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Introducing Tridentine Marriage: The Jesuits’ Strategy in Japan (Sixteenth and Seventeenth Centuries)

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Abstract

This article discusses the way the Jesuits introduced the sacrament of marriage in Japan in the sixteenth and seventeenth centuries, in the wake of the major reforms enacted at the Council of Trent. Rigorous implementation of the Church's regulations was impractical in a society in which the institution of marriage was far removed from the Christian ideal and where Christians were a vulnerable minority. Concerned about the negative impact on conversions, the Japanese mission initiated a genuine dialogue with several Iberian theologians and with Rome. The article analyses the exchanges of questions and answers, showing how the various actors managed to somehow reconcile the Rome's concern to impose its rules globally with the Jesuit mission's pragmatic approach, in keeping with its policy of accommodation.

Keywords: Jesuits, Japan, marriage, Tridentine reforms



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Introducing Tridentine Marriage: The Jesuits' Strategy in Japan (Sixteenth and Seventeenth Centuries)

This article sets out to assess the way the Jesuits introduced the sacrament of marriage in Japan in the sixteenth and seventeenth centuries. The Japanese mission to Japan formally began with the arrival of Francis Xavier at Kagoshima in 1549. It took off in earnest under the leadership of the Visitor to the East Indies, Alessandro Valignano, during the 1580s.¹ Christianity developed most extensively in the south of the country as well as in the region surrounding the capital, Miyako (today's Kyōto). But even in the south, Christians rarely formed a strong local majority. According to Charles Boxer, by the onset of the 1614 persecutions ordered by the Tokugawa government, the Christian community had reached 300,000 individuals, about 2 per cent of the Japanese population.² The number of Jesuit personnel in charge of the mission did not expand nearly enough as to cover the growing Christian community: in 1614, there were only 116 of them, which impacted their capacity to monitor and guide the converts' practices.

Traditionally research on the Council of Trent has ignored overseas missionary lands, as historians preferred to focus on the impact of the reforms in Europe. To be fair, there is no mention of »missions« or »missionaries« in the Council of Trent's decrees. Indeed, as missions to Asia were placed under royal patronage, the Portuguese delegates for instance felt that there was no need to address the missionary question.³ It is however unlikely that the topic was not at least informally discussed, especially by the Jesuits, who were heavily involved in overseas missionary efforts. Hence, as the Council was officially silent on the missions, historians

such as Antonio da Silva⁴ have traditionally seen the latter as a mere field of application for Tridentine reforms. More recently, John O'Malley has claimed that although the missionaries did comply with the decrees' provisions, they did so at their own initiative rather than through top-down enforcement, and in keeping with their order's traditions rather than with explicit reference to the decrees.⁵ Yet, as Paolo Prodi has shown, the earliest initiatives overseas were clearly inscribed in the Catholic reform and the missionaries connected their actions with the theological debates unfolding in Europe.⁶ But Prodi himself writes of a »projection« of the Council of Trent on America within the institutional context of Iberian royal patronage, suggesting a rather passive notion of the missionaries' role.⁷ In the case of Asia, his focus on the Jesuits' policy of accommodation leaves out the question of the latter's connections to Tridentine reform. Such interpretations have been qualified in recent years, owing to various studies carried out at the occasion of the Council's 450th anniversary: the overseas missions' role in the inception of the Tridentine Church has been reassessed, while questioning the actual extent of their implementation of the reform.⁸

Yet, implementing the reforms in the missionary lands was not without challenges. As we shall see, Christian marriage did not spread easily and the need to implement Tridentine reforms in fact made matters worse, to the point that missionaries saw them as an impediment to evangelisation.⁹ There was thus a tension between two objectives, converting the population – the mission's essential purpose – and diffusing the Tridentine innova-

1 The Visitor is responsible for inspecting the missions in Asia and proposing new pastoral directions. On Valignano, see TAMBURELLO et al. (2008) and SCHÜTTE (1980/1985).

