
Nicolò Rusca *“Hate the error, but love those who err”*

Introduction by Pier Carlo della Ferrera
and Essays by Alessandro Botta, Claudia di Filippo Bareggi, and Paolo Tognina



NICOLAI

RVSCAE S. T. D.

SVNDRII IN VALLE TELLINA

ARCHIPRESBYTERI,

Anno M. DC. XVIII.

Tuscianæ in Rhætia ab Hæreticis necati
Vita, & Mors.

AVCTORE IO. BAPTISTA BAIACHA
Nouocomense, I. V. C.

Per Io. Antonium fratrem eyulgata.



COMI,

Apud Io. Angelum Turatum, Successorem quon.
Hieronymi Froux, M. DC. XXI.

Nicolò Rusca was born in Bedano, a small village on the outskirts of Lugano, in April 1563. His father, Giovanni Antonio, and his mother, Daria Quadrio, both of whom came from distinguished families residing in the area of Lake Como and the Ticino, sent their son for his first schooling to Domenico Tarilli, the parish priest of Comano. After learning the basics of grammar and rhetoric, combined with an education that was strongly imbued with traditional Catholic principles, Nicolò continued his studies, first at Pavia, and then at the Jesuit College in Rome.



After a few months, in 1580, he attended the Collegio Elvetico, founded in Milan by Cardinal Carlo Borromeo for the specific purpose of instructing and educating in the tenets of orthodox Catholicism young priests from frontier areas that were most exposed to the spread of Protestantism. Having completed his studies, in the course of which he was able further to improve his knowledge of Greek and Hebrew, on 20th October 1586 Nicolò Rusca became a deacon and was ordained priest on 23rd May 1587.

A few months later he was sent to minister to the parish of Sessa, a village in the Malcantone, west of Lugano, and, two years later, was appointed Archpriest of Sondrio. He was installed in September 1590, having been duly approved by the municipal council of that town and by popular election, ratified the following year by the ecclesiastical authorities. He then went to Pavia, to take a doctorate in theology, as required by the

papal regulations of those days.

Fr Rusca's first years in Sondrio were marked by his zeal as a priest who was determined to improve the spiritual and material standards of the parish of Saints Gervasio and Protasio, where conditions were still fraught with difficulty, both because of the rather singular political climate of those days, and because of the behaviour of his predecessor, Francesco Cattaneo, which had been open to criticism.

The Archpriest of Sondrio's work in defence of Catholicism against the spread of what in those days was called Protestant heresy took the form of energetic steps to restore regular observance of the sacraments (above all confession) and the incisive preaching with which he upheld the principles of Catholicism inherent in the mediation of Christ and the value of the mass in the public disputations with the followers of the reformed church that took place at Tirano and Piuro between 1595 and 1597. During this period, Fr Rusca promoted the re-founding of the Confraternity of the Blessed Sacrament (1608-1609). As the years went by, the presence of Fr Rusca began to be a thorn in the side of the leaders of the Protestant Leagues (Bünde). Towards the end of 1608, the Archpriest was accused of complicity in the attempt to murder the Protestant preacher Scipione Calandrino, a capital offence. After first surreptitiously taking refuge at Bedano, his birthplace, and then in Como, with Bishop Archinti, Fr Rusca returned to Sondrio the following year, since the League magistrates had, in the meantime, ascertained his innocence and collected a substantial sum of money (representing a fine and the payment of legal costs) which the people of Sondrio volunteered to defray.

Thus the priest resumed and intensified his pastoral activities in defence of Catholicism, which developed into strenuous and tenacious opposition when, at the beginning of 1618, the Protestants instituted, at Sondrio, a college open to the representatives of both religions, though essentially under the control of Protestant teachers and preachers. However, Fr Rusca exerted such an influence over his parishioners that no Catholic attended the college, which, indeed, was never able to perform its function.

This circumstance gave the Leagues and the

Previous page:

Portrait of Don Nicolò Rusca, painted in 1852 by the Sondrio artist Antonio Caimi (Sondrio, Collegiate Church of Saints Gervasio and Protasio)

Left:

Frontispiece of the first biography on Rusca

Nicolai Ruscae S.T.D. Sundrii in Valle Tellina Archipresbyteri anno MDCXVIII Tuscianae in Rhætia ab Hereticis necati Vita & Mors – written in 1621 by Giovanni Battista Bajacca

Above:

The house where Nicolò Rusca was born at Bedano in Canton Ticino

pro-French-Venetian faction – which saw and feared the possible political implications of Fr Rusca's work in support of Austro-Spanish efforts to gain control of the Valtellina – an opportunity to unleash a decisive attack on the Archpriest of Sondrio. According to the descriptions of the Catholic biographers of the day, on the night of 24th July 1618 sixty armed men, after surrounding the priest's house, burst into his bedroom, pulled him out of bed and, leaving him barely time to put on his habit, tied him on the back of a mule with his head hanging backwards. The following day he was taken, via Valmalenco and the Muretto Pass, through the Engadine and thence to Chur, where he was shut in the attic of a hostelry and kept a prisoner for almost a month, before being moved to Thusis. There, segregated in a small cell, he was subjected, at the beginning of September, to a summary trial, accompanied by brutal tortures, which his accusers used to get him to



confess to crimes he had probably never committed. But "resolutely and fearlessly, without any hesitation", he rejected all accusations as being false and baseless. Exhausted by the brutality and violence of his ill-treatment, which his delicate health could not stand up to, Nicolò Rusca died on 4th September 1618.

The day after his death, the Archpriest of Sondrio was already being venerated as a saint and his mortal remains immediately became the object of devotion for Catholics. In the summer of 1619, Fr Rusca's remains were exhumed by night and taken secretly to the Abbey of Pfäfers, north of Chur, where they remained until half-way through the

19th century. When the Abbey was abolished, the relics were placed in the library, where they lay forgotten until 1845, when, thanks to the intercession of the Bishop of Como, Monsignor Carlo Romanò, and the Canon of Sondrio, Giacinto Falcinelli, authorization was given for them to be transferred to the Valtellina, to the Sanctuary of Sassella. Meanwhile the Bishop of Como himself sent the following request to the Vatican: "To the glory of God, in veneration of the Priest who gave his soul for his flock, for their good, therefore, and to support the dedicated work of excellent parish priests in my large and difficult diocese, as well as to console me, I earnestly ask that the relics be solemnly carried to the Archpriest's church in Sondrio and placed in a niche, there to be exposed with lighted candles and revered, especially on the day of his martyrdom, as has been done since time immemorial, in the place where they used to lie". Upon receipt of an affirmative answer, on 8th August 1852, Nicolò Rusca's remains were solemnly borne to the Collegiate Church of Sondrio and placed at the beginning of the nave, to the right of the main door, where they remain to this day.

At a time of violence, often perpetrated ruthlessly and with savagery by both the opposing factions, Fr Rusca stands out essentially as a man of peace. His reasonableness and moderation, for all his firmness and convictions, are a striking contrast to the excesses of fundamentalist and intransigent radicalism, of which the court that condemned him is an obvious example. If we are to believe the words of Bajacca, Fr Rusca's first biographer, whose writings are nowadays endorsed even by Protestants, the Archpriest of Sondrio "strongly disapproved of all those extreme and injurious utterances that, while they might do no more than cause bitterness and offence to heretics, in no way contributed to their spiritual welfare".

Intent upon winning back the faithful to Catholicism, and not on persecuting or eliminating those who had embraced the new religion, he succeeded in enlisting the goodwill of all people. A priest who was a good shepherd, he strove to encourage civilized attitudes and behaviour, to promote moral discipline; the faith he conceived and sup-

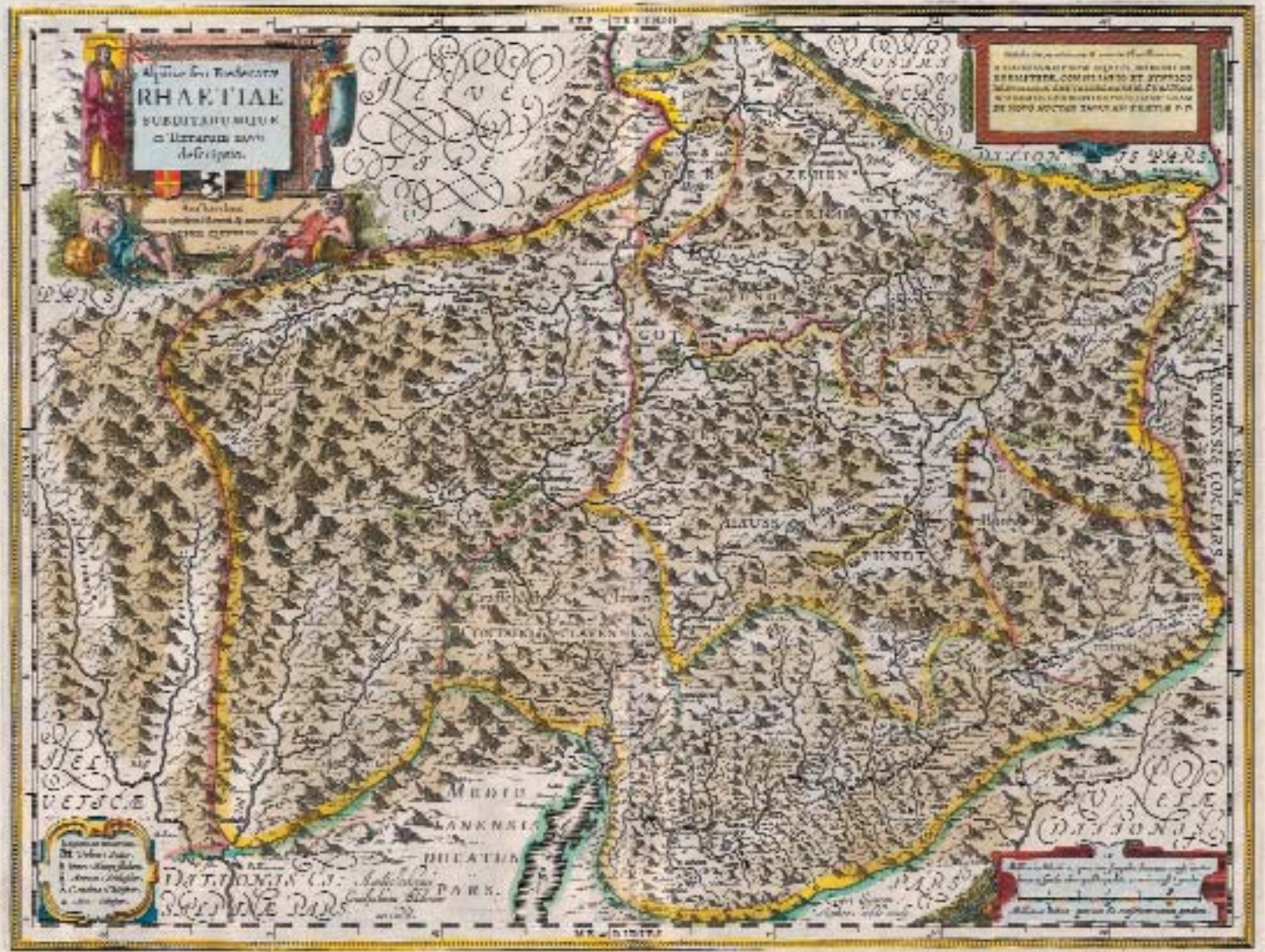
The mule-track leading to the Muretto Pass, in the upper Valmalenco.

