

THE GROWTH OF PAPAL GOVERNMENT IN THE MIDDLE AGES

A Study in the Ideological Relation
of Clerical to Lay Power

Walter Ullmann

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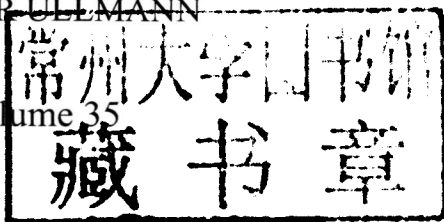
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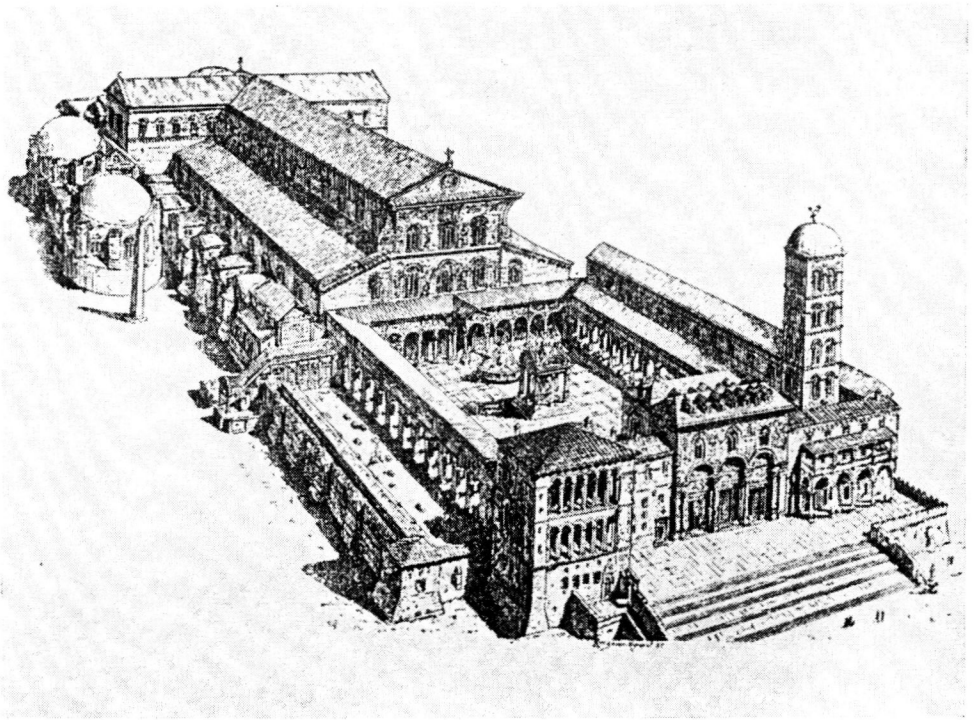
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RECONSTRUCTION OF MEDIEVAL ST. PETER'S, ROME

Originally drawn by H. W. Brewer in *The Builder*, vol. lxii (1892).

Drawing modified by M. Crostarosa (cf. H. Grisar, *Geschichte Roms und der Päpste*, Freiburg, 1901, pp. 239, 832)

THE GROWTH OF PAPAL GOVERNMENT IN THE MIDDLE AGES

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by
WALTER ULLMANN

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Preface

THERE are probably fewer topics in history which have attracted greater attention than the perennial problem of the relations between Church and State. For the medieval period, however, it is increasingly recognized that this modern dichotomy has little, if any, meaning. At the same time it is generally recognized that the medieval papacy, certainly after the late eleventh century, exercised considerable governmental authority over empires, kingdoms, principalities, and so forth.

What this book attempts to do is to trace the development of papal governmental authority. Roughly speaking, the period which witnessed this evolution was that between Emperor Gratian and Master Gratian. By the time of Master Gratian the development was virtually concluded: the period from the mid-twelfth century onwards, beginning with Alexander III's pontificate, shows the papal government at work through the agency of the law—the canon law—the scientific elaboration of which owed so much to the monk of Bologna. In the last chapters I have found it advisable to indicate in the notes how the one or the other point developed in the later period.