2 BOXER (1951) 320–321.

3 On the Portuguese patronage, see PIZZORUSSO (2012).

4 DA SILVA (1969) 39–63.

5 O'MALLEY (2000) 69.

6 PRODI (2010) 189.

7 PRODI (2010) 197.

8 SOEN / FRANÇOIS (2018), CATTO / PROSPERI (2016).

9 As discussed later in this article, the Council of Trent created multiple

requirements, many of which are still in force today, for the administration of marriage – which could until then be contracted by a simple exchange of vows. See LOMBARDI (1996).

tions. Two questions can be raised at this stage. First, how did the dialogue between missionaries in Japan and Rome go about the implementation of the reforms, considering that Rome was anxious to see not only rapid progress, but also homogeneous enforcement across the Catholic world? Secondly, how did the reform fit with the Jesuits' long-term policy of accommodation, which among other things implied adapting various Christian elements (and in particular, the sacrament of marriage) in order to avoid transgressing Japanese customs?¹⁰ As we shall see, the Jesuits indeed were forced to devise a strategy that could reconcile their global and local objectives, by making the newly reformed sacrament compatible with Japanese customs, yet without betraying the spirit of the Tridentine Reform and risking the Papacy's ire.

1 Arbitrating the Validity of Japanese Marriage: an Increasing Reliance on Papal Authority

The sacramental nature of marriage was reasserted at the Council of Trent and during all of the sixteenth and seventeenth centuries against Protestant doctrines, which offered a radically different interpretation of the Scriptures. This reassertion had ramifications in the missionary lands. One of the missionaries' chief questions could be phrased in this way: »is there such a thing as a true marriage in Japan?« Thus, the more immediate concern for the Jesuits in Japan was not to implement the Tridentine decrees, but to assess the validity of indigenous marriages, which was in any case a prerequisite to such implementation. Another point is that it took a long time for the decrees to make their way to missionary lands due to the considerable logistical difficulties of the times, especially as far Asia was concerned. In this context, the reforms were not a priority for the Jesuits at the beginning of their mission in Japan.

The issue of the validity of Japanese marriages became salient in the Jesuits' writings as early as the

beginning of the 1560s. They quickly felt the need to consult with the Jesuit authorities in India, such as the Provincial of India, Antonio de Quadros,¹¹ and later, the theologian Francisco Rodrigues, who was teaching at the College of Goa.¹² At that time, the Japanese mission did not yet constitute a separate vice-province: it was still entirely subordinate to the Indian mission, which explains why the missionaries relied on Goa to address their »doubts« (*dubia*). However, a change occurred in the 1590s, under the impetus of the Visitor Alessandro Valignano, who was then making his second visit to Japan. The first Jesuit congregation in Japan, convened in 1592, decided that issues relative to Japanese marriages should be communicated to Roman authorities, who were expected to provide clear answers as well as dispensations.¹³ Several texts were published in the wake of the congregation. Valignano, in the *Adiciones al Sumario*, exposed the terms of the debates, and ordered the mission's procurator, Gil de la Mata, to sail to Europe and report there on the challenges faced by the Jesuits in Japan.¹⁴ De la Mata drafted a treaty, *De Japponensium matrimonio* (1592),¹⁵ as well as the *Dubia* which were submitted to Gabriel Vázquez, the University of Alcalá theologian.¹⁶ One should not make too much of the abundance of texts produced in the 1590s however: most were drafted in the same time frame and the issues they raised were framed in strikingly similar terms – in fact, the same questions were simply being addressed to a wide range of authorities (the Jesuit Curia, the Papacy, and several theologians). But that in turn reflects the fact that the Jesuits were quite anxious to get definite answers to their doubts and, more interestingly, that their way of seeking answers was changing. As the problem of the validity of Japanese marriage had not been settled by Goa, the missionaries decided to ask directly for Roman arbitration. In doing so, they inscribed themselves in a global shift, which, in the wake of the Council of Trent, gradually made Rome the theological and legal reference point for the missions on sacramental matters, even before the Propaganda Fide was established in 1622.¹⁷ The Jesuits in Japan, by

10 On accommodation in Japan, see VU THANH (2016).

11 Biblioteca da Ajuda [hereafter BA], *Jesuitas na Ásia*, 49-VI-6, fol. 85–85v.

12 PINTO/REMEDIO PIRES (2005).

13 Archivum Romanum Societatis Iesu [hereafter ARSI], *Japsin* 51, fol. 296v.

14 BA, *Jesuitas na Ásia*, 49-IV-56, fol. 128–131v.

15 LÓPEZ-GAY (1964).

16 LÓPEZ-GAY (1960). See also PROUST (1997) 89–117.

17 On the Propaganda Fide, see PIZZORUSSO (2018).

transmitting their questions on marriage to the Papacy, contributed to the more general movement towards the reassertion of papal authority.

