

# **THE CONSPIRACY AGAINST THE SHROUD**

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## **CONSPIRACY**

In law, a civil conspiracy is defined as a concert or combination between two or more persons to cause injury to person or property through unlawful means. A conspirator need not know the other members of the conspiracy or the details of the operational plan. He need only agree, with knowledge of the purpose of the conspiracy, to become a party to a plan to effectuate that purpose.<sup>1</sup> The author, a practicing attorney,<sup>2</sup> suggests that, almost a century ago, two brilliant and respected Catholic scholars conspired to procure what they called a “verdict of history” against the Shroud of Turin.

## **THE CLERICAL CIVIL WAR**

In 1898, the Turin Shroud, theretofore an object of little interest to the international community, garnered worldwide notoriety when latent details of its faint image emerged in Secondo Pia’s photographic negatives, inspiring some to proclaim the relic as authentic. Although a strenuous counter-attack was predictable, it came from a totally unexpected quarter--the clerical intelligentsia of the Roman Catholic Church.

A satisfactory explanation for this seemingly bizarre development has never been proffered; however, it is to be found in sentiments expressed by the Reverend Herbert Thurston, shortly after the Shroud’s claim to authenticity had culled support from several members of the scientific community:<sup>3</sup>

It is a matter for regret that the question of the authenticity of the Shroud of Turin has been discussed—one might almost say fought out—in France as a sort of test-case between two religious parties. For a long time past many Catholics whose sympathies in all matter of erudition are strongly conservative, have been smarting under the rude blows which...scholars...have dealt to certain of their most cherished

convictions. The conservatives have defended their position strenuously, but in point of learning and logic they have been overmatched. No impartial observer can have failed to note how steadily, in spite of all their efforts, the tide of new ideas has swept onwards almost unchecked. It is little to be wondered at that under such circumstances the hard-pressed defenders of the old order of things should welcome enthusiastically a diversion from an unexpected quarter. Who could have dreamed that the Shroud of Turin, which was perhaps more seriously compromised by positive evidence than any of the numerous traditions that had been assailed, should find vindicators even in the Academy of Sciences itself, and that agnostic professors of the Sorbonne should venerate a relic of the Passion which Jesuits and Monsignori had repudiated? On the other hand, it was natural, though regrettable, that the party of progress thus unexpectedly taken in the rear, should somewhat lose their heads and grow unduly violent.<sup>4</sup>

Thus, at the very time of Pia's remarkable discovery, a bitter philosophical war was being waged between the conservative and progressive wings of the Roman Catholic clergy. Even as the former continued to defend time-honored religious traditions, including the veneration of relics, many of the latter, particularly scholars, sought to advance an agenda of "new ideas" that they believed would usher the Church into the modern era of the twentieth century. Consequently, when the progressive clergy came to perceive proof of the Shroud's authenticity as an endorsement of conservative ideology and a serious obstacle to their own crusade for religious reform, they used the relic as a cats-paw in their struggle for ascendancy over the conservatives. Thurston's candid admission that his progressive brethren had lost their heads and become unduly violent in their opposition to the case for authenticity evidences the prevailing mindset of those scholarly churchmen who were committed to discrediting the relic at any cost. The acknowledged leader of this faction of the Catholic clergy was the celebrated French historian and bibliographer, Canon Ulysse Chevalier.

## THE CHEVALIER STUDY

In 1900, Chevalier published a study of medieval documents that, he claimed, proved the Shroud a forgery.<sup>5</sup> His conclusion was centered upon the previously obscure D’Arcis Memorandum, a medieval document in which Pierre d’Arcis, bishop of Troyes, alleged that an unnamed artist had once admitted to having painted the double-body image that appeared on a cloth owned and exhibited by Geoffrey II de Charny, Lord of Lirey.<sup>6</sup> Since this cloth and the Turin Shroud were then, and still are, generally considered as one and the same, the D’Arcis Memorandum, if authentic and credible, would rather decisively lay to rest the relic’s claim to first-century provenance.

