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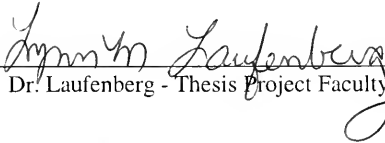
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Pope V. State:
The Medieval Catholic Church as an
International Governmental Organization

A Senior Honors Thesis in the Department of History
Sweet Briar College

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Literature Review

In 1955, Walter Ullman's The Growth of Papal Government in the Middle Ages was first published, and it remains an authority on Church-State relations for the period. In this work, Ullman examined not only the origin of the supremacy of the Roman apostolic see, but also the development of hierocratic theory and the beginnings of papal claims to temporal power. He observed that, "the medieval papacy... exercised considerable governmental authority over empires, kingdoms, princedoms, and so forth."⁵ While this work does cite the major episodes of the period, Ullman's main objective was not to document the events in the Church's struggle for power, but rather to trace the development of principles and ideas upon which that power was based, from its beginnings in the fourth century to its culmination in the mid-twelfth century.

In 1964, Brian Tierney, in The Crisis of Church and State, 1050-1300, outlined the conventional positions on this topic: while one school of thought argued that it was the aim of the Church to gain temporal power from the time that it was legalized in the west by the Emperor Constantine in the fourth century, a second claimed that the Church had always recognized the "need for dualistic organization of society" and distinguished between spiritual and temporal power. Finally, a third school offered a compromise between the two, asserting that while, as a whole, the Church believed in a separation of spiritual and temporal powers, there were various popes during the Middle Ages who defied this thinking and attempted to assert supreme power in both the spiritual and

⁵ Walter Ullman, *The Growth of Papal Government in the Middle Ages: A Study in the Ideological Relation of Clerical to Lay Power* (London: Methuen, Place of Publication, 1962) 1.

temporal realms.⁶ In *Crisis of Church and State*, Tierney provided chapters with brief introductory information followed by large sections of translated primary sources. Throughout the book, Tierney argued for the increasingly political nature of papal activity between 1050 and 1300, and like Ullman, he viewed the Church as a form of government with both political and religious authority.

Finally, in 1968, *The Medieval Papacy* by Geoffrey Barraclough studied the Church from yet another angle. Barraclough observed that the changes and adaptations of the medieval Church were a means of survival, and argued that it did not have a defined political agenda or temporal ambition. The Church's rise to power was slow, and unsteady, throughout this period, and it eventually "emerged as one of the great formative influences in European history."⁷ The extensive collection of illustrations and photos add to its usefulness, providing replications of documents as well as photos of statues and tombs. While Barraclough hinted at the pseudo-political nature of the Church and its influence on later political developments, this was not the focus of his research. Still, this work provides insight into the growth of the papacy from a "small persecuted community... into a world-embracing institution... with the 'supreme power of governing the universal church.'"⁸

These works provide a thorough understanding of the medieval Church. Similar to Dr. Tierney's work, this research seeks to understand medieval church-state relations through modern political models. However, this work is specifically aimed at developing the analogy between the Church and modern international governmental organizations,

⁶ Brian Tierney, *The Crisis of Church and State 1050-1300* (Toronto: Toronto University Press, 1988) 3.

⁷ Geoffrey Barraclough, *The Medieval Papacy* (New York: W.W. Norton and Company, 1979) 11.

⁸ *Ibid.* 9.

examining the Church's structure and organization, claims to power, and successes and failures in conflict with states through the IGO model.

International Governmental Organizations and the United Nations

In the medieval period, the Catholic church was universal throughout western Europe, and almost all people were Christians who acknowledged the Church as the true faith. Because all kings were Christians, and most claimed divine right to rule similar to papal claims to divine appointment, religious doctrine could easily be used to support claims to power. Today, this is no longer the case, as there is now a separation of church and state, and governments are secular. Yet in the aftermath of World War II, many doctrines of human rights have been formulated, and these doctrines are now considered to be universal. Indeed, it is rare that any person, especially any government, would openly deny today's human rights standards. Many international governmental organizations, particularly the United Nations, have stated explicitly that one of their primary goals is the protection of human rights. This doctrine has replaced religious ideology, and because of the abstract nature of each other these, they can be compared. It is because this as well as the other similarities between these two that the IGO model was chosen.

When the United Nations was founded immediately following World War II, its explicit purpose was to maintain peace and order in the international system, and to help prevent future outbreaks of war. It was designed to do this in such a way that it would not only respect state sovereignty, but also work with states to protect their sovereignty

from other nations. Because the United Nations was created *by* states, its purpose was *for* states. “The UN does not exist because it has power to force its will on the world’s states; it exists because states have created it to serve their needs.”⁹ Because the United Nations is made up of states, states are the basis of UN power, yet by acknowledging the Charter with their membership, member states accept the obligation to comply with Charter principles. Without the votes of the General Assembly, and more specifically without the endorsement of the Security Council, the United Nations cannot intervene within states to enforce laws or even its own Charter. There are, however, causes for intervention, specifically in cases where there is a threat to international peace and security, or in instances of egregious human rights violations. Such intervention often results in sovereignty disputes, and for this reason, the comparison between the UN and the Church can be made.

UN Power

The power of the United Nations is, with few exceptions, a kind of soft power. That is, the UN is able to use persuasion rather than coercion to gain compliance from member states.¹⁰ For member states, it is in their interest to work with the UN and other states in harmony. The UN represents the international community, and the judgment of the UN can be very influential. Perhaps the greatest weapon of the United Nations is its seal of approval. UN support can be very helpful to a member state, particularly if the state is weak. For example, if a state were being threatened externally, attention from the United Nations could prevent attack, because the external aggressor would face sanctions

⁹ Joshua S. Goldstein, *International Relations* (New York: Longman, 2003) 266.

¹⁰ The exception to this is cases where the Security Council authorizes the United Nations, an individual states with UN approval, to use economic sanctions or military force against a state.

or even military intervention if found guilty of violating another state's sovereignty. On the other hand, if a weak state were to break a Charter principle, such as to openly ignore international standards of human rights, this might result in UN sanctions or a break in diplomatic relations with other member states, which could have costly effects.

The symbolic head of the United Nations, the Secretary-General, is an international figure and can use his influence to bring incidents to the international stage. He plays a key role in conveying UN approval or disapproval. "The secretary-general... is a visible figure whose personal attention to a regional conflict can move it toward a resolution."¹¹ He is also able to act as a mediator between states in conflict. Medieval popes claimed a similar power, asserting that it was their right to judge between disputes not only within the Church but also between monarchs. This can be seen at work in the first and second case studies.

The United Nations also has the power to offer legitimacy to states by recognition of their authority and sovereignty. For example, the United Nations recognized many new states during the decolonization period following World War II by offering these states membership into the UN. Today, the UN rarely grants such recognition of secession movements, and instead most attempts at independence from the state are deemed rebellions, because they undermine internal state sovereignty.¹²

Within the UN Charter, there are certain provisions for intervention within a state, and in the cases of intervention there is always a question of doctrine or international law at stake. The UN does not intervene on a whim, but rather justifies its interference with either doctrines of human rights or in the interest of protecting states or international

¹¹ Goldstein 270.

¹² To recognize secession movements would set dangerous precedents, and such recognition is not likely to be approved by member states either within the General Assembly or the Security Council.

security. In general, states tend to be wary of the UN's interpretation of these doctrines to justify intervention, since approved actions can later be used as precedent, which can slowly begin to erode state sovereignty. This is again similar to the Church, as states were sometimes skeptical of papal interpretations of Scripture that justified papal power. This will be demonstrated in the third case study.

Finally, the United Nations does have at its disposal the use hard power, which is the forces made of up member states and can be authorized by the Security Council. The Security Council of the UN is made up for fifteen members, ten rotating and five permanent seats that have veto power. The veto power is significant because it is held by five states, which means that no action can be taken without approval or abstention of these states. This places much of UN power in the hands of these five members.

The Security Council is a strong source of power for the UN. "Its decisions are binding on all UN member states. The Security Council has tremendous power to define the existence and nature of a security threat, to structure the response to such a threat, and to enforce its decisions through mandatory directives to UN members..."¹³ The two major kinds of force at the disposal of the Security Council are economic sanctions and military force. These can be very powerful tools when used with the backing of the international community, and these can be much more effective than mere condemnation, which can be passed in the General Assembly.

Today, the United Nations uses these powers to involve itself in the affairs of states across the globe. Such involvement is often in states where civil war threatens state stability or human rights. In many cases, there are rival groups claiming to be the legitimate state authority. In these circumstances, the United Nations is able to confer

¹³ Goldstein 271.

legitimacy to one group, and recognize one claim over the other as having the right to govern.¹⁴ This will also be seen in the first case study of the Church. This can be done with or without the explicit consent of the involved state. “They (UN institutions) have taken on an increasing range of functions, but they have also become much more involved within states, often without the immediate consent of the host governments.”¹⁵ In this way, the United Nations has evolved from being created by states to help maintain international order into an organization that can override state sovereignty in order to manage internal conflict in the name of human rights protection. Like the Church, the United Nations has used new interpretations of its doctrines to justify its actions. Also, like the Church, the UN is unable to do this successfully without the support of outside state powers.

UN Limitations

Similar to the medieval papacy and its adherence to Biblical scripture and Church doctrines, IGOs rely on interpretations of international law and doctrines to justify their actions. This can be limiting because they are bound by their charters, and, to act against the principles outlined in these documents would negate their authority. In the case of the United Nations, it is a fundamental principle of the Charter that the UN and member states respect state sovereignty, yet other objectives, such as protection of human rights and preventing the outbreak of war, often contradict such respect for sovereignty. In Beyond Sovereignty, Issues for a Global Agenda, Maryanne Cusimano explains:

¹⁴ Paul Taylor, “The United Nations and international order,” *The Globalization of World Politics*, eds. John Baylis and Steve Smith (Oxford: Oxford University Press, 2001) 340.

¹⁵*Ibid.* 331.

While IGOs are based on the principle of sovereignty (including nonintervention in the internal affairs of states) IGOs were also created to deal with the problems of sovereignty, problems which states cannot deal with well alone. Thus, IGOs are in an ironic position. They are based on sovereignty, yet they are charged with going beyond sovereignty to gain multilateral cooperation in critical international issues.¹⁶

Another major limitation for IGOs is a lack of a mechanism for enforcing their decisions. For example, protection of human rights is an explicit goal of the United Nations, and it reserves the right to intervene in order to stop or prevent human rights violations. However, not only would such intervention constitute a violation of state sovereignty, but to convict or prosecute violators is nearly impossible. International courts do exist for such purposes, “but, as is the case with many international judicial bodies, judgments within these courts have limited or no enforcement powers. That is, judgments against states cannot be carried out without the acquiescence of the violating governments.”¹⁷ Even when member states have acknowledged the principles of the Charter, there is little the UN can do when a state chooses to act against these.

The Security Council’s power is limited in two major ways; both reflect the strength of state sovereignty in the international system. First, the Council’s decisions depend entirely on the interests of the member states. The ambassadors who represent those states cannot change a resolution without authorization from their governments. Second, although Security Council resolutions in theory bind all UN members, member states often try to evade or soften their effect. For instance, trade sanctions are difficult to enforce because it is tempting and relatively easy to cheat. A Security Council resolution can be enforced in practice only if enough powerful states care about it.”¹⁸

When the UN does use physical force, it must be provided by a state or group of states willing to lend its own military strength, with the approval of the Security Council,

¹⁶ Maryanne K. Cusimano, *Beyond Sovereignty* (New York:Worth Publishers, 1999) 222.

¹⁷ *Ibid.* 228.

¹⁸ Goldstein 272.

which as discussed is not always guaranteed. For example, when the United Nations Security Council authorizes military intervention, member states are asked to supply troops, weapons, finances, etc. "Enforcement of international law depends on the power of states themselves, individually or collectively, to punish aggressors."¹⁹

Enforcement was also one of the major issues faced by the Catholic Church in the medieval period. If a pope explicitly commanded a king to step down, there was little he could do to force the king to comply. The Church, in the Middle Ages, had no standing army, and its military power, such as during the Crusades, was supplied by various European kings and lords. If the pope wanted enforcement of his commands, he was reliant on internal rebellion against the king or an outsider's willingness to attack the king in the name of the Church, as demonstrated by Pope Innocent III and King John in the second case study.

