
Exploring Legitimacy: The Controversial Case of the Order of St. Lazarus

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1. Introduction

The Military and Hospitaller Order of St. Lazarus of Jerusalem (MHOLJ) claims to have an unbroken history stretching back to the Crusades. This is a source of much toxic and highly opinionated debate. But critics including serious Scholars like Hervé Pinoteau (1995) argue that the order, which in 1608 had been merged by King Henry IV of France with the Order of Our Lady of Mount Carmel (with papal approval), was essentially doomed by the French Revolution. It limped for a while collecting a few new foreign members appointed by its exiled grand master, [le Comte de Provence](#) (1755-1824), but who, later, as King Louis XVIII and the order's protector, decided to let it die by neglect (Ellul, 2011) The much debated *coup de grâce* came just after the 1830 July Revolution when the [Orléanist](#) King Louis-Philippe withdrew his protection, although the order's canonical status continued. Nevertheless, many critics argue that after 1831, all Lazarite activities were illegitimate. And these critics can be harsh.

2. The Argument Against the Survival of St. Lazarus

A typical criticism is fostered by chivalric author Guy Stair Sainy, a respected critic of self-styled orders (Sainy, 2007). He frequently blasts the MHOLJ as a questionably revived pretense," (Sainy, 2006a, p. 1859; 2006b) a stance once, unofficially (and arguably in violation of cannon law), (Ross & Savona-Ventura, in press) attributed to the Vatican in 1935, 1953, 1970, 1976 (as cited in van Duren, 1995).

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Others agree (Ellul, 2011), including Heraldic commentator Francois Velde (March 9, 2013), who also believes that the order was dead after 1830 to be recreated in 1910 by a group of businessmen, nobles, legitimists and a shady character or two. Less judgmental is the perspective of the former president of the International Commission of Chivalric Orders (ICOC), James J. Algrant, (n.d.) himself a former Knight Grand Cross of the Order who concedes that his earlier writings on the MHOLJ were tactfully uncritical and that the group's late 19th and early 20th century history was, in fact, muddy, "controversial" and unlikely. More recently (2011), author *Massimo J. Ellul charges the "military" factions of St. Lazarus as being blinded by bad evidence, or as knowingly promoting "spurious" claims to a medieval lineage.* Tellingly, however, Ellul, is a high ranking member of *The United Grand Priories of St. Lazarus which has dropped "military" from its name and castes itself as a revived chivalric "confraternity" inspired by the original knights. Saintry (2006a, p.1870) praises Ellul's group as "the most honest portrayal of the history of the modern Order."*

Other critics are more easily dismissed by their attempts to impugn the motives of the estimated 8,000 or so dedicated members of St. Lazarus (Ellul, 2011). These professionals, peers, priests, princes and prelates perform prodigious hospitaller work in partnerships with a plethora of governments (e.g., Spain, Hungary, and the Czech Republic among others), and intergovernmental NGOs, including the United Nations and the International Red Cross (Army of the Czech Republic, 2012; Ellul, 2011; Military and Hospitaller Order of St. Lazarus of Jerusalem, 2014; Saintry, 2006a), as well as virtually countless regional and local aid foundations, great and small, including its own highly respected *Lazarus Hilfswerk* in Germany (Lazarus, 2015) . This charity work gives the order undeniable moral credibility, but, of course, does not, (van Duren, 1995) *bestow chivalric legitimacy which is largely (although, historically speaking), not exclusively a legal and historical matter of either having a valid fons honorum —or, arguably, being a Patriarchal order -the core subject of this first in a series of papers on the MHOLJ.*

3. St. Lazarus Governmental Status: an Aid Foundation, an Order, or Both?

We begin by addressing Ellul's (2011) related concern that some Lazarite's confuse being a "recognized" order of knighthood with being a government recognized organization. Naturally, the mere identification St. Lazarus as an "order" by name on some civil non-profit tax document does not confer chivalric status. A case in point is the sometimes made claim that Spain had recognized St Lazarus as an order in 1935, when it, in fact, only certified the MHOLJ as charitable organization, and later, in 1940, under Franco, as a public utility, which is its status in Spain today, along with that of many other generally 'accepted' authentic but non-government chivalric dynastic/royal orders (although a case might be made for de facto Spanish royal recognition of a St. Lazarus's organization as chivalric body), (*Blasones Hispanos*. 2013).