Writing directly to Rome was not just a way of getting definite answers: the missionaries could also secure dispensations, if they made strong enough a case about the peculiarities they encountered in the field. Their discourse put forward missionary practice against dogmatic theory as promoted by Rome: owing to their knowledge of local practical realities, the missionaries could be entrusted with adaptations to rules which, although meant to be universal, were devised in and for a European context. This argument was scarcely new to the Japanese mission and Valignano had used it before, among other things, to justify his adaptation of his order's hierarchy to the Japanese social context.¹⁸ What is peculiar here with the issue of marriage is that the case made by the Jesuits broke with the exalted representations which they usually constructed of Japanese Christianity. With a few notable exceptions, the missionaries liked to write of Japan as occupying a unique place among the new Christian lands: its inhabitants were described as white-skinned, intelligent and rational people, who were ideally suited to receive the Gospel and to run their own church in the long run.¹⁹ Yet one of the arguments used by Valignano in order to suggest laxity in enforcing Tridentine marriage was that Japanese Christianity actually had weak foundations. Instead of portraying converts as exemplary Christians, Valignano repeatedly laments their versatility and the ease with which they renounce their faith: his point was that the missionaries risked losing converts by enforcing the new rules of marriage too strictly. The Visitor was writing in the context of his second stay in the country, during which his views on the Japanese became markedly less enthusiastic.

2 The Issues at Stake With Recognising Japanese Marriages

The very first question that the missionaries in Japan submitted to Rome was thus about the validity of Japanese marriages: did the Japanese have any consciousness of what a »true marriage« was, as defined as an individual, perpetual, fully consented union? Had natural law given the Japanese a sense of such a marriage or was their matrimonial institution a mere contract, devoid of any deeper bonds? Should the Church recognise it as a true marriage, its validity in the eye of the Christian law could not be questioned, and the implementation of Tridentine reforms could then be considered.

As Charlotte de Castelnau-L'Estoile argues, marriage was always the most difficult sacrament to manage for the Church, since it is not only a divine institution but also a human one, uniting a man and a woman in order to produce a legitimate offspring.²⁰ The Church thus had to take into account lay social expectations about marriage. Where it existed, marriage was a human institution, regulated by civil law and/or the customs of each society. A gentile marriage, which was thus a marriage according to natural law and the laws of a given society, remained valid after a conversion to Christianity: through the baptism of the spouses, the union acquired a sacramental, divine value. As a consequence, the missionaries needed to scrutinise the matrimonial customs of the native populations, in order to assess whether the latter had any knowledge of the matrimonial institution. It was not only a matter of adapting the Christian marriage, but also one of preserving as much as possible the social unions engaged before conversion by Christianising them – to help that process, Christian rules had to be relaxed. Analysing Japanese matrimonial customs, the Jesuits identified three characteristics: it was not uncommonly polygamous (among nobles),²¹ repudiation was commonplace,²² and families often intervened to arrange unions and select partners.

18 VU THANH (2011).

19 Francis Xavier was the first to express this idea in his letter of 5 November 1549 in XAVIER (1899) 607.

20 CASTELNAU-L'ESTOILE (2009) 95–97. See also RAGON (1992) 25.

21 FRÓIS (2002) 242.

22 In fact, according to the *Taibō* code from the 8th century, there are seven reasons why a husband may divorce his wife. In principle, a man could not repudiate his wife if she had always

been obedient and faithful, or if she had nowhere to go for instance. In practice, the rules were not strictly observed and trivial motives could lead to repudiation. See PROUSR (1997) 104. See also FRÓIS (1998) 28.

