

- 17 See Clark, *op.cit.*, pp. 8–10.
- 18 Clark, *ibid.*, esp. pp. 42ff., has shown how Anglican responses to Catholic assertion of defect of intention have classically rejected the requisite intention being an *internal* rather than external one. An upshot of this would be that classical Anglican theology should have difficulty in accepting the declarations of nullity of marriage granted in the Catholic Church on the basis of defect of (internal) intention.
- 19 On the conditional ordination of Fr Graham Leonard, see the documentation in the 30 April 1994 number of *The Tablet*.
- 20 This is the phrase used by ARCIC I.
- 21 Hill and Yarnold, *op. cit.*, p. 277 (my emphasis).

“Monstrous Propositions” of a Dominican¹

**Rodolph Suffield & David Urquhart
on the Morality of War**

Tony Cross

When, as a student at Oxford, Johnson “took up Law’s *Serious Call* . . . expecting to find it a dull book”, he found it “quite an overmatch” for him.² Taking up David Urquhart’s *Effect on the World of the Restoration of Canon Law . . . a Vindication of the Catholic Church against a Priest*³, I found myself in somewhat similar case—struck by the moral passion and remorseless logic. Urquhart’s luckless opponent was the Dominican friar, Fr. Rodolph Suffield—celebrated English Dominican preacher of the 1860s. Urquhart (1805–77) was an eccentric Scottish aristocrat, a Protestant papalist, who succeeded in pushing his concern over the morality of war on to the preparatory documentation of the first Vatican Council. Suffield (1821–91), by the late 1860s profoundly antagonistic to ultramontaniam, left the Church to become a Unitarian minister shortly after the promulgation of the Infallibility Decree. It is perhaps timely to recall their contestation as contemporary British foreign policy impales itself upon the horns of its current moral dilemmas.

At the age of 23, David Urquhart had experienced a moral conversion—a tale often retold—during the Russo-Turkish war 1828–29. At a Turkish bivouac, he expressed surprise that, on an earlier occasion, the Turks had not opened fire upon the Russians when they had the advantage. Immediately one of the soldiers ran to fetch his musket and kissing the stock declared: “Unless I use this, blessed by God, it is put into my hands by the devil”⁴. Since war had not yet been declared according to Islamic law, it would have been immoral to fight. For the young Urquhart, the intense reflection prompted by this incident, led to a lifelong crusade against what he regarded as illegal and unjust warfare. His profound admiration for Islamic law, Turkish customs and institutions never flagged. He remained *persona grata* in the highest circles at Constantinople. During these years he came to regard Palmerston as the arch enemy of a principled foreign policy. No doubt he misread the flamboyant style—convinced absurdly that the politician was a willing tool of Russian expansionism. While Urquhart was MP for Stafford (1847–52), he and the Catholic MP Chisholm Anstey sought to have Palmerston impeached for breaches of national and international law. Hostility to the latter’s policies was to make Urquhart and Marx unlikely but occasional bedfellows.

Urquhart had taken a courageous part in the Greek war of independence. Subsequently he held that such military action flouted the law of nations with regard to the proper conduct of war. This was not war but piracy and brigandage. By the 1860s he was claiming that, for some thirty years, every British military engagement had been morally unjustifiable. In the words of the first Catholic petition to the Pope, reprinted in *The Diplomatic Review* (issue of 2 September 1868): “... War can only be War when it is either a defence against attack, or a necessity imposed to redress a wrong; and when the just motives are formally and legally set forth to subjects and foreigners alike.” Despite contemporary revisionism⁵, British military involvement during this period in e.g. China and Afghanistan, has left a legacy of moral discomfort. Urquhart may have been the most outspoken, but he is not the only critic of acts such as the bombardment of Canton, the burning of the Summer Palace in Peking, the destruction of the Turkish fleet at Navarino, the bombardment of Kagosima and the annexation of Sind and Oudh—“Not one of these transactions,” Urquhart claims, “could have taken place if the Law of England and of Nations or the Canon Law were observed among us.”⁶

In order to stimulate and inform international debate on foreign affairs, Urquhart founded periodicals (*The Free Press* later renamed