Fr Rusca passed through here, on 26th July 1618, on his way to prison at Chur and Thusis

ported he conveyed in words, by preaching, hearing confession, teaching the catechism, and stressing the importance of the word in religious practice; his attitude to the new religion was not that of the counter-reforming firebrand, but of a peaceful Catholic reformer.



"Hate the error, but love those who err" is a principle traditionally ascribed to the Archpriest of Sondrio Nicolò Rusca: for in him, faith and Catholic confidence in the truth that combats and *hates error* manifested themselves in open-mindedness and the willingness to enter into dialogue of a man *who truly loved those who err*.



RHAETIAE
SUBRHEGUMIUM
in litterarum novo
descriptione.

Tabula in qua delineatur
et describitur pars septentrionalis
IMPERII ROMANI SACRAMONTI ET JUVENIO
MONTENSI CON. PARS
in quo sunt loci MONTENSI CON. PARS
DE SVOBODIA IMPERII SACRAMONTI

Legenda
1. Montes
2. Flumina
3. Viarum
4. Castellorum
5. Civitatum

Tabula in qua delineatur
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"Hate the error, but love those who err"

Politics, Religion, and Society in the Valtellina under the First Grisons Government



The territory of the Free State of the Three Leagues in the second decade of the 17th century.

The map is from *Nuova descrizione della Rezia Alpina Federata e delle terre ad essa suddite*, published in 1618 by Filippo Cluverio and Fortunat Sprecher von Bernegg

As we know, in 1512, the Valtellina and the Counties of Bormio and Chiavenna were incorporated in the Free State of the Three Leagues, a somewhat singular political grouping that had its origin in various pacts to which the three swore allegiance. The three entities were: the League of the House of God, also known in the various languages of the area as *Gotteshausbund*, or *Chadè*; the Grey or Upper League, also called the *Grauer* or *Oberer Bund*, or the *Liga Grischa*; and the last to be formed, the League of the Ten Jurisdictions or Directorates or *Zehngerichtenbund*, the smallest of the three. The Three Leagues were very different from each other: indeed, the only thing they had in common was their spiritual dependence on Chur. The Free State consisted of a loosely-knit group of Communes that, incidentally, in the past, had not hesitated to include in their association a number of Italian-speaking Alpine valleys, such as the Poschiavo Valley, which, in 1408, had joined the League of the House of God as a member with equal rights against payment of an annual fee. Similarly, from 1512 onwards, a document was to make its appearance in the Valtellina – the Five Articles of Ilanz – as to whose authenticity there is some disagreement and whereby, so it was said, the Leagues agreed that the Valtellina and the aforementioned Counties should join them as confederate members.

According to this agreement, the Valtellina would be fully entitled to take part on equal terms in the Leagues' Diet, while, however, keeping their autonomy on local matters in exchange for their allegiance to the Leagues and an annual fee of a thousand florins. False or authentic, these articles nevertheless offer a clear explanation for the attitude of resentment of the people of the Valtellina towards what they regarded as their "subject status". This state of affairs was very soon felt to be humiliating, among other things because the articles of incorporation of what was to become known as the Free State of the Three Leagues, or Three Grey Leagues – in German "Drei Graue Bünde" – were drawn up subsequently, between 1524 and 1526. Thus, between these dates, there was born a federation of federations that had some very interesting features, based on the principle of suffrage, which spread from the local assemblies of neighbourhoods, rural communities that

were theoretically "free", right up to the highest levels of authority. The neighbourhoods were, moreover, amalgamated to form so-called jurisdiccional Communes or Grand Communes, about fifty in number, in their turn grouped into districts, and thence into Leagues.

In 1524, however, a "central" system of assemblies was formed, whose will was expressed by a Diet and a body consisting of three League Heads, who generally met three times a year at Chur. Much advertised because of their "popular" structure, and very soon praised as being the purest embodiment of "evangelical democracy" – but also much contested for precisely those reasons – the Leagues were in actual fact a transitory political system masking diverse social forces. From the very outset an unnatural alliance of feudal noblemen – both lay and ecclesiastical – and of rural communes, the Free State was to experience a powerful trend in the direction of autocratic government by a ruling class all too skilled at penetrating communal bodies and making them operate to their own advantage¹.

How were the subject territories governed? In principle, the Leagues were anxious to conserve, in the Valtellina and the Counties, the structures that had grown up when the area was governed by Milan. All previous autonomies were therefore protected and this applied especially to the old "border" districts such as Livigno, Bormio, Chiavenna, and the San Giacomo Valley. The situation was far more complex in the Valtellina proper, which was kept under tight control. The subdivision of the territory remained virtually identical to what it had been during the Milanese domination: the *Terzieri* therefore survived. The whole valley was represented by a Council, whose most delicate task was that of apportioning expenses and special taxes, though these in any case were in the Valley's general interest. In this case, too, the decisions taken had to be approved by the local communities,

¹*For these political and institutional aspects, the reader is referred to my* *Frontiere religiose della Lombardia. Il rinnovamento cattolico nella zona 'ticinese' e 'retica' fra Cinque e Seicento; Milano, Unicopli, 1999, and to the specific bibliography it contains. It is also worth mentioning the excellent introduction by Diego ZOIA; Li Magnifici Signori delle Tre Eccelse Leghe. Statuti ed Ordinamenti di Valtellina nel periodo grigionese; Sondrio, L'officina del libro, 1997.*

whose existence was regulated by statutes drawn up in Latin, in 1531, revised in 1538, and translated into the vernacular in 1548; they were finally published in 1549 at Poschiavo.

Each community managed the many aspects of local life, in accordance with habits and customs that had mostly been handed down by word of mouth and went back centuries.

a further cause of friction, which was destined to become more acute: religious differences². Having become League territory before the Reformation broke out, the Valtellina and the Counties were soon to find out that they had to reckon with a State in which the ideas of Zwingli had spread like wildfire: this was also due to the fact that the Rhaetian Communes were autonomous and there was no central



This complex structure was supervised by a number of League officials who resided in Sondrio and in the Terzieri: their duties were venal; in other words, they were rights that had to be bought, and venality and corruption were connected with them, but also the inefficiency this engendered which became the "classic" accusation levelled by the bailiwicks against the Leagues' rulers. Underlying such accusations was the complex problem of the political and social relationships between those ruled – to be precise, the lords of the Valtellina, who were certainly far less powerful than those of the Plain of Lombardy proper, yet sufficiently strong and united to stand up for their economic and, above all, political rights over their territory – and the great families of the Leagues, who came from areas that, when all was said and done, were poor and therefore had a vested interest in the prosperous Italian-speaking valleys. Thus the Valtellina was destined to be the main bone of contention, if only because it was the richest area and the Leagues would continue to regard it as economically indispensable and defend it tooth and nail.

To this atmosphere of tension must be added

government to impose its will.

In a situation in which the Bishop of Chur, as the feudal overlord, was still extremely powerful, the Articles of Ilanz in 1524 were above all to revolutionize the part played by churchmen, henceforth to be under the control of the civil authorities: thus, judicial rights were circumscribed, ecclesiastical bequests were regulated, and the principle was established whereby the secular clergy were to be directly elected by parishioners' assemblies.

Subsequently, in June 1526, an attack was launched, first and foremost, against the authority of the Bishop of Chur.