This essay is not written from the papal, or imperial, or royal or any particular point of view; nor does it try to justify or to refute any standpoint or theory or ideology, past or present. It tries, with the limited resources accessible to a mere student of history, to find an answer to the question of how this papal government grew, what factors contributed to its growth, what obstacles it had to overcome, what were its essential features, and so forth. The problem of the secular power is most intimately linked with these central questions: what functions did papal doctrine attribute to a king or an emperor, and why was he to assume a position of inferiority—these and numerous other topics are so essential to the theory of papal government that they are part and parcel of the central theme. Therefore, this essay is not a history of the medieval papacy or of the medieval Church, but is concerned with the development of the basic principles upon which rested the governmental authority of the Roman Church in the medieval period. A very modest attempt is here made to explain this development

with the help of historical facts. I felt that one kind of modern historiography is too much concerned with the presentation of facts to the detrimental exclusion of ideas which, after all, are closely related to these facts, whilst another kind of historiography deals too much with the presentation of ideas and virtually excludes the historically relevant facts. This essay is a very humble attempt to build a bridge between these two extremes by the combination of the processes of re-thinking and therefore of re-assessing.

Considering the multitude of elements which went to make the governmental edifice of the medieval papacy, I am fully aware of the weaknesses and shortcomings of this essay. Perhaps not its least defect lies in its not taking into account St Augustine. I may perhaps be allowed to say that originally I had of course intended to give Augustinian thought its due, but I became convinced that its presentation would not only involve his "political" theories, but also his teleology of history, Platonism and Neo-Platonism no less than the other agencies which moulded the great African's mind. But this can no longer be done within a chapter or two. As it was, I had to deal with a great number of topics which—for inscrutable reasons—lie outside the historian's view, such as liturgy, symbolism, and so forth. I can only hope that I have not made too many blunders in these departments which I strongly feel are far too little the direct concern of medieval historians, although they are by no means the only ones which should at least be accorded the status of auxiliary sciences.¹

The long period which this book covers, necessitated some care in the selection of literary sources. I preferred to rely on the actual texts and have therefore quoted at fairly great length from them, because so much depends on the actual (and usually carefully chosen) wording of the record. I have for this reason also preferred, if possible, not to translate. The pitfalls of translating medieval Latin, particularly of official records, and the consequential blurring of their meaning, are commonplace knowledge. I am fully conscious of the inadequacy of my modern literary apparatus, but if the footnotes were not to become too unwieldy, a severe pruning had to take place: even so, they are still very long and numerous. I have cited liberally modern authorities

¹ This applies also and to a very special degree to philology—"cette mère nourricière de l'histoire" (F. L. Ganshof in *Revue belge de philologie et d'histoire*, xxx (1952), p. 1275)—and the decline in the knowledge of Latin nowadays can, from the medievalist's standpoint, only be viewed with alarm. Medieval jurisprudence and a grounding in Roman law principles is one more such subject that should at least be raised to an auxiliary historical science.

in the language in which they were originally written. I believe that herewith a service to the reader is rendered who, indeed, is not helped when confronted with a string of references to authorities—original and secondary—which he is not usually in a position to check, unless he is permanently resident in some great library. The terminology adopted which at first sight may seem unfamiliar, is derived from the actual expressions, terms, phrases, etc., occurring in the historical documents. I am not unaware of a certain repetitiveness, but in mitigation I may plead that this is conditioned by the subject itself. Nor do I fail to see that some concepts and facts merited lengthier treatment, but again my plea is that if the study was not to become too unwieldy, it was advisable to indicate certain developments—pointing to further literature—rather than to try and attempt to write exhaustively. My main object was to concentrate on the fundamental principles.

A glance at the notes will show in fact better than I can do in words how much I owe to the modern pioneers of medieval historical scholarship. It is with a very deep sense of gratitude that I acknowledge my great debt to them: without them this book could never have been written. Some of those to whom I am so greatly indebted, are no longer *inter vivos*—may this essay not be unworthy of their pioneering works.

Immediate and personal help I have had from many quarters: to name them all would be tedious. But it would be ungracious on my part, were I not to say how much stimulus I have derived from my pupils, undergraduates and graduate research students alike.

There remains for me only to discharge a very pleasant duty and to thank two of my colleagues in the University who have had the kindness and patience to read through the typescript of the book and to criticize it to my very great profit. To both of them, to Mr R. F. Bennett, of Magdalene College, and to Mr C. N. L. Brooke, of Gonville and Caius College, I owe far more than the cold printed word can convey. I most gratefully acknowledge their valuable help so generously given. *Amicis fidelibus nulla est comparatio.*

Lastly, I must thank my wife for her constant forbearance and assistance.

Trinity College,
Cambridge

W.U.