The Diplomatic Review) and published many pamphlets. He had a wide range of highly placed international contacts. His judgements, sometimes bizarre, were consequently not ill-informed and not infrequently prescient and heeded. He saw himself as a lonely prophetic figure with a mission to bring the political leaders of Europe to their senses over key issues in international law. Not only the leaders but the humblest of the led had to be reached. After the Crimean debacle, he established 'Foreign Affairs Committees' in British cities, often rallying disillusioned Chartists to the cause through meetings and the circulation of *The Diplomatic Review*. This unique campaign of political education was sustained by his total dedication and his determination to expose moral obliquity in international affairs. He was ably and trenchantly supported by his wife, Harriet. At times, she alone could do something to temper the wind of his righteous indignation.

By the late 1860s, Urquhart was convinced that only the Pope and the Sultan, if possible conjointly, could save Europe from moral degradation in the conduct of national and international affairs. Both leaders could appeal within their respective domains to bodies of law based upon fundamental religious principles. If they could be persuaded to act together, then Europe could be saved from secret diplomacy, standing armies, military adventurism and strategies of national aggrandisement. Urquhart already had influence in Constantinople, now he needed to secure the backing of the Curia and the Pope. Many convictions he shared with Pio Nono. Urquhart had been delighted with the Syllabus of Errors. He was implacably opposed to the Risorgimento. He was not a politician but a prophet whom Denbigh had called in the Lords: " . . . the Cassandra of the age". For him liberal politics were, at best, a mischievous distraction from the basic problems of the era. He was not unknown in Rome. In 1844, he had so impressed the Papal Legate, Cappacini, that Gregory XVI had called him to Rome to discuss the possibility of eventually founding a Diplomatic College there⁷. The project came to nothing with the death of the Pope. The founding of such an élite body trained in foreign affairs remained a major Urquhartian proposal. The Chair of Jurisprudence established at Prior Park by Bishop Baines at Urquhart's urging indicates his keen interest that Catholics should be better informed in the field.

Utterly dejected by British action in Abyssinia in 1868, Urquhart decided that he would henceforth devote all his energies to a campaign to persuade the Fathers at the forthcoming Council to reassert traditional Catholic teaching on the morality of war. He had prominent

friends, even disciples, in the British Catholic community. Chief among them was Rudolph Feilding, Earl of Denbigh, a rich, zealous and strikingly handsome Catholic convert. He had spoken resolutely in the Lords against British military adventurism⁸ and had great sympathy for Urquhart's campaign. And although he wavered in support when Suffield opposed the Catholic petition, ultimately he smoothed the way for Urquhart in Rome during the Council. He wavered probably because he wanted his sons to pursue military careers and, like most of Urquhart's friends, at times he found the latter's autocratic ways intolerable.

In January 1869, Urquhart published his *Appel d'un Protestant au Pape pour le rétablissement du Droit Public des Nations*⁹. The 97 pages of this booklet reveal the excellent French style of this gifted linguist. By now Urquhart had established a network of prominent Catholic sympathisers throughout Europe. He had received early and crucial backing from the ultramontanist Bishop Mermillod of Geneva and his assistant, the Dominican priest, Collet. They had put Urquhart in touch with Abbé Maupied, professor of Canon Law at the Roman University and a group of canonists centred on Reims. An indefatigable researcher and writer for the cause was Abbé Defourny of Beaumont-en-Argonne. Canon Law studies were undergoing a revival in this period, particularly in Germany and to a lesser extent in France. And there was further episcopal backing—initially from the redoubtable Dupanloup of Orleans, from Manning, from the pioneer in Catholic social reform, Ketteler, from that loose cannon among the Fathers, Strossmayer, and within the Vatican, Cardinal Franchi. Not all of these stayed on board as Urquhart's papalism agitated the waters or panSlavist pressures mounted. But there was promise of success. The Pope, at some point, certainly read and approved the *Appel*. At the private audience on 8 February 1870, Pio Nono is reported to have said: "Mais je l'ai lu, je l'ai ici (placing his hand on the desk) et j'approuve tout ce qu'il contient."¹⁰