But these "status" distinctions can be blurry. Consider, for example, a Czech Army webpage highlighting the renewal of a memorandum of understanding for humanitarian outreach signed by the Czech Defense Ministry's High Command and a Grand Master of faction of the MHOLJ (Army of the Czech Republic, 2012). This accord, or its earlier variants, may be the basis for the claim that the Czech Republic recognizes St. Lazarus as a knightly order although this is not entirely clear. Or consider the straightforward 2011 Republic of Macedonia Diplomatic Bulletin that details the bestowal of the MHOLJ's Grand Cross upon President Gjorge Ivanov describing it as an honor from one of the "oldest orders in Christianity," suggesting, at least, informal recognition (Republic of Macedonia, Ministry of Foreign Affairs, September-October, 2011, p.1). But, of course, critics might argue that: "Macedon, just didn't do its homework."

There are, however, self-evident examples of formal governmental recognition that are ignored or downplayed by critics. The chivalric scholar van Duren refers to a Croatian government proclamation that carefully affirms the MHOLJ "as an Order of Knighthood legitimately active in the

sovereign territory of Croatia” (1995, p. 509). Professors Savona-Ventura and Ross (from the Universities of Malta and Texas respectively who are also MHOLJ historians), detail how the Order of St. Lazarus was unequivocally and very specifically recognized as an order of knighthood by Third Hungarian Republic on August 28 1993, which in addition to the MHOLJ, is limited to the SMOM, the Johanniter Order, and Equestrian Order of the Holy Sepulcher of Jerusalem (Ross, & Savona-Ventura, 2015). All this was reaffirmed by Hungary on September 9, 2008, and in 2011 the Republic appointed the MHOLJ Hungarian Grand Prioress Countess Éva Nyáry, as the order’s official representative to the Republic (Ross & Savona-Ventura). Taken together, these cases void Velde’s judgment that “there isn’t a government on earth that recognizes the order, save perhaps the Franco government in the 1940s, and, it is now claimed, Croatia and South Africa” (March 9, 2013, n.p.) This is wrong on several counts, but the fact that Velde even raises this issue as at all relevant, suggests that he sees state recognition as somehow meaningful to a group’s knightly status. This idea makes sense, but van Duren, doubts it, arguing that this would require an order’s lawful adoption as a state institution (1995). Sainty takes a slightly less restrictive position arguing that the recognizing state must have laws appertaining chivalric institutions or, he reasons, must come from a sovereign body “capable of creating a privileged class of knight” (Sainty, 2004). If this is the standard, then Hungary, as a sovereign state, is not only “capable” of creating lawful knights, but has recently done so. In 1991 Hungary instituted the Order of Merit of the Republic of Hungary with the lowest grade of Knight’s Cross (Magyar Köztársasági Érdemrend (polgari), June 30, 2007) . In 2011, it revived Queen Maria Theresa’s order of Saint Stephen of as its highest national honor (Swimming World, 28 August 2013). his appears to meet Sainty's standard, which, as he has argued, would legitimize the prescribed order (Sainty, 2004).

Even if Sainty wasn’t entirely serious with this line of reasoning, by logical parity, doesn’t recognition by a sovereign government legitimize a “new state’s” authority to bestow honors and provide for the socio-economic welfare of

its people? Why, then, wouldn't the same principle be somehow relevant for chivalric recognition? If not, then why have so many critics focused on which chivalric orders are recognized (or not) by the Vatican? Admittedly these issues are highly debatable, but one thing is clear, the MHOLJ enjoys more documented governmental recognition than many other non-state orders that are widely accepted as genuine, and these acknowledgments are the symbolic social coin paid in the form of status accorded to a group whose efforts are deemed worthy by large sections of the public.