21 August, 1953

Preface to the Second Edition

A GOOD deal of new material has been made available since this volume was originally finished, and the need for a second edition should have provided an opportunity for not only incorporating this new material, but also for improving and clarifying the text where this might have appeared advisable. But apart from the fact that the work has already seen a revised and somewhat enlarged German edition (*Die Machtstellung des Papsttums im Mittelalter* (Graz-Cologne, 1960)), this procedure would have entailed the resetting of the whole book and would thus have greatly increased the costs. The other alternative was to let the text stand and simply to reprint, but I could not bring myself to adopt this alternative. The new material did not on the whole seem to justify the adoption of the first alternative, because none of the essential points is in need of drastic revision or modification as a result of new publications or additional material. On the other hand, this new and additional material appeared to be both in quantity and quality sufficiently weighty and meritorious to be at least mentioned without however incurring the necessity of resetting the entire book. I have therefore adopted a compromise solution and have added in a few places that literature which would seem to be of use to those readers who would like to have up-to-date information. But I have by no means added every new article or book or source and have only appended the most appropriate and relevant literature, in so far as it has appeared since August 1953 or should have been originally included. Modifications and additions to many passages in the text have been added in Appendix B (page 461). My publishers have asked me to apologize on their behalf for this rather cumbersome solution, but they point out that without it the price of the book would have had to be even more significantly increased than it is.

My continued occupation with the records of papal history in the Middle Ages has further clarified a number of concepts and principles and has once again shown to me the consistency and coherency of papal thought in the Middle Ages. Since the papacy entered the historic scene in the fifth century, its inflexible adherence to the correctly understood monarchic principle through the centuries must indeed

appear remarkable to the historian who is attuned to witness change on the plane of historical process. True enough, the papacy in these medieval centuries often lacked the means or the opportunities to translate its doctrines of government into practice, and often enough temporary shifts and accommodations to an already existing situation or even seemingly wholesale reversals of earlier steps can easily be observed, but—and this is the vital point—the stubbornness and resilience with which the papacy clung to its doctrinal programme, is indeed one of the most noteworthy features in the history of European institutions. When dealing with the papacy, the enquirer stands on very firm ground, because the material flows so richly from the papal pens. For this programme was derived, as the popes loudly, insistently and constantly proclaimed, from the Bible and was held by them and by contemporary Europe to be nothing less than the practical realization of biblical doctrine. The link with divinity was a most potent element that supplied—in the contemporary environs—the firmest possible base. Divinity spoke through the papacy, so it was held, and when due recognition is given to this fact, not only the constancy but also the appealing logicity of the papal programme becomes understandable.

It is therefore incomprehensible how some writers nowadays can maintain, amongst other things, that the programme and principles of the medieval papacy underwent radical changes: in particular it is asserted that after Innocent III the papacy changed its original dualist programme into an hierocratic standpoint. He who asserts a point of view such as this, stands convicted before the historic forum on a charge of ignorance of the sources or culpable lack of understanding of the papal theme.¹ For it was always one of the sources of strength

¹ These writers—they are less numerous than their vociferously publicized views would suggest—conveniently overlook that the very term and idea of a *dualitas* of government was the invention of the excommunicated and deposed King Henry IV to be used as an instrument *against* the papacy; and this dualist idea became the panacea of royal and imperial governments in opposition to the papacy from the Investiture Contest down to the Reformation. But these writers now wish to tell their unsuspecting and uninitiated readers that the dualism was the official papal programme from which only the thirteenth-century papacy deviated. For Henry IV see *infra*, pp. 345 ff., and see also my remarks in my Preface to *Machtstellung*, at pp. xxxiv ff. and in *Hist. Z.*, cxci (1960), pp. 620 ff. It is particularly teasing to read that Innocent III was a “dualist” and that the deviation was especially due to Innocent IV and Boniface VIII. One has but to look at the legislative output of Innocent III and at the commentaries and glosses on the *Compilationes Antiquae* (notably II, III, IV) which contained overwhelmingly Innocentian material, to realize the effects of this pontificate upon the crystallization of hierocratic thought.