Polygamy was not a major stumbling block, as the issue had already been addressed by the Pope at the request of the Franciscan Mexican mission.²³ More importantly, the wedding did not seem to be ceremonial, which made it look like a mere contract between two people. When consulted on this issue in 1565, the Jesuit Quadros suggested that, in a basic rite, consent can be recognised even though it is not expressly stated. But, when the possibility of repudiation was a term of the marriage, then the latter could not be valid,²⁴ since such a clause contradicted the very substance of matrimony.²⁵ His conclusion was that, in that case, Japanese unions could not be considered as »true marriages«. ²⁶ Quadros' position was seen as unsatisfactory by the Jesuits in Japan, who feared it would make their work more difficult. Hence, the missionaries decided to call on Rome to resolve the issue.

The debate about the validity of Japanese marriages was rekindled in the 1590s, as Valignano felt a definite settlement was needed. The Visitor discussed the issue in the *Adiciones al Sumario* he drafted in 1592 for the Jesuit Curia.²⁷ Through this document, he exposed the specificities of the Japanese mission to the Jesuits in Europe who were to defend the case before the Papacy. His writing begins with a call to caution, as he reminds his readers that what is obvious to the doctors in Europe may no longer be so when confronted to the actual situation in Japan. He then makes a long development about what he considers to be the primordial issue about Japanese marriage:

The first problem is that, while they are still gentiles, they marry, then they repudiate their wife according to their custom, then they con-

tract a second marriage with another, and finally they make themselves Christian. This is neither an unusual nor a very rare case in Japan.²⁸

Valignano also points out that, because of the wars, the Japanese frequently change wives when they leave their land. The Visitor's first concern thus lies with the validity of such unions, and more particularly of the second marriage. But in fact, Valignano leans from the onset in favor of recognising them as valid: he points out that declaring each and every Japanese marriage as »false« goes against the common opinion of theologians and would greatly hamper the missionaries' work in the country.

This Visitor's opinion influenced the treaty drafted by the Procurator of the mission, Gil de la Mata, who left for Europe in 1592.²⁹ Entitled *De Japponiensum Matrimonio*, the treaty intended to demonstrate the validity of Japanese marriages.³⁰ In its first part, de la Mata, sets out to distinguish three types of marriages among the Japanese: (1) those where the spouses were forced to marry by their parents and intended to divorce as soon as possible – clearly invalid; (2) Those considered by the spouses as a trial period, where the union could be dissolved in case it proved unsatisfactory; (3) Marriages where it was unclear whether the spouses intended a definite commitment. Also, de la Mata wants to clearly differentiate marriage from concubinage. Marriage is a genuine institution, which is visible in various details: the young bride is led to her husband's house as the neighbours gather to congratulate the newly-wedded. Such elements set the true spouse apart from the concubines. Gil de la Mata concludes that traditional Japanese marriages should be recognised.

23 RAGON (1992) 27 and 53.

24 BA, *Jesuitas na Ásia*, 49-VI-6, fol. 85–85 vº. Valigno submits this question to the theologian Vázquez. See LÓPEZ-GAY (1960) 133.

25 The Superior of the Japanese mission, Francisco Cabral, seems to have used these grounds to invalidate the *daimyō* (lord) Ōtomo Yoshishige's marriage with a woman referred to as »Jezabel« in 1578. Ōtomo Yoshishige then married his concubine, who was his first wife's companion. On the divorce of Ōtomo Yoshishige, and the Jesuits' uncomfortable position on the issue, see WARD (2009) 127–144.

26 BA, *Jesuitas na Ásia*, 49-VI-6, fol. 86 et seq.

27 BA, *Jesuitas na Ásia*, 49-IV-56, fol. 128.

28 *IBID.*, »La primera dificultad es acerca de los que siendo gentiles casaron y despues hizieron su repudio conforme a su costumbre, y de nuevo tornaron a casar con otros la segunda vez, y depues se hazen christianos ; y este no es caso tan poco usado no tan raro en Japon«.

29 On the life of Gil de la Mata, see chapter 3 in LÓPEZ-GAY (1964). All of this development is based on the transcription of Gil de la Mata's latin text, *IBID.*, 136–160.

30 According to Jesús López-Gay, the treaty was written in Japan in 1592, after the provincial congregation was held. The treaty aims at presenting the problems raised by gentile marriages to the Roman authorities.