4. The Case for St. Lazarus's Chivalric Legitimacy

Of course, the "military" wings of St. Lazarus defend their uninterrupted spiritual, hospitaller, and knightly history (Krejčík, 31, January, 2014). This defense is inspired by the sometimes controversial scholarship (1960) of St. Lazarus knight Paul Bertrand de la Grassière (1960). His central theme is that the French Revolutionary era grand master of the order, the aforementioned *Comte de Provence* (the future King Louis XVIII, 1814 -1824) appointed a number of knights in exile, including non-Catholic foreigners (e.g. Baron Dreisen, Prince [Peter Ludwig von der Pahlen](#), and Russian Tzar Paul I, Swedish King Gustave IV Adolph among others), (Savona-Ventura & Ross, Summer, 2013). They were knighted under circumstances that were understandably messy and, according to some critics, questionably valid (Ellul, 2011; Sainty, 2006a; Velde, 9 March, 2013).

It goes without saying that [le Comte de Provence](#) must have had some rationale (even if flawed) for these appointments. As grand-master and supreme commander he may not have felt the need to formally change the rules or, and this is entirely speculative, he may have changed admission criteria on the fly, instituting a new class of Knight "of Honor" that was clearly bestowed on the aforementioned Baron Dreisen in 1800 (Ellul, 2011; Sainty, 2006a;). At any rate, this certainly would not have been the first time that a French Monarch (in this case in exile) ignored the order's statutes or even Papal Bulls especially if they saw themselves as the supreme commander of the combined orders (Savona-Ventura & Ross, August 2013).

Regardless of his motives, evidence for these in-exile appointments is firm. Dr. José María de Montells y Galán, Viscount Portadei and Chief Herald of the MHOLJ explains how two St. Lazarus grand cross decorations are held in the Kremlin along with letters patent confirming Tzar Paul I's appointment with documentation for other Russian appointees being held in St. Petersburg (*Blog de Heraldica*, 2011; IDTG, 2011). And even though other historical interpretations would deem these appointments irregular, Lazarites might demand a deeper analysis of the Tsar's knighting in view of similar contemporaneous attempts to make Czar Paul I not only a knight of the Sovereign Military Order of Malta (SMOM), but its Grand Master. Regardless, possible new evidence for other in-exile appointments emerged in 2011 based on the presentation of several, paintings of Russian military officers Vasily V. Levashov and General, Vasily D. Rykov who seem to be wearing, respectively, a green St. Lazarus cross of justice and a Lazarite breast cross. Now, it is possible that the former may be a chromatically distorted blue Prussian *Pour le Mérite* but, as has been pointed out, the General's decoration could not have been a chest star for the *Pour le Mérite* which wasn't instituted until decades after Rykov's death (*Blog de Heradica*, 2011; ITDG, 2011).

Regardless, when Louis XVII returned to the throne in 1815, he relinquished his grand magistracy to become the order's protector and appointed a self-governing council supervised by Lieutenant General Claude Louis Raoul de Le Châtre to run the operation as assisted by several non-knight officers including the order's Historian, Bon-Joseph Dacier, its Herald, Augustin Françoise de Silvestre, and its chaplain, one Father Picot (Algrant, n.d; Ellul, 2011; Savona-Ventura & Ross, Summer 2013; Velde, 9 March, 2013). As has oft been pointed out, these last three survived the death of both Louis XVIII and Le Chatre in 1824, as well as the rule of the king's brother, Charles X, who was the order's last protector, at least in name, but who apparently abandoned the order's council, though, without formally quashing it (Algrant, n.d.; Ellul, 2011; Savona-Ventura & Ross, Summer 2013).

Savona-Ventura and Ross wonder, based on the post 1788 knighthoods, if there were domestic reasons for the oft-cited “extinction pronouncements” during Charles X’s rule, that are at variance with other evidence (Summer 2013)? Regardless, they accept that Charles X’s successor King Louis Phillippe, withdrew his *fons honorum* from St. Lazarus in 1831 although and the order ceased to exist as a royal institution, but persisted as a canonical entity, but they also cite the Bureau d’ Almanach de Paris as evidence for the order’s continued activity under the leadership of the three aforementioned council officers Baron Bon-Joseph Dacier, Baron Silvestre, Fr. Picot, (Ellul, 2011), and it has been claimed, resilient politician and stout royalist Vincent-Marie Viénot, Count of Vaublanc, a knight of the order since his school days at the [École Militaire](#) in the early 1770’s (died 1845) (Vincent- Marie Vienot, 1815; Ordre de Saint Lazare, n.d.). It is certainly understandable that members of the order would have persisted in pursuing fellowship around shared ideals, fueled by a visceral rejection of what they may well have seen as an illegitimate attempt to kill an ancient and honorable institution that was an integral part of their ego, identity, and values.

