

The context of this work, published in 1612, is the need of post-Reformation states to prove the legitimacy of their powers. While some attempted to develop a position that would provide such a foundation regardless from one's religious affiliation, S. argues against such secularizing tendencies. At the center of his argument is the natural freedom of the human person. This freedom, however, aims naturally at fulfillment in a society (*appetitus societatis*). The power to force another human being can therefore only derive from God, as there are no "natural slaves" (III, 2, 3). Nevertheless, he denies that a single person can immediately be vested by God with such power (as Savonarola claimed). Instead such happens through a mediating cause, the institutions of the state, which arrive at it due to the surrender of rights of the totality of the people (the term general will is not yet known to S.). These rights, however, are gifted and not delegated (III, 4, 11) to the monarch.

S.'s attempt to give free human will a constitutive power in the foundation of political society is remarkable. His argumentation follows the Salamanca school, which is known to combine theonomical and anthroponomical elements to articulate the legitimacy of the power of the state. This volume contains the Latin original and translation. The latter is fluid and concise and makes S.'s dense prose quite accessible. The critical apparatus, bibliography, and index are superb. The value of this work cannot be overestimated. Yet now it is on us to reread S. and realize the importance of this Jesuit thinker for the formation of modern political philosophy!

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*Die Theorie des natürlichen Gesetzes bei Francisco de Vitoria warum Autonomie der einzig mögliche Grund einer universellen Moral ist.* By Anselm Spindler. Stuttgart-Bad Cannstatt: Frommann-Holzboog, 2015. Pp. xxii + 285. €168.

This philosophical dissertation challenges Schneewind's "dogma" that Kant invented the conception of morality as autonomy; yet, even more surprising, we are told that it was Francisco de Vitoria, OP, who long before Kant had developed such a concept.

In order to make his argument, Spindler first establishes that Domingo de Soto, OP, taught a morality derived from nature while the Jesuit, Francisco Suarez, held on to a divine command theory. In a next step, based on recent scholarship (esp. Wolfgang Kluxen and Hannes Möhle), Thomas Aquinas and John Duns Scotus are shown to be much more sophisticated than de Soto and Suarez, and in fact preparing Vitoria's conception. Vitoria becomes thus the exception to the Salamanca School as he reconstructs the universal demand of morality and leaves the paradigm behind that morality has to be obedience towards God (or nature). For him a person has moral responsibility if he or she has the faculty to reason (*usus rationis*)—but that the latter is only the case if they have the ability to determine their actions through reasonable considerations, which fall under this normative and highest principle of practical reason. Thus the legislation of practical reason subdues judgment and will. By reconstructing that for Vitoria the

natural inclinations only derive from the judgment of practical reason about human goods and not vice versa (191) he further buttresses his point. Practical reason is established as autonomous reason of morality, and Schneewind's claim that nobody before Kant tried to achieve such grounding is refuted.

S.'s work is one of the most fascinating studies in the history of ethics in decades. His reading of the texts is careful and his judgments are mature and diligent, which makes his case all the more convincing. The editors of the series have to be congratulated for such an outstanding contribution. It is to be hoped that S. will soon present a translation of some of Vitoria's texts so that they can be used in the classroom; moreover, his book has also increased the reviewer's interest in de Soto, of whom even fewer texts are readily available. Thus, this volume is also a painful reminder about the sad state of historical theology in which the centuries from Trent to Vatican I are eclipsed despite their fascinating content.

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*Zwischen Ordensdisziplin und Selbstbehauptung. Der Fall der Münchener Klarissin Magdalena Paumann (1734–1778).* By Irmgard Zwingler. Studien zur Altbayerischen Krichengeschichte 15. Munich: Vereins für Diözesangeschichte, 2016. Pp. 497. €30.

This groundbreaking study investigates the most famous case of monastic violence in Central Europe, the incarceration of Magdalena Paumann in Munich in 1765. Despite the fact that this meticulously researched book is a local study, it has far-reaching consequences for the study of gender and violence in Catholicism.

Z. shows that Paumann was a self-confident woman, who entered the convent of the Munich Poor Clares under special protection of the Empress. After a short time of acceptance, the nuns began to haze and harass her so that Paumann fell into depression and attempted to escape. The abbess incarcerated her in the most inhumane circumstances, pretending to her family that she had become insane. The Franciscan friars abused their powers as confessors to rape incarcerated nuns or sexually abuse them, including Paumann (277–79), and even broke the seal of the confession if they saw profit could come from it. While canon law protected the monks, the nuns were vulnerable due to the arbitrariness of an abbess who proved in this case to be a despot. Only a whistle blower and the forceful entry into the cloister by state-appointed officials ended Paumann's trials. The Elector of Bavaria had preferred violating the papal enclosure laws to save a human life; Paumann was transferred to a hospital while the abbess rejected paying the bills for her medical treatment.

This case study is one of the most valuable contributions to the study of female monasticism in decades. It reconstructs female self-consciousness in the 18th century, female understanding of authority and violence, and even the tense gender relations with confessors and other priests. Moreover, this is a shocking book: the criminal trial against the Franciscan Order, whom he had sued and pursued at the Papal Court, was