As an experienced historian, however, Chevalier recognized that the charges of forgery contained in the D’Arcis Memorandum would not be deemed credible unless d’Arcis had, in fact, remitted the document to the Avignon Antipope, Clement VII. If Chevalier could establish that this had occurred, the memorandum’s contents would be rendered virtually unassailable inasmuch as the bishop would surely not have risked asserting a charge that might be exposed as false and slanderous by a papal investigation. Conversely, were Chevalier unable to establish that the memorandum was submitted to the Pope, the document would constitute little more than the repetition of rank hearsay or outright fabrication and could be accorded little historical weight in the authenticity debate between the conservative and progressive clergy.

Chevalier undoubtedly knew that he faced an uphill fight in demonstrating that the D’Arcis Memorandum had been sent to Avignon. After all, the document, in the form transcribed by the Canon, contained several marked deletions and marginal notations and was clearly only a draft or so-called “*pro-memoria*”.<sup>7</sup> Somehow, therefore, Chevalier had to show that this draft document was ultimately finalized and remitted to Clement. In order to hurdle this rather formidable barrier, the Canon represented that a letter written by Clement to d’Arcis on January 6, 1390<sup>8</sup> constituted a papal response to the memorandum, thereby establishing, by logical implication, that the *pro-memoria* had been completed, sent to Avignon, and reviewed by the Pope. In order to lend credence to this created illusion of cause and effect, Chevalier placed the date “end of 1389” (“*fin 1389.*”) at the head of his transcription;<sup>9</sup> however, he provided no reason whatsoever for

having done so and ignored a number of dating indicators contained in the document itself.

The D’Arcis Memorandum references, and therefore necessarily postdates, a letter dated July 28, 1389, in which the Pope, based upon facts known to him *ex certa scientia*, declared to Charny that the cloth could be publicly displayed and that d’Arcis must remain perpetually silent in the matter.<sup>10</sup> The memorandum also recites that the bishop had not yet seen a copy of this letter,<sup>11</sup> thereby indicating that, when the document was drafted, very little time had elapsed since the Pope’s letter had been sent from Avignon to Lirey. The memorandum also references, and therefore necessarily postdates, d’Arcis’ successful legal appeal of his dispute with Charny to Charles VI, the French king,<sup>12</sup> a proceeding completed shortly before it was cited in the king’s own letter of August 4, 1389 to the Bailly of Troyes.<sup>13</sup>

On the other hand, the D’Arcis Memorandum fails to mention two subsequent events relating to the king’s intercession in the controversy, events that were clearly described in other documents transcribed and published in Chevalier’s study. On August 15, 1389, the Bailly of Troyes reported to the king that he had failed in his attempts to repossess the cloth from the Dean of the Lirey church.<sup>14</sup> Three weeks later, on September 5, 1389, the King’s First Sergeant reported to the Bailly of Troyes that he had formally declared the cloth to be royal property.<sup>15</sup> Had either of these events transpired by the time that he prepared his memorandum, d’Arcis, a skillful attorney and former Judge for Ecclesiastical Cases,<sup>16</sup> would surely have mentioned it, both to stress the meritorious nature of his position and also to demonstrate the entrenched recalcitrance of his opponents.

Ignoring these indicators and, as will be shown, other cogent evidence that the document had been drafted in early August of 1389, Chevalier ascribed the memorandum to year-end 1389 for the singular purpose of creating the illusion that the Pope’s letter of January 6, 1390 constituted a response to same.

The Canon’s lofty status as an eminent and learned Catholic historian seduced his contemporaries into accepting every aspect of his study as fact-based and scholastically objective, and even the Shroud’s most vociferous proponent, Paul Vignon, admitted to having borrowed most of his historical material directly from Chevalier. For almost a

century thereafter, Chevalier's clerical standing and daunting academic reputation cowed potential critics into silence and shielded his work from the scrutiny that it truly merited. In 1956, for example, an authenticity advocate felt obliged to lavish reluctant praise upon the late French cleric:

Since we have named Canon Ulisse Chevalier so often amongst the adversaries of the Shroud's authenticity, indeed at their very head, we would not want our readers to form an injurious judgment in his memory. The abbot Chevalier was an erudite and pious ecclesiastic, a tireless researcher and a collector of documents, who rendered great service to science and history. Of his integrity and good faith there is absolutely no doubt.

In more recent years, however, Chevalier's study of 1900 has, at last, been subjected to more rigorous review and, most unfortunately, a clear and definite pattern of misrepresentation and deception has emerged.