Regardless, although St. Lazarus had lost its status as a royal French order in 1831, St. Lazarus proponents argue that it not only endured operationally, but also as a creature of canon law which stipulates that an order continues, unless abolished by the Vatican, until 100 years after the last member dies (Roman Canon 120 §1 and §2; Sainty, 2006a; Savona-Ventura & Ross, Summer 2013). Recently, Sainty pointed out that the reason for this lawful, albeit on-paper, 100 year continuation, is to preserve Church control of a operationally defunct order’s benefices, which St. Lazarus no longer had at this stage anyway (December, 2014). Regardless of the rationale for this clause, an order’s 100 lawful continuation after the death of its last member does not require that it possess property or, people (Roman Canon 120 §1 and §2). It simply persists as incorporeal canonical entity. This arguably allows for renewal or reorganization maneuvers that may not necessarily require overt Papal/Apostolic corroboration (Ross & Savona Ventura,

in press). Conversely, the apostolic extinction of the canonical entity, however, bodiless and inactive, would require a formal abolition via a *contrarius actus* which was just as absent as any arguably unnecessary papal affirmation of governance changes in the canonically extant order after the 1831 loss of French Royal support (Ross & Savona-Ventura, in press).

Regardless, by Sainty's own calculation, since no new knights were, in his view, validly received after 1788, the 100 year clock was set with the death, in 1857, of the last pre-revolutionary appointee, the 103 year old (Marquis) Antoine-François de Charry des Gouttes (2006a). This assured the order's life, at least as a canonical entity, until 1957. However, some might challenge Sainty's metric, and argue that, as noted above, appointments were made by the grand master after 1788, and, as we shall see, purportedly, on an ongoing basis under Roman Catholic Melkite Patriarchal protectors and, through them, some argue (Ross & Savona Ventura, in Press), under the un-recanted papal *fons hornoum* which was not disconfirmed until, at best, the order was unofficially renounced (in possible contradiction to canon law) in the daily newspaper *L'Osservatore Romano* in 1935 (Roman Canon 120 §1 and §2; as cited in van Duren, 1995) .

Regardless, it might be argued, that the issue of post 1788 appointments by Louis XVII is irrelevant for the canonical aspect of the order, whether there was continuity of membership or not, except in determining the date of commencement of the canonical 100 year window is all that legally matters. The premise that the post 1788 appointments are irregular is a bit of a straw man argument, at least in this narrow respect. There was a legal existence, under canon law, until 1957 within which reorganization could occur.

5. The Role of Melkite Patriarchal Protection

The incontrovertible canonical continuation of the order's legal existence, after the withdrawal of the French royal *fons honorum* in 1831 makes the issue of the role of Melkite protectors crucial. Their purported 19th century advent is based on the historically unproven hypothesis that only a decade after the withdrawal of Louise Phillippe's protection, the order's council, which was, contemporary evidence shows, planning to restore *Temple et Hospice du Mont-Carmel en Palestine* (Dumas, 1844) by leveraging France's strong political involvement in the land of its birth by securing the spiritual protection of the Melkite Patriarch Maximos III. St. Lazarus apologists argue that he became administrator general around the time of his second visit to Paris in 1841 (Ellul, 2011; Savona-Ventura & Ross, Summer 2013). This was years before the Pope even appointed a Latin patriarch in 1847 and the papal bull *Orientalium Dignitas* (Pope Leo XIII, 1894) makes it clear that the Melkite Patriarch had primacy over all the Roman Catholic Melkites in the Ottoman Empire ([Fortescue](#), 2001).