The *Appel* is divided into five main sections on: (i) the necessity of distinguishing clearly between just and unjust, legal and illegal war; (ii) the need for a revival and reinforcement of international law; (iii) the essential role which the Catholic Church can and should play in this; (iv) the importance of seizing the opportunity presented by the Council; and (v) the pressing need to establish a Diplomatic College in Rome to study and comment upon foreign affairs. The legal ground is argued from authorities such as Grotius and the rather dated jurisprudential text of Vattel¹¹. It is left to Defourny in an appendix to cite patristic and canonist authorities. Despite its prolixity, the *Appel*

displays Urquhart's detailed and idiosyncratic reading of the foreign affairs of his age, shows his acumen and parades his irritating *idées fixes*. He warns the Pope, for example, not to be taken in by Russian blandishments and to be alert to British fomenting of Italian nationalism. With the astute Antonelli at his elbow, perhaps the Pope had little need of such advice. The typical Cassandra-like tone comes across in this attack on the cant words of the age:

"When words like *public opinion, civilisation, progress*, are everywhere employed, what becomes of those like *law and justice*? How can peace exist on earth? How can charity dwell in men's hearts?"¹²

It is too easy to dismiss Urquhart as a fanatic and a crank¹³. His narrow and intense focus on the bearing of international law upon the morality of war makes him impatient with contemporary political rhetoric, pragmatic strategies and diplomatic subterfuges. He views with alarm the growing tendency among political leaders to placate and manipulate public opinion. Harriet Urquhart, no doubt echoing her husband, calls public opinion "... that incarnation of wickedness and rebellion against heaven"¹⁴. The press was playing an increasingly important role and he feared its power over government. Hence his life-long insistence on objective information, rationality and clarity of language. His Calvinist and Benthamite early education is strongly in evidence here. Windy rhetoric must be swiftly dispersed by semantic rigour and stern confrontation if necessary. Apart from the Pope, he was no respecter of persons—princes or poor labourers were compelled to justify their words.

An early move in Urquhart's campaign was to persuade prominent British Catholics to sign a petition to the Pope for the restoration of traditional catechetical teaching on the morality of war. Manning, Ullathorne and other Bishops gave encouragement. Denbigh and Robert Monteith of Carstairs had a key parts to play. But at this point a boulder was rolled into the path. Rodolph Suffield was a friend of Denbigh and much respected by him. Denbigh writes of him as "... one of the most valued and experienced confessors in England"¹⁵. But when Suffield was consulted by Denbigh as to whether Catholics might sign the petition, in conversation and by letter he counselled against. His initial letter was forwarded to Urquhart in Haute Savoie. Suffield had looked through what reference books he had at the Hermitage, Husbands Bosworth, and was sure that any Catholic soldier doubtful of the legality of the conflict in which he was involved, should not hesitate to obey his commanding officer. There

was no need for him to inquire into the matter exhaustively. The moral responsibility rested with those who issued the orders. But Urquhart had argued for years that all the military involvements of recent years were plainly and obviously illegal. Suffield's letter was a major obstacle and certainly hobbled the petition. The Urquharts were infuriated, but Suffield's arguments would be relatively easy to refute and thus he would prove to be a valuable opponent.

At first Suffield was reluctant to allow a general circulation of his opinions. He had written confidentially, hastily and with less than adequate research. His letters betray the rapidity with which he wrote. He was unguardedly sure of his ground: "There is nothing like taking the bull by the horns"¹⁶. But the bull was more than a match for the matador. Newman doubted, just over a year later, whether Suffield had ever been a prudent man¹⁷. As, however, he had intervened effectively and negatively in the matter of the Catholic petition, Urquhart was determined to publish and pillory his opinions. A summary of them in French, drawn from his private letter to Denbigh, appeared in *The Diplomatic Review* (issue of 2 June 1869). Suffield quibbled that he was not the author of the summary. Urquhart buttressed his argument with a series of articles in the journal including a highly competent, lengthy précis (probably by Defourny) of the canonist Ferraris' teaching on the morality of war¹⁸. Relevant articles were published as pamphlets in both French and English. As usual in such polemical exchanges, hard words were written and printed. Denbigh felt obliged to circulate a privately printed letter to Suffield in late Autumn supporting him and sympathising" . . . in all the annoyance and pain this must have caused you."¹⁹