In 1983, Luigi Fossati noted that, by initially misdating and subsequently not emphasizing his redating certain correspondence, Chevalier was able to create the false impression that Clement was always somewhat dubious of the Shroud's authenticity. In 1991, Bruno Bonnet-Eymard pointed out that Chevalier had manufactured the memorandum's "end of 1389" date and had concealed the fact that, unlike every other manuscript reproduced in his study, the D'Arcis Memorandum actually bore no date whatsoever. In 1993, Hilda Leynen discovered that two distinct drafts of the D'Arcis Memorandum were maintained in the Champagne collection of the *Bibliothèque Nationale de France*, one very rough and containing bracketed words, and the other a relatively neat and polished product.<sup>17</sup> Leynen demonstrated that Chevalier had concealed the fact that his study contained a hybrid document comprised of the heading of the later draft mounted atop the text of the bishop's earlier effort. Despite having created such a Frankenstein historical document, the Canon boldly proclaimed that the authenticity of the D'Arcis Memorandum was "beyond doubt because I found the notes for it separated a long time ago from the archives of the bishopric of Troyes".

Just why did Chevalier transcribe the text of the rougher draft of the memorandum, when publication of the more polished version would seem to have better served his purpose of establishing that a finished document was ultimately sent to Avignon? The answer may be found on the backside of the later draft, which indicates that this document was addressed to one “Maitre Guillaume Fulconis”, in all likelihood a scribe who would have transformed the draft into a formal ecclesiastical document and then resubmitted it to d’Arcis for dating and signature.<sup>18</sup> The very fact that this document, presumably obtained from the archives of the Troyes diocese, was never discarded is highly evidential that d’Arcis never even sent a draft to a scrivener, let alone having submitted a finished memorandum to the Pope. Chevalier surely realized that while the more polished draft provided a heading indicating that this memorandum was intended for the Pope, its address to a scribe tended to prove that it had never been formally transcribed. On the other hand, the rougher draft, while lacking the address to a clerk, did not provide the heading that referenced the bishop’s intention to send the memorandum to the Pope. By publishing a totally fictitious document based upon the text of the earlier draft, Chevalier craftily avoided drawing attention to the later memorandum, then crowned his creation with the invented date of “end of 1389” and falsely presented this concoction as an extant and authentic historical record.

One additional point may now be made relative to Chevalier’s study. The Canon claimed that Charny had prevailed against d’Arcis in legal proceedings commenced pursuant to papal order and that, as a result, the bishop formed an ecclesiastical commission to investigate the matter.

The Bishop did not consider himself beaten, and although worsted in the lawsuit he assembled a commission of learned theologians, and published a detailed examination of the whole question. It was held therein that the Shroud of Lirey was not the true winding-sheet of Christ, but only a painted representation, the work of man; and, further, that any public exhibition of the Shroud was likely to expose the feeble and ignorant to the perils of idolatry. This memorandum was forwarded to Clement VII about the close of the year 1389.

In fact, however, there is absolutely no evidence that the Pope ever ordered the institution of legal proceedings between Charny and d’Arcis. Instead, and as previously noted, the Pope himself settled the dispute on July 28, 1389, based upon his own personal knowledge of events, when he endorsed Charny’s exhibitions and sentenced d’Arcis to perpetual silence. In addition, there is absolutely no evidence that Charny ever prevailed in litigation against d’Arcis. Rather, and as previously noted, it was d’Arcis who defeated Charny in legal proceedings conducted before the Royal Curia. Finally, and most importantly, there is absolutely no evidence that d’Arcis ever assembled a commission of learned theologians which made any findings in connection with the controversy. To the contrary, d’Arcis stated, in his memorandum, only that he had “consulted” with certain prudent advisors. Had a commission of learned theologians actually been assembled to deal with the issue, or had such a body actually rendered any detailed findings, d’Arcis would surely have recited these events in his memorandum. In addition, had such a commission been convened, it would have been its formal report, rather than an informal memorandum, which would have been submitted to Avignon.

Thus, in a calculated attempt to elevate the historical stature of the D’Arcis Memorandum and provide unwarranted credibility to its charges of forgery, Chevalier invented a historical canard and falsely asserted that the document constituted the *de facto* report of a formal ecclesiastical commission assembled by the Bishop of Troyes.