For their part, MHOLJ proponents reason that Maximos III's wardship constituted a completely valid transference of the order's protection. This is laid out by Savonna-Ventura and Ross who contend that the papal bulls of Paul V, *Pontifex Romanus* and *Militantium Ordinum*, had given the order's undifferentiated spiritual or temporal protectors (the French King) the right to govern and choose grand masters (pursuant, they argue, to *Inter Assiduas Domenici* of Pius IV, section 41, 1565 and in section 8 of Pius V's 1567 bull *Sicuti Bonus Agricola*) (Summer, 2013; Ross & Savona-Ventura, in press). Consequently, when the order was abandoned by the French crown, the protection of the still extant canonical foundation was merely adopted by and thus transferred to the Roman Catholic Melkite Patriarchs, whether Maximos III in 1841, or no later than 1911, with the well documented protection of Cyril VIII, as well as later Patriarchs (Sainty, 2006a; Savona-ventura, 2012; Velde, 9 March, 2013).

Now, one line of tenuous reasoning is that the order's continued canonical legitimacy flowed up from the Melkite

Patriarchs to the Pope, who, as noted, neither renounced the order (until, unofficially, in 1935), nor required the Patriarchs to relinquish protection as had happened with the militia of Christ in 1910 (Ellul, 2011; Velde, 9 March 2013).

Another, line of reasoning rests on the notion that Canon Law of the Eastern Church (which does have its own canon law *Codex Canonum Ecclesiarum Orientalium*, as cited in Ross and Savona-Ventura, in press) authorizes patriarchal orders and Patriarchal protection confers legitimacy on St. Lazarus knights to this day, at least for those under Melkite sanction. Algrant personally doubts this, as patriarchs do not have a valid territorial *fons honorum*, although he writes that the case is at least “debatable” (n.d.) on the other hand, there are generally accepted Patriarchal orders such as the Melkite Order of the Holy Cross of Jerusalem (Velde, 3, November, 2003; The Patriarchal Order of the Holy Cross of Jerusalem, n.d.). This was founded by Greek Melkite Patriarch Maximos V in the late 1960s and is recognized in Burke’s Peerage as an authentic Ecclesiastical and Patriarchal Order (Burkes Peerage, 2006). The International Commission on Order of Chivalry (ICOC) somewhat disagrees, however, and downgrades it, with other Eastern ecclesiastical associations, to a mere pastoral decoration, but they treat these groups with deference and avoid calling them self-styled (2006). Velde is less kind. He sees the Holy Cross of Jerusalem as bogus and mocks its collection of passage fees and use of knightly symbols even though these practices are ubiquitous (November, 2003). Not coincidentally, the current Grand Master of the Order of the Holy Cross of Jerusalem, Patriarch Gregorius III (Laham), is also the spiritual protector of the Spanish MHOLJ which may fuel Velde’s derision, as he is a detractor of the MHOLJ (Melkite Greek Catholic Church Information Center, 2015; Velde, 9 March, 2013). Although it has not always been the case, it is now accepted that a true Chivalric order requires the valid *fons honorum* of a sovereign house or state. Absent a *fons honorum*, and, arguably, with a Patriarchal *fons*, the Order of St Lazarus, one line of reasoning runs, would be a Patriarchal Association of a chivalric character, or even a Patriarchal order, but not a temporal chivalric, Order (Burkes Peerage; ICOC).

It is also true that critics have questioned whether the protection of Maximos III actually happened in the 1840s, and if so, they wonder why the knights didn't seek Latin patriarchal protection (Velde, 9 March 2013). Regarding the first point St. Lazarus proponents argue that the order's records were transferred to the Holy Land and were subsequently destroyed during the devastating 1860 Druze-Maronite conflagration, or in the burning of all the Patriarch's records at Ain Traz in the Lebanese civil war in 1983 thus destroying any remaining evidence for in the Melkite arrangement (Savona-Ventura & Ross, Summer 2013). It is important to note, however, that as a matter of law, the Declaration of Kevelaer in 2012, the present Patriarch, Gregorios III Laham, confirmed that the order had been under the continuous protection of the Greek Melkite Patriarchs of Antioch, Jerusalem, Alexandria and all the East since 1841 (Kevlaer Declaration, May 2012). Legally, the absence of physical records is immaterial, since in law the confirmation of a lost document in a subsequent legal document from the same granting authority confirms the existence of the vanished document. Thus, some argue that legally, the matter is settled: the relationship has existed since 1841 (Ross & Savona-Ventura, in press). Furthermore, it is not irrelevant that the current Patriarch read the Kevelaer affirmation of legitimacy from the Grand Altar of the Basilica at Mass to give it added emphasis.

