

four studies," states Sr. Ortega, "Soviet historiography presents a straightforward style: if you have read one author you have read them all. The tone is the same: monotonous, dry, anti-poetic, without any elevation or beauty whatsoever. It is bunched-up and cut-up; the language is for mass readers. It is plain, practical, and sometimes crude. But we believe that we would derive more if these writers showed a certain bit of aesthetic grace. As there are no disparities in the method, so are there none in the interpretation. The author voluntarily sacrifices his individuality to the effort of the whole—to the task of the team and thereby neutralizes his own personality. This manner of editing history is obedient, we believe, to two exigencies: methodology and politics" (p 25).

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BACKGROUND

La iglesia de América en las Leyes de Indias. By RAFAEL GÓMEZ Hoyos, Pbro. Madrid, 1961. Instituto Gonzalo Fernández de Oviedo in cooperation with the Instituto de Cultura Hispánica de Bogotá. Notes. Bibliography. Index. Pp. 243. Paper.

This book, which was originally a thesis for the doctorate of canon law (Gregorian Pontifical University), was first published in Medellín, Colombia, in 1945. Since the first limited edition was typographically faulty, and out of print for a number of years, the high quality and value of the study itself called for a new edition. The extended availability of this scholarly work should contribute to a clearer understanding of the origins and nature of the *real patronato de las Indias*.

With respect to the origins of the *patronato*, the author takes careful notice of the various papal concessions to the Spanish kings, which resulted, either by clear grant or by interpretation, in the most complete union of altar and crown in the history of the Catholic Church. The royal jurisdiction was not confined to ecclesiastical persons and temporalities, but even encroached upon spheres of purely spiritual matters. For this reason it can be contended that the king was more than a patron in America; he exercised quasi-pontifical authority.

Because of the exceptional position of the king as veritable vicar of the Church, the Church in the Indies was founded, developed, and governed not by common canon law, but by a very special kind of law, the code of the Indies, the king's law issuing from his Council

of the Indies. It is impossible therefore to understand the status and role of the Catholic Church in America without a thorough acquaintance with the legislation which was the very source of its existence and the regulator of its activities. In the Indies, said a bishop of Peru, there was not properly speaking a Church, because the Church was in fact the king.

Since it was the unquestioned intent of the extravagant papal grants to the Spanish monarchs to facilitate the extension and protection of the faith in the Indies, a natural question arises: How faithfully did the kings fulfill the papal mandate? The object of his dissertation, says Father Gómez, was to find an answer to the question. He sought the answer by analyzing in detail royal legislation concerning ecclesiastical matters in the Indies. Conveniently all of this legislation has been codified. In the famous edition of 1680, the *Recopilación de Leyes de Indias*, all of the first book is devoted to ecclesiastical matters.

From his investigations the author concludes, and quite correctly in the opinion of this reviewer, that the Spanish sovereigns faithfully discharged their holy trust as patrons. They were never wanting in their zeal to propagate and defend the one true faith. In many instances, however, the laws of the Indies were wanting in faithful implementation. The king's good intentions were not always realized. It evidently is not the concern of the author to show wherein the king's order went awry. His study is confined to the legislation itself, and in this respect is unrealistic. However, quite often one can read between the lines of supplementary legislation enacted to correct abuses or prod negligent administrators.

Father Gómez observes that the dependence of the Church on the Spanish crown brought it great travail with the advent of independence. The new governments, heirs to the royal patronage but influenced by liberal ideas, used it as an instrument of domination. This condition was not corrected (in Colombia) until the civil authorities recognized the Church "as an essential element of the social order and collaborated with it in the education and well-being of the people." Thus the learned cleric's views on the ideal relationship between Church and State.

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The Federal Republic in Spain. Pi y Margall and the Federal Republic Movement, 1868-74. By C. A. M. HENNESSY. New York, 1962. Oxford University Press. Appendix, Glossary. Bibliography. Index. Pp. xvi, 299. \$7.20.