For his efforts in having thereby “debunked” the notorious Turin Shroud, Chevalier earned not only the admiration of his progressive colleagues, but also a gold medal of 1,000 francs presented by the French Academie des Inscriptions in 1901. The following year, however, the momentum of the debate swung dramatically to the conservative side when Yves Delage, an agnostic anatomy professor, endorsed the relic’s authenticity before the French Academy of Sciences and Paul Vignon, a biology professor, published a scientific thesis on the formation of the Shroud’s image. As a result, the progressive position against the Shroud’s authenticity was clearly in need of a boost. It soon arrived in the person of Herbert Thurston, an erudite English Jesuit scholar with a profound interest in miraculous, psychic, and spiritualistic matters and an avowed opponent of both spiritualism and stigmatic phenomena.

## THE THURSTON TRANSLATION

One week after Yves Delage's dramatic presentation to the French Academy, Thurston unequivocally declared the Shroud to be a medieval forgery that had been created with fraudulent intent. In 1903, he published an English translation of the D'Arcis Memorandum, knowing full well that his work would be referenced and cited in the raging debate over the Shroud's authenticity, in general, and the credibility of the D'Arcis Memorandum, in particular.<sup>19</sup> Thurston introduced his translation by proclaiming that Chevalier's study had been "accepted as an absolutely conclusive demonstration, not only by the Bollandists, but by many other Catholic scholars of unimpeachable orthodoxy". He then alleged, without proof, that the memorandum had been "forthwith despatched to the Pope", thereby adopting Chevalier's "cause and effect" argument that hinged entirely upon the document being datable to the end of 1389.

Thurston appears to have worked from the hybrid document published some three years earlier by Chevalier; however, a careful comparison of Chevalier's transcription to Thurston's translation<sup>20</sup> reveals that the Jesuit translator performed some rather fine surgery upon the text, as he himself, albeit ever so obliquely, admitted:

The document is so extremely important that in spite of its length I make no apology for translating it practically entire. The only parts omitted are certain formal preliminaries and expressions of respect, after which the Bishop approaches his subject in these terms: The case, Holy Father, stands thus.

Thurston first focused upon the memorandum's heading which, as has been previously noted, made specific reference to the Pope:

*Truth concerning the cloth of Lirey, which after having long been exposed at an earlier time, has just been so exposed again, about which I intend to write to our Lord the Pope in the following terms as briefly as possible.*



Although Thurston undoubtedly shared Chevalier's appreciation that it was important to establish that the memorandum was meant for the Pope, he also surely realized that the heading's specific recitation that d'Arcis had only "intended" to write to the Pope constituted rather persuasive evidence that the memorandum was never finalized. Thurston also acknowledged that the "grave scandal" was brought to d'Arcis' attention in the summer of 1389, and certainly would have recognized that, had the cloth been first displayed at Easter, the bishop would not, at the end of 1389, have described the exhibitions as having been recently initiated. Therefore, Thurston duly excised the entire text of the problematic heading from his translation.

The learned Jesuit then turned his attention to the initial paragraph of the memorandum:

*Spontaneously at the feet of His Holiness kissing them devoutly with all the promptness required of religious obedience. Most Holy Father, whereas important cases, especially those where there is danger to souls and where the opposition of superior powers makes it difficult to apply the necessary measures, must be submitted to the apostolic Holy See, whose attentive foresight always takes those measures most useful to the glory of God and the salvation of souls, I therefore bring to the knowledge of Your Holiness a fact that is fraught with danger and pernicious on account of the example it gives, and which has just come to pass in the diocese of Troyes, so that through Your Holiness' foresight, which never ceases to watch over the well being of his subjects and preserve them from perils, a prompt remedy be brought for the glory of God, the honour of the Church and the salvation of souls. Most Holy Father, some time since...*

In this opening paragraph, Thurston found yet another reference to the fact that, when the memorandum was drafted, exhibitions of the cloth had only recently been initiated, evidence strongly contradicting Chevalier's "end of 1389" date. Therefore, he duly excised the text of the entire paragraph from his translation.