Lazarite defenders counter the second concern of critics as to why the order didn't choose a Latin Patriarch by explaining that the council chose Melkite Patriarchs because the substantive office of Latin Patriarch was only created in 1847 (it was titular only up to this date) and was a new and far more autonomous entity than Roman patriarchs as reflected by the patriarchal titles as "Father of Fathers, Pastor of Pastors, Bishop of Bishops, the Thirteenth of The Holy Apostles" (Melkite Greek Catholic Church Information Center, 2015; Velde, 9 March, 2013) ." The purported choice of the Melkite patriarch rather than the later creation, the Latin patriarch, supports the suggestion that the choice was made before 1847. Melkites perceive the pope as "first among equals" (the five Apostolic Patriarchs are Rome (the Pope),

Constantinople, Antioch, Alexandria and Jerusalem) with themselves as being one of the "Equals" (Melkite Greek Catholic Church Information Center, 2015; Velde, 9 march, 2013). Chivalric expert Peter van Duren acknowledges this independence and stresses that "only a papal interdict against the order of St. Lazarus or the Patriarch could have prevented him from agreeing to become the spiritual Protector of the Order." (Fortescue, 2001; O'Malley, 2008; van Duren, 1995 p. 510). This simply never happened even when Cyril VIII unquestionably became the order's protector, at least for a time, in June 3, 1911 (Velde, 9 March 2013). Despite these expressions of independence, the Melkite patriarchs are clearly theologically subject to the Pope although liturgically and administratively "sui juris" (independent). Most recently, Ross and Savona-Ventura (in press) note that the requirement of a temporal *fons honorum* is true for orders founded post-1325 but was never the case for the crusading orders, which had the Pope as their head by virtue of his apostolic, and not his temporal, status. They further note that in the later Papal bulls defining the MHOLJ (those of Popes Pius IV, Pius V and Paul V) clearly and explicitly recognized the Grand Master of the MHOLJ as its sovereign head, holding the same status as the SMOM. They contend that the temporal *fons honorum* question is historically inappropriate for a crusading order, and that the Grand Master has been explicitly recognized by Papal bull as being both sovereign head and as having equivalent sovereignty as the SMOM. In this view, a temporal fons is an arguably superfluous augmentation, not-un important, but not essential.

Another possible reason for choosing Maximos III was that he had strong French connections having lived and founding a church there in the 1830s (Dick, 2004). Later, as Patriarch, he resided in Francophile Beirut. He was also the first Melchite Patriarch to be granted Ottoman Imperial status as a millet-i Rûm giving him and his successors a small degree civil autonomy over his theo-jurisdictional "nation," a term used by the Ottomans (Ross, & Savona-Ventura, Summer 20130; Fortesque, Adrian, 2001) . He could impose taxes, enact minor legislation, hold low-level judicial proceedings, perform some local security functions,

and oversee hospice and hospitaller care(Karpat,1982). However, any territorial authority would have lapsed with the fall of the Ottoman Empire at the end of the First World War. Admittedly, this evidence is circumstantial but it is clearly plausible that Melkite protection was offered to the canonically extant order of St. Lazarus in 1841 as tradition holds.

6. The Classic Defense for the Modern Continuation of St. Lazarus

Informed Lazarites quietly acknowledge that Louis XVIII had decided to let the French foundation die, and that the questionable practices of some early 20th century leaders, to say nothing of the long lost protection (regained intermittently) of the Royal House of France, invites confusion, skepticism and demands better documentation (Algrant, n.d.; Sainty, 2006a). Others, simply shrug their shoulders and remind critics that the absence of compelling evidence for new “regular” investitures (but not nominations) after 1815, is not “evidence of absence,” and scoff at the tiny period of time, in the long sweep of history, when the order’s history is blurry.

Some Lazarites might extend the (*tu quoque*) defense that the histories of other accepted orders are also gap-filled, flush with conjecture, and error ridden (Riley-Smith, 2006). They could remind critics that that appointments to the French Royal order of St. Michael like those of some of the post 1788 St. Lazarus knighthoods can also only be reconstructed from second hand sources and later interpretations, although, as mentioned, other MHOLJ nominations post-revolutionary nominations are well documented (Tsar Paul I and Baron Dreisen for example), (Boulton,1986). They might even argue, as some scholars have, that the gold standard for equestrian orders, the Sovereign and Military Order of Malta (SMOM) was, like St. Lazarus, all but defunct and “revived” after its defeat by Napoleon at Malta in 1798. In his 2006 University of Leiden doctoral dissertation Hendrik Johannes Hoegen Dijkhof’s concludes that ‘nobody can validly claim to be the only uninterrupted continuation or the uninterrupted legitimate

successor of the original order as it existed before the surrender of Malta” (p.191). He argues that the SMOM’s utter *debellatio* robbed it of its sovereign statehood, most (if not all) of its lands, its military purpose, and its grand master (1799). The surviving knights were thrown into a diaspora resulting in one temporary “revival” in Russia and at least one other restart in Western Europe when Pope Leo XIII finally appointed a new grand master in 1879 (Cox, 2002, Dijkhof, 2006; van Duren, 1995). On the other hand, like the MHOJ after 1830, the SMOM remained a canonical entity, and unlike the MHOLJ it retained some income producing benefices even during this transitional, grand-masterless period (StairSainty, January 26, 2015).

Still, Lazarites might even say “so what” to the oft touted fact that if St. Lazarus regalia had been banned in France after 1830, when every other non-royal order had been banned six years before that (Velde, 9 March 2013). And while it’s hard deny that some shady sorts were involved in rebuilding the order after 1910, the not infrequent reminder that the order admitted dictators like Franco, Trujillo, and Batista (Ellul, 2011), are mere smears that could just as easily be levelled against other orders including the SMOM, which had knighted Heinrich Himmler, Mussolini, and Juan Peron (Kirkconnell, 2013).

Experience shows that some Lazarites remain agnostic about their historicity, and feel fine about what they see as their *de facto*, if not *de jure* sovereign acceptance. It should be noted, (as shall be addressed in an article in progress), that one modern MHOLJ faction has received the temporal protection of Henri d'Orléans, Count of Paris, pretender to the to the defunct throne of France, which, even if valid, is arguably so only due to the Melkite “bridge” that assured the order’s continuation through its 1911 reorganization. They cite evidence that a succession of Popes have not prohibited priests from serving as MHOLJ chaplains nor has any Pope enjoined the many bishops, Cardinals and, as noted, Patriarchs from becoming high officials in, or even protectors of the order (Sainty, 2006a; Velde, March 2013). Professor Peter Bander van Duren (1995) of the University of Moderna in Lisbon, documented how Pope John Paul II had celebrated

Mass with MHOLJ members, bishops and priests following their successful Polish relief efforts in 1987. He also was the first to observe that the Pope, as the sovereign monarch of the Vatican City State can only officially recognize papal orders and, or those its protection, like the SMOM, or the orders of other autonomous states enjoying Vatican diplomatic recognition. However, in his spiritual role as the chief disciple of Christ and inheritor of the Apostolic See of St. Peter, the Pope can, and seems, in the view of some, to have accorded the now ecumenical MHOLJ “in fact” approbation, although van Duren holds that the pope cannot really offer any *de facto* acceptance.