of the papal government that it simply made known God's will through the vehicle of the law and continued the lines laid down by antecedent popes. They who would like to see such radical changes in the papal programme and attribute to the thirteenth-century papacy this deviationism, put—admittedly, unknowingly and unwittingly—the papacy on a level not different from a royal or a city or a village government, revive in a different form the long-demolished thesis of Rudolf Sohm and by implication deny that very element which was the hallmark of the papacy, that is, its being a specific organ of divinity instituted for particular purposes by Christ Himself. There is no need to dwell at any length on the logical consequences to which this falsification of history must necessarily lead. The secret of the papacy's success in the Middle Ages lay precisely in that it inflexibly adhered to its programme and principles and vital axioms because it held them to be of divine origin. Any other explanation or "view" comes dangerously close to asserting the changeability of divinity itself. It can, however, readily be conceded that this programme of the medieval papacy causes some discomfort to the historically untrained or uninformed, and it can furthermore be admitted that from a practical modern point of view this medieval papal programme appears disconcerting or even disagreeable, but historical truth as contained in the thousands of papal communications from the fifth to the fifteenth centuries cannot take into account modern requirements—with the inevitable result that history becomes tailored so as to fit a transient scheme.

Whilst the historic recognition of the programme itself does not constitute major difficulties, there are nevertheless a number of problems which are still in need of detailed examination. One of these concerns the extent to which the medieval papacy has relied on the Bible. This question does not focus attention on the correctness or incorrectness of biblical interpretation by the papacy, because this is not the business of the historian; nor does this question primarily refer to the invocation of the already well-known passages. What this question concerns is the less obvious, hidden and unacknowledged influence of the Bible upon, not only the programme, but also on the style, language and thought processes of the papacy. My occupation with papal history has convinced me that more often than not the papal writer himself was unaware of the biblical root of his views or expressions. I have collected a good deal of material on this point, but to have incorporated it in this book would probably have doubled its size. This dependence on the Bible is not at all startling—it equally applies

to royal and imperial governments, with this difference, however, that by its very function the papacy had far more opportunities of being influenced by the Bible than the other forms of government. It is, after all, not so very difficult to understand how the Bible became part and parcel of the papal equipment, and this without the popes themselves becoming aware of the constant infusion of biblical terms, elements, views, allegories, etc., into their mental system.¹ It will be seen, however, that a number of preparatory studies has first to be undertaken and that the inclusion of this cluster of problems into the present volume would not only have been premature, but also inadvisable. But this is only one of the many problems still awaiting its treatment *ex professo*, though it is possibly the most urgent.

Only one or two of these other problems can here be mentioned. The detailed influence of the Roman law and of the Roman constitution upon the papacy and its principles of government is one such topic that needs to be examined and analysed. This is especially important in regard to the fifth and sixth centuries, those centuries in which the legal and constitutional bases of the papal government were laid and in which the papacy came to assume its own institutional personality. The challenge issued by the papacy to the imperial government would indeed show that the papacy felt itself strong enough to enter into a conflict with its adversary in Constantinople on grounds which were the latter's own—the law, which in its papal shape had received its characteristic Roman sustenance and complexion and had become Roman law applied and adjusted. As far as I can see at present, however, a satisfactory treatment of this problem of Roman law influence will have to distinguish between the influence of classical Roman law and that of the Justinianean codification. That a host of subsidiary questions will emerge in connexion with this basic problem, needs not specifically to be stated. Another problem is that of the concrete and provable influence of Western royal governments and other secular institutions upon the papacy, that is, how much were, institutionally, the popes the *famuli* and the kings the *magistri*?² Not far removed from this topic is the analysis of the relations between

¹ A good illustration is afforded by the very concept of "positive law" which seems foreshadowed in the Bible where the terminology is consistently *legem ponere* (or *dare* or *condere*), a terminology which clearly betrays legislative omnipotence. On this cf. my remarks in *Revue d'histoire du droit*, xxix (1961), pp. 118 ff.

² For a few remarks cf. my *Principles of Government and Politics in the Middle Ages* (London, 1961), pp. 108 ff.

the papacy and Eastern governments, such as Poland, Hungary, Russia, Lithuania, Estonia, and so forth; clearly, this group of problems must be seen in relation to the Byzantine empire on the one hand and to the West-Roman empire on the other hand. In what way did the capture of Constantinople affect the implementation of papal doctrine towards the other Eastern governments? How far did German and papal aspirations towards the East coincide, how far did they overlap and how far were they antagonistic to each other? It is high time that the influence of papal legislation upon what later came to be known as international law, were investigated in detail,¹ for a number of stipulations in present-day international law have indisputably their roots in the medieval papal legislation, because the pope as *speculator omnium* and *universalis monarcha*, thus standing above the inter-regal turmoil, claimed to regulate the relations between kingdoms. No less important a topic to be examined is the problem of the period of time which a number of papal principles took to come to full fruition. Why was it that some principles as soon as they were enunciated, became part and parcel of the papal mental equipment, whilst others had to wait a very long time before they could find favour? These latter lay, so to speak, dormant and were resuscitated only after a very long time. How is one to explain this feature? An obvious instance is the development of the concept of the pope's vicariate of Christ: Paul I in the eighth century had it pronounced as clearly as one might, and yet it took just about another four hundred years before the concept became operational. Further, how far did the dogmatic and patristic literature influence the papacy and how far was the latter instrumental in shaping dogma and doctrine? One more and rather urgent problem that awaits its historical and structural analysis is that of the relations between the papacy and the episcopacy. Episcopatism was a very serious—perhaps the most serious—obstacle to the full deployment of papal governmental principles; in fact, episcopatism constituted a far more obstinate impediment to the papal government than any royal or imperial opposition. How did the papacy, at least temporarily, overcome episcopatism, how was the latter, so to speak, driven underground, and how did it gather force again in the late Middle Ages? These are only a few of the problems which the opulent history of the medieval papacy poses. Much work has yet to be done, and it may perhaps not be presumptuous to express the hope that those who are so anxious to tailor medieval papal history to modern exigencies,

¹ Cf. *infra*, p. 450.

might one day profitably and constructively direct their energies to the one or the other problem here mentioned.

Once again I would like to thank the many friends and colleagues who have sent me offprints of their articles and papers and copies of their books: only he who knows how easily new publications may escape notice, will appreciate this generosity.

Cambridge,
15 November, 1961

W.U.

Apart from some small additions and the correction of some misprints no substantial changes have been made in this printing. But in order to assist the reader, I have put asterisks (*) in the margin of the texts and footnotes to indicate that Appendix B has additional material or adjustments to the text.

Cambridge,
21 October, 1964

W.U.

Preface to the Third Edition

The amount of new material that has become available in recent years still does not warrant a revision of the work which in any case would have been, in present conditions, a very costly undertaking. I have therefore continued the method which I adopted on previous occasions and have added in a new Appendix C some of the new literature which appeared to me particularly relevant, but it should be borne in mind that in order to keep this Appendix as short as possible to save costs, the supplementation represents a mere fraction of the new material. Again, for the benefit of the reader I have indicated by a dagger (†) in the margin of text and notes that Appendix C contains new matter.

Cambridge,
17 April, 1969

W.U.

Abbreviations

CSEL.	<i>Corpus scriptorum ecclesiasticorum latinorum</i>
D.	Diploma
DA.	Dictate of Avranches
DAC.	<i>Dictionnaire d'archéologie chrétienne et de liturgie</i>
DHE.	<i>Dictionnaire d'histoire et de géographie ecclésiastiques</i>
DP.	Dictate of the Pope (Gregory VII)
EHR.	<i>English Historical Review</i>
Ep.	Epistola
Epp.	Epistolae
hist.	historical; historique; historisch
<i>Hist. Jb.</i>	<i>Historisches Jahrbuch der Görresgesellschaft</i>
<i>Hist. Z.</i>	<i>Historische Zeitschrift</i>
J.	Ph. Jaffé, <i>Regesta Pontificum Romanorum</i> , 2nd ed.
LdL.	<i>Libelli de Lite</i>
MA.	Middle Ages; Moyen Age; Mittelalter
Mansi	J. D. Mansi, <i>Sacrorum conciliorum nova et amplissima collectio</i>
MGH. <i>Const.</i>	<i>Monumenta Germaniae Historica: Constitutiones</i>
MGH. <i>Epp.</i>	<i>Monumenta Germaniae Historica: Epistolae</i>
MGH. <i>Leges</i>	<i>Monumenta Germaniae Historica: Leges</i>
MGH. <i>SS.</i>	<i>Monumenta Germaniae Historica: Scriptores</i>
MIOG.	<i>Mitteilungen des Instituts für oesterreichische Geschichtsforschung</i>
<i>Misc.</i>	<i>Miscellanea</i>
OR.	<i>Ordo Romanus</i>
PG.	J. P. Migne, <i>Patrologia Graeca</i>
PL.	J. P. Migne, <i>Patrologia Latina</i>
Potthast	A. Potthast, <i>Regesta Pontificum Romanorum</i>
<i>Reg.</i>	Register
RHE.	<i>Revue d'histoire ecclésiastique</i>
RNI.	<i>Regestum Innocentii III papae super negotio Romani imperii</i>