Next, Thurston flat-out invented these words to open his translation: "The case, Holy Father, stands thus".<sup>21</sup> In doing so, he made it appear that the substantive body of

the memorandum had been translated intact and diverted attention from his wholesale amputation of both the heading and entire first paragraph. The success of his efforts in this regard is demonstrated by the fact that, in 1978, Ian Wilson presented Thurston's truncated translation as an entirely unabridged recitation of the D'Arcis Memorandum.<sup>22</sup>

Finally, Thurston replaced the final twenty-one words of the memorandum ("*...whom the Almighty preserve in prosperity and long life for the good and needs of the government of Holy Church. Written...*") with a truncated seven-word phrase ("*whom may the Almighty long preserve, &c.*"). By simply shortening the memorandum's conclusion by fourteen words, he was able to justify the claim that his deletions involved mere "formal preliminaries and expressions of respect".

Given the relative brevity of all these deletions, totaling less than ten percent of the entire text, Thurston's selective editing can be seen only as a purposeful attempt to conceal evidence undermining Chevalier's flawed contention that the D'Arcis Memorandum was prepared at year-end 1389, finalized in form, and submitted to the Pope in Avignon.

### **THE EFFECT AND LEGACY OF THE CONSPIRACY**

In order to defeat the conservative clergy, Chevalier and Thurston entered into a civil conspiracy when, with knowledge of a plan by their progressive colleagues to cause serious injury to the reputation of the Shroud of Turin, they employed improper means designed to accomplish that end. Confronted by the truly confounding nature of the scientific evidence presented by Pia's photographic negatives, they were forced to base their entire case against the authenticity of the Shroud upon the D'Arcis Memorandum. By publishing a fictional transcription of that document and manufacturing a convenient date for same, Chevalier effectively created the false illusion that the memorandum's charges of forgery were credible because they had been submitted to, and reviewed by, the Pope in Avignon. By purposefully truncating his translation of that document, so as to exclude evidence that would have shown it to be a mere draft and would have contradicted Chevalier's arbitrary dating, Thurston effectively confirmed this false illusion.

Once this conspiracy had been completely carried out, Chevalier could remain confident in his professed “unshakeable conviction that no one will be able to contradict the documents of the XIVth and XVth centuries”, and Thurston could proclaim victory for all those who had “impugned the authenticity of the relic”. Several years after publishing his abbreviated translation of the D’Arcis Memorandum, Thurston authored several articles for the Catholic Encyclopedia that labeled the Shroud a scandalous product of unscrupulous medieval miscreants and he steadfastly maintained this position for the rest of his life.<sup>23</sup>

The progressive clerical conspiracy against the Shroud successfully suppressed the simple truth that Pierre D’Arcis, sentenced to perpetual silence and fearing that a papal investigation would prove his charges baseless, thought better of having his draft memorandum transcribed and then prudently discarded it.<sup>24</sup> The conspiracy effectively stripped the Shroud of any semblance of credibility for more than thirty years. The conspiracy’s enduring influence is attributable both to the estimable standing and reputation of its participants and also to the false premise that they had conducted thorough research, amassed numerous authentic and corroborating documents, and based their conclusions upon hard documentary evidence. The product of their collaborative effort continues to permit skeptics to invoke the absolute fabrication that the D’Arcis Memorandum was received in Avignon and has forced staunch authenticity advocates to accept the lie as fact and to resort to launching collateral attacks upon either the writing or its author.

In 1903, Herbert Thurston confidently pronounced the Shroud a fraud and sanctimoniously proclaimed that “...the probability of an error in the verdict of history must be accounted...as infinitesimal”. A review of the complete record, however, persuasively establishes the ultimate irony that an inauthentic document and an inauthentic translation were used to undermine the case for the Shroud’s authenticity and that Chevalier and Thurston’s “verdict of history” was procured with manufactured evidence, withheld material facts, and false testimony.

## NOTES

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<sup>1</sup> Black's Law Dictionary, pp. 382-383.

<sup>2</sup> The author is licensed to practice law in four States and six federal districts, and before the United States Supreme Court.

<sup>3</sup> In 1902, Yves Delage, an agnostic professor of anatomy, endorsed the relic's authenticity before the French Academy of Sciences and Paul Vignon, a professor of biology, published a scientific thesis regarding how the sindonic image was formed.

<sup>4</sup> Thurston, Herbert, *The Holy Shroud as a Scientific Problem*, *The Month*, p. 162 (Vol. CI, 1903).

<sup>5</sup> Chevalier's *Etude critique sur l'origine du Saint Suaire de Lirey-Chambery-Turin*, contained his transcription of thirty-three such documents.