Though there are no doubt many differences between the medieval Catholic Church and modern international governmental organizations, the similarities between the two provide a framework for understanding the conflicts between church and state during this period. Though the majority of this project focuses on the details of the case studies, the results of these cases reveal the nature of papal power and obstacles to its application. Understanding this sheds light on the political and even economic atmosphere of the High Middle Ages.

Case Studies

¹⁹ Goldstein 286.

In order to test this analogy, three specific cases of conflict between a monarch and a pope were closely examined to determine the cause of the struggle and the impact of the outcome on church-state relations.²⁰ Perhaps the three most infamous episodes of the High Middle Ages are the standoffs between Pope Gregory VII and Henry IV of the Holy Roman Empire, Innocent III and King John of England, and finally between Boniface VIII and Philip the Fair of France. These case studies were chosen for several reasons. Each of the examples selected was a major conflict that resulted in dramatic confrontations between popes and monarchs. Also, the first case study marks the beginning of the period of the papacy's independence; the second case represents the height of papal power, roughly in the middle of this period; the final case demonstrates the end of the papal monarchy and decline of Church power.

Though in 1075 this kind of struggle between pope and king was nothing new, the clash between Pope Gregory VII and Emperor Henry IV was the first dispute of this era to escalate to such dramatic proportions. The dispute began over the investiture of a bishop, a reoccurring nightmare for church-state politics in this period. Investiture, which was the appointment of a church official to a particular church or see, was often the catalyst for dispute, though this was more symbolic of a struggle for power and supremacy rather than actual concern for what man occupied the position.²¹ The episode between Gregory and Henry ultimately resulted in disaster for the papacy, as Henry was able to exploit the weaknesses of papal power while winning military victories within the

²⁰ It is important to note at this time that, while studying church-state relations of this period, the term "state" does not refer to the modern nation-state, which had only begun to develop at the end of the Middle Ages. Throughout the course of this research, specifically from 1075 to 1300, the nation-state was beginning to take shape, and what began as a struggle between two men, namely the pope and monarch, became the struggle for the pope to retain an influential role in states where kings were increasingly consolidating power into state governments.

²¹ Taxation also emerged as a controversial issue, but this was less frequent than investiture, and did not begin to be important until the later Middle Ages.

Empire. The security of his power within his empire put Henry in the position to force Gregory to back down and, eventually, to flee for his life. This demonstrates yet another theme of church-state conflict, namely that the papacy was only able to exercise its temporal authority when the state power was vulnerable. Pontiffs were only as strong as monarchs were weak. This is further demonstrated by the second case study.

Just over a century later, the investiture question brought another pope and king into gridlock. In 1206, King John of England insisted that it was the prerogative of the king, not the pope, to appoint bishops within his own kingdom. Innocent III, however, claimed that not only was it fully within papal authority to make such appointments, but it was also within his power to depose disobedient kings. King John struggled to maintain power within his realm, as well as having many enemies abroad. Therefore, when John's defiance resulted in excommunication, he faced not only the rebellion of his barons, but also the possibility of invasion by the French king, Philip Augustus. The King of England was forced to submit himself to the Pope and surrender his kingdom as a papal fief. The papacy had exercised tremendous power, and yet the success of the pope was actually the failure of a king.

In addition to the investiture conflict, which had the greatest consequences for both church and state, another struggle between King John and Pope Innocent III was examined for this study. The exchanges over the payments of Peter's pence, an annual sum of money paid to the papacy by England, was a minor issue for both the king and pope. However, this study demonstrated the organization and hierarchy of the Church, and how that hierarchy could be disrupted by royal authority. The money for Peter's pence was collected throughout England, yet the full amount was never sent to Rome.

Despite Innocent's demands to the clergy that the full sum be paid, John's order to pay only the traditional sum was obeyed instead. This shows that, when there were greater advantages to heeding the king rather than the pope, even the Catholic clergy were willing to ignore papal orders.

The final case study examines the clash between Pope Boniface VIII and Phillip the Fair of France in the late thirteenth century. Similar to the first case, this conflict ended with the Pope dying in exile. However, different from the first two cases, this dispute was over taxation, rather than investiture.²² Though the cause was different, the crux of the struggle remained the same. Who had the ultimate authority when it came to matters of the Church within a particular kingdom? Whether it was appointment to Church offices, which controlled large pieces of property and substantial revenues, or the taxation of these offices, both pope and king claimed that these powers were within their own jurisdiction. Philip IV, similar to Henry IV of the Holy Roman Empire, had the stability and support from within his realm that was needed to secure power and enable him to defy the Pope. Despite the papal decrees and Church doctrines that validated Boniface's claims, the Pope simply did not have the power to force Philip to back down, once again demonstrating that his authority was more theoretical than actual.

These cases reveal that, as a result of the abstract nature of papal power, there are many limitations to its practical application. This paper attempts to explain papal conflict in this period in terms of these limitations, which will allow for further development of the IGO analogy, in that they face many of the same limitations. Despite the Church's

²² There were actually two separate disputes between Boniface and Phillip, the first arising over taxation and the second over the arrest and imprisonment of a bishop by the king. The arrest caused a debate similar to that of the investiture question, namely, who had the final say in what happened to men of the Church, the pope, or the king? This aspect of the conflict will be discussed at length in later chapters.

political agenda, its power had a religious basis, which meant that there were certain doctrines that the pope could not contradict. Church doctrine and papal decrees held the popes to their words, and to turn back on these statements would undermine the legitimacy of the Church and call into question its validity as the earthly community of God's faithful. For example, because forgiveness was a fundamental of the Catholic faith, a Catholic pope could not refuse to forgive a king who asked for pardon, no matter the offense or the sincerity of repentance. For the papacy, this meant that, despite the claims of the contemporary literature that the pope had supreme authority, he was very limited in what he could do to in terms of application of his decrees, constraining his power so much that it was more of an ideal than a reality.

This represents a failure of ideology, not of the Catholic faith, but rather of the pope as the universal sovereign of Christendom. This is not to suggest that religious beliefs were not influential, or that kings had a complete disregard for religious authority or the Catholic Church. It is more likely that, in most cases where the king simply defied the pope, it was that he believed more in his own divine appointment to power than in the pope's infallibility. Therefore, though religious sanctions such as excommunication were usually not enough to rein in a rebellious king, it did have a spiritual, as well as political impact. Similarly, the United Nations relies on member states to enforce censures, sanctions, or physical force in cases where states rebel against international law.

Sources

The research for this project focused on a particular set of primary sources in translation, namely the correspondence between popes and kings, as well as papal decrees

and bulls issued around the time of the episodes. During this period, Church officials were the most educated people in Europe, and the Church itself was a major agent of recording history. Papal letters are as useful as official bulls, and contain a great deal of Church doctrine. These letters between popes and kings give not only the details of the events, but also reveal the attitudes of the characters involved. They are also helpful for understanding how each man viewed his power in relation to that of his opponent. They provide insight into how the popes viewed their own office and their power, as well as their beliefs on kings and state power. While the bulls were meant to become binding pieces of Church doctrine, the letters addressed specific events, and their often reproachful and even condescending tone demonstrates the attitude of the papacy towards monarchs. The kings, too, wrote letters in response, adamantly defending their rights, which they believed to be equally divinely based.

For more official documents, the Regesta Pontificum Romanorum, edited by Augustus Potthast, is one of the best sources, providing an organized record of church decrees and bulls. While there are fewer state sources of official doctrines comparable to the papal bulls, some kings did respond to conflicts with widely published propaganda, such as in the case of Phillip the Fair, a subject of the final case study. Secondary sources provided translations of these, as well as contextual information for understanding the background to these controversies. These, along with other secondary literature, comprise the materials for this project.

Case I: The Failed Success of the Gregorian Revolution

The best way to understand papal authority is to look at an example of its use, or even more informative can be an example of its misuse. The struggle between Henry IV, the Holy Roman Emperor, and Pope Gregory VII during the eleventh century provides this example. This is a particularly complicated case because of the nature of the link between the power of the emperor and the papacy. These two had almost a co-dependence on each other, because since Charlemagne's coronation in 800 A.D., the pope had crowned the emperor while the emperor also had an influential role in the pope's election. Though the papacy gave recognition to the emperor through coronation, the emperor was often the lay power that defended, and at times controlled, the papacy. Therefore, emperors regularly nominated men for the cardinals to elect as pope.²³ Though these roles fluctuated in their importance over time, there were nevertheless woven together. The emperor needed the pope's endorsement for legitimacy often as much as the pope's election was initiated by the emperor.

In the mid-eleventh century this relationship began to shift. Church reformers fought vigorously against the abuses of church power and the involvement of lay power in church affairs. It was during this reform movement, of which the future pope Hildebrand was a part, that the first declaration of papal independence emerged. The Decree of 1059 issued a ban on simony and clerical marriage and formally prohibited lay investiture for the first time.²⁴ In the papal version of this decree, only the cardinals had the power of election. It stated, "... The men of the church shall be the leaders in

²³ Edward Peters, *Europe and the Middle Ages* (Upper Saddle River: Prentice Hall, 2004) 242.

²⁴ Tierney 36. While the bans on simony and clerical marriage were not new, the clarifications made in papal election practices were.

carrying on the election of a pope, the others merely followers.” This document was a declaration of independence for the papacy, aimed at the imperial power as well as the factions of the Roman nobility that had in the past attempted to control papal elections.²⁵ These doctrines sharply curbed imperial power in its relation to the papacy, and while they were called “reforms,” this was the first statement of both doctrines, and their practical application would prove to be quite revolutionary.

From Hildebrand to Gregory VII

Not long after this statement of the terms of election for popes, a new pope was chosen whose election did not quite fit the formula. According to the Decree of 1059, the cardinals alone were to have the power to select the candidate and elect the pope. However, in 1073 when the office was again vacant, the people of Rome clamored for the elevation of Hildebrand, himself a reformer, to the Roman see.²⁶ The cardinals promptly elected him, and he became Pope Gregory VII. His election certainly was not illegitimate, but because of these irregular circumstances, his enemies later attacked him by raising doubt about his election.²⁷

The new pope’s choice of name, Gregory, demonstrated from the beginning of his pontificate that he had in mind the kind of Church reform that would be reminiscent of Gregory I, the Great. The choice of a pope’s new name often signified his desire to

²⁵ Ibid. 36.

²⁶ Ibid. 45.

²⁷ The Declaration of 1059 had placed the authority of election into the sole hands of the cardinals. According to Barraclough, after this decree, “the rights of the clergy and people of Rome were reduced to formal assent after the election had been otherwise completed.” Because the people had been so vocal about their choice and all but demanded Gregory be elected, his enemies later claimed that his election was invalid, despite the fact that he was chosen by the cardinals. Barraclough 79.

imitate a particular predecessor.²⁸ In this case, Gregory hoped to return the papacy to the days of Gregory the Great, (r. 590-694) whose support for missionaries and careful diplomatic maneuverings did much to stabilize and then expand early Church influence. It was these intentions that made Gregory's pontificate a "reformation," though it was unsuccessful in reconnecting the Church with its early roots.

Even the early correspondence of Gregory's reign to the various leaders of Europe reveals signs of strained relations between the new Pope and the German king. Only one month after his election, Gregory wrote to the Duke of Lorraine:

As regards the king [Henry IV]... It is our wish at the first available opportunity to come to an understanding with him through our legate... Of a certainty he will find his profit in maintaining justice in accordance with our advice and warnings. But if—which God forbid!—he shall repay our love with hate and show contempt toward the Almighty God for the high office conferred upon him, then may the judgment which declares, "Cursed be he that keepeth back his sword from blood!" not fall upon us in the providence of God. For we are not free to set aside the law of God for the sake of any person...²⁹

From this letter it is clear that Gregory saw the potential for conflict and perhaps doubted Henry's earlier submission to the previous Pope. Gregory wrote numerous letters expressing his desire for a sound relationship with Henry, but Gregory also made it very clear that if the king were to rebel, he would not simply turn the other cheek. There is also evidence here of Gregory's belief that for him to judge Henry would be in accordance with God's law, and that it would be his duty to do so.

Only a year after his election, as was papal custom, Gregory called together a church council, and in 1075, he issued his own decrees against simony, clerical marriage, and lay investiture. These decrees together were called the *Dictatus Papae*. Many of the

²⁸ Peters 242.