Official Papal recognition, however, is not, nor is likely to be forthcoming since the Vatican emphasizes that it recognizes only its own orders (and the MHOLJ has been an ecumenical order since the 1960s). There has, however, been a recent change (2012) in the Vatican’s messaging about non-papal orders. It no longer condemns many of them as it had in its semi-official mouthpiece *L’Osservatore Romano* from 1935, through 1970 (Savona-Ventura & Ross, Summer 2013; Van Duren, 1995). It has also withdrawn its list of unrecognized orders. It’s “non-recognition” stance includes, as has been tellingly noted, orders that it admits as having been anciently established (referring here, in all likelihood, to the various Lazarus groups including the Savoy dynastic order of St. Maurice and St. Lazarus and the Constantinian Order of St George). The church now uses language that is more consistent with van Duren’s premise that the Vatican state, as a jurisdictional matter, can’t guarantee orders other than its own, nor can it recognize their symbols, forms, and titles, nor formally condone the use of churches for unofficial catholic vigils and investitures (Ross, 2013; Vatican Information Service, October 16, 2012). The Vatican acknowledges that some non-Papal orders are fake, but doesn’t “out” them and assumes the stance of *caveat emptor*. Its attitude towards them has never approached anything like the clear denunciation of Freemasonry the membership in which is still barred to Catholics.

7. Originalist Chivalric Legitimism

Since there is no legally constituted sanctioning body for non-governmental chivalric orders, legitimacy is a matter of general acceptance by widely accepted sources. So, let's examine a bit of *reductio ad absurdum*, where one might imagine an atavistic wag's argument for a historically originalist view of knightly legitimacy. One might argue that since early medieval warriors could knight each other, and private subjects could form what would later become knightly orders (Burkes Peerage, 2006), then why not emulate these authentic practices and recognize that private individuals, especially high nobles or prelates, can form knightly orders? Indeed, there are many such groups. *Boulton* (1986) calls them confraternal orders and identifies them as having two key characteristics: they lack a *fons honorum* and their grand Masters are generally non-hereditary and elected. He divides them into two classes: Princely orders, headed by high nobles, usually dukes, and baronial orders at a lower grade. Velde lists of these ducal and baronially founded groups ^{JJJ} some modeled upon national orders while others embrace spiritual goals.

Most famously, a former confraternal order, is the Golden Fleece. It was founded by the (non-sovereign) Duke of Burgundy in the early 15th century (Velde, April 22, 2010), although it later morphed into a Spanish royal order of merit and, in Austria, a Roman Catholic Household order of Hapsburgs. Another, more controversial confraternal order is that of Saint Joachim. It is best known for being worn by Lord Nelson when he was killed at Trafalger. It was founded in the mid-eighteenth century by the princely son of a reigning duke it never had a *fons honorum* (Hanson, 1802). Despite its late foundation which robbed it of any medieval prestige, it, nevertheless, enjoyed considerable recognition in the early 19th century, including support from the English College of Arms. But its credibility evaporated as it drifted into obscurity only to be reorganized (or revived) with a commoner at the helm casting it, for some, as a questionable *soi disant* order (Hanson, 1802; Burkes, Peerage, 2006c; The Temporal, Secular, and Chapterial Order of St. Joachim, 2014). Still, for several seasons it enjoyed legitimacy.

8. Conclusion: Evolving Chivalric Dynamism

In sum, knighthood continues to be a dynamic living institution and change is inevitable. By High Medieval criteria, the MHOLJ, which has many nobles in its leadership, meets the standard of a temporal confraternal order, arguably of the higher sort (as opposed to baronial), (Boulton, 1986) even without a sovereign *fons honorum* (although, as mentioned, the Orleanist claimant to the former Crown of France has offered this sort of protection to one group). However, even if desirable, a temporal *fons honorum* is not essential. This is based on historical evidence that royal protection dates from several centuries after the crusading orders had been founded under a spiritual, not temporal fountain of honor. As such, this paradigm imposes much later practice on an earlier period when it did not apply. Also critically important to all MHOLJ factions (except Ellul's) is the clear legal evidence that the Order of Saint Lazarus was canonically continuous well into the 20th century. This "bridging event" clearly authorized by Roman Canon 120 §1 and § 2 and confirmed in the Kevlaer Declaration of May 2012 which, *quod de jure*, allows for the Patriarchal protection and reorganization which is the font of all modern MHOLJ groups.

As more primary historical and legal evidence emerges, it seems that the arguments of the critics shift and in some cases become more extreme. But it is reasonable to assume that the MHOLJ is an historic chivalric institution.

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