, 492-561.
- Festugiere, A. J., & Fabre, P. (1955). *Il mondo greco-romano al tempo di Gesù Cristo*. Turin: SocietaEditriceInternazionale.
- García Villoslada, R. (1963). *Historia de la Iglesia Católica, Vol. I*. Madrid: Biblioteca Autores Cristianos.
- Garroté, L. J. (1997). *Existencia y ejercicio de la potestad de jurisdicción del Obispo en los siete primeros siglos*. Pamplona: Publicaciones de la UNAV.
- Leclercq, J. (1959). *L'idée de la royauté du Christ au Moyen Age*. París: Editions du Cerf.
- Lo Grasso, J. B. (1939). *Ecclesia et Status*. Roma: The Gregorian University Press.
- Maccarrone, M. (1940). *Chiesa e Stato nell'ad ottrina di papa Innocenzo*. Roma: Pontificium Athenaeum Lateranensis.
- Maritain, J. (1947). *Primacía de lo espiritual, trad. esp.* Buenos Aires: Club de Lectores Buenos.
- Martínez Blanco, A. (1994). *Derecho eclesiástico del Estado*. Madrid: Tecnos.
- Mato Ortega, J. M. (2003). Las dos espadas, Resumen crítico de: Historia del Pensamiento Político en la Edad Media. *UbiSunt*, 12, 20-24.
- Maymot, P. (1997). La episcopalis audientia durante la dinastía teodosiana. Ensayo sobre el poder jurídico del obispo en la sociedad tardorromana. En Teja, R. and Pérez González, C. (Eds), *Actas del Congreso Internacional La Hispania de Teodosio I* (pp. 165-170). Salamanca: IE Universidad.
- Mommsen T. & Meyer, P. M. (eds.). (1990). *Codex Theodosianus*, 27, vol. I, p. 2. Hildesheim: Weidmann.
- Mörsdorf, K. (1967). De sacra potestate: Quinquagesimovoltentenniversario a Codice Iuris Canonici promulgato. Miscellanea in honorem Dini Staffa et Periclis Felici S. R. E. Cardinalium I. *Apollinaris* 40, 41-57.
- Orlandis Rovira, J. (1999). Consideraciones en torno a la conversión al cristianismo en la tardía antigüedad. *CHD* 6, 233-243.
- Reina, V. (1966). La teoría de la potestas indirecta: precisiones. VII Congreso Internacional de Derecho Comparado (pp. 107-118). Uppsala: Servicio de Publicaciones de la Universidad de Navarra.
- Reina, V. (1969). La Influencia romana en el derecho canónico como cuestión metrológica. *IusCanonicum*, 9/1, 179-220.
- Reina, V. (1969). La Influencia romana en el derecho canónico como cuestión metrológica. *IusCanonicum*, 9/1, 179-220.
- Riviere, J. (1962). *Le probleme de l'Eglise et de l'Etat au temps de Philippe le Bel*. Louvain-Paris: Dalloz.
- Salegui Urdaneta, J. (2009). La potestad judicial en la diócesis. *Cuadernos Doctorales*, 23, 53-94.
- Saraceni, G. (1951). *La potestadella Chiesa in materia temporale e ilpensierodegliultimicinquePontefici*. Milano: GiuffrèEditore.
- Stickler, A. M. (1954). Sacerdozio e Regno nelle nuove ricerche attorno ai secoli XII e XIII nei Decretisti e Decretalisti fino al/e

decretali di Gregorio IX. Sacerdozio e Regno da Gregorio VII a Bonifacio VII, Roma.

Stickler, A. M. (1975). La bipartición de la potestad eclesiástica en su perspectiva histórica. *IusCanonicum*, 15.29, 45-75.

Stickler, A. M. (1982). De potestatis sacrae natura et origine. *Per*, 71, 65-91.

Ullman, W. (1983). *Historia del pensamiento político en la Edad Media*. Barcelona: Ariel.



History Research

Volume 6, Number 4, Oct.-Dec. 2016

David Publishing Company

616 Corporate Way, Suite 2-4876, Valley Cottage, NY 10989, USA

Tel: 1-323-984-7526, 323-410-1082; Fax: 1-323-984-7374, 323-908-0457

<http://www.davidpublisher.com>, www.davidpublisher.org

history@davidpublishing.com, history@davidpublishing.org

ISSN 2159-550X