What few, if any, suspected at the time, was that Suffield was on the deathbed of his Catholic faith. His origins and much interrupted training may perhaps help us to understand both his conversion and his apostasy'. The Suffields were a Norwich recusant family, though Suffield's father had married a Protestant and ceased to practise as a Catholic. They had a wide cousinage among the recusant gentry and nobility. Suffield and his brother were brought up on Rousseauist principles but with pride in the family's religious heritage. He spent less than two years at Peterhouse, Cambridge 1841–3, where he was powerfully influenced by Catholicising tendencies in Anglican circles. In January 1847, he was received into the Catholic Church. After some reading at Ushaw, followed by seven months at the Grand Séminaire of St.Sulpice, he was driven out by the 1848 Revolution. Returning to Ushaw in late Summer of 1849, he was ordained priest in August 1850. He served in the Hexham diocese where his ability as pastor and

preacher was soon apparent. In 1860, he began his novitiate as a Dominican at Woodchester and, after solemn vows, a desperately busy, workaholic life ensued. He claims to have had serious doubts about his faith from the time of his novitiate. This makes all the more remarkable his major publication: *The Crown of Jesus*²⁰ a small format compendium of some 700 pages of Catholic faith and practice. The authority of the Pope and devotion to him are unequivocally expressed. This is no cisalpine publication.

Suffield's fundamental counterblast to Urquhart was his ("printed but not published") *Letter to Lord Denbigh*²¹. One of his arguments did not impress the editor of *The Tablet*—that it was presumptuous of Catholics to petition the Holy See suggesting items for discussion at the Council. This was in fact what the Holy Father had invited them to do²². It is hard to believe that Suffield was using this dissuasive as anything but a makeweight in his case. His suggestion that Urquhart should seek a definitive ruling from the Holy Inquisition on his rigorous interpretation of the moral responsibilities of soldiers and confessors is perhaps no more than a feint in the argument. His basic quarrel with Urquhart is over the remorseless logic of the latter's argument which he feels must conduce to a *reductio ad absurdum*. How was it possible, Suffield argues, for the ordinary soldier to come to a sufficiently firm conclusion to justify his refusal of orders? Providing the soldier is not ordered to commit any obviously criminal act: "... he can dispel his doubts, reassure his conscience and go into battle." And the confessor who absolves him cannot be held guilty of sin. As he had stated in his private letter to Denbigh, even if he had some doubt over the matter, the soldier was bound by his military oath of obedience.

In the follow-up printed correspondence²³ is a letter from Cardinal Wiseman to a father who had inquired whether his son might enter the army and take part in the 1857 Chinese war. Wiseman replied:

"Dear Sir, — I do not see that you have anything to do with your private opinion about the justice of a particular War, in deciding your son's going into the army. You may freely let him obtain his commission as soon as possible.
Yours very sincerely in CHRIST,
N. CARDINAL WISEMAN"

Suffield, in quoting this, felt that he was defending common practice supported by the highest authority. This did not impress David Urquhart. The aberrant practice of any section of the contemporary Church cut no ice with him. Once the case was

established that military actions were morally unjustifiable, then those who fought, issued the orders, made crucial decisions in cabinet, gave absolution, instructed confessors inadequately, or supported the action by payment of taxes—all were morally culpable.

Suffield had given several hostages to fortune in the course of his rather slackly written *Letter to Denbigh*. He admitted: “All our recent wars are condemned (and most probably justly) [by Urquhart] as falling into the category of criminal wars.. And he clearly would “prefer to be in agreement” with those [the Urquhartites] who, however wrong-headedly, are upholding “a great cause”. He agrees with Urquhart “on several issues of great importance”. Suffield was no match for the Urquharts. They had thoroughly done their groundwork, galvanised their supporters and established a network of experts in jurisprudence and canon law. Infuriated by Suffield’s interposition, Urquhart was eager to seize the polemical advantage offered. Writing to a Catholic officer who had resigned his commission on moral grounds, Harriet writes:”do not be distressed by F.Suffield’s letter. It is a great occasion[?] in the hand of my husband. He is writing a most magnificent reply . . .”²⁴. This was the magisterial *Effect on the World* . . . Letters winged their way from St. Gervais and Montreux across Europe. Erstwhile supporters like Denbigh were to be brought back on side and opposing forces crushed. Urquhart was never one to take care not to break the bruised reed or quench the smoking flax. That was not his way at all. A tone of righteous anger prevails, echoed by one of his closest aides, Abbé Defourny: “Father Suffield, whether he wills it or not, is enrolled in the army of evil and never will you gain him”²⁵. Suffield, as Urquhart put it, had “ . . . interposed his authority as a priest and confessor to override natural conscience.”

Undergirding the argument of Urquhart’s *Effect upon the World* is his conviction that: “There is no longer war; there is mere bloodshed.” Without perceiving it, people had been led into the acceptance of criminal warfare. Catechisms once plainly asserted that it was lawful to kill only “. . . in a just war, and when public justice requires it.” Urquhart never denied that war or killing could be lawful. The Catholic petition had merely been asking that the teaching on just and unjust war, lawful and unlawful killing, be restored to contemporary catechisms. Urquhart is scathing about Wiseman’s letter for dealing “. . . in three lines, and apparently after not even one minute’s consideration, with one of the most momentous questions that could be brought before any man ...”. And he quotes one of his closest collaborators:”. . . this ‘great aggressor’ [Wiseman] writing his dispatches from the Flaminian Gate, was only an humble tool of the

British government.”

Urquhart invokes the example of the great Dominican Las Casas against his Dominican adversary. Eminent Catholics [like Denbigh?] wishing “to place their sons in the Army and Navy... do not take steps to prevent those who enter . . . from becoming assassins.” A few men standing up for justice could restore moral sanity. Urquhart has hitherto stood alone, confronted by “contempt and persecution”—“Yet I have moved this great matter.” His resource had been canon law: “It is owing to the study of the Canon Law that I, from a bitter enemy of the Church of Rome, came to respect and admire it.” Yet he would not [and did not] join the Church because it neglected its “most obvious and simplest duties”—one of which was to proclaim the true morality of war. He quotes Ketteler who calls Urquhart’s campaign: “God’s work”. He quotes Denbigh’s letter to *The Times*: “war which is both unjust and illegal is murder”²⁶. What are Suffield’s authorities worth? he asks. Urquhart too can quote letters from “Bishops, Priests, Professors and Confessors”. And he relentlessly exposes Suffield’s tackings and contradictions.

Urquhart knew that the petition was being opposed by those like Suffield in England and Loyson in France who had already set their faces implacably against the ultramontane position. But it was already “too late to hush the first small voice which has reached the Papal throne ...”. The hostility has proceeded from “. . . men who have hitherto treated with scorn the Syllabus, and have laughed at Papal Infallibility.” Urquhart hoped for a strong definition of papal authority—it would make any papal teaching, particularly on the morality of war, the more forceful.

On 4 November 1869, the Urquharts arrived in Rome. Harriet was depressed after their interview with Antonelli, the Secretary of State, who urged by Urquhart that the Church should reassert the law of nations asked: “But what can we do more than we have done? We have no fleets and armies to go about the world to enforce it!” Harriet felt like driving to the station and returning to her children. Urquhart continued to marshal his supporters. After Denbigh declined the role, Robert Monteith was sent to Constantinople to rally support from the Turkish government and the Eastern Bishops. Some like Dupanloup and Strossmayer for different reasons distanced themselves from the campaign. Denbigh used his good offices to secure a private audience for the Urquharts on 8 February 1870. “Enfin,” said Pio Nono, who evidently knew something of the man and his proposals: “je vous vois!” When Urquhart had read in French the twelve points which summarised his proposals, the Pope ended the conversation:

“Maintenant la première pierre est posée!”²⁷. On 10 February, Urquhart’s Latin text, the *Postulatum*²⁸, circulated by Lord Stanley of Alderley, was presented, signed by 40 of the Fathers and was thus placed in the preliminary documentation of the council. Alas, with the early adjournment of the Council, it was never to be debated.

Suffield’s Catholic faith had probably already expired by this date. By May, he was consulting with James Martineau, the Unitarian leader²⁹. He had gone very quiet in the public controversy after his article in the *Diplomatic Review* of 9 November 1869. In the 6 July 1870 issue, a letter appeared from Suffield with the frank confession; “I did not thoroughly see my way to agreement with the universal Catholic approved practice and doctrine. I submitted to it because I knew it to be binding upon us. There are several other subjects on which, if I followed my own judgement and conscience, I should arrive at a conclusion very remote from, and sometimes quite opposed to, the teaching of the Church and of our moral theology.” This shilly-shallying did not impress Urquhart in the least and was dealt with unmercifully. Then in a letter to *The Westminster Gazette* published ten days later, Suffield dashed the fat furiously into the fire: “If we get a Pope vain, obstinate, in his dotage, shall we ask him to be confirmed in his powers of mischief?” No, he would not sign the petition in favour of papal infallibility! The signals of impending rupture were there for all to see. And on 10 August, some three weeks after the Decree had been promulgated, Suffield left the Church.

Urquhart died in Naples on 17 May 1877 on his way back from Egypt. A characteristic letter to a friend was found in his portfolio:

“When Las Casas worked for the same object, do you know what he answered when men asked him why he worked so hard? He said: ‘I have left Jesus Christ, your Saviour, crucified, not once, but a thousand times by the Spanish, in the person of the Indian Nations.’ Here it is not the Spaniard and some Indian tribes at the other side of the world, it is all of us who are murderers and victims, who crucify and are crucified.”³⁰

After her husband’s death, Harriet Urquhart and her children became Catholics in 1877. She had long wished to do so. They were received by Père Collet who had been the vital link between Urquhart and his continental Catholic supporters. One of their sons is well remembered as the first Catholic Dean of an Oxford College [Balliol] since the reign of James II — F.F. (‘Sligger’)Urquhart.

In a pamphlet on his father’s remarkable success in pressing consideration of the morality war on the first Vatican Council, Francis

Urquhart echoes words which Pio Nono addressed to his father: "This stone was laid not by a bishop, or a Canonist, or even by a Catholic layman, but by a Scotsman and a Protestant." The pamphlet was published in that disastrous year of war 1917³¹. No doubt Francis Urquhart hoped that his father's teachings might be brought to bear upon future international relations. The League of Nations would seek to realise some of his father's hopes and projects. Today, as the world inches its way towards an effective International Court of Justice—a key Urquhart proposal—and our leaders wrestle with the ambiguities of an 'ethical dimension' in foreign policy, how salutary for our moral well-being might be a stern prophetic voice—an Urquhart redivivus. The world will always respond that such prophets do not understand the complexities of things, that theirs is a teaching for saints and not for a fallen world, that these counsels of perfection are not suited to the everyday world of necessary compromise. Although he would have denied it indignantly, this is essentially the position of Suffield and most Catholic leaders of his day.

It is hard not to feel sympathy for him—a likeable, impulsive man, preoccupied with doubts about his faith, doing his pastoral work according to widely accepted norms. His understanding of authority in the Church had been insecure for some time, perhaps always. What tempted him to venture into controversy with so fierce and formidable an adversary? Perhaps the confidence of a popular preacher who had for 20 years been 'six feet above contradiction'. Maybe a desire to stand well with friends in high places. From both the moral prophet and the confused friar there are lessons to be learned for current political engagements—national, international and ecclesial. It is true as Antonelli remarked and Stalin's famous jibe underlined, the Pope has no battalions. But he, and all Christians, are armed with the Law of the Gospel and International Law in the perpetual struggle for justice and peace. David Urquhart understood that extraordinarily well. Defourny consoled him—his teachings "will yet be better received after fresh misfortunes . . ."³²

The considerable archive of David Urquhart's papers are in Balliol College library. I am most grateful to the Library staff for their kindly and efficient assistance.

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