²⁹ Austin Evans, *Correspondence of Pope Gregory VII* (New York: Columbia University Press, 1932) 8.

decrees included were standard statements of the Catholic Church. For the most part, it simply reiterated doctrines such as the primacy of the Roman church and the pope's ultimate authority in all Church matters. However, it also explicitly stated that a pope had the power to depose a king or emperor who had gone astray, and this was something very new. Several clauses were of major importance in the development of the emerging papal monarchy.

2. That the Roman Pontiff alone is rightly to be called universal.
3. That he alone can depose or reinstate bishops.
8. That he alone may use the imperial insignia.
12. That he may depose Emperors.
19. That he himself may be judged by no one.
27. That the Pope may absolve subjects of unjust men from their fealty.³⁰

Previous popes may have believed in their authority over secular rulers as well as their own infallibility, but it had never before been so dramatically stated. Gregory made the blatant claim that he could not only punish rulers, but also literally remove them from their thrones. Not only did he have the power to judge a king, but also *no one* had the power to judge him, the pope. Finally, if dethronement was not enough, the pope could slash the feudal bond between vassals and lord by releasing a man's subjects from their obligations to him. "Doctrines such as these fell like a bomb-shell on the traditional thought of the age. They were poles apart from the aims and endeavors of the earlier reformers."³¹

Though this was the first doctrinal statement of this kind of right, it was not the first sign that Gregory believed in this right. Gregory's attempts at reform of the Church

³⁰ Tierney 49-50.

³¹ Barraclough 86.

by eliminating simony and clerical marriage met with resistance in France.³² In response to the king's unwillingness to cooperate, Gregory wrote to the French clergy in 1074 concerning King Phillip I, saying, "But even if this discipline does not bring him to his senses we desire to leave no doubt in the mind of anyone that we shall, with God's help, make every possible effort to deprive him of his kingly rule in France."³³ Though it is unclear what he meant by "every effort," it is obvious that he intended to use his papal authority to depose this king. By the time Gregory attempted to put this into practice, the doctrine was still so new, and there was absolutely no precedent on which to base this claim, that it was almost impossible to enforce.

The Conflict

The right to investiture was a major symbol of sovereignty. Upon the vacancy of a Church office, the clergy would elect a new official, and it was often customary that the secular ruler "recommended" a man for the position. The pope then approved the election. However, when the pope and king chose different men, the pope claimed that the ultimate decision was his, since the Church should have the right to choose its own officials. Kings, however, often believed that because these officials held positions of power and influence within their kingdoms and affected their people, that the king had the right to have his choice elected.

³² A.H. Mathew, *The Life and Times of Hildebrand: Pope Gregory VII* (London: Francis Griffiths, 1910) 76.

³³ Evans 41.

The question over the investiture of Milan began in 1071 and remained unresolved at the time of Pope Alexander II's death in 1073.³⁴ However, under Alexander, this was a minor struggle and Henry agreed to the man of Alexander's choosing with little protest. Henry, who at the time was dealing with civil unrest at home in the Empire, did not have any desire to be in open confrontation with the Pope. The Saxon nobles resisted Henry's strong rule, and were in open rebellion against the Emperor. Under the Saxon leader, Otto of Nordheim, they attacked Henry's castles and his supporters were forced to flee.³⁵ During this episode, Henry wrote to Gregory and sought the pope's endorsement for his position as emperor and support against the Saxons. In this letter, the Emperor confessed his disloyalty to the Church and begged for the Pope's forgiveness and help. In the fall of 1073, Henry wrote to Gregory:

To the most watchful and best beloved lord, Pope Gregory, by divine will invested with the apostolic dignity, Henry, by the grace of God King of the Romans, presents his due and faithful service...But we, how by God's will have now for some time held the kingly office, have not in all respects shown toward the priesthood such reverence and honor as was due to it... But now, since I cannot regulate the churches alone, without authority from you, I most earnestly beg your advice and help in this and all my affairs.

Here Henry made a clear statement that he acknowledged Gregory as a legitimate pope and sought his counsel. As things began to change within the Empire, Henry's attitude toward the Pope began to change as well.

It was not long after this that Henry won a great victory in Saxony, and as he was reining in rebels at home, he turned his attention to reining in a new and vigorous pope. Once he dealt with troubles at home, in 1075 he resumed support of his own man for the

³⁴ Mathew 36.

³⁵ Scribner 71.

bishopric of Milan.³⁶ Gregory wrote to Henry reprimanding him for his actions and carefully explained first, that as a Christian he was obligated to obey papal decrees and secondly, that for him, as a layman, to invest an ecclesiastical office was to assume that power that was not his.³⁷ Henry, with seemingly no hesitation, responded with harsh accusations against the Pope. His reply was addressed, “Henry, not king by usurpation, but by the pious ordination of God, to Hildebrand, now not Pope, but false monk.”³⁸ This was a clear statement of Henry’s position that he was in his place of authority by the divine ordination of God. Numerous times in this letter Henry claimed the divine right of kingship, arguing that he was to be judged by God alone. This was a brilliant move by Henry, because in this bold letter he immediately met Gregory on his own battlefield. Obviously Gregory’s claim would be that his authority came from God, and so instead of allowing Gregory to set up a battle between the words of a man of God and the sword of a king, Henry made it a battle between two men of God, one of whom had an army and one who did not.

Unfortunately for Henry, this bold move did not pay off, at least in the short term. Gregory immediately excommunicated him, and in doing so he released all of Henry’s subjects from their obligation to serve him. In fact, he outright forbid them to continue serving him, so to stay loyal to Henry was essentially a sin. In his letter of

³⁶ Zachary Brooke makes the point that the conflict did not arise as a result of Gregory’s decree against lay investiture. He argues that the dispute over power of appointment existed before the decree, and that because Henry never mentioned the decree specifically, he obviously was not very concerned with it. The fact that the decree preceded the outbreak of conflict between Henry and Gregory was a mere circumstance rather than a cause. Zachary Brooke, “Lay Investiture and Its Relation to the Conflict of Empire and Papacy,” *The Gregorian Epoch: Reformation, Revolution, Reaction?*, ed. Schafer Williams, (Boston: D.C. Heath and Co., 1964) 25-27.

³⁷ Evans 87-88.

³⁸ Tierney 59.

excommunication in 1076, Gregory first explained that it was not his desire to have power, but because the power was his, he had to use it.

I had no thought of ascending thy throne as a robber, nay, rather I would have chosen to end my life as a pilgrim than to seize upon they place for earthly glory and by devices of this world. Therefore, by thy favor, not by any works of mine, I believe that it is and has been they will, that the Christian people especially committed to thee should render obedience to me, thy especially constituted representative. To me is given by thy grace the power of binding and loosing in Heaven and upon earth.³⁹

This was a man who had been accused by contemporaries as greedy for worldly power. Here he argued that he never wanted this power. Interestingly enough, he also claimed that these powers were given to him not only by God, but also by the will of the *Christian people*. They had subjected themselves to him in obedience, and in a feudal relationship, this meant that in turn it was his responsibility to protect them. So Gregory gave this as further evidence for his right to depose Henry.

... For the honor and defense of the Church... I deprive King Henry, son of the emperor Henry, who has rebelled against thy Church with unheard-of audacity, of the government over the whole kingdom of Germany and Italy, and I release all Christian men from the allegiance which they have sworn or may swear to him, and I forbid anyone to serve him as king.⁴⁰

This decree was given at a synod in Rome, and was addressed to various clergy and laymen. Naturally Gregory expected support from within the Church, be he also sought the support of the German nobility. He expected them to be more loyal to their faith than their emperor. Henry wasted no time in writing his own letter to the German bishops seeking their support. “When Henry turned to his bishops for support in resisting the pope’s decree, and Gregory in turn appealed to the German princes to assist him in

³⁹ Evans 91.

⁴⁰ Ibid. 91.

deposing Henry from his kingship, it became clear that the whole leadership of Christian society was at stake in the dispute.”⁴¹

It was more than a little ironic that the spiritual ruler would turn to secular lords for support while the secular ruler turned to spiritual leaders for support. Perhaps they both expected that their own subordinates would naturally support them and their strategy was to attack the power base of the other. Henry’s attempt to gain the German bishops’ support was certainly nothing less than an attack on Gregory. Later that year, in 1076, Henry’s letter to the bishops was vicious.

...The monk Hildebrand... so-called pope who, as you yourself know clearly, presides in the Apostolic See not with the care of a pastor but with the violence of a usurper... He has usurped for himself the kingship and the priesthood. In this deed he held in contempt the pious ordinance of God, which especially commanded these two—namely, the kingship and the priesthood—should remain, not as one entity, but as two.⁴²

Henry responded to Gregory’s attempt to depose him from his kingship with an attempt to depose Gregory from his pontificate, by calling him a “so-called pope.” Henry accused the Pope of seizing power, not only in the spiritual realm, but in the temporal as well. Henry failed to address the fact that the dispute was over investiture, something that the Church considered to be a spiritual matter, placing it within the jurisdiction of the Pope. If this were true, it should have been Henry who was assuming a spiritual power that was not his. However, this was easily overlooked when the Pope claimed the authority to depose an emperor, something that seemed clearly within the temporal realm. Henry continued in his letter,

He has also striven to deprive me of my kingship—me whom God has called to the kingship (God, however, has not called him to the priesthood)

⁴¹ Tierney 45.

⁴² Ibid. 61-62.

– since he saw that I wished to hold my royal power from God and not from him since he himself has not constituted me as king. And further, he threatened to deprive me of kingship and life, neither of which he has bestowed...⁴³

Henry very clearly denied Gregory's claim that it was a papal power to depose a king. In Henry's eyes, it was God and God alone who ordained the king, and because God gave it, only God could take it away.

Despite Henry's bold offensive strategy, he was not able to rally the support he needed for a standoff with the Pope. Gregory's excommunication carried enough condemnation to keep the German bishops from siding with Henry and gave the German nobles the excuse they needed to rebel. "The turbulent princes of medieval Germany were never willing to submit to the rule of a powerful, centralized monarchy and Henry, after his triumph over the Saxons, was far too strong for their liking."⁴⁴ Henry soon found himself with very few allies and even fewer choices, and he was forced into submission. "... His power depended on Germany, and until it was assured there he was careful to keep on good terms with the Pope, even at the expense of some humiliation to the royal dignity."⁴⁵

The Outcome

In January of 1077, the Pope prepared to travel to Augsburg to preside over a diet that would determine Henry's fate. On his way, Gregory was stopped at the Tuscan castle of Canossa, which belonged to Matilda of Canossa, a strong papal ally. While the

⁴³ Ibid. 62.

⁴⁴ Ibid. 54.

⁴⁵ Brooke 26.

The conflicts with John were few of the many struggles with secular powers in which Innocent was involved. “He intervened decisively in the disputed imperial election; he claimed the right to arbitrate in the feudal disputes that arose between John of England and Philip of France; he helped crown a king in Bulgaria and tried to depose one in Norway...”⁵⁶ In some of these Innocent was successful, and in others not, but his involvement demonstrated his belief that it was within the jurisdiction of the supreme spiritual authority to act a judge in temporal affairs. For this reason, his pontificate is considered by many to be the height of papal power in the Middle Ages.

King John The Only

John was the eighth and last child of Henry II and Eleanor of Aquitaine. His parents built the Angevin Empire, and together controlled more territory than any single house had held since the time of Charlemagne in the ninth century. Henry, whose mother had lost her crown to his uncle and who had to fight for his inheritance of England, was overly anxious to see his sons recognized as his heirs while they were very young to ensure succession. By the time of John’s birth, the Empire had been divided up among the three elder sons, and thus John was nicknamed “John Lackland” by his own father.

Because he was the fourth son, there was thought to be very little chance that John would ever be king. Also, his parents’ relationship had soured by this time, and his mother was in open rebellion against his father, so John’s training was all but forgotten. He was educated, but not groomed for the throne as his elder brothers had been; he was not trained to be a warrior, a leader, or a statesmen. For this reason, John was not wise

⁵⁶ Tierney 127.

enough to see that the damage done by his father to royal and papal relations over the archbishopric of Canterbury meant that it would be a fight he would not win.⁵⁷

After the deaths of his elder brothers, John became king, and his reign was plagued with domestic struggles. His losses to the French king of lands on the continent and rebellious barons in England put him in a very weak position. These factors contributed to his inability to defy the pope the way that Henry IV had done, and eventually caused him to submit.