Referring to Pierre Lombard's definition of marriage, which was accepted by all Churchmen, he demonstrates that the Japanese marriage matches each and every element of the definition.³¹ The procurator first claims that the Japanese make a difference between the spouse and the concubines: according to him, if they intend a true marital union, they accept the idea of indissolubility. If the future spouses contract a real marriage, they *ipso facto* accept its essential properties, even when the contracting parties actually have other intentions. Even those who separate after they married originally expressed the intention of uniting as husband and wife and therefore contracted a true marriage. Neither repudiation nor ignorance of indissolubility can sever the marriage ties. According to de la Mata, Japanese unions therefore are genuine marriages and should be recognised as valid by the Church. Hence, the procurator tried to tilt the balance in favor of recognition even before he got to know the European theologians' opinions, since his treaty was drafted in Japan in 1592. The missionaries in the country hence had already made their choice, and were well-aware that it could be resisted by Rome. They tried to pressure Rome by warning of the great perils that a decision of invalidity could mean for the mission.

Not all Jesuits were willing to endorse the argument. In fact, most theologians considered that Japanese unions could not qualify as marriages. While he was visiting Europe and drafting his essay, Gil de la Mata brought the issue before the Alcalá University theologian, Gabriel Vázquez. He submitted his answers in 1596, which first addressed the following two cases:

Case n°1: knowing that the Japanese are used to repudiating their wives and taking on new spouses without having ever meant to persevere in marriage; but there is a clear difference between spouse and concubine. Are such marriages true marriages? [...]

Case n°2: if one of the spouses marries with the intention of finding out if harmony is possible

and separating if that is not the case. Is it a true marriage, knowing that the spouse does not make their intentions known?

In both cases, Vázquez proceeds to state that Japanese marriages are invalid because the spouse is »testing« his wife's qualities (against the principle of indissolubility, which is at the heart of Catholic marriage). When the Japanese marry, separation is always an option: they do not see marriage as perpetual, to the difference of other pagans. The theologian's opinion was thus diametrically opposed to de la Mata's. Yet, he proceeds to address the other cases, considering that the notion of a valid Japanese marriage is »accepted by some«. Implicitly, the theologian recognised that his judgment was not absolute and that Gil de la Mata's arguments were not illegitimate. This episode underlines how difficult it could be to arbitrate between observing matrimonial orthodoxy as defined by Rome and preserving the mission's effectiveness. But the situation proved even more intricate in the case of inter-faith marriages.

3 When Marriage Hinders Conversion: the *disparitas cultu* Problem

In principle, inter-faith marriages should not have been an issue, since a Christian is not supposed to be allowed to marry a non-Christian. But in practice, there were a great number of mixed couples in Japan, as Christian communities were most of the times embedded within non-Christian ones. In Japan, *disparitas cultu* could result from two situations. The first was when a Christian married a non-Christian. Such cases were quite common, as many very small Christian communities – representing sometimes no more than a single family – were scattered across the country. In this case, marrying inside the community was simply not an option.³² The second type of situation was when a non-Christian couple had married according to Japanese customs, and only one of the two spouses converted.

31 RAGON (1992) 33.

32 The issue of disparity of worship, ubiquitous in the case of unions between nobles, arose a few years later. See PINTO/REMEDIO PIRES (2005) 35. The theologian Francisco Rodrigues

ruled in favor of unions between a Christian woman and a gentile nobleman, as the Christian woman could bring his husband to convert. Several occurrences are mentioned by the Jesuits, such as the case of Maria,

daughter of Dom Agostinho, who was married to Tsushima's gentile lord. See the 1600 annual letter in BA, *Jesuitas na Ásia*, 49-IV-59, fol. 40.

As early as 1571, Francisco Cabral, then the Japanese Superior, requested a dispensation from the Pope so as to allow converts to marry non-Christians, given that the proscription was an important element in the Japanese' reluctance to convert.³³ The issue of inter-faith marriage was submitted to Pope Gregory XIII during Valignano's first visit to the country (1579–1582). While the Pope initially considered authorising such unions, his eventual decision was to ban them,³⁴ prescribing to warn the potential converts »[...] during the catechism, before baptism is given, that marrying a gentile is not possible«. ³⁵ The recommendations seem to have been at least partially implemented by the Jesuits, who wrote accounts of pious converts refusing to give their daughters' hand to non-Christians, but marriages between Christians and gentiles continued to happen all along the 1580s nonetheless. ³⁶ The question was submitted again, this time to the Jesuit theologian Vázquez in 1596. ³⁷ The missionaries stressed that discouraging inter-faith marriage was limiting the expansion of the faith, in particular with regards to the few nobles who had converted and had trouble finding suitable candidates for their children to marry. Vázquez suggested that in this case a dispensation should be requested from the Pope. ³⁸ The Jesuits therefore turned directly to papal authority instead of relying on Goa, as they initially had done on issues pertaining to indigenous marriages. The issue was evidently deemed critical for the business of conversions.

Yet, it can hardly be said that the asymmetry resulting from the conversion of one spouse was a novel issue; in fact, it can be traced back to the Church' early days. St Paul, in his First Epistle to the Corinthians, advised that the converts should stay with their spouses, even when they would not accept the faith. The infidels' marriage was not dissolved by baptism but remained valid, even when

only one spouse converted. Cohabitation, it was hoped, would eventually lead the other spouse to convert. However, in some cases, the union could be dissolved. In accordance with the »Pauline privilege« doctrine, when a gentile spouse refuses to go on cohabitating with his or her newly Christian partner, the latter is freed from any obligation. Yet, was marriage dissolved in that case, or should the neophyte be banned from contracting another marriage? For Pope Innocent III, marriage was indeed dissolved, allowing for the new convert to marry again inside the Christian community. ³⁹ But in case the gentile was willing to live on with the convert, the bond was preserved – even when the intent was not reciprocated – and second marriage was thus not allowed. In the Japanese case, the Papacy reasserted its authority on the application of the Pauline privilege and clearly intended to control the local implementation of their decisions. The Council of Trent reaffirmed the sacramental nature of marriage, and therefore the Church's legitimacy over its regulation. Pressure was exerted on overseas Christian communities to conform to the new Roman pronouncements. ⁴⁰ The fact that Gregory III eventually chose to deny the possibility of interfaith marriage reveals the Papacy's reluctance to create an exception for Japan, which would undermine its effort to unify and homogenise matrimonial practices in Europe and the new Christian lands.

Rome's reclamation of the *disparitas cultu* issue was facilitated by the sending of a bishop to Japan, in charge of implementing the Tridentine reforms. A Japanese diocese was indeed created in 1588, with its seat in Funai (Bungo province), despite Valignano's reservations – the Visitor was anxious to preserve the Jesuits' monopoly on the mission. ⁴¹ However, it was only in 1596 that the first bishop, Pedro Martins, along with a coadjutor, Luís Cerqueira, reached Japan. ⁴² The bishop and his coad-

33 Letter of Cabral to Francisco Borja, 10 September 1573, ARSI, *Japsin* 7 I, fol. 165v.

34 »Sumario de algumas cousas que pertencem ao governo da provincia da India«, drafted in April 1588 in Goa by Alexandre Valignano and addressed to General Acquaviva, in WICKI (1979) 893. Valignano however considered renewing his plea on this issue so as to obtain from the Pope the

right to marry Christians with non-Christians in Japan.

35 Letter by General Acquaviva to Valignano, 8 June 1584, ARSI, *Japsin* 3, fol. 8.

36 1606 annual letter, in BA, *Jesuitas na Ásia*, 49-IV-59, fol. 152.

37 Letter by General Acquaviva to Valignano, 15 January 1584, in ARSI, *Japsin* 3, fol. 7 v°.

38 LÓPEZ-GAY (1960) 141.

39 RAGON (1992) 91.

40 See the situation in the Jesuit mission in India in ŽUPANOV (2000).

41 VALIGNANO (1990) 121–125.

42 On Cerqueira, see COSTA (1998) and KATAOKA (1985).

jutor were picked among the Society of Jesus' ranks, so as to limit the risks of conflict with the missionaries in the country. Since Martins died on his way back to India in 1598, it was Cerqueira who went on to head the Japanese Church. Taking his prerogatives as a bishop quite sternly, Cerqueira was resolute about implementing Tridentine reforms in Japan. This materialised for instance in the creation of a diocesan seminary dedicated to the training of an indigenous clergy. It was for that specific public and to help them master the most recent Roman decisions that the bishop drafted a book, *Manuale ad sacramenta ecclesiae ministranda* (1605).

The application of the Pauline privilege was thus outlined by Cerqueira's *Manuale*, which opens with a reminder that that when in a gentile married couple one partner receives baptism, the union is not dissolved.⁴³ He goes on to list three cases in which the marriage can indeed be dissolved: first, if the gentile refuses to live on with the convert; second, if the gentile accepts, but keeps insulting the name of God; third, if cohabiting means that the convert is at risk of abandoning his or her faith, or of committing a mortal sin. Cerqueira adds that such conditions do not *ipso facto* result in the dissolution of the marriage, which only truly happens once the convert marries again. The bishop also gives his advice for the cases where the convert refuses to live on with his or her gentile spouse. According to him, cohabitation should be encouraged for a while, so as to test the gentile's intentions. The case should then be submitted to the bishop, who is to assess the gentile's persistence in his or her beliefs and desire to convert.⁴⁴ Cerqueira warns, cautiously, that dissolution should however be pronounced, in order to preserve as much as possible the existing unions. Cerqueira's was both a bishop and a Jesuit, making him capable of finding equilibrium between the policy of accommodation and the implementation of Roman decisions. This quality proved essential when Cerqueira attempted to enforce the Tridentine decrees relative to matrimony in Japan.

4 A Differential Enforcement of the Tridentine Decrees at the Local Level

The implementation of the Tridentine decrees in Japan faced two main stumbling blocks. The first was the social implications of the *Tametsi* decree. The debates around the implementation of the *Tametsi* decree reflect the missionaries' concern to carefully explain the consequences of Christian matrimony, a freely and mutually consented, indissoluble and perpetual union. The missionaries were aware that in the process, they were introducing new social norms, which would not necessarily be well-received. Two elements were particularly problematic: indissolubility, which ran counter to the ubiquitous practice of divorce, and the Church's ban on consanguine marriage, which was also commonplace in Japan.

The publication of the *Tametsi* decree in 1563 introduced a novelty and made the conditions for the administration of marriage more restrictive. Until then, marriage was lawfully valid as soon as the two parties had expressly voiced their consent. The decree added several additional requirements. A celebration now had to be held at a church, in the presence of a priest and of two or three witnesses. Banns would have to be published at the church on three consecutive Sundays prior to the ceremony, leaving time for the community to inform the priest of potential obstacles. The *Tametsi* decree essentially aimed at preventing clandestine marriages, but it also raised the issue of the full consent of the future spouses. Both Cerqueira and the missionaries put a strong emphasis on this point. In his writings, Cerqueira stresses that, marriage being indissoluble, the full consent of the partners is an absolute necessity, and the latter should be protected from pressure coming from the parents and the rest of their families. He warns that scandal may ensue if:

[the spouses] contracted a marriage *in facie Ecclesiae*, consumed their union and lived together for several years, but, when receiving the sacrament, had no real intention of marrying. From that follows that they decide to separate

43 ARSI, *Japsin* I-207, 148–154.

44 The Third Council of Mexico also favoured this solution. See RAGON (1992) 95.

and contract new unions, as is sometimes done, to the outrage of other Christians.⁴⁵

Hence, Cerqueira instructs that the priest should interview the engaged separately before the ceremony, so as to detect whether there is any reluctance to marry or aversion between them – in which case, the bishop recommends delaying the matter for some time, even for several months if necessary, so that the engaged may take the time to make a clear choice.

The second stumbling block was that circulating the decrees across the country could backfire in more than one way. Indeed, one of Japanese Christianity's specificities was that it was scattered across the country, meaning that many communities could only be visited sporadically because of the distance and the lack of personnel. In addition, political change was frequent: domains easily changed heads owing to wars or decisions from the emerging central power held successively by Toyotomi Hideyoshi (1537–1598) and Tokugawa Ieyasu (1543–1616).⁴⁶ As a result, missionaries could be expelled from a territory whose new *daimyō* (local lord) was hostile to Christianity despite having been established there for years. Communities of converts could find themselves isolated and unable to receive the sacraments.

As soon as the 1590s, the Jesuits debated the appropriateness of publishing the decrees in regions that were hard to reach or far removed from the Christian centers (that is, essentially Nagasaki, now the seat of the diocese after Christians began to be persecuted in Bungo). Theologian Gabriel Vázquez, who was consulted on this issue, recommended that the decrees should not be published, for fear of the damage which could occur since the missionaries could not ensure that they would be implemented correctly in remote communities.⁴⁷ Another difficulty concerned marriages contracted in the absence of a priest, but where the decrees of the Council had been published. Such cases obviously contravened the terms of the *Tametsi* decree, but could happen because a priest was unable to visit a domain for fear of persecution. On this point, Vázquez stated that he recognised the unions

as valid, but, for more security, he advised that a dispensation be requested from the Pope⁴⁸ – which was duly granted in 1612 for the regions undergoing persecutions of Arima, Ōmura and Amakusa.⁴⁹ The missionaries could no longer visit those areas because of a ban imposed by the *daimyō*. Although the decrees of the Council were not published there, their Christian population was allowed to contract valid marriages in the absence of a priest. Vázquez then added a few clarifications: Christians should be told that marriages concluded within the duration of the dispensation are perpetual and indissoluble, and as valid as if they had been celebrated *in facie Ecclesiae*. Should a priest visit the region, the spouses could ask him to give a benediction. The priest would also be instructed to verify that the spouses' names and date of marriage were recorded on paper. It seems that Vázquez and the Papacy acknowledged that the Japanese situation was a specific case since they advocated flexibility, suspending Church rules that were deemed inappropriate to the local context. Such recommendations were clearly in line with the accommodation policy devised by the Jesuits in Japan, who tried to create a Japanese Christian society which would incorporate local social particularities. The bishop's standing as both a representative of Rome and a Jesuit, facilitated dialogue and allowed for a compromise to be found that would satisfy both parties.

5 Concluding Remarks

The Jesuits in Japan hence followed a piecemeal approach to the imposition of the Christian marriage, addressing each issue as it arose, from the validity of indigenous Japanese marriages to the implementation of the Tridentine decrees. Such strategy resulted largely from the specificities of the Japanese situation: Japanese society was outside colonial control, it remained overwhelmingly non-Christian and its matrimonial customs differed significantly from European ones. It is understandable that Jesuits were anxious to make Goa, then Rome, aware of the peculiarities of the con-

45 »Alguas cousas que o Bispo de Japão Dom Luis Cerqueira assentou acerca desta Christandade com parecer de hua consulta que sobre isto fez em Nangazaqui em Novembro 1598«,

in BA, *Jesuítas na Ásia*, 49-IV-56, fol. 47–47v.

46 On the political situation in Japan, see HALL (1991).

47 LÓPEZ-GAY (1960) 134.

48 LÓPEZ-GAY (1960) 134 and 141.

49 »Dispensação sobre o decreto do Concílio circa matrimonia«, 10 July 1612, in BA, *Jesuítas na Ásia*, 49-IV-56, fol. 52.

text they faced, before they could establish a direct dialogue with the Roman authorities through the sending of procurator Gil de la Mata in the 1590s. Indeed, the norms of the Christian marriage seemed largely inapplicable in the eyes of the missionaries, who anticipated that they would deter conversions. But those norms could also prove problematic to the Japanese converts themselves, who were caught between the social imperatives of observing local customs and the requirements of their new faith regarding matrimony. The tension was resolved by resorting to the policy of accommodation. In the case of the recognition of the Japanese marriages' validity, the Jesuits did

not hesitate to ignore the theologians' opinions, for mostly pragmatic reasons. As to the enforcement of the Council of Trent's marriage reforms, the missionaries opted for a differential implementation according to the degree of Christianisation and missionary accessibility of the territories. The Jesuits' ability to constantly devise new methods to adapt to the Japanese social and political context helps accounting for their successful conversion of a significant proportion of the Japanese population when compared to the mission's relatively limited means. ■

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