<sup>6</sup> The memorandum refers to an alleged investigation conducted, in about 1355, by Henri de Poitiers, Bishop of Troyes. "Eventually, after diligent inquiry and examination, he discovered the fraud and how the cloth had been cunningly painted, the truth being attested by the artist who had painted it, to wit, that it was a work of human skill and not miraculously wrought or bestowed."

<sup>7</sup> Fossati, Luigi, *The Lirey Controversy*, *Shroud Spectrum International*, No. 8, p. 28 (September, 1983).

<sup>8</sup> In this letter, Clement reiterated exactly what he had declared to Charny in an earlier letter dated July 28, 1389; i.e., based upon certain facts which he knew *ex certa scientia*, he would permit continued exhibitions of the cloth in a prescribed manner and would excommunicate d'Arcis should the bishop oppose this action.

<sup>9</sup> Chevalier's transcription appears, as "Document G", on page VII of his *Etude critique sur l'origine du Saint Suaire de Lirey-Chambery-Turin*.

<sup>10</sup> "However, the knight above mentioned has been beforehand with me, and, having represented the matter as I have explained, has obtained from your Holiness a Brief in which the said Lord Cardinal's letters are substantially confirmed *ex certa scientia* and permission is granted that in spite of all prohibitions and appeals, the said cloth may be shown and exposed for the veneration of the faithful..."

<sup>11</sup> "...while, as I hear,--for I have not been able to procure a copy of the said Brief,--perpetual silence is enjoined upon myself."

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<sup>12</sup> “Accordingly I took measures to have the cloth placed in the custody of the King’s officers, always with the same end in view, viz., that at least until I could bring the whole story to the notice of your Holiness there might for the time being be an end of these exhibitions. And in this request I prevailed without any difficulty with the court of the King’s Parliament when once they were fully informed of the superstitious origin of this shroud, of the use to which it was put, and of the delusion and scandal to which I have called attention.”

<sup>13</sup> The king advised the Bailly of d’Arcis’ allegations that veneration of Charny’s cloth placed the faithful in danger of idolatry and directed him “to get the cloth and bring it to me, so that I might relocate it in another church in Troyes and place it under honest custody.”

<sup>14</sup> “We went to the church at Lirey and by virtue of the Royal papers asked that the cloth be delivered to us by command of the King. The Dean responded that he could not give it to us because it was kept in a treasury locked with several keys, and he had only one key. We placed our seal on the treasury door, but when the Dean filed an official appeal we did not proceed further in the matter.”

<sup>15</sup> “I have officially announced to the Dean that the cloth in question thereby was verbally made the property of the King. I also announced this in the castle of Lirey to Geoffroy II.”

<sup>16</sup> des-Guerrois, p. 381.

<sup>17</sup> Volume 154, folio 138 constitutes the rough draft and volume 154, folio 137 the more polished draft.

<sup>18</sup> Crispino, Dorothy, *Literary Legerdemain*, Shroud Spectrum International, *Spicilegium*, p. 66 (April, 1996).

<sup>19</sup> See Thurston, Herbert, *The Holy Shroud and the Verdict of History*, *The Month*, pp. 17-29 (Vol. CI, 1903).

<sup>20</sup> A complete translation may be found in Bonnet-Eymard, Bruno, *Superabundant Historical Testimony*, *Catholic Counter-Reformation in the XXth Century*, Eng. Version, p.13-14 (No. 237, March 1991).

<sup>21</sup> The second paragraph of the memorandum actually begins: "Most Holy Father...".

<sup>22</sup> In republishing Thurston’s translation, Wilson mentioned no truncation of the document and, in fact, stated that it was a translation of the document found in the Bibliotheque Nationale, Collection de Champagne, v. 154, folio 138.

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<sup>23</sup> See, e.g., Thurston, Herbert, *What in Truth Was the Holy Shroud?*, *The Month*, pp. 160-164 (Vol. CLV, 1930).

<sup>24</sup> Thurston noted that D'Arcis had excised certain intemperate words from the memorandum and concluded that: "Probably the Bishop, on second thoughts, judged them to be too strong". Applying this same logic, it is just as reasonable to conclude that d'Arcis, under a sentence of perpetual silence, had second thoughts about the strength of his entire memorandum and discarded it.