The Investiture Contest

The Conflict

Early in his reign, John displayed irreverence for the authority of the Pope. When he sent the Bishop of Bath to Innocent III with certain requests which the Pope denied, the king persecuted the Bishop upon his return and took over his property.⁵⁸ King John also sought to impede the election of new bishops to fill church vacancies, since during a vacancy the revenues of a bishopric went to the king. It was therefore not surprising when, upon the death of Hubert Water, Archbishop of Canterbury, in July of 1206, that John attempted to put off the new election until after St Andrew's day, which was in late November.⁵⁹

⁵⁷ Henry II had appointed his close friend Thomas Becket as Archbishop of Canterbury. However, when Becket suddenly and inexplicably became religiously devout, and promoted papal over royal interests, conflict between the two followed. When Henry muttered under his breath that he wished someone would rid him of Becket, he was taken seriously. Becket was murdered, at the perhaps unintentional suggestion of the king. Henry later did penance for Becket's murder.

⁵⁸ Charles Edward Smith, *Innocent III, Church Defender* (Baton Rouge: Louisiana State University Press, 1951) 17.

⁵⁹ Christopher R. Cheney, *Pope Innocent III and England* (London: Thomas Nelson and Sons Ltd, 1953) 147.

During this interlude, the prior and Christ Church covertly elected a man by the name of Reginald, and sent him to Rome. He was received by the pope with skepticism, and recognized only briefly.⁶⁰ The king's choice, John de Gray, was elected by the bishops and monks, and subsequently sent to Rome for the Pope's confirmation. However, Innocent rejected de Gray's election on the grounds that the same men who had elected Reginald had elected Gray. Innocent therefore called for a new election, and with the Pope's encouragement, the monks elected Stephen Langton, the cardinal priest of S. Cristogono.⁶¹

Besides the three candidates put forward for the archbishopric, four parties had been involved: the monks of Christ Church, the bishops of the province, who claimed to have a say, the king, and the pope... The monks and the bishops had been putting forward their canonical rights, the king had claimed the rights to license and give or withhold assent, the pope had used his powers as supreme judge and as the only authority able to confirm a metropolitan in office.⁶²

The pope immediately recognized Langton, and John subsequently rejected him, and did not even permit the new Archbishop to enter England.⁶³ He confiscated the properties of the Church of Canterbury, as well as those of Langton and Langton's family. Despite this persecution, Innocent did not budge. He was fully confident in his claim that it was within *his* authority to recognize the Archbishop, and he would not be swayed by John's arguments. "Innocent III, while he cautiously and repeatedly expressed deference to the kings' rights, did not regard them as sufficient to impede the

⁶⁰ Ibid. 148.

⁶¹ Ibid. 150.

⁶² Ibid. 152.

⁶³ Ibid. 298.

canonical process or stand against the full authority which he enjoyed over the church of Canterbury.”⁶⁴ The pope and king were now in an open standoff.

John responded aggressively and violently, and the persecution of Langton and his supporters was relentless. However, John already had many enemies within his own kingdom, and his subjects did not respond well to his use of force. John’s tactics, therefore, were not effective. “John’s weapons in the struggle were confiscation of lands and revenue, taxation, and violence. Without the sympathy of his people he could not mobilize the latent antipathy to Rome which was undoubtedly present in England.”⁶⁵ Innocent, however, was able to mobilize the English nobles against John. After writing to John, commanding him to accept Langton, Innocent wrote to the barons, giving them permission to rebel against their king who was opposed to the Church. In a letter dated November 21, 1207, Innocent wrote:

Indeed, since ‘ye cannot serve two masters’ (as the Truth puts it in the Gospel), it is undoubtedly in your interests, in view of the king’s opposition to God, not to support him and, putting the fear of God above that of man...not to fear displeasing him temporarily in the cause of justice...⁶⁶

The Pope continued to warn John, writing numerous letters to both him and Langton. Innocent took a very pastoral tone with John, comparing their relationship to one between a loving father and a wandering son.

Innocent was also armed with the threat of interdict, which affected the entire kingdom. It forbade any religious acts (other than baptism and last rites) to be preformed in the country. England was placed under interdict in 1208 and it lasted for the next six

⁶⁴ Ibid. 153.

⁶⁵ Sidney R. Packard, *Europe and the Church under Innocent III* (New York: Henry Holt and Company, 1927) 64.

⁶⁶ Cheney 97.

years, though it is likely that the interdict was not strictly enforced. Evidence for this is given in Innocent's March 1213 letter to Archbishop Langton, giving him the authority to excommunicate clergy or monks who continued to practice religious rites after the Interdict.⁶⁷ Innocent also threatened John personally with excommunication, and while it is likely that John did not fear the eternal damnation of his soul, there was a political aspect of the act to be feared, for the excommunication of a lord released vassals from their feudal obligation to that lord. John was excommunicated in 1210, but it made little difference in the attitudes of the English, who had already been under interdict for two years.

The Outcome

One year later, Innocent deposed the English king, and offered the throne to John's archrival, Philip Augustus, King of France. "This is the clearest possible example of the supremacy in secular affairs of the ecclesiastical ruler of Europe."⁶⁸ Though it may have been unlikely that Phillip Augustus would have actually been crowned king of England, the Pope's strategy worked. The French King raised an army, and when John faced certain defeat on the battlefield, he submitted to the Pope's authority.

The surrender of John to the Pope was a complete defeat, a literal abdication. Not only did he concede on every disputed point, such as the Canterbury election and the question of ecclesiastical property, but he surrendered his crown to the papacy, put his state in the domain of St. Peter, declared himself the Pope's man for the territory of England and

⁶⁷ Ibid. 137.

⁶⁸ Ibid. 66.

Ireland, and agreed to an annual payment to the Pope of one thousand marks.⁶⁹

The political ramifications of this concession were significant. First, John surrendered his kingdom to Innocent, and agreed to hold it as a papal fief. This was recognition of Innocent's power to place, or remove, John from the throne of England. Once again, the name "Lackland" was appropriate, because John had not only lost England's imperial holdings, but also the now the heart of his kingdom. Second, he agreed to an annual payment of tribute of 1,000 marks, which symbolized the feudal lordships of the Pope over his lands and his need for papal protection. John's pledge was not a single payment, but an annual payment to be made by the king and his descendants. It was ultimately paid only for a short time, and payments were delayed and ended entirely in a little more than a century.

However, it was not a total loss for John. Though technically he had surrendered England, he remained king, now with the support of the Pope. This was significant for two reasons. First, because he had submitted to the protection of the papacy, Philip could no longer invade the kingdom. Because the Pope called for Philip Augustus' invasion of England as a kind of holy war against the excommunicated John, the French king was acting with papal endorsement. When John was restored to the Pope's good favor, Philip had already spent a great deal of money raising an army and was ready to invade. John was still in a very weak position, and Philip may have intended to continue with the attack. By surrendering England to the Pope, John made England papal lands. Thus, had Philip attacked England, he would have been attacking the Pope's as well. So John's surrender undermined Philip's justification for invasion.

⁶⁹ Ibid. 66-67.

Also, Innocent backed John against his rebellious barons. In August of 1215, Innocent went so far as to declare Magna Carta null and void. In his letter to the nobles of England, Innocent declared the following:

... He [John] has appealed to our court, placing himself and his kingdom... under apostolic protection... Since, therefore, the settlement, whatever the terms, is one which you induced him to accept by force and fear, and is not only demeaning and shameful but also illegal and unjust, so that it deserves to be universally rejected, and most of all for the method used, we, who are bound to provide both spiritually and temporally for the king and the kingdom, by apostolic letter direct and command you... to voluntarily renounce this settlement, making amends to the king and his people for the losses and wrongs inflicted on them...⁷⁰

Unfortunately for John, in this case Innocent's words remain in the abstract, and Magna Carta was not revoked. Still, this attempt to come to John's aid demonstrates not only that Innocent presumed that it was within his power to void a political agreement within England, but also that he intended to use his position as John's lord to protect him when he was attacked or abused. This shows that Innocent took his role as John's sovereign seriously and literally.

Peter's Pence

The Stage

Though the last two cases of conflict have demonstrated the power struggle that could arise over cases of investiture, taxation also emerged as an issue on contest between church and state. The right to collect taxes or receive tithes, which symbolized the authority of the Pope or king, was often more significant than the actual amount of revenue collected. Such was the case between John and Innocent, who clashed over

⁷⁰ Ibid. 217-218.

Peter's pence, a rather insignificant sum. However, in later years taxation would emerge as a major catalyst for conflict, which will be seen in the final case study.

As mentioned, John and Innocent fought over the payments of Peter's pence. This actually took place before the investiture controversy, and it had a much smaller impact. However, it does provide a very useful example for understanding the disputes over finances that took place during this period.

One of the foremost privileges of sovereignty was the right to impose new taxation. Church doctrine held that no lay ruler could tax the incomes of the Church or Church property. However, churches often held large amounts of lands in Christendom, and these lucrative properties were held by officials who were also vassals of the king for other properties, and the claims of exemption were often unclear

Peter's pence was the oldest of revenues the papacy received from England, the country in which it originated. This annual tax, also referred to as the hearth penny, was first paid by the kings to the pope, and later was collected from the people. Peter's pence literally meant a pence, or penny, collected by the king of England for Saint Peter. One penny was to be collected, per household, and sent to Rome. However, because the English kings considered the sum to be customary, they often only sent £200 to Rome, even when the population had increased to such that the amount collected greatly exceeded this sum. The pope, however, felt that because the money was collected in the name of St. Peter, every penny collected should be sent to Rome.

The Conflict

Several popes, including Innocent III, sent explicit orders to both kings and clergy that the full sum of the money collected was to be given over to the church officials at each level and then given to the papal collector to be sent to Rome. Popes adamantly argued that since the money was collected in the name of St. Peter, only the church of St. Peter in Rome had a right to the money. In January of 1214, Innocent wrote to Nicholas, the Bishop of Tusculum.

As you are fully aware, each household throughout England is bound to pay a penny to us yearly for the tribute of St. Peter. But the prelates of England who collected Peter's pence in our name... had no compunction about retaining the greater part for themselves—paying to us only 300 marks and appropriating a thousand or more... We strictly and directly command you... to receive from them the money hitherto paid as Peter's pence... and, secondly, to insist on our behalf that they should pay the balance in full.⁷¹

When the higher church officials in England did not comply, the pope attempted to have his own man go to collect the money locally from the priests, but he was never successful in doing so. When Innocent issued a decree that the full sum of Peter's pence be paid to Rome, King John issued a decree in response that Innocent's order was to be ignored, and that no more than the traditional amount be paid. The king and English clergy had the custom of the realm on their side. Since the traditional sum had been £200, the king felt that he had fulfilled his obligation in paying that amount, regardless of how much was collected each year.

⁷¹ Ibid. 173.

The Outcome

Because the king commanded that the money not be paid, and the pope commanded that it should be paid, the English clergy were faced with a decision. They could obey their pope, who was their spiritual sovereign and the holder of the keys to heaven. However, to do so would be to disobey their king, who, for many of them, was also their liege lord, their secular sovereign, and the commander of an army. The English clergy chose to obey their king. Perhaps it helped that they were also profiting from the excesses of Peter's pence, or that the Pope was so far away and the King was so near, or maybe that the Church could not spill blood, and the King had few reservations about doing so.

This example shows us not only how the organization of the Church was used to collect money, but also how the hierarchy of the Church could be disrupted by the conflicts of interests between Church and State. Innocent attempted to exercise his papal authority over the English clergy and failed.⁷² Though it was a matter of principle that his commands be obeyed by the clergy, and Innocent continued to maintain that he was in the right on this issue, it was not worth blowing up into open conflict. When it came to matters of contest, the right to investiture was much more symbolic of power and therefore much more important to maintaining the integrity of papal authority.

⁷² It is, however, important to note that Innocent was not the first, nor the last, pope to attempt to collect the full amount of Peter's pence, and his predecessors and successors failed as he did.

Analysis

This case study of the investiture conflict between King John and Innocent III presents the only example of the papacy successfully bringing a king into submission in a major conflict.⁷³ There are several factors that contributed to Innocent's success in the investiture contest. First, John was clearly a weak king, and did not have a secure internal political base on which to stand against the Pope. Secondly, Innocent was able to build off of the precedent set by Gregory over a century earlier, as well as decades of the development of the papal office as an legal and administrative power. Finally, Innocent himself was a competent and able ruler, and even his enemies will recognize that he was able to use the tools he had to maximize his influence.