Vacant livings, which were generally in the gift of the Pope, were now only to be given to local inhabitants, all endowments and rights to tithes were readjusted, and strict limitations were set on the expansion of the property of the clergy, on the freedom to make wills in favour of ecclesiastical bodies and clerics, and even on the admission of novices to convents: these were decisions that, in principle, should also have applied

Chur at the beginning of the 17th century, as shown in the *Descrizione della Rezia* by Johann Guler von Weineck (1616)

² See also my studies, especially regarding the case in point of the Valmalenco, and the aforementioned bibliography.

to the bailiwicks, which was to happen much later, when new Statutes were published. Moreover, the Leagues determined to act in the only way that would make it possible to avoid the final break-up of the fragile, newly-born Free State. This was to be achieved by assigning the *ius reformandi* to the individual communities, at the same time recognizing the equal status – the first time this had been done in Europe at that time – of the Catholic and Reformed religions, with the explicit exclusion of any extremist sects – a law that was of course applied, immediately, to the Valtellina and the Counties. At this point it is above all worth reflecting on the fact that the application of this law to the Valtellina and the Counties, which the Valleys



considered unduly harsh, represented the extension - which it could hardly be said was not legitimate - of laws enacted by the Leagues in respect of the territories regarded by them as to all intents and purposes "subject". However, it soon became clear that the Leagues, inevitably, aimed not only to protect freedom of worship for the minorities, but also to implement a policy that would in various ways favour the spread in the Valleys of the Reformed Church. It was a course of action that was to some extent also made necessary by the special nature of the areas concerned, which were subordinate to a spiritual authority, that of the Bishop of Como, located outside the confines of the State and therefore beyond any control – for one thing, because they were part of an imperial state (as Milan itself was to be after the death of the last Duke): that of Spain, and therefore hostile. Thus, while the Protestant communities of the Three Leagues were busy organizing themselves throughout their

State, when, at the beginning of the 1640s, the initial doctrinal rigidity of the Catholics produced a wave of religious exiles, many of them settled in the Valleys, which were linguistically Italian and tolerant on religious matters. The Leagues, being unaware of the religious anxiety of these exiles, allowed them to settle almost immediately, giving them a position of privilege: indeed, it was they who set in motion in the area new doctrines that, while they took root among very small groups, nevertheless became extremely widespread throughout the territory.

It is generally held that the Reformation appealed not so much to the aristocracy – very few of whom were attracted to it – nor to humble folk, who retained their loyalty to the old faith, but to an intermediate class that was both educated and moneyed, consisting of merchants, but also notaries and perhaps churchmen too, for whom probably the setting up of links with the newcomers meant, as in the case of the Valmalenco, significant financial and perhaps political opportunities. From the religious angle, therefore, the action taken by the leagues was perfectly understandable, albeit clumsily executed. Indeed, the aversion of the nobility, who had been driven out of local government, added to which, naturally, there was the antipathy of the clergy in the Valleys, meant that prospects of expansion for the new church were extremely limited. Yet, precisely for that reason, the Leagues attempted to protect the small Protestant communities and to enable them to settle permanently.

In 1557, the Diet of Ilanz accorded the Protestant pastors – who, incidentally, were also carefully watched – the freedom to preach and, at the same time, took steps that were destined to become very unpopular. For where there were at least three Protestants, this meant that a community had been legitimately constituted; according to the law, the Catholics must therefore give them a church – where there was more than one – or, allow them to share the one and only church, using it alternately; likewise, cemeteries were to be available to both religious communities. Moreover, the following year, the Diet of Davos laid it down that every preacher should be guaranteed an annual salary, to be paid for by drawing on the income of the local churches, or of the com-

mune, should the former prove inadequate. As was to be foreseen, these regulations led to endless disputes and local vendettas, especially when there were very few Protestants: as once again, in the case of the Valmalenco, this happened whenever the interests of communities, which were mostly poor, were involved, for they immediately considered themselves treated unfairly, if only because a substantial part of the local ecclesiastical endowments had probably been placed at the disposal of individual Protestants, or at any rate of their families.

On the other hand, this provided the Catholic clergy with an excellent excuse to complain, for, understandably, they felt themselves hemmed in on all sides. Their main preoccupation was the plan pursued by the Leagues with great insistence until 1620, to sever all ties with the Bishop of Como, a link that had begun to cause anxiety half-way through the 16th century because of the Counter-reformation that the Catholics had set in motion at the Council of Trent, which at that time was drawing towards its conclusion. The fact that the Bishop of Como had always felt himself threatened by the Leagues was nothing new, for they were largely Protestant. In addition, as we have said, they had no central government: any decision to be taken for the whole State involved laboriously securing majorities among the communes, one by one- which was normally done with money. On the other hand, the conclusion of the Council of Trent only increased the concern of the League leaders, for now the Church of Rome was again energetically pursuing a policy of expansion.

In 1576, a decree was issued by the Leagues forbidding any foreign churchmen to enter the Valleys, including the Bishop of Como, whose task it was to reorganize the basic structure of the local churches, which were often beset by errors and shortcomings, in application of the decrees of the Council of Trent, according to both the spirit and the letter. The following year, an edict even threatened with imprisonment, or other more severe penalties, anyone, whether an individual or a community, who offered hospitality or in any way helped foreign clerics or monks. All these measures were aimed at the very heart of the Church of the Counter-reformation, which found itself prevented

from doing everything it regarded as most critical and vital: the cultural, pastoral, and moral reform of its clergy was a prerequisite not only for building a moral Christian society, but also a sine qua non for halting the spread of the Reformation, which, it was said, had been born of the "evils" of the Church. It is therefore easy to understand why most of the steps that Cardinal Archbishop Carlo Borromeo in Milan was preparing to take to help the Catholics in the Free State of the Three Leagues involved visiting that area; permission to do this however, was always to be denied, until Bishop Ninguarda of Como managed to pay a visit in 1589, since, being from the Valtellina himself, he could not be prevented from entering the Valleys. Nor were outsiders barred merely from entering, but from leaving too, for in 1618, the Governor of Sondrio was still forbidding clergymen from the Valtellina, "on pain of a fine of a thousand scudi", to attend the last synod in Como convened by Bishop Filippo Archinti: a prohibition, obviously, to be taken seriously, since no priest dared go to Como. True, it had become a common practice for priests, generally members of orders, to be despatched to the Valtellina in disguise. Nevertheless, even the official visit paid in 1589 by Bishop Ninguarda, who, as we have said, since he came from the Valtellina, could not legally be kept out, was a very hurried one, aimed above all at renewing contacts that had been interrupted for too long and estimating the damage caused by the Protestants – in other words, little more than a rapid survey of the situation. The first real visit was that paid by Bishop Filippo Archinti in 1614-15, after he had obtained authorization from the League leaders to enter the Valtellina. Permission was granted in return for a considerable sum of money and at a most inconvenient time of year: the winter. The Bishop was then persuaded to shorten his stay, which therefore became little more than a careful census of the churches and parish assets, about which there were many complaints due to the fact that the Protestants had been entitled to live off the parishes since 1557. Only with the term of office of Bishop Carafino, who was in charge of the Diocese of Como between 1626 and 1665, do we finally get the impression of the Valleys functioning in accordance with

the principles of the Council of Trent. With regard to Christian doctrine and the education of the laity, Bishop Archinti's visit was highly significant, because the Diocese of Como was situated on the border between two religions. Hardly any concrete information transpired, however, from his visit. Only at Sondrio does Fr Rusca appear to have organized things, for he reports on how this was done: "After ringing the big bell a second time and calling the boys and girls together, we make them say their prayers a few times. The boys are taught by the priests and other men; the girls, by women, especially the school teachers. They are then made to take part in discussions, the boys being made to stand on pulpits made for the purpose; the girls assemble below. After that, if there is time, they will sing first the Paternoster, then the Ave Maria, then the Credo, and so on. Lastly, comes a song of praise, sung kneeling; the first verse is sung by the clergy and the boys together, the second by the girls and women together, and so on; at the end, Vespers are sung. But it is difficult to get them interested in Christian doctrine, especially the boys, who are likely to run away and hide so as not to be found by anyone looking for them"³. Even though the case of Sondrio was rather special, Fr Rusca emphasized here some typical, yet striking points. Above all, we find the customary separation of boys from girls. The education of the former was handled entirely by the priests. The girls were, as usual, taught by a few "women". We know, incidentally, that at Sondrio, there were actually six school mistresses, who also dealt with the teaching of the catechism: moreover, it is probable that, as in the Three Valleys, difficulties were overcome thanks to the presence of schoolmasters who were capable of inculcating the rudiments of the faith. This is what still happened, for example, at Poschiavo, another area of tension from the religious point of view where, in 1611, Cardinal Federico Borromeo "to meet the urgent need of the Catholic community at Poschiavo for masters to teach the children, so as not to expose them to the risk of attending schools run by heretics", decided to pay for a master himself "with orders to attend to the teaching of the boys and young men, to meet the need of the village for our holy Catholic faith, and for Christian

customs and letters"⁴. However, one has the clear impression that Fr Rusca interpreted this doctrine in accordance with his own highly personal style, preferring discussion to the mere teaching of the catechism: such is probably the meaning of the children's being made to "discuss" – in other words, to stand up in public – which, for the boys, actually meant using a sort of "pulpit". It is worth noting that the report on Bishop Archinti's visit also contains a list of the "compositions of the Archpriest of Sondrio", most of them argumentative.

But the case of Sondrio appears to be an exception, and perhaps that is why it has been handed down to us in such detail. Thus, generally speaking, the account of the Bishop's visit says practically nothing about teaching the catechism, of whose importance, as we have seen, he was well aware, and this was perhaps because his mind was still largely taken up with checking on the clergy and their training. The obligatory catechism class on Sundays was certainly always stressed in instructions, but practically nothing has been handed down to us on this subject, although that does not necessarily mean that the teaching of the catechism was neglected. On the contrary, no serious objection was raised by the local authorities to the conduct of the religious life of the Catholic communities as regards preaching and the teaching of Christian doctrine, as long as no proselytism – an attitude that was expressly prohibited by the Leagues' two-denominational regime – was practised.

However, as regards the area of Chiavenna, we know of an edict dated 1597 on the subject of the teaching of the catechism in the Catholic community. This was a proclamation by the League's representative at Chiavenna that laid down "the obligation of priests to have the Paternoster, the Credo, and the Ten Commandments said in the vernacular". This requirement probably reveals some anxiety lest the teaching of the catechism be conducted differently as between Catholics and Protestants: "Whereas... it is the common wish of our most illustrious and

³ Filippo ARCHINTI, *Visita pastorale alle diocesi, partial edition; in "Archivio Storico della Diocesi di Como", vol. 6, p. 521; Como, 1995.*

⁴ Filippo ARCHINTI, *cit.*, p. 374.

excellent lordships... that in the country of their subjects, and especially in places where the prayers mentioned below are not taught by priests and friars to their flocks in this way – that is, the Our Father, the Creed, and the Ten Commandments – be by one and all observed when conducting their sermons and masses; and, moreover, recited aloud in the vernacular and intelligibly, so that every person may understand them and profit thereby, and live in a Christian way and in accordance with the pure and sacred word of God, without either adding to or abridging any point, this being for the benefit of all, especially the unfortunate and ignorant... wherefore... this public cry, ban and commandment is issued, that each and every priest, friar, or curate,... be willed and obliged, upon pain of being expelled from their office, or even banished from the domain of his most excellent lordship... in all their sermons, masses, and other services celebrated by them, whether in public or privily, to say, recite, or teach the aforementioned prayers,



The religious wars in the Valtellina culminated in the summer of 1620 in a massacre of Protestants.

At the Battle of Tirano on 11th September the Valtellina forces repulsed a League counter-attack (copper low-relief by Renzo Antamati, 1950)

written below, the Creed and the Ten Commandments, being the sum total of the law, in the aforementioned manner, as follows... First, the prayer that our Lord Jesus Christ spoke... that is, the "Our Father"... followed by the statement of our faith, as do all Christians, which, commonly referred to as being the symbol of the apostles... That is: 'I believe... '...followed by the Ten

Commandments of the Laws of God, which are written in Exodus, Chapter 20". The cry ended, in the Protestant manner, with another brief reference to the scriptures: "The sum total of the whole law is this. Thou shalt love the Lord thy God with all thy heart, and with all thy soul, and with all thy mind, and with all thy strength. Though shalt love thy neighbour as thyself. On these two commandments all the laws and the prophets depend. St. Mark, Chapter 12"⁵.

The ban thus illustrated most eloquently the concern of the Leagues' leaders about the teaching of the Catholic catechism materializing at that time, which was different from Protestant teaching: neither precepts of the church, therefore, nor training in the discussion of controversial subjects was considered. The aim, leaving aside any differences of a denominational nature, was thus to find common ground in the area of upbringing, or rather the education, both religious and secular, typical of the "good subject": expressed in a sober lifestyle, moral rectitude, use of the vernacular, and with ideas reflected in the scriptures alone: "to live in a Christian way and in accordance with the pure and sacred words of God, without adding to or abridging any point". As regards preaching, often a substitute for doctrinal education, the "faithful subjects of the County of Chiavenna of the Catholic religion" were allowed "according to their need, to accept, take, or provide themselves with preachers, upon condition, however, that... they be natives of the land ruled by their lordships of the Leagues and their subjects, or else Swiss, and that such preachers pronounce or say, in the Italian vernacular, before the people, the ordinary prayers of their church according to their religion".

From the point of view that concerns us here, we are bound to feel that, on the whole, the importance that the Protestant communities gave, both to preaching and to instruction in the catechism, were a convincing example for the Catholics too: for the same bell was, for instance, used to call the faithful of both religions to listen to a sermon or to their doctrine. For Catholics, the training of the clergy remained fraught with difficulty: nor was it a coincidence that Bishops Archinti and Carafino both devoted much attention to this

⁵ Filippo ARCHINTI, *cit.*, p. 659-661.

matter. Now, most of the Valtellina priests between the end of the 16th century and the beginning of the 17th do not appear to have been particularly brilliant from the point of view of their education, and many parish priests seem to have studied only "human letters" or "grammar"; nevertheless, despite the criticism levelled at this situation, we find no cases of glaring abnormality. A little less than one third of the clergy consisted of theolo-



gians, numbering 45 out of 126, 17 of whom had studied at the Collegio Elvetico, which since 1579 had been the only practical, constructive step taken to help the Valtellina and the Counties: for out of a total of 38 students – though this number varied over the years – only 6 places were reserved for the "Grey Leagues" and 8 for the Valtellina. Moreover, it is worthy of note that, in the areas where there was most political tension, special attention was given to the training of priests: at Sondrio, as we have seen, there was Fr Rusca, but in the Valmalenco 2 out of 3 of the local priests had studied in Milan; at Villa di Tirano and Mazzo, there were 8 theologians in all, 3 of whom had studied at the Collegio Elvetico; at Tresivio, there were 3 out of 7; while, in the Valchiavenna, 5 out of 9 theologians came from the Elvetico and 2 from the Collegio Germanico in Rome. We can therefore see, in retrospect, that the challenge of which both the Borromeo cardinals and the Bishops of Como were aware was, above all, that of the re-education of the clergy in accordance with the rules of the new Church that had emerged from the Council of Trent – and this explains the many gaps in our information regarding care of the laity right up to the end of the 17th century. A salient factor is that, as the new century approached,

all denominations were closing their ranks and standing four-square in defence of their community in a situation fraught with tension, including pressure from outside the country: from the disputes regarding the payment of tithes to the disturbances connected with the Johann von Planta affair, all issues fell within the framework of the Night of Saint-Barthélemy massacre of the Huguenots⁶. And if the key to an understanding of 16th-century Catholicism turns entirely on the implementation of the decisions of the Council of Trent, the events that marked the end of the 16th century in the area ruled by the Leagues have to be understood within the framework of the complex and convulsive political activities going on there – for, within that institutionally extremely weak, indeed almost non-existent structure there seethed, and continued to seethe in practice to the very end, the unsolved problem of striking a political balance between the "aristocratic" component of the Free State and its "popular" core. As the historian, Randolph Head, has very clearly shown, political and social developments in the area, since half-way through the 16th century, had been moving decisively towards a strengthening of the local position of a number of families – especially the von Plantas and the von Salis – who had found a virtually inexhaustible source of wealth in military careers, in their estates, and in banking – closely connected activities – as well as in official positions in the communes, in the main offices of the Leagues, and of course in the bailiwicks – but above all in the pensions and donations received from the foreign powers, for whom these were a means of bringing political influence to bear, both internally and externally, on the Leagues. Thus two opposing fronts were created: the

⁶ On these subjects, the reader is referred to La Valtellina crocevia dell'Europa. Politica e religione nell'età della guerra dei Trent'anni, edited by Agostino BORROMEIO, Milano, Giorgio Mondadori, 1998, which nevertheless, in substance, revives the old politic-diplomatic-military approach to the subject. Far more recent is the study by Randolph C. Head, Early Modern democracy in the Grisons. Social Order and Political Language in a Swiss Mountain Canton, 1470-1620 Cambridge, Cambridge University Press, 1995, which, however, the previous text does not even mention. Next it will be worth also consulting the manual of the history of the Grisons, Handbuch der Bündler Geschichte. Frühe Neuzeit; Chur, 2000.

The bull with which Pope Gregory XIII ordered the foundation of the Collegio Elvetico in Milan, where Fr Rusca completed his studies (original in the Milan Archbishop's Archives)



great families, on the one hand, and the communities on the other, whose ancient rights ended by being defended by the younger generation of Protestant pastors, who resorted to armed insurrection and special courts as weapons against the governing elite, made up of a small number of those same patrician families. The violent history of the Leagues, as well as that of the Valtellina in the 17th century may be seen as beginning with the unresolved conflict between the Communes and the dynasties. The Communes had very few arms at their disposal to help them to put up a resistance: ancient pacts and the traditional structures of the people and, last but not least, the resort to "democracy", which the Protestants claimed as their very own. This process was strongly supported by the Protestant church – many proposals to this effect were to be advanced by Protestant ministers of religion – and in any case it found a sympathetic echo in the Protestant Cantons of the Swiss Confederation, thus forming a sort of united "Protestant front". Such therefore is the context in which we have to view the events surrounding the Sondrio school and the gradual deterioration of an inter-denominational *modus vivendi* that, without ever having run too smoothly, had nevertheless lasted for some time. When international politics eventually set its sights on League territory, assigning to it an important position on the European chessboard, at the beginning of the 17th century, the result was to be years of chaos and hardship during which the Leagues, but a step away from

civil war, would be risking total disintegration. Up to 1622, continual resort was had to the "*Fähnliupfe*" – translated literally "raising of flags" – which were armed insurrections in which the Communes played a considerable part; they were a sort of endless spiral, since every peasant uprising ended in the setting up of a special court, whose activities consisted mainly in meteing out punishment, led to the organizing of further *Fähnliupfe*, in a crescendo that reached its climax with the famous *Strafgericht* of Thusis in 1618, which had originated in disturbances centered in Engadine, at Zuoz, that were directed against Catholic *leaders* in the Valtellina and led by Protestant pastors and the heads of the Venetian faction. The insurgents marched to Chur and thence to Thusis, where eventually about 2000 men assembled. A court of sixty-six jurors was elected, though this time – and this was a complete novelty – the Criminal Court was supervised by nine young pastors representing the most radical wing of the synod of League pastors, who were the very incarnation of the will to defend the autonomy of the Communes. The Court proceeded to take harsh action against the enemies of the Venetian party, and therefore against the von Plantas, as well as against the chief representatives of the Valtellina clergy, who included Fr Rusca. Thus the trial of the Archpriest of Sondrio occupies a place in the complex political situation building up around him, in which the pressure exerted by the great European powers on the impotent Free State of the Three Leagues was very great. Thus it was caught between the attempt by the international Calvinism to unleash an unprecedented attack on the very heart of the Empire and the ferocious reaction to this of the armies of the two Habsburg monarchies, which, after the complete defeat of the Bohemians in 1620, led to the hereditary throne of Bohemia being ceded to the Habsburgs, but was also to spark off a series of chain reactions that transformed what had been an internal strife within the Empire into a long and terrible continental war in which the Valtellina became the southern front of a contest that was being fought out elsewhere.

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The portrait of Nicolò Rusca in the Town Hall of Bedano.

Painted a few years after the priest's death, the picture belonged to the Rusca family and was donated to the Ticino municipality about half-way through the 19th century

The Criminal Court of Thusis (1618) and the Death of Nicolò Rusca



The year 1618 was marked by two indirectly connected events that had negative consequences for the future of the Free State of the Three Leagues: the failure to institute a Latin School at Sondrio, and the setting up of a criminal court at Thusis.

The Sondrio school plan had already been discussed by the synod of pastors in 1596. It had been their intention to proceed with an existing scheme that had broken down in 1584 due to the pressure exerted by Cardinal Carlo Borromeo and the Catholic cantons on the government of the Leagues and the opposition of the Archpriest of Sondrio, Gian Giacomo Pusterla.

The second attempt to open a Latin school in the Valtellina was likewise a failure. At a time of growing discord and rumours of war, when it would have been better to promote steps that would have reduced tension, the plan to set up the school at Sondrio turned out to be a grave error. Indeed, once again, it resulted in conflict with the Archpriest of Sondrio – Pusterla's successor, Nicolò Rusca – who was irritated at the fact that three of the five teachers (including the principal, Caspar Alexius) were Protestants. The financing of the school also proved to be a cause of friction, inasmuch as the inhabitants of the bailiwicks had no intention of contributing. In the Valtellina, opposition to the Sondrio school was further intensified by the fact that, at that time, the Leagues had forbidden the Jesuits to open a school at Bormio – not that the authorities in the Leagues were the only ones to oppose Jesuit schools: suffice it to remember the closure of the Jesuit college at Roveredo ordained by Cardinal Carlo Borromeo in 1583.

In fact, at the Diet of Davos in August 1617, a number of members pointed out that it was inadvisable to pursue a line that appeared to allow some to do things that others were forbidden to do; but their arguments did not convince the majority: indeed, they incited the extremists to demand that the Latin school in the Valtellina be opened at any cost. Moreover, the tension that had built up in the Valtellina on the subject of the school further aggravated the bitterness of the conflict between opposing factions within the Leagues⁷.

Nor was the Synod of the Pastors of the Leagues immune to the differences between the factions, as is proved by the proceedings of the Synod of Bergün in spring 1618, when a determined minority of young extremist pastors, who regarded with suspicion any persons who felt any sympathy for the Spaniards, regarding them as the enemies of the religious and political freedom of the Leagues, took control of the meeting. The chairmanship of the synod, which was the prerogative of the pastor of Chur, Georg Saluz, a moderate who was against any inter-faction strife, not automatically prejudiced against the pro-Spanish faction, and severe in his condemnation of the ideological radicalization under way among some of the Rhaetian pastors, went to the pastor Caspar Alexius, principal of the Sondrio school. The Synod of Bergün attempted to expel from among its ranks any pastors suspected of "Hispanism" and circulated a letter, which was read in all the Leagues' churches, that urged everyone to beware of people with pro-Spanish sentiments, to expose their machinations and denounce their plots. Ordinary citizens were warned to be on their guard against anyone receiving a pension from a foreign power, thus posing a threat to the freedom of the Leagues. The letter concluded by urging that all this action should be conducted discreetly and without the use of arms⁸.

This call, which had the effect of further stirring up feelings, went out during a period characterized by inflamed political and religious controversy and by frequent clashes between the factions, enlivened by arguments as to whether a treaty of alliance should be signed with Spain, or whether the one recently concluded with Venice, but which had just expired, should be renewed.

⁷ *Silvio FÄRBER* has devoted a number of illuminated pages to the subject of the factions present in the Leagues at the beginning of the 17th century in his essay *Politische Kräfte und Ereignisse im 17. und 18. Jahrhundert*, in: *Handbuch der Bündner Geschichte. Frühe Neuzeit; Chur, 2000, pp. 118-131.*

⁸ *This letter is partly reproduced in: Petrus Domenicus ROSIUS A PORTA; Historia Reformationis ecclesiarum Raeticarum ex genuinis fontibus et adhuc maximam partem numquam impressis sine partium studio deducta. II; Chur, 1777, p. 258.*

Demonstrations, to which speeches made by a number of pastors also contributed, broke out in the Lower Engadine against the nobleman and judge Rudolf Planta of Zernez, who was accused of being pro-Spanish and of having threatened to withdraw to the Valtellina in order to organize there an uprising against the Leagues. In spite of the attempt to mediate, first by the three heads of the Leagues, and then by a delegation that included the pastors Georg Saluz and Stephan Gabriel, the disturbances



did not subside. On the contrary, a criminal court was even organized, and it was planned to despatch armed detachments with instructions to arrest members of the Planta faction in the Valtellina, the Bregaglia Valley, and Chiavenna. At Sondrio, the Archpriest Rusca was arrested, together with some others. The town of Chur, which had been chosen as the seat of the criminal court, refused to open its gates to the citizen's brigades. A few days later, the court transferred itself to Thusis.

The declared purpose of the criminal court was to act in the name of all the Leagues' citizens in defence of political and religious freedom. The 66 judges, sent above all by the Protestant communes of the League of God's House and the League of the Ten Jurisdictions, included Catholics, albeit not very many. The whole trial was influenced from the very outset by the presence, in a supervisory capacity, of a number of pastors

– at whose participation even Protestants at once protested vehemently⁹. Among those present were Stephan Gabriel, a pastor from Ilanz, Jakob Anton Vulpius, a pastor from Ftan, Caspar Alexius, principal of the school at Sondrio, Blasius Alexander, a pastor from Traona, Georg Jenatsch, a pastor from Berbenno, Bonaventura Toutsch, a pastor at Morbegno, Conrad Buol, a pastor at Davos, Johann à Porta, a pastor from Zizers, and Johann Janett, a pastor from Scharans. The chroniclers Bartholomäus Anhorn and Fortunat von Juvalta produced a critical analysis of the parts played by the pastors – especially Johann Janett, Georg Jenatsch, and Caspar Alexius – and became spokesmen whose comments were severely adverse. Juvalta stated that the pastors were in charge of proceedings and of the examination of evidence, and that the proceedings of the court was in their hands. The pastors, however, had not been allowed to vote when the time came to decide on the sentences to be passed on the accused.

In a declaration drawn up at Thusis, the promoters of the criminal court, presided over by Jakob Joder von Casutt, proclaimed their intentions to ensure the sovereignty and freedom of Rhaetia, to eliminate all foreign interference, to prevent the machinations of those citizens of the Leagues who received pensions from abroad, to annihilate the pro-Spanish faction, and to compel all subjects to respect the laws and the members of both religions to live together in peace¹⁰.

Although the Court of Thusis is often remembered only for having tortured and killed Nicolò Rusca, it should not be forgotten that it was active for a full six months, from August 1618 to January of the following year, and that during that time it passed

Don Nicolò Rusca appears miraculously to Jürg Jenatsch.

This episode, in a drawing by Otto Baumberger, was imagined by Conrad Ferdinand Meyer, the 19th-century author who wrote the historical novel *Jürg Jenatsch. Eine Bündnergeschichte*. Jenatsch was one of the judges of the Criminal Court of Thusis who attacked the Archpriest of Sondrio most relentlessly

⁹ Bartholomäus ANHORN; *Der Graw-Pünter-Krieg. 1603-1629*, edited by Conradin von MOHR; Chur 1862, pp.32-34;

Fortunat von JUVALTA, *Denkwürdigkeiten, 1565-1649*, edited by Conradin von MOHR; Chur 1848, pp. 47-50 and 57-58.

¹⁰ Andreas WENGLAND, *Der Nutzen der Pässe und die Gefährdung der Seelen. Spanien, Mailand und der Kampf ums Veltlin (1620-1641)*; Zürich, 1995; pp. 72-76. As regards the general situation in the bailiwicks, at the beginning of the 17th century, and relations between the prince and his subjects: Guglielmo SCARAMPELLINI, *I rapporti fra le Tre Leghe, la Valtellina, Chiavenna e Bormio*, in: *Storia dei Grigioni, L'età moderna*; Bellinzona, 2000, pp. 151-165).

157 sentences against as many accused. In an initial phase, which lasted nearly two months, the court tried the brothers Rudolf and Pompejus Planta, the mayor Giovanni Battista Prevosti, the archpriest Nicolò Rusca, Gian Antonio Gioiero, Lucius de Mont, and the Bishop of Chur Johann Flugli. All were citizens of the Leagues and laymen, except for Rusca and Flugli; all were Catholics, except for Prevosti.



The first man to appear before the judges at Thusis was the mayor Giovanni Battista Prevosti, known as "Zambra", of Vicosoprano in the Bregaglia Valley. He was accused of having been in touch with Milan during the construction of the Fuentes fort, of having spread false information regarding the intentions that had led the Spaniards to erect such a fortification at the entrance to the valleys of the Adda and the Mera, of having opposed the idea of attacking the fort, and of having used threatening language against anti-Spanish pastors. Prevosti, who was related to the Planta brothers, rejected all accusations and recalled that he had been acquitted in the course of a previous trial. The pastors advised him to denounce Rudolf Planta, but he would not speak. After lengthy tortures – he was "hoisted up" more than 40 times – the seventy-year-old mayor of Vicosoprano made a confession that seriously compromised him. On 22nd August 1618, the court condemned him to death for high treason. The sentence against the Protestant Prevosti was carried out immediately. Next it was the turn of Pompejus Planta, the owner of Rietberg Castle, in the Domleschg Valley, who had fled to avoid arrest. Found guilty of high treason, because of the close links he was

presumed to have with the emperor Maximilian of Austria, he was condemned, in absentia, to permanent exile. The court also decreed that all his property should be confiscated and his house demolished; it also proclaimed that he should immediately be put to death if he re-entered the country. On 1st September 1618, the trial began of the Archpriest of Sondrio, Nicolò Rusca, who was just over fifty years old, though his health was delicate. Before beginning to cross-examine him, the court deprived him of his priestly status. The main charge levelled at Fr Rusca was that he had, during the years before 1590, together with Gian Paolo Quadrio and Vincenzo Gatti, both of the Valtellina, planned to eliminate the pastor of Morbegno, Scipione Calandrino. The Archpriest's intention was alleged to have been to murder the pastor or to have him kidnapped and taken away beyond the confines of Rhaetia and thence to Milan or Rome. The accusation was based on evidence given by Michele Chiappini, of Ponte in the Valtellina, in 1612. Rusca rejected the charge, contesting the truth of Chiappini's statement and maintaining that he had enjoyed friendly relations with Calandrino and had even exchanged books with him during the period when he was a pastor at Sondrio – to which other charges were added in connection with more recent events.

According to some witnesses, the Archpriest had shown intolerance and a rebellious attitude towards the authority of the Leagues; in particular, he was said to have poured scorn on decrees issued for the purpose of ensuring the peaceful coexistence of the two religions. He was said to have told a young man that those who attended Protestant services would most certainly end up in hell. It was alleged that, according to a number of letters, Fr Rusca had shown disdain towards the decree issued by the Rhaetian Diet against preaching by foreign monks in southern bailiwicks, and that he did not intend to obey such laws. On another occasion, displaying insubordination towards the authorities, the archpriest was said to have opposed the setting up of the school at Sondrio resolved upon by the Diet of the Three Leagues. Moreover, he was reported to have stirred up the common people to

Thisis before
it was destroyed
by fire in 1727

such an extent that it became difficult for any authorities to take action against him. The list of charges ended by recalling that the archpriest had not complied with the summons to appear before the criminal court in Chur, in 1608, and that, on that occasion, he had sought to bribe some Catholic members of the court. It was added that he continued to have close ties with the enemies of the Leagues, both abroad and within the Leagues themselves; that, when the Fuentes fort was being built, he was reported to have been to Morbegno several times to urge Catholics not to lend their support to any armed action against the Spaniards, and that he had held meetings, in Sondrio, in the priest's house, in the course of which strong language had been used against the Rhaetian authorities.

The archpriest rejected all charges, declared himself a loyal subject of the Rhaetian authorities, implored the pastors not to torture him, and said that he would rather be exiled or sentenced to hard labour. The judges ordered that cross-questioning should continue and that torture should be used. The prisoner died, on the second day of torture, without having confessed anything. The court ordered that all his goods be confiscated, and the executioner buried his corpse beneath the scaffold. The dramatic end of the Rusca trial resulted in a certain amount of friction among the members of the court. The judges, meeting at Thusis, decreed that severe steps be taken to prevent any discussions or disagreements degenerating into brawls¹¹.

On 5th September, the trial began on the nobleman and judge Rudolf Planta, the brother of Pompejus, of Zernez, in the Lower Engadine. Having evaded arrest, Rudolf was accused of being the cause of the insurrections that had broken out the previous year within the League of God's House, of having fomented unrest in the Leagues, and above all in the Engadine, on orders from foreign powers. The judges of the Thusis criminal court, ordered that he be expelled from the country for ever, that all his goods be confiscated, and that his house and the nearby tower of Wildenberg be demolished.

The next trial, against the nobleman and

mayor of Morbegno, Gian Antonio Gioiero, of Val Calanca, also took place in the absence of the accused. Gioiero, like Rudolf Planta, was charged with having fomented disturbances in the Rhaetian Leagues and with having been paid for that purpose by foreign powers. Found guilty of spying for Spain and France, of complicity with Giovanni Battista Prevosti in preventing the attack on Fort Fuentes, of having harmed Rhaetian interests by suggesting to the Spaniards in Milan that they should block all trade with the Leagues, of upsetting relations between the religions, and of corruption in acquiring public posts, he was sentenced to permanent exile. The court also ordered that his house in Val Calanca be demolished and all his goods confiscated.

Serious charges of corruption, betrayal of the interests of the Leagues, and close contacts with foreign powers led to sentencing to permanent exile, confiscation of his goods, and the demolition of house, in absentia, of the judge Lucius de Mont, mayor of Val Lumnezia.

In the case of the Bishop of Chur, found guilty of high treason, the Thusis court, in the absence of the accused, confirmed the sentence of perpetual exile already passed on him by the court of Ilanz in 1607. The judges ordered the confiscation of his goods, depriving Bishop Johann Flugi von Aspermont of his ecclesiastical status, and stating that he would immediately be put to death if he should return to the territory of the Three Leagues.

In the space of less than two months, the Criminal Court had completed its trials of the main defendants. But the activities of the court were far from being completed.

At Thusis, in the four months that followed, 150 sentences were passed. These included only one death sentence pronounced in the second stage of the criminal court's activities, and concerned Biagio Piatti, who had been found guilty of murder and of having plotted to kill the Protestants of Boalzo. The

¹¹ For a reconstruction of the Thusis trial from a Catholic viewpoint: Cesare CANTÙ; *Il sacro macello di Valtellina. Episodio della riforma religiosa in Italia; Bormio 1999 (reprint), pp. 100-104; Johan Franz FETZ; Geschichte der kirchenpolitischen Wirren im Freistaat der drei Bünde (Bistümern Chur und Como). Vom Anfang des 17. Jahrhunderts bis auf die Gegenwart; Chur, 1875, pp. 69-78.*

other sentences passed by the court ranged from death in absentia and the confiscation of all their goods for Antonio Maria and Giovanni Maria Paravicini and Giovanni Francesco Schenardi; to permanent exile for Giacomo Robustelli, Francesco Venosta, Antonio Ruinella, Daniel Planta, Augustin Travers, Teodosio Prevosti, and the burgermaster of Chur, Andreas Jenni; to temporary exile for Nicolò Merulo, who had tolled the bells when Archpriest Rusca was arrested; and for the interpreters of the King of France's emissary to the Leagues, Gueffier, Anton von Molina, and Johann Paul; and heavy fines for the League governors Christoph Gess (1613-14) and Joseph von Capaul (1615-16), punished for corrupt administration of their offices and personal



enrichment; as well as for Francesco Paravicini di Ardenno and Fortunat von Juvalta, and smaller fines for Giovanni Battista Schenardi and Nicolao Carbonera, for having protested on the occasion of Fr Rusca's arrest in Sondrio.

The long list of sentences also included the pastors Georg Saluz of Chur, Andreas Stupan, and Ardez and Simon Ludwig of Malans. The first of these was fined for having criticized the involvement of a number of pastors in the proceedings of the criminal court of Thusis, for having spoken in favour of the proposals submitted by the Spanish negotiator to the Leagues in 1617, and for having praised Rudolf Planta and blamed a number of pastors; the second was sentenced to temporary exile for having criticized the decisions of radical pastors and having expressed his support, from the pulpit, for Rudolf Planta; the third was fined for

having cast aspersions on the criminal court. The town of Chur, predominantly Protestant, and the Council of the Town of Chur were sentenced to pay heavy fines for their pro-Spanish attitude and to defray the cost of provisions for the armed bands of the communes, since they had not opened the town's gates to them.

In January 1619, the Thusis Criminal Court, some of whose judges were beginning to show signs of bewilderment and fatigue, was finally dissolved. For some time there had been general reactions of indignation at the action taken by the court, which was beginning to damage the image of the Leagues and their leaders. The Synod of Pastors, which met at Zuoz after the court's proceedings had been closed down and been forced by fresh disturbances in the Engadine to break up early, thus reflecting obvious public discontent at the way things had gone at Thusis, suspended Blasius Alexander and Georg Jenatsch from the exercise of their pastoral duties for six months.

The Thusis Criminal Court had been not been the first such result of the ideological differences manifesting themselves in the Leagues, nor was it unfortunately the last. Thusis had been preceded by Ilanz and Chur, where the pro-Spanish faction had dealt severe blows against the pro-French and pro-Venetian factions. At Chur, in 1619, a criminal court favourable to the pro-Spanish faction revised the proceedings of the Thusis Court, pointed out serious abuses committed by the Thusis judges, reduced or quashed numerous sentences, and passed new ones. A little later, as opinions swung perilously first in one direction and then in the other, a new criminal court was set up at Davos that endorsed the findings of the Thusis Tribunal. The way was open for the involvement of the Leagues in war on a European scale.

The Thusis trial, conducted by a criminal court that saw itself as a new broom bent on cleaning up the situation in the Leagues, has been the subject, in general, of numerous criticisms, last but not least from the procedural point of view. The episode of the killing of the Archpriest Rusca is an act that was severely criticized, for various reasons, during the months and years that followed,

The house in Thusis, where the Criminal Court is said to have been held in 1618-19

and the objectors included Protestants (although many also approved). Thus, for example, the pastor of Fläsch, Bartholomäus Anhorn, the author of a diary that reported events in Rhaetia in the first half of the 17th century, explicitly condemned the killing of the priest, while Fortunat Sprecher von Bernegg, a diligent narrator who was a Protestant, paid the archpriest a most respectful tribute¹². In any case, it was undoubtedly an episode marred by cruelty.

In more recent years, the works of various historians have made it possible, albeit through a different way of construing events, to begin to throw light on the 1618 criminal court, in particular on the killing of Fr Rusca and the delicate and complex interplay of the political and religious factors at work in the Leagues and among the dominant powers. Conradin Bonorand, in a full page in his "Quaderni Grigionitaliani"¹³, concentrates on a series of crucial questions, culminating in an appeal to analyze historical events objectively, avoiding the pitfalls inherent in ideological apologetics. In other words, any systematic simplification should be eschewed that sought, for example, to present the Thusis Court as one that existed to pass sentence on men from the Valtellina – in fact, it sentenced fewer than twenty but more than one hundred and thirty "Bündner"; or a Protestant court that condemned Catholics. At Thusis there were also Catholic judges, and numerous Protestants were found guilty, including one death sentence; or as a court motivated exclusively by religious intolerance. The Criminal Court of Thusis aimed, especially, to neutralize the leading members of the pro-Spanish faction in the Leagues and to force subjects to obey their prince. Approaching the subject in this way certainly does not mean acquitting everyone, inasmuch as all were more or less seriously at fault, but merely recording complex events objectively, against the widest background in which they took place, and the way in which they were interconnected.

Moreover, there is a need to clarify, in this spirit, what sort of relations there were between the Archpriest Rusca and the pastor of Sondrio Scipione Calandrino and perhaps, other Protestant preachers. When accused, at

Thusis, of having intended to have Pastor Calandrino assassinated, Fr Rusca replied that this was not true and that, on the contrary, he had always had good relations with the pastor. The archpriest's words indicate friendly relations, consisting of courtesy and a mutual exchange of texts for their studies – perhaps, too, some common ground on theological subjects.

The chronicler, Sprecher von Bernegg, adds that he lived in Sondrio for two years as deputy to the judge trying criminal cases, in a house near the archpriest's. "I was in close contact with him", says Sprecher von Bernegg, who recalls the archpriest as "a man with a sober lifestyle, nearly always engaged in study and the performance of his priestly duties", "a man who had an excellent knowledge of Hebrew, Greek, and Latin". Are these statements then false, motivated by the need to defend himself against accusations, in the first case, or by the desire to pay homage to an outstanding personage, in the second, or information on the basis of which we may speculate on the existence, in Sondrio, and perhaps in other towns of the Valtellina, of more relaxed relations between the churchmen of the two religions than is often maintained? Bonorand, returning to the subject of Fr Rusca's arrest in a work published after his death, raised the interesting point that the Catholic population of Sondrio and of other parts of Rhaetia had hardly reacted to the passage of the armed band as it proceeded slowly through their territory¹⁴, for no real attempt was made to stop the procession and free the priest either in Sondrio, in the Val Malenco, or throughout its march through Catholic Rhaetian communes, from Bivio to Thusis. Nor, in evaluating the slaying of Fr Rusca at Thusis should we lose sight of the numerous abductions, which often ended in

¹² Fortunat SPRECHER VON BERNEGG; *Geschichte der bündnerischen Kriege und Unruhen. Erster Teil. Buch 1-10. Vom Jahre 1618 bis 1628, re-edited by Conradin von MOHR; Chur, 1856, p. 84.*

¹³ Conradin BONORAND; *Attuale situazione delle ricerche sulla Riforma e sulla Controriforma in Valtellina e in Valchiavenna; in: "Quaderni Grigionitaliani", special number 1991, p. 95.*

¹⁴ Conradin BONORAND, *Reformatörisehe Emigration aus Italien in die Drei Bünde. Ihre Auswirkung auf die kirchlichen Verhältnisse. Ein Literaturbericht; Chur, 2000, p. 269.*

the execution of the victims, of a significant number of Protestants, seized forcibly from League territories and handed over to the Inquisition. If the arrest and killing of Fr Rusca was brutal and unjustified, so too was the seizure of the pastor of Morbegno Francesco Cellario (abducted in 1568, he was taken to Rome and killed in front of Castel Sant' Angelo the following year) and that of pastor Lorenzo Soncino of Mello (who was taken to Milan and killed in 1588), or the attempts on the life of Pastor Calandrino, the attempt to abduct Pastor Ulisse Martinengo, and many other similar acts recorded up to the beginning of the 17th century.



One of the last points that remain to be made concerns the polarization of the factions that took place in the Leagues and subject territories – a development that also involved many exponents of Catholicism and Protestantism. At Thusis, the Leagues' judges were inclined to regard as of secondary importance the fact that Fr Rusca was a leading clergyman in the subject territories through whose arrest a serious blow had been struck against the Roman church in the Valtellina. In their opinion, the fact that they were giving a rebel a sound lesson was more significant. As – according to the chronicler Juvalta – Pastor Caspar Alexius said: "These subjects are an obdurate lot and hold their heads too high: we must teach them how to bow them and humiliate them". But Thusis did not suc-

ceed in turning the people of the Valtellina into obedient subjects; on the contrary, they put a final end to any chances of peaceful coexistence.

To conclude, a brief mention of the main, more easily accessible sources of information regarding the Court of Thusis and the trial of Nicolò Rusca, consisting of records of the trial and some contemporary writings. The State Archives of Graubünden in Chur (Staatsarchiv Graubünden Chur AB 5/13), "Strafgerichtsprotokoll Thusis 1618 und Malans 1621", contain the minutes of the sessions of the Criminal Court of Thusis. The text available appears to be a copy of the Thusis minutes, made for the League of the Ten Jurisdictions, to which is added a copy of the minutes relating to the activities of the criminal court of Malans. Christian Kind¹⁵ believes that the original minutes were destroyed when the verdicts of the Thusis trials were revised by the court of Chur in 1619. The copy kept in the Chur State Archives lacks the pages giving the names of the members of the court, which are either missing or have been damaged. This makes it impossible to know exactly who the members of the criminal court of Thusis were.

Another version of the court's proceedings, shorter than the one just referred to, of which it might be a summary, has been transcribed in the fifth volume of the records kept by the Rhaetian historian Conradin von Mohr, "Documente zur vaterländischen Geschichte. Sec. XVII. 1538-1681", to be found in the State Archives of Graubünden (Staatsarchiv Graubünden Chur AB IV 6/22).

The main printed sources regarding the proceedings of the Criminal Court of Thusis, especially the trial of the Archpriest of Sondrio, Nicolao Rusca, consist of the contemporary chronicles of the Leagues of Bartholomäus Anhorn, Fortunat Sprecher von Bernegg, and Fortunat von Juvalta, as well as of Giovanni Battista Bajacca of Como. Bartholomäus Anhorn, a Protestant pastor at Fläsch and Maienfeld, wrote *Der Graw-Pünter-Krieg 1603-1629*, a ten-vol-

¹⁵Christian KIND; Das zweite Strafgericht in Thusis 1618; in: "Jahrbuch für Schweizer Geschichte", 1882, p. 292.

Fortunat Sprecher von Bernegg, the League magistrate who met Fr Rusca and spoke well of him. This engraving is in the Rhaetian Museum at Chur

ume diary published by Conradin von Mohr, in the "Bündnerische Geschichtschreiber und Chronisten" series in 1862. Fortunat Sprecher von Bernegg, who hailed from Davos, is the author of *Historia motuum et bellorum* (in two volumes, the first of which covers the period 1608-1628 and the second the years 1629-1644). Sprecher von Bernegg held various posts in the Valtellina, personally made the acquaintance of the Archpriest of Sondrio Nicolò Rusca, whose neighbour he was for two years, and carried out various diplomatic missions on behalf of the Rhaetian Leagues.

While the first two authors described current or recent events, the third, Fortunat von Juvalta, wrote, towards the end of his life, *Commentarii vitae* (translated into German and published by Conradin von Mohr in Chur, in 1848, under the title *Denkwürdigkeiten, 1567-1649*), a book of memoirs full of autobiographical references that, in particular, describes the troubled lands of Rhaetia. Fortunat von Juvalta was born at Zuoz, in the Engadine, attended Latin schools in Germany, was taught by the Jesuits, for two years worked as a clerk for his uncle, the Bishop of Chur Peter de Raschèr, held administrative posts in the Valtellina, and was appointed bishop's bailiff for Fürstenua in 1641. A Protestant who was in constant touch with Catholics, von Juvalta was tried by the Judges at Thusis, in 1618, and sentenced to a heavy fine.

His description is not without resentment towards his judges, but is at the same time full of detail regarding the court's proceedings. Felici Maissen (*Die ältesten Druckschriften über den Erzpriester Nicolò Rusca*, in: "Zeitschrift für Schweizerische Kirchengeschichte", 54/1969, pp. 211-239) finally gave convincing proof, based on meticulous comparison, of the validity of the chronicle of events at Thusis written by Giovanni Battista Bajacca of Como and published as an appendix to his biography of the Archpriest of Sondrio, Nicolai Ruscae S.T.D. *Sundrii in Valle Tellinae archipresbyteri anno MDCXVIII Tuscianae in Raethia ab haereticis necati vita et mors*. The biography and chronicle of Bajacca,

who was a lawyer and a secretary to the papal legate Sarego, were re-published in Como, in 1958, by the historian Pietro Gini. The appendix consists of a long letter from Bajacca to the capuchin monk Tobia, guardian of Melzo.

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PASTOR BONUS NICOLAUS RUSCA
ARCHIPRESBYTER SONDRIENSIS
1648

1910
FONTANA

"Hate the error, but love those who err"

The Good Shepherd Nicolò Rusca



On 8th November 1927, on behalf of one hundred and twenty-six parish priests from the Valtellina, the Archpriest of Sondrio Monsignor Pietro Maiolani petitioned the new Bishop of Como, Monsignor Adolfo Pagani, to contact the Holy See. They wanted the Vatican to initiate the beatification proceedings of Fr Nicolò Rusca, the "archpriest martyr", as he was commonly known and invoked in our parts.

Among the arguments in support of this petition to Pope Pius XI (previously the Milanese Cardinal Achille Ratti), two recent canonizations of priests were cited: on 23rd May 1920, Benedict XV had beatified the primate of Ireland, Oliver Plunket, killed in London in 1681, and the same Pius XI, at Pentecost 1925, had canonized Jean-Marie Vianney, the "Curé of Ars".

The petitioners were representative of widespread opinion, both in the diocese of Como and in the Ticino. Their hope and wish was to honour the martyr and shepherd of souls, the heroic Archpriest of Sondrio, "a jewel among priests and a model among Holy Shepherds who fought for the faith and a true martyr of the Catholic Church [...] will spur many on to love, uphold and defend the faith of their fathers with greater vigour [...] a shining example for shepherds of souls, uplifting spirits at times discouraged in the exercise of their sacred ministry".

This letter did not achieve the perhaps over-ingenuously hoped-for effect. However, together with the efforts of Fr Luigi Guanella (also beatified in 1964) for the "Rusca cause" in the early 1900s, it encouraged numerous suits by Monsignor Alessandro Macchi, Monsignor Pagani's successor. He took the matter to heart and reached an agreement with the Bishops of Lugano and Chur regarding territorial competence. On 3rd November 1932, he obtained permission from the Congregation of Rites for the beatification proceedings to be held in Como.

In the meantime, he had assembled a permanent committee and set up the "College of Petitioners", consisting of all the vicars forane, the town parish priests, the canons from the cathedral, and other eminent priests. The Informative Diocesan Proceedings were celebrated in 1935. The official records were sent to Rome and the way was

clear for the case to go forward. But for various reasons it was not to be taken up again until 50 years later, with the new diocesan proceedings solemnly concluded in the Sondrio Collegiate Church on 26th April 1996. However, the long interval had not been in vain. Indeed, all the documents required have been examined, and much new material has been found, collated and studied in depth in Como, Milan, and abroad. It is hoped that the positio will soon be published.

Among the many Swiss and Italian scholars and "postulators" who have investigated and researched Nicolò Rusca in recent decades are the following: Giuseppe Trezzi, the first postulator from 1934 to 1956; Alfonso Codaghengo and Pietro Gini, who took on this role as titular and vicar respectively until 1965; Lorenzo Casutt and Theophil Graf, both Capuchins, appointed in 1963 by Monsignor Fruttaz of the *Relatio Historico-Critica*, followed up in 1974 by Fr Rocco of Bedano; Burckhardt Mathis, Melchiorre de Pobladura, Gilberto Agustoni, and Paolino Rossi were postulators from 1966 to the present day. In different roles and periods, Giuseppe Cerfaglia, Tarcisio Salice, Giovanni Da Prada, and Saverio Xeres have made important contributions to what is known about the historical, political and religious events connected with Fr Nicolò Rusca. One thing to have emerged from all the studies is certain: the death of the Archpriest of Sondrio was – as it has always been held to be, especially by Catholics – true "martyrdom". However, the image and sanctity of Fr Rusca are somewhat diminished by the title of mere martyr, even though martyrdom represents the "greatest love" and is sufficient ground alone for canonization. "This crowning event in his existence, which has to be understood in the light of his entire previous life, has risked attracting too much attention and obscuring the value of the daily 'taking up of the cross' that Jesus practised and asked of his followers".

Nicolò Rusca was thus both a good shepherd and a martyr: "a good shepherd who gives his life for his flock" (John, Ch. 10), but who first gets to know, gathers together, guides, nourishes, and defends it ...

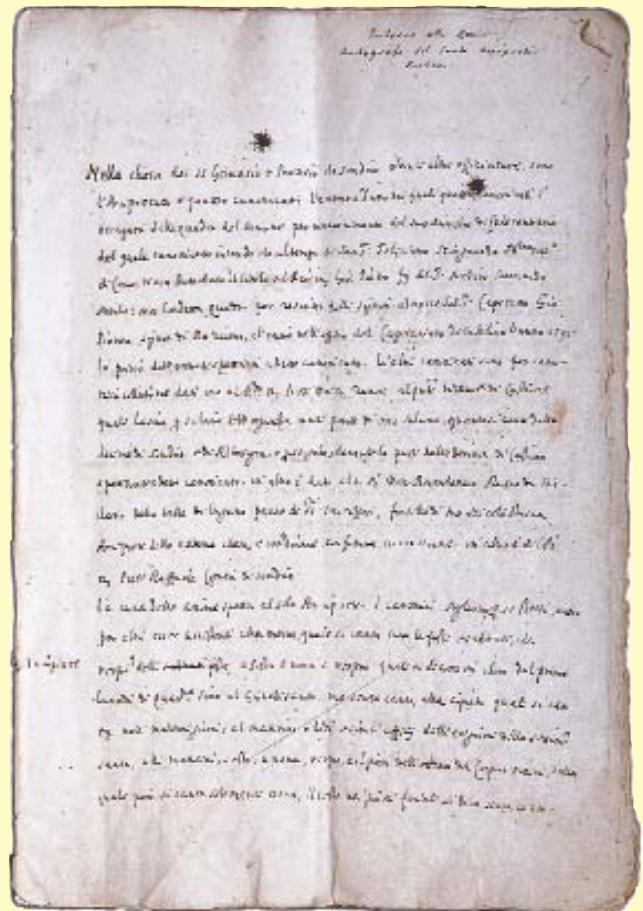
The idea of further exploring the way people considered Fr Rusca's life and work, and not just his glorious martyrdom, had already appealed greatly to Fr Gian Antonio Paravicini, a cleric trained by Fr Rusca in Sondrio who then became his successor, who wrote in *Stato della Pieve di Sondrio*: "Not only did he behave like a martyr, he also showed himself worthy of being included among the Anchorites, Confessors, Doctors, and Pontiffs for his attentive care of his fold and flock: among the Doctors, for his tireless preaching of the word of God; among the Confessors for his unique compassion for and edification of the people; and among the Anchorites for the solitude into which he retired for study and meditation. In the time left over from his parish duties and active life, he dedicated himself to contemplation, speculations, or buried himself in books, he was more in the company of Good than of men, more with books than with himself. Books were his table, God his table-companion, and heaven his supper-room ...".

Even taking into consideration the seventeenth-century style and the exaggeration inspired by filial affection, the image of Fr Rusca outlined by Fr Paravicini tallies with the reports in official documents kept in the Curia of Como and published a few decades ago by Fr Tarcisio Salice, as well as with various other writings and testimonies from that time. Among the records of the pastoral visit in 1614 by the Bishop of Como Filippo Archinti (1595-1621) is the *Report* written by Fr Rusca and the *Memorandum of the troubles borne by the Archpriest, written by the parishioners who commend their parish priest*. The style in both cases is serious and schematic. Both list facts, dates, and numbers that represent a parish "reformed" in accordance with the standards of the Council of Trent, and an awareness of Milan and Saint Carlo Borromeo, recognized as their model by the bishops who strove to reform the Catholic church. Fr Rusca, with all his strengths and counting on the grace of God, bestowed on him for so much prayer, devoted himself unceasingly to all the problems that arose in those particularly difficult times.

Fr Rusca's report to Bishop Archinti covers all aspects of pastoral life: the conservation and restoration of buildings and places of

worship, the sacred furnishings, the times and decorum of services, encouragement of the laity, associations and confraternities, the care of vocations (he accompanied twenty priests, carefully listed, to the altar), and his zeal for the priestly brotherhood.

Of the clerics from Pieve, Fr Rusca says: "The priests are all good and live far from scandals and bad practices, and I have received no negative information about them; they are quiet men, distant from troubles and desirous to please the people and your office. [...] As for the priests resident in Sondrio, whom I see and speak to daily, they live excellent, impeccable lives. They are good, loving, and ready to serve the church and help me in every way,



so much so that I could not wish them to be better. They get on with each other and with myself so well that when we are together we derive great consolation, as if we were sons of the same mother". This information is in itself enough to make Rusca not only the ideal "post-Tridentine shepherd" but, with a little "updating", a very valid model for "post" Vatican II priests. It is not easy to describe here, fully and exhaustively, all Fr Nicolò

The so-called *Trattato sulle decime* (*Treatise on Tithes*), a manuscript by Nicolò Rusca, written in 1618 and kept in the Sondrio Parochial Archives

Rusca's work, from administering the sacraments and educating adult Christians in the faith – with the catechism organized according to the methods of the priest from Lake Como, Castellino da Castello – to careful administration of the property of the church, the chapter, and the benefice. Even as a good citizen, Fr Rusca carried out his valuable, enlightened, sagacious pastoral

sacrifice". Perhaps not by chance, the more recent likeness of Nicolò Rusca on the stained-glass window in the apse of the Collegiate Church is different. It was placed here in 1935, at the time of the "informative proceedings" for the beatification. Fr Rusca stands upright, his biretta, red stole, and white surplice contrasting with his long black cassock; in his right hand he holds a crucifix and in the left a book. The inscription below says: Pastor bonus, Nicolaus Rusca archipresbyter Sondriensis. 1618."

"Good shepherd": there could hardly be a more concise and apt inscription than this to sum up twenty-eight years of priesthood, his trial, and his martyrdom.

Mons. Alessandro Botta

Archpriest of the Collegiate Church and
Episcopal Vicar of the Province of Sondrio



work. Fr Tarcisio Salice wrote: "As a striver after peace Fr Rusca was a man of great equilibrium. For these gifts of his [...], private individuals, Valtellina officials, and even magistrates of the Leagues often used him as an arbitrator in matters of inheritance, the sharing of expenses among Valtellina communities, and even questions relating to competence as between Catholic and Protestant families".

The numerous descriptions of Fr Rusca that have reached us show him to have been an intrepid fighter and above all a martyr who gave his life for his faith in Christ. Even the famous portrait above the casket containing the Archpriest's bones (painted by Antonio Caimi and commissioned by the Confraternity of the Blessed Sacrament in 1852, when the relics were transferred from the Sassella Sanctuary to the Collegiate Church of Sondrio) gives a three-quarter view of the priest in an attitude that tries to show – as Tommaso Levi writes – "the inmost feelings of man almost transfigured by his supreme

The first page of the printed edition of the speech praising Fr Rusca by the Archpriest of Sondrio Antonio Maffei on 8th August 1852, during the ceremony marking the transfer of the martyr-priest's mortal remains from the Sanctuary of Sassella to the Collegiate Church of Sondrio

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Photographs

Paolo Antamati (p. 65)

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Reverse of flyleaf:

Giovanni Battista BAJACCA,
Nicolai Ruscae S.T.D. Sundrii in Valle Tellina
Archipresbyteri anno MDCXVIII Tuscanae in
Rhætia ab Hæreticis necati Vita & Mors,
Como, 1621; Italian translation by
Giuseppe ROMEGALLI, 1826