The investiture case demonstrates the argument that the theoretical power, whether of the papacy or of the United Nations, is most successful when the state power is weak. However, it takes a shrewd leader to take advantage of such situations and be able to apply this power. Also, an outside source of enforcement is still necessary. In this case study, such enforcement was provided by Philip Augustus of France. Philip was willing to raise an army and invade England under the papal banner. Though it is difficult to speculate what the outcome may have been if had not been so willing to go to war at Innocent's request, the speed with which John responded to such a threat suggests that fear of war was an important factor in his decision to submit.

This is comparable to the way that the United Nations is able to call upon member states to provide for external enforcement of the Charter. In cases where one state invades another, thus violating state sovereignty, or cases where a state is guilty of human

⁷³ The Peter's Pence example does not undermine Innocent's success because it was such a minor issue for both the king and the papacy.

rights violations, the UN Security Council can authorize military force to stop the aggressive state. Whether the forces are UN troops or state militaries working with UN approval, it is up to members to provide these forces. This case between John and Innocent is perhaps where the UN model best fits the church-state conflict.

The case of Peter's Pence became an issue not because the money itself was important to the papacy, but because it was a question of obedience and sovereignty. However, Innocent was also at this time beginning to take greater care in the collection of money owed to the Church. This was because of his intentions to launch a Fourth Crusade. However, unlike previous Crusades which were called by popes but controlled by kings, Innocent wanted to maintain direct control of this Crusade. This meant that the responsibility for financing it fell more heavily on the papacy than ever before. In order to increase his revenues, Innocent was more careful with the collection of money being paid to the camera. He also encouraged voluntary gifts in his preaching for the Crusade.

However, Innocent soon found that voluntary gifts would not be enough. In 1199, Innocent III became the first pope in history to levy a direct income tax on the clergy, and he demanded that all ecclesiastical offices render to Rome one fortieth of their incomes.

He (Innocent III) announced the first direct taxation of the universal Church, the raising of a fortieth of all revenues for one year; grants to crusaders were to be made out of this in each province by a committee of churchmen and laymen, including members of the Military Orders. The trepidation with which he approached this controversial innovation is shown by the way he opened his letter of instruction with a commitment of tax his own church of Rome at the higher rate of a tenth and the care he took to stress that his measure was not intended to create a precedent. Of course it did, and the taxation of the Church was to become a regular method of raising money for crusading, which it transformed by providing proper funding. It gave future popes an authority over the movement

more real than that of their predecessors, because they became its bankers.

⁷⁴

While the Church adamantly maintained that it violated the ecclesiastical jurisdiction over clergy for a secular ruler to tax the Church, many secular rulers had resorted to this measure for financing past Crusades. When Innocent did this, not only was he borrowing this idea from secular rulers and thus in many ways acting as a secular ruler over the universal Church, but he was also exercising a new papal power over the Church. This was not very well received by the Church officials in many areas. Not only were they resistant to paying the money, but also they were particularly uncomfortable with this new authority assumed by the Pope. As a result, the collection of this tax met with very little success. Many clergymen assessed their lands and incomes far below their actual values and some simply did not pay the tax at all. Though failure to pay the tax meant ecclesiastical censure, because there was so little support for it, this was difficult to enforce.⁷⁵

It is important to note, however, that while Innocent called for one fortieth of the revenues of churches all over Europe, this money was to be used for the Crusade, not simply to increase Innocent's personal wealth or even that of the apostolic see. Innocent expected no less of himself and the Roman Church, and even pledged four times more of his own revenues than he asked of everyone else. He allotted one tenth of his own revenues for the financing of the Fourth Crusade. It is because he gave as much from his own as he demanded of others that Innocent's intentions were clearly different from later popes, such as Boniface VIII of the final case study, whose motives were much less pure.

⁷⁴ Riley-Smith 122.

⁷⁵ This again, lends itself to the IGO analogy, by demonstrating the lack of ability to enforce laws or rules that are a part of institutional doctrine.

Never one to let setbacks slow his plans, Innocent attempted again in 1215 to tax the clergy. This time the tax was to be one-twentieth of ecclesiastical revenues. Though Innocent made the plans for this tax in 1215, the tax was not to be levied until 1217, and Innocent died in 1216 before the collection took place. However, once again, Innocent pledged one tenth of his personal incomes for the same purpose. (Honorius III, Innocent's successor, was more successful in collecting the 1/20 than Innocent had been with the 1/40, perhaps because it was not as shocking the second time, or perhaps because this time failure to pay the tax carried the punishment of excommunication.) Though these taxes did little to increase the revenues of the Church, the fact that Innocent would go so far as to tax the Church is revealing about his dedication to his cause as well as his view of his authority as pope. This act, however, eventually backfired on the Church, in that it set the precedent for popes to levy taxes, which would later be abused.

The Impact

The contest between John and Innocent marked a huge success for the papacy, yet this was not to last. Though Innocent had exercised unprecedented temporal authority, this was unable to reset the precedent, and later popes would not be as successful as he had been. The unintentional legacy of his pontificate was taxation. Because Innocent had established the first universal clerical tax, later popes were more successful and able to tax the clergy more heavily and often for less spiritual objectives than a crusade. Nevertheless, Innocent's reign was so triumphant, that his critics, both past and present, are able to suggest that he truly sought to be lord of the world.

Case III: Triumph of the State

The Stage

Innocent III's pontificate marked the height of papal power in temporal affairs during the medieval period, and after that point the Church rapidly declined. The papacy was increasingly involved in political affairs, no longer as a neutral judge, but as an interested party. This increase in the centralization of the political activity of the Church toward Rome meant that the national and regional churches were being squeezed out, and as a result they became less supportive of Church policy sent out from Rome. Also, as the Church became more political, it began to neglect its religious function more than ever before, further alienating the local clergy. Finally, because of this increase in activity, the bureaucracy of the Church grew, and Church finances also grew to meet these needs. This became a major point of conflict not only between church and state, but also between the national churches and the universal church.⁷⁶ This began to cast doubt of Church motives and methods. "Financial disorder is the mark of papal government as the thirteenth century draws to a close. Living from hand to mouth... overburdened with work, heavily in debt, immersed in petty secular transactions, as well as in European politics, until with Boniface VIII it is faces both moral and material bankruptcy."⁷⁷

One reason for the problems of the Church lay in the rise of the European nations, and monarchs' attempts to consolidate power. As the church sought to centralize its power, so did kings, and as Tierney noted, the conflict of church and state between Pope Boniface VIII and King Philip the Fair of France was the first that could be described

⁷⁶ Barraclough 118-126.

⁷⁷ Ibid. 119.

accurately as a “dispute over national sovereignty.”⁷⁸ For this reason, Philip the Fair was the only king, from these case studies, who seemed to intentionally provoke conflict with the Pope. Philip used his standoff with Boniface to create an external enemy to help bring together internal unity within France. His victory over the pope dealt a harsh blow to papal power and marked the first wholly successful attempt of the state to defy of the Church.

From Benedict Caetani to Boniface VIII

After the death of Pope Nicholas IV in 1292, the cardinals were in deadlock for nearly two years over the election of a new pope. There were major tensions between two prominent Italian families, the Orsini and Colonna, as each family tried to influence the cardinals in the papal election. Finally, they elected an elderly hermit by the name of Peter Morrone in July of 1294, who took the name Celestine V.⁷⁹ However, Celestine did not have the disposition nor the experience for the job; he was easily influenced and many sought to take advantage of his power. Though some saw his election as an opportunity for a return to church piety, many in Rome were dissatisfied with his leadership, and in December he abdicated the throne of St. Peter. The cardinals met again, and this time in only one day, they elected Benedict Caetani, favored by the cardinals of the Colonna family, who became Pope Boniface VIII.⁸⁰ Though many were relieved that Celestine had resigned, there was little rejoicing throughout Europe upon the news of Boniface’s election. He was a much more able leader than his predecessor, but also “arrogant... impatient of opposition, given to hot outbursts of rage... by

⁷⁸ Tierney 172.

⁷⁹ T.S.R. Boase, *Boniface The Eighth, 1294-1303* (London: Constable and Co. Ltd., 1933) 41.

⁸⁰ Boase 50-51.

temperament he was a self-confident aristocrat... and by conviction, it seems certain, a sincere believer in the extreme doctrine of papal sovereignty over temporal affairs...”⁸¹ In addition to his character flaws, the circumstances of his election put the new pope in a weak position from the beginning, and because there was no precedent for such a situation, it was regarded with suspicion. No pope had resigned before, and a debate grew up around the question of whether the resignation and subsequent election could be licit. ⁸² It was eventually decided that the election of Boniface was valid. Boniface then made a bad situation worse by having the eighty-year old ex-Pope imprisoned.⁸³ The circumstances of his election would later come to haunt Boniface, as his enemies would use it against him and claim that his election was illegal and therefore he had no authority from God.

Philip the Fair

Philip the Fair was “a man of cold ambition”⁸⁴ and certainly an equal match for Boniface in his resolve. Since the days of his ancestor, Philip Augustus (r. 1180-1223), Capetian kings had worked to centralize government power and build an effective administration. Prior to the thirteenth century, French kings had struggled to maintain control over their powerful vassals, such as the Counts of Anjou and the Dukes of Aquitaine and Normandy. Philip Augustus and his successors overcame this problem by creating several levels of government officials, who were usually lowborn and received regular government salaries. By doing this, the French king had royal servants

⁸¹ Tierney 172.

⁸² Ibid. 173.

⁸³ Boase 58. Celestine died, imprisoned, two years later. The most outrageous claims of the French campaign against Boniface would later argue that he had actually murdered the old pope.

⁸⁴ Tierney 172.

throughout his realm, who were loyal to him and connected him directly with the greater population.⁸⁵ Philip the Fair benefited from this foundation when he used this administration to transmit his propaganda against Boniface. It was through this that Philip was able, in 1302 and 1303, to call representatives from the regions of France for the first gathering of the Estates-General in French history, and it was in these assemblies that Philip spread his message of French nationalism.⁸⁶ The propaganda was carried further by both town criers and parish priests. During this period, town criers were a significant means of communication, and they were used to spread official news. Also, priests were required to read new laws or important official messages, both from the state and the Church, every Sunday, so that the people were informed. Because Philip had so many royal officials throughout France, and because the French clergy sided with him during the conflicts, he was also able to utilize these everyday methods of communication.

Though many of his predecessors had effective advisors, Philip the Fair in particular was noted for the tremendously talented men who were his aides. These men each played important roles in Philip's success over Boniface. Pierre Dubois, born bourgeois, played a crucial role in promoting the royal agenda among the third estate and was one of the king's strongest defenders. Pierre Flote, born to a noble family and trained as a lawyer, was one of the primary conductors of the French campaign against the papacy from his appointment to the king's service in 1298 until his death in 1302.⁸⁷ After Flote's death, Guillaume de Nogaret became the king's chief council. Nogaret,

⁸⁵ Peters 318-320.

⁸⁶ Ibid. 325.

⁸⁷ Sophia Menache, "A Propaganda Campaign in the Reign of Philip the Fair, 1302-1303," *French History* 4 (1990) 435-436.

from a village near Toulouse, was also a lawyer and spent time as a clerk and judge before entering the king's service.⁸⁸ Nogaret and his protégé, Guillaume de Plaisians, were from the third estate and acquired nobility status later in life. Plaisians, who studied law under Nogaret, launched the most vicious personal attacks against Boniface and did much to promote the image of Philip as the defender of French Catholics.⁸⁹

Together, Philip and his ruthless team of advisors worked to consolidate royal power in France and created a united nation that would later stand together against the papacy. "For the first time in medieval France the ruling dynasty developed a national scope, beyond socio-political and geographical barriers."⁹⁰ What made this possible was Philip's ability to mobilize support by a new communication system that reached the peasants and bourgeois alike. His success in gaining favorable public opinion was made possible by the highly efficient communication of his advisors to his people.⁹¹ Philip used both written and oral communication to spread his message. Between February 1302 and June 1303, Philip called together no fewer than four meetings of the three estates. These assemblies mark the first time that the third estate, that is, the lower classes, were included. The third estate was in fact the primary target of much of Philip's propaganda. Also, forged copies of Boniface's letters were distributed throughout the kingdom, and used to turn public opinion against the Pope.

Beyond the charges of heresy he (Philip) leveled against Pope Boniface VIII, the uncompromising struggle between the *rex et sacerdos*, expressed in such new terms, sharpened the gap between the feudal inheritance and the political solidarity that the king's communicators were attempting to develop. Viewed from this angle, the struggle between Philip the Fair and

⁸⁸ Ibid. 436.

⁸⁹ Ibid. 436.

⁹⁰ Ibid. 427.

⁹¹ Ibid. 427.

Boniface VIII presents an ideal case study of the channels of communication that were at the disposal of the nascent state and of its success in propagating a national message in the later Middle Ages.⁹²

Philip's advisors no doubt played a significant role in enabling his success in the contest with Boniface. Men like Pierre Flotte and Guillaume de Nogaret were key in building the French national identity that supported the king against the Pope.

Philip's advisors played such a major role in this episode and throughout his reign that some question Philip's actual contributions. However, there is no evidence to suggest that Philip did not exercise control over his administration or was not involved in decision-making. Many historians note that, first, there were many councilors, and power was divided among them carefully, so that no single minister was able to control the government. Secondly, it was the king alone who appointed these ministers, and this also signifies that Philip was largely in control of his own administration.⁹³ Decisions were made by the king and only a few men at the highest level of government. Sophia Menache suggests that if Philip were not the initiator, he was at the very least involved in his administration. Had he not been capable of delegating authority or the overall planning that was necessary, it is unlikely that he would have been so successful.

The First Conflict

The struggle between Boniface and Philip began in 1296 and lasted until the death of Boniface in 1303. The first dispute between the king and pope was a clear-cut issue—

⁹² Ibid. 428.

⁹³ Joseph R. Strayer. *Western Europe in the Middle Ages: A Short History* (New York: Appleton-Century-Crofts, 1955) 435.

taxation of clergy by secular rulers.⁹⁴ What really initiated the struggle was the attempt of the French government to standardize and regulate their method of taxation. It was no longer sufficient for a king to call upon his vassals to finance the various endeavors of the newly emerging state and state central government, and money was needed on a regular basis to carry out routine functions. There may have been the pretense of financing military action, such as land disputes with both the Holy Roman Empire and England, in which case taxing clergy would have been permitted to help fight a “just war.” However, it is more likely that the state simply needed more money.

From there it became a matter of action and reaction. Philip levied heavier taxes; Boniface condemned them and refused to allow the Church to pay, which in turn caused Philip to launch a campaign condemning the Pope. Every time Philip provoked the Pope, the reaction was as disproportionate and over the top as Philip hoped.

It is somewhat difficult to determine what came first and what caused the initial set off of the dispute. In February of 1296, Boniface issued the bull *Clericis Laicos*, which directly forbid secular authorities from taxing clergy, and also forbid clergy from paying lay taxes, punishable by excommunication. Boniface attempted to cover every possible means of extracting money from the Church in *Clericis Laicos*:

We... decree with apostolic authority... that any prelates and ecclesiastical persons, religious or secular... who shall pay or promise or agree to pay of their own rents, or goods, or those of the churches, or any other portion, proportion, or quantity of the same rents, or goods...and also whatsoever emperors, kings, or princes, dukes, earls, or barons, powers, captains, or officials... who shall impose, exact, or receive the things aforesaid, or arrest, seize, or presume to take possession of things anywhere deposited in holy buildings... should incur sentence of excommunication.

⁹⁴ Tierney 173.

While many scholars may believe that the dispute began with the publication of *Clericis Laicos*, defenders of the papacy would claim that the cause was the abuses of the clergy by European kings' and the bull was in response to the already existing problem. The bull stated, in clear terms, that kings or any other temporal authority were not to tax the clergy without the explicit consent of the Pope, and that to use force or coercion to extract money from the church would result in excommunication. Furthermore, for any clergy to pay such taxes would also bring the punishment of excommunication. This was certainly nothing new for the papacy to claim. The Fourth Lateran Council in 1215, under Innocent III, decreed that the pope must first be consulted before they could pay taxes to lay rulers.⁹⁵ Though Boniface was claiming that it was necessary to not only consult the pope, but also to get his approval as well, it was not a radical claim, and had centuries of precedent to stand on. What made this controversial was that it was addressed not only to the kings who were levying the taxes, but to the clergy who were paying them as well. "The heart of the bull was its specific command to the clergy to disobey their king."⁹⁶ This was much different than a release of feudal obligations to an excommunicated or deposed king, as happened in the other case studies. In this instance, Boniface was not asserting that Philip had no legitimate power or right to command, but rather that his own command was superior for the French church. There is no doubt that Philip perceived this not only as a threat to his incomes, but to this authority within his realm as well.

⁹⁵ Tierney 173.

⁹⁶ Tierney 174.

The Outcome of the First Dispute

In response to this, Philip did not launch a direct attack against the Pope or engage in theological debate over this issue. Instead, he forbade exports from France, claiming that this was done because of the state of emergency that existed during wartime, when in reality it was targeted at Boniface. This was highly effective, as the pope capitulated soon after⁹⁷. Boniface issued another bull, *Etsi de statu*, that acknowledged Philip's right to tax the clergy, in times of emergency, and exports resumed.

We add to this our declaration that if some dangerous emergency should threaten the aforesaid king [Philip IV] or his successors in connection with the general or particular defense of the realm, the above mentioned decree [*Clericis Laicos*] shall by no means extend to such a case of necessity... And the declaration of a state of necessity may be left to the consciences of the aforesaid king and his successors...⁹⁸

Here, Boniface not only allowed the king the authority to tax in case of emergencies, but also granted the king the power to decide when an emergency existed. This bull completely undermines *Clericis Laicos*, and a complete capitulation. After *Etsi De Statu* granted Philip the rights to taxation, he withdrew the royal decree against exportation in August of 1297.

⁹⁷ The fact that *Clericis Laicos* was much more enforced everywhere except France demonstrates that the power of the pope is heavily subject to the relative strength of the king. For example, in England, Edward I was not as strong at home as Philip, and church officials there were more successful in resisting the king than in France.

⁹⁸ Tierney 178-179.

The Second Conflict

After his quick and easy victory, Philip seems to have been anxious to test his strength against the pope again, and solidify his independence from the papacy. Since the first conflict, Philip and his advisors had instituted a widespread propaganda campaign, promoting French nationalism and Philip's role as the protector and defender of the French people and the French Church. Then, in 1301, Philip brought charges of heresy against the Bishop Saisset of Paimers.⁹⁹ "The charges against bishop Saisset reflect Philip's attempts to build a stronger monarchy that would embrace all the inhabitants of the realm and leave no room for criticism of royal policy or its principle servants."¹⁰⁰ Though it seems that most of what Bernard Saisset was accused was true, Boniface could not ignore this blatant breach of Church policy which held that only religious authorities could bring charges against or try a member of the clergy. Regardless of whether or not Saisset was guilty of the charges, Boniface had to respond to Philip's audacious move of arresting and charging the Bishop with complete disregard to the papacy and church law.¹⁰¹ Philip easily got the confrontation he was looking for. Boniface responded to Philip in his bull *Ausculta fili* (Listen son), saying:

Listen, beloved son, to the precepts of a father and pay heed to the teaching of a master who holds the place on earth of Him who alone is lord and master... For although our merits are insufficient, God has set us over kings and kingdoms... wherefore, dearest son, let no one persuade you that you have no superior or that you are not subject to the head of ecclesiastical hierarchy, for he is a fool who so thinks, and whoever

⁹⁹ Boase xiii.

¹⁰⁰ Meade 429.

¹⁰¹ Tierney 180.

affirms it pertinaciously is convicted as an unbeliever and is outside the fold of the good shepherd.

In this bull, Boniface claimed a great deal of power for the papacy. However, this was in response to Philip's arrest of a bishop, and Boniface's intention was to establish that he, as the head of the Church, was the supreme authority in all church matters, and that it was within his jurisdiction to judge Philip's violation of church law.

It was after the outbreak of the second dispute that Philip began his propaganda campaign against Boniface. In the forged copies of the letter circulated in Paris early the next year, Philip presented Boniface as claiming total temporal authority over France. What follows are pieces of that propaganda campaign, from 1302; first, the forged bull, and second, the Philip's claimed response:

Boniface, bishop, servant of the servants of God, to Philip, king of the French. Fear God and keep his commandments. We want you to know that you are subject to us in spiritualities and temporalities. The collation of benefices and prebends does not belong to you at all and if you have custody of any vacant churches you are to keep their revenues for those who succeed to them. If you have conferred any such benefices we declare the collations null and void and we revoke any that you have made *de facto*. Given at the Lateran on the fifth of December in the seventh year of our pontificate.

Philip, by the Grace of God king of the French, to Boniface who acts as though he were pope, little or no greeting. Let your great fatuity know that in temporalities we are subject to no-one; that the collation of vacant churches and prebends belongs to us by royal right and that their revenues are ours; that the collations we have made in the past or shall make in the future are valid and that we shall strongly defend their holders against anyone. All who think otherwise we hold for fools and madmen. Given at Paris.¹⁰²

It was after the circulation of these documents that Philip called the assembly of the Estates-General to Paris. First, in February of 1302, nobles and bishops were

¹⁰² Tierney 187.

summoned to Paris. Also present were two or three elected representatives of towns throughout France.¹⁰³ Pierre Flote spoke on Boniface's attack against the French crown and people, and targeted his message toward the town representatives, playing on their suspicions of strangers and particularly Italians.¹⁰⁴ In April of 1302, again Flote stood before the assembly and accused Boniface, this time of claiming the temporal government of France for himself, as well as numerous sins against the country and the church, including greed and nepotism. One year later, in March of 1303, Guillaume de Nogaret launched a personal attack on the Pope's character, and in June, Guillaume de Plaisians made the most outrageous claims, saying the Pope denied the immortality of the soul and was guided by a personal demon. Boniface had little hope of rallying support among the people, so he called together a Church council in Rome to find support in the French clergy.

Unam Sanctum

Boniface called a council of bishops to Rome in 1302, after the first two assembly meetings in Paris, for the purpose of reforming the French church and reaffirming the authority of the Apostolic See. However, Philip, due to what he claimed was an emergency in France, forbid the bishops from attending, and when the council was finally held, less than one half of French bishops were in attendance.¹⁰⁵ Then, in November 1302, Boniface promulgated the bull *Unam Sanctum*:

That there is one holy, Catholic and apostolic church we are bound to believe and to hold... that outside this church there is no salvation or remission of sins... Therefore there is one body and one head of this one and only church, not two heads as though it were a monster, namely Christ

¹⁰³ Menache 438.

¹⁰⁴ Ibid. 438.

¹⁰⁵ Tierney 282.

and Christ's vicar, Peter and Peter's successor, for the Lord said to this Peter, "Feed my sheep" (John 21:17). He said "My sheep" in general, not these or those, whence he is understood to have committed them all to Peter. Hence, if the Greeks or any others say that they were not committed to Peter and his successors, they necessarily admit that they are not of Christ's flock, for the Lord says in John that there is one sheepfold and one shepherd.

We are taught by the words of the Gospel that in this church and in her power there are two swords, a spiritual one and a temporal one. For when the apostles said "Here are two swords" (Luke 22:38), meaning in the church since it was the apostles who spoke, the Lord did no reply that it was too many but enough. Certainly anyone who denies that the temporal sword is in the power of Peter has not paid heed to the words of the Lord when he said, "Put up they sword into its sheath" (Matthew 26:52). Both then, are in the power of the church, the material sword and the spiritual. But the one is exercised for the church, the other by the church, the one by the hand of the priest, the other by the hand of kings and soldiers, though at the will and sufferance of the priest. One sword ought to be under the other and the temporal authority subject to the spiritual power... For, the truth bearing witness, the spiritual power has to institute the earthly power and to judge it if it has not been good. So is verified the prophecy of Jeremias concerning the church and the power of the church, "Lo, I have set thee this day over the nations and over kingdoms" etc.

Therefore, if the earthly power errs, it shall be judged by the spiritual power, is a lesser spiritual power errs it shall be judged by its superior, but if the supreme spiritual power errs it can be judged only by God not by man, as the apostle witnesses, "The spiritual man judgeth all things and he himself if judged of no man" (1 Corinthians 2:15)... Therefore we declare, state, define and pronounce that is it altogether necessary to salvation for every human creature to be subject to the Roman Pontiff.¹⁰⁶

This bull did several things, but what it did not do was address the specific crisis of the French church. Instead, it was a broad statement of general theological doctrines about the church, church power, and the role of the pope.¹⁰⁷ While it may seem odd that the Pope would respond to such a specific attack with such an abstract decree, it seems that he was attempting to address the larger problem of the internal sovereignty of the

¹⁰⁶ Tierney 188-189.

¹⁰⁷ Tierney 182.

Church rather than dealing with the French situation specifically.¹⁰⁸ In the first paragraph, the Pope put for the foundation of the Church's supremacy: there could only be one shepherd, namely Peter and his successors. To be outside the Catholic Church was to be away from God.

In the next paragraph, Boniface made his case for the supremacy of the spiritual authority over the temporal. He grossly misinterpreted the scene from Matthew where, after Peter cut a man's ear off, Christ said, "Put thy sword into its sheath." Rather than interpreting this as a condemnation of Peter's use of the sword, Boniface took this to mean that the sword rightfully belonged to Peter and that Christ gave him this power. In the final paragraph, Boniface claimed that not only was the pope able to judge all others, spiritual as well as temporal, but also that no one was able to judge him, the supreme spiritual power. The pope could sit in judgment over all who were saved, because in order to be saved, they must become his subjects.

These were bold claims with loose interpretations of Biblical scripture. Though Boniface was clearly concerned with defending his claims to superiority, as well as defending himself from being judged by others, the focus of the bull was in asserting the supremacy of the pope within the Church, and the Church within the Christian world. This was because, as Tierney observed, "if bishops, when pressed to choose, would obey their king rather than their pope in an ecclesiastical matter, the church could hardly remain a truly international body with its own autonomous center of government and

¹⁰⁸ Perhaps the motivation for the vague and abstract terms of *Unam Sanctum* was that Boniface knew there was no way to apply it literally to his current predicament with Philip. Given his failures in the past against the French king, surely Boniface did not believe that writing *Unam Sanctum* would be a strong enough weapon to defeat Philip. Perhaps instead his intention was to provide a written statement of papal authority to be used by later popes in similar conflicts.

discipline.”¹⁰⁹ This directly violated the hierarchy of authority within the Church, and it was adherence to this hierarchy that enabled the Church to operate on an international level. This marks a major shift in the way churches of the European nations viewed themselves and opened the door for the idea of independence of national churches from Rome. The push for centralization that emerged after the reign of Innocent III had failed, and the power of the Roman see was eroding.

The Outcome of the Second Dispute

After the promulgation of *Unam Sanctum* in 1302, reconciliation between Boniface and Philip was impossible. However, instead of responding with theoretical counter-arguments, Philip launched a vicious personal attack against the Pope. In the later two assembly meetings, the accusations against Boniface were more personal and aggressive than before, and Philip’s councilors also focused on promoting his position as the defender of the French Church. It was not enough for Philip to simply embarrass and provoke the Pope with his disobedience. Instead, he charged Boniface with heresy and rejected his legitimacy as Pope. “Boniface had set out to defend the French church against the king. Philip’s ingenious maneuver ensured that in Paris the central issue would seem to be the defense of the French state against the pope.”¹¹⁰ Perhaps he was not willing to take any chances, and instead of waiting for excommunication to turn his barons and his people against him, he turned them against the pope first.¹¹¹ Philip’s three

¹⁰⁹ Tierney 183.

¹¹⁰ Tierney 181.

¹¹¹ As learned from of King John of England by Innocent III, excommunication is the perfect opportunity for internal rebellion, since Christian subjects were released from their duties to an excommunicated lord. It is possible that there were those who were disturbed by Philip’s tight rein on his kingdom, and they may have welcomed the opportunity for a rebellion endorsed by the Pope. Philip did not leave them that chance, however, and his men catered their message to the bourgeoisie as much as to the peasants to make sure they too were as suspect of Boniface’s intentions.

chief advisors and counselors personally saw to specific attacks. “Flotte focused on the Pope’s usurpation of the rights of the king and the kingdom, Nogaret emphasized his heresy, and Plaisians elaborated on the theme of heresy from a French national perspective while relegating to second place the harm done to the king.”¹¹² This was carried farther than ever before, and finally physical force was used against the pontiff. Philip’s man, Nogaret, literally broke into papal chambers, possibly with the intention to kill him, and though they did not actually murder him, the incident like caused his death a few weeks later.¹¹³

Analysis

The accusations against Boniface were as ludicrous as the political mudslinging of the worst political campaigns today. Some were difficult to believe, such as Nogaret’s assertions that Boniface consulted with a personal demon or Guillaume of Plaisians’s claims that he condemned priests to death and murdered Celestine V. Though it is more believable that the Pope did mutter he would rather be a dog than a Frenchman, it is unlikely that in saying so he was implying that Frenchmen were below dogs and therefore had no immortal souls, as his opponents claimed.¹¹⁴ Like any well-run campaign, the French king was successful in representing himself as a protector of his people against a dangerous enemy. “Philip the Fair this emerged from the conflict with Boniface VIII as the personification of the ancestral values of the kingdom of France and the most devoted defender of its rights and privileges.”¹¹⁵

¹¹² Strayer 434.

¹¹³ Tierney 184.

¹¹⁴ Strayer 433.

¹¹⁵ Strayer 431.

It is important to note that this attempt at creating a national French identity was not a move towards secularization. There was no claim that the Pope did not have authority over the king or the country because there should be a kind of separation of church and state in modern terminology. On the contrary, it was part of their strategy to suggest that the French king was a better Christian than the Pope and that he was acting as the protector and preserver of both the French church and all French Christians.

There seems to be strong evidence to suggest that it was the royal advisors, not Philip himself, that made the King's triumph over the Pope possible. However, for the purposes of this study, that is comparing the power of the papal monarchy to the French monarchy, this is not relevant. Whether it was Philip himself who initiated the propaganda campaign or it was done at the urging of Nogaret or Flotte, the fact that the success of the state was due in large part to the support of the French people, nobleman and commoner alike, is what is significant.

This case study presents an example of the state successfully defying the papacy. Philip was able to do this because he did not need papal approval for legitimacy. By working to gain the support of his people, Philip neutralized Boniface's weapon of excommunication, because this papal sanction would not have resulted in internal rebellion as in the first case study. Because Philip was such a strong monarch, he was also in a position to defend himself and his nation against external threats, eliminating the Pope's only other option for enforcement.

This is comparable to the United Nations and states that are strong enough for defy UN resolutions without consequence. For example, the United States is a strong political and military power, and because of the elected representative government, the

US government typically has the backing of the majority of its people. Therefore, internal rebellion is unlikely to undermine state authority, nor is there another country willing to go to war against the United States on behalf of the UN. Furthermore, the US is a permanent member of the Security Council and has veto power over authorizing military force or sanctions. This allows the US to ignore UN Charter principles or resolutions in circumstances where compliance is not in US interests. In such cases, there is little that United Nations can do to prevent such behavior of a superpower.

What is perhaps most ironic about this case is that Philip placed a halt on French exports, which caused Boniface to capitulate in the first conflict. This is interesting because typically with the United Nations today, it is the UN that places embargos on goods going into a country, which causes the state to succumb to international pressure. The same weapon was being used in the late thirteenth century as today, but in the directly opposite way. This presents a contradiction in the IGO model, yet still demonstrates the use of economic pressure to influence political conflict.

The Impact

The scholarship surrounding Boniface was so much greater than before, this became a war of words, and words that the people could understand. The Church was already fighting off the growing interest in the teachings of Aristotle, which struck at the very foundations of the Church's doctrine, which was its power base. This coupled with the growing dissatisfaction with the Church, its economic practices, and blatant debauchery of its ministers, created fertile soil for Philip's attacks.

The struggle between Pope Boniface VIII and Philip the Fair of France marked the beginning of the end of the papal monarchy of the Middle Ages. What it in fact achieved was to demonstrate the realities of the church-state sovereignty struggle, that is that the church perhaps never exercised as much power as it claimed, and any king with enough strength and stability at home was an equal match for the pope. The success of the papacy depended upon the weakness of the king, as can be seen by Boniface's successes in England against Edward I and failures against Philip in France.

Conclusion

This research has attempted to understand medieval church-state conflict by examining the causes and outcomes of three specific cases, and to draw conclusions about the nature of these power struggles. As a result, an analogy has emerged between the medieval Catholic Church and modern international governmental organizations. The United Nations is the best IGO for this comparison, and because of its applicability it has been used in this study. The Church was, in many ways, a prototype IGO, and many of the objectives and obstacles of these institutions are comparable.

These case studies have revealed that the Church was able to apply its power only in times when the secular power was unstable, or when the Church was being supported by another secular authority. In the first case, Henry IV was unable to challenge Gregory VII while the Saxons were rebelling against the King in the Holy Roman Empire. Once he regained stability by overcoming the opposition and eliminating his rival for the throne, Henry was then able to turn against Gregory and defeat the papacy.

King John of England was a particularly weak king, who struggled to maintain control over rebellious barons throughout his reign. When his clash with Innocent III resulted in deposition, the threat of attack by Philip Augustus of France quickly brought John into submission under Innocent III's authority. The instability within England as well as the outside enforcer made this victory possible for the Pope.

Finally, Philip the Fair used his vigorous campaign of political and religious propaganda in France to ensure that he maintained control within his kingdom, and as a

result he was never forced to compromise with Boniface VIII. He was the only king from these studies who at no time submitted, in words or deeds, to the Pope, and his successful defeat of Boniface was the first total triumph of the state over the Church.

By the early 1300s, at the time of Philip's reign, Europe had begun to see the emergence of the nation-state, and Philip and his advisors worked hard to create the kind of centralization in France that made this possible. As a result, the papacy faced struggles not just between kings and popes, but sovereignty conflicts between the international organization of the Church and the new European states. Tierney observed that the emergence of the nation-state was "one of the most important developments on the history of church-state relations during the Middle Ages..."¹¹⁶ Once this occurred, it became increasingly difficult for the Church to maintain its direct influence over political affairs.

This is that state-system that the United Nations was created under, and the UN continues to try to navigate the complexities of being an international organization in a political system that is defined by the sovereignty of nations. Through the last half-century, the UN has moved from merely mediating state conflicts to advocating human rights and protecting the people within states when necessary from their own governments. As this study has demonstrated, the UN remains reliant on its member states to carry out these operations.

There are, however many limitations to this model, as there are distinct differences between the United Nations and the medieval Catholic Church. One of the most fundamental differences between the two is the purpose for their creation and existence. Despite the political nature of the Church during the period examined here, it

¹¹⁶ Tierney 2.

remained a religious body. The purpose of the Church was to bring organization to Christianity, and it later morphed into the papal monarchy. On the contrary, the purpose of the United Nations was explicitly political at the time of its founding, and it has since morphed into an organization with more humanitarian goals. This also highlights a key difference in the representation of these organizations. In the case of the Church, a bishop, once invested, was responsible for representing the interests of the universal Church within his own region, whereas representatives are sent from states to represent their interests to the United Nations.

Finally, the Church simply does not need states to exist. The Church was in a place of power long before states, in the modern sense, had been created. On the contrary, the very definition of an international governmental organization implies that it is made up of member states. Without states, the United Nations would no longer be made up of the *nations* that its very name implies it represents. This is perhaps the greatest weakness of this research. The theories of power struggles between states and IGOs seems to easily apply to popes and monarchs of the Middle Ages. Yet the theories of international relations have limits in a period when nations did not yet exist. It is until the final case study that this is truly applicable, as it was Philip the Fair who initiated the formation of the French nation.

A perhaps lesser distinction is the means of enforcement used against states. Though for both enforcement must come from an outside source, the sources used by the Church and United Nations for the enforcement and application of ideology are different. For the Church, the use of excommunication permitted internal rebellion of the nobles, creating the threat of civil war, which caused the kings to relent. The possible exception

to this is the second case study, in which Philip Augustus of France was used by Innocent for force King John of England's submission. However, John was certainly troubled by rebellious barons, made evident by the signing of Magna Carta. Though it is difficult to speculate about things that may have been in history, it is reasonable to speculate that internal rebellion would have eventually forced John to seek reconciliation with Innocent.

In the case of the United Nations, enforcement is usually external. In situations where international law or human rights are violated or ignored, and response requires an intervention that would infringe upon state sovereignty, the U.N. relies on the support of member states to force compliance. This can be done through condemning resolutions in the General Assembly, economic and political sanctions by member states, or the use of force when authorized by the Security Council. The disapproval of the international community can be dangerous for states and can jeopardize the legitimacy of the state power, just as papal condemnation threatened the power of a king. The U.N. has little power to respond without the support of states, and most often this support comes from external states, not necessarily within the rebellious state. On the contrary, the Church often manipulated internal powers to defeat kings. Today, when state sovereignty is threatened by an IGO or other external power, the response is often a move towards solidarity within the state. Again, this does not emerge in the medieval period until the third case study of Boniface VIII and Philip the Fair. Because of Philip's maneuverings that made internal unity possible, the Church was left with no means of enforcement without an external source.

However, there are still similarities between the roles of these organizations in their respective periods. Though their purpose and creation were very different, the

circumstances of their development are comparable. The Church rose to power after the fall of the Roman Empire, and its creation help to bring organization not only to the Church, but also to medieval western Europe, and filled the power vacuum left by the Empire. It was for this reason that the Roman church was able to establish itself as the universal and superior Church. There was a similar power crisis in the wake of World War II, which resulted in the creation of the United Nations. Its purpose was also to restore order and structure to the international political system.

Another common characteristic of these two is that they are both able to confer legitimacy, which became increasingly important during the middle ages and remains important in today's international politics. For example, though the Holy Roman Emperor was elected by the German electors, he was crowned by the Pope, which symbolized papal recognition and approval of the new emperor. This established the legitimacy of the imperial election, and as this study has demonstrated, such legitimacy was essential for the stability of monarchical power. The United Nations also is able to recognize and give legitimacy to states. By offering membership in the United Nation, a state is accepted by the international community.

Given the predominant place of IGOs in today's international political arena, it is beneficial to look back at the prototype IGO, the medieval Catholic Church. The lessons of success and failure of the Church can help us gain insight into the difficulties facing IGOs today and the future of their roles in international relations. The example given by the Catholic Church demonstrates the realities of state sovereignty, and how difficult it is to balance respect for sovereignty with an adherence to an ideology that claims to be universal. Today, that ideology is no longer religious, but has been replaced with things

such as international law and human rights. Yet while the world remains in a state-system and without an independent means of enforcement, IGOs will continue to struggle with the practical application of their theoretical power.

Holy Roman Church, especially that famous doctor Gregory [I], gave such force of law that henceforth the marriage bond has been absolutely forbidden to the three orders of priests, levites and subdeacons.

But when we, in our pastoral forethought, sent word to you that these orders were to be carried out you, not setting your mind on the things that are above, but on the things that are upon the earth, loosed the reins of lust within the aforesaid orders so that, as we have heard, those who had taken concubines persisted in their crime, while those who had not yet done so had no fear of your prohibitions. Oh, what insolence! Oh, what audacity, that a bishop should despise the decrees of the Apostolic See, should uproot the precepts of holy fathers—nay more, by orders from his high place and his priestly office should impose upon his subjects things contrary and repugnant to the Christian faith.

Wherefore we command you to present yourself before us at the approaching synod in the first week of Lent to give answer according to canon law as well for this disobedience and contempt of the Apostolic See as for all the other offenses charged against you.

Papal Power

26. *The Dictatus Papae* (March 1075), trans. S. Z. Ehler and J. B. Morrall, *Church and State Through the Centuries* (London, 1954), pp. 43-44.

1. That the Roman Church was founded by God alone.
2. That the Roman Pontiff alone is rightly to be called universal.
3. That he alone can depose or reinstate bishops.
4. That his legate, even if of lower grade, takes precedence, in a council, of all bishops and may render a sentence of deposition against them.
5. That the Pope may depose the absent.
6. That, among other things, we also ought not to stay in the same house with those excommunicated by him.
7. That for him alone it is lawful to enact new laws according to the needs of the time, to assemble together new congregations, to make an abbey of a canonry; and, on the other hand, to divide a rich bishopric and unite the poor ones.
8. That he alone may use the imperial insignia.
9. That the Pope is the only one whose feet are to be kissed by all princes.
10. That his name alone is to be recited in churches.
11. That his title is unique in the world.
12. That he may depose Emperors.
13. That he may transfer bishops, if necessary, from one See to another.

Appendix A: Primary Source Readings from Case Study I
 From Brian Tierney, *The Crisis of Church and State 1050-1300*. Toronto: Toronto University Press, 1988.

14. That he has power to ordain a cleric of any church he may wish.
15. That he who has been ordained by him may rule over another church, but not be under the command of others; and that such a one may not receive a higher grade from any bishop.
16. That no synod may be called a general one without his order.
17. That no chapter or book may be regarded as canonical without his authority.
18. That no sentence of his may be retracted by any one; and that he, alone of all, can retract it.
19. That he himself may be judged by no one.
20. That no one shall dare to condemn a person who appeals to the Apostolic See.
21. That to this See the more important cases of every church should be submitted.
22. That the Roman Church has never erred, nor ever, by the witness of Scripture, shall err to all eternity.
23. That the Roman Pontiff, if canonically ordained, is undoubtedly sanctified by the merits of St. Peter; of this St. Ennodius, Bishop of Pavia, is witness, many Holy Fathers are agreeable and it is contained in the decrees of Pope Symmachus the Saint.
24. That, by his order and with his permission, subordinate persons may bring accusations.
25. That without convening a synod he can depose and reinstate bishops.
26. That he should not be considered as Catholic who is not in conformity with the Roman Church.
27. That the Pope may absolve subjects of unjust men from their fealty.

Feudal Lordship

~~27. Letter to Solomon, king of Hungary (October 1074), trans. E. Emerton, *Correspondence*, pp. 48-49.~~

~~Gregory . . . to Solomon, king of Hungary, greeting. . . . Your letter to us arrived late owing to delay on the part of your messenger. It would have been more graciously received at our hands had not your ill-considered condition been so grievously offensive to St. Peter. For, as you may learn from the chief men of your country, the kingdom of Hungary was long since offered and devotedly surrendered to St. Peter by King Stephen as the full property of the Holy Roman Church under its complete jurisdiction and control. Furthermore, the emperor Henry [III] of pious memory, after his conquest of that kingdom, in honor of St. Peter sent to his shrine a spear and a crown, and in celebration of~~

Our Lord, Jesus Christ, has called us to kingship, but has not called you to the priesthood. For you have risen by these steps: namely, by cunning, which the monastic profession abhors, to money; by money to favor; by favor to the sword. By the sword you have come to the throne of peace, and from the throne of peace you have destroyed the peace. You have armed subjects against their prelates; you who have not been called by God have taught that our bishops who have been called by God are to be spurned; you have usurped for laymen the bishops' ministry over priests, with the result that these laymen depose and condemn the very men whom the laymen themselves received as teachers from the hand of God, through the imposition of the hands of bishops.

You have also touched me, one who, though unworthy, has been anointed to kingship among the anointed. This wrong you have done to me, although as the tradition of the holy Fathers has taught, I am to be judged by God alone and am not to be deposed for any crime unless—may it never happen—I should deviate from the Faith. For the prudence of the holy bishops entrusted the judgment and the deposition even of Julian the Apostate not to themselves, but to God alone. The true pope Saint Peter also exclaims, "Fear God, honor the king" (1 Peter 2:17). You, however, since you do not fear God, dishonor me, ordained of Him.

Wherefore, when Saint Paul gave no quarter to an angel from heaven if the angel should preach heterodoxy, he did not except you who are now teaching heterodoxy throughout the earth. For he says, "If anyone, either I or an angel from heaven, preach any other gospel unto you than that which we have preached unto you, let him be accursed" (Galatians 1:18). Descend, therefore, condemned by this anathema and by the common judgment of all our bishops and of ourself. Relinquish the Apostolic See which you have arrogated. Let another mount the throne of Saint Peter, another who will not cloak violence with religion but who will teach the pure doctrine of Saint Peter.

I, Henry, King by the grace of God, together with all our bishops, say to you: Descend! Descend!

51. Deposition of Henry by Gregory (February 1076), trans. E. Emerton, *Correspondence*, pp. 90-91.

O blessed Peter, prince of the Apostles, mercifully incline thine ear, we pray, and hear me, thy servant, whom thou hast cherished from infancy and hast delivered until now from the hand of the wicked who have hated and still hate me for my loyalty to thee. Thou art my witness, as are also my Lady, the Mother of God, and the blessed Paul, thy brother among all the saints, that thy Holy Roman Church forced me against my will to be its ruler. I had no thought of ascending thy throne as a robber, nay, rather would I have chosen to end my life as a pilgrim than to seize upon thy place for earthly glory in any devices

of this world. Therefore, by thy favor, not by any works of mine, I believe that it is and has been thy will, that the Christian people especially committed to thee should render obedience to me thy especially constituted representative. To me is given by thy grace the power of binding and loosing in Heaven and upon earth.

Wherefore, relying upon this commission, and for the honor and defense of thy Church, in the name of Almighty God, Father, Son and Holy Spirit, through thy power and authority, I deprive King Henry, son of the emperor Henry, who has rebelled against thy Church with unheard-of audacity, of the government over the whole kingdom of Germany and Italy, and I release all Christian men from the allegiance which they have sworn or may swear to him, and I forbid anyone to serve him as king. For it is fitting that he who seeks to diminish the glory of thy Church should lose the glory which he seems to have.

And, since he has refused to obey as a Christian should or to return to the God whom he has abandoned by taking part with excommunicated persons, has spurned my warnings which I gave him for his soul's welfare, as thou knowest, and has separated himself from thy Church and tried to rend it asunder, I bind him in the bonds of anathema in thy stead and I bind him thus as commissioned by thee, that the nations may know and be convinced that thou art Peter and that upon thy rock the son of the living God has built his Church and the gates of hell shall not prevail against it.

32. Letter of Henry to the German bishops (1076), trans. T. E. Mommsen and K. F. Morrison, *op. cit.*, pp. 152-54.

. . . Let your good will stand by us, therefore, together with your power at this opportune time, the good will for which not only our need is earnestly longing, but also that of all your fellow bishops and brethren, nay rather, that of the whole oppressed Church. Certainly, you are not ignorant of this oppression. Only see to it that you do not withdraw assistance from the oppressed Church, but rather that you give your sympathy to the kingship and to the priesthood. Just as hitherto the Church was exalted by each of these offices, so now, alas, it is laid low, bereft of each; since one man has arrogated both for himself, he has injured both, and he who has neither wanted nor was able to be of benefit in either has been useless in each.

To keep you in suspense no longer as to the name of the man under discussion, learn of whom we speak: it is the monk Hildebrand (a monk indeed in habit), so-called pope who, as you yourself know clearly, presides in the Apostolic See not with the care of a pastor but with the violence of a usurper and from the throne of peace dissolves the bond of the one catholic peace. To cite a few things among many: without God's knowledge he has usurped for himself the kingship and the

priesthood. In this deed he held in contempt the pious ordinance of God, which especially commanded these two—namely, the kingship and the priesthood—should remain, not as one entity, but as two. In his Passion, the Savior Himself meant the figurative sufficiency of the two swords to be understood in this way: When it was said to him, "Lord, behold there are two swords here," He answered, "It is enough" (Luke 22:38), signifying by this sufficient duality, that the spiritual and the carnal swords are to be used in the Church and that by them every hurtful thing is to be cut off. That is to say, He was teaching that every man is constrained by the priestly sword to obey the king as the representative of God but by the kingly sword both to repel enemies of Christ outside and to obey the priesthood within. So in charity the province of one extends into the other, as long as neither the kingship is deprived of honor by the priesthood nor the priesthood is deprived of honor by the kingship. You yourself have found out, if you have wanted to discover it, how the Hildebrandine madness has confounded this ordinance of God; for in his judgment, no one may be a priest unless he begs that [honor] from his arrogance. He has also striven to deprive me of the kingship—me whom God has called to the kingship (God, however, has not called him to the priesthood)—since he saw that I wished to hold my royal power from God and not from him and since he himself had not constituted me as king. And further, he threatened to deprive me of kingship and life, neither of which he had bestowed. . . .

Canossa and the Aftermath

33. Letter of Gregory to the German princes giving an account of the incident at Canossa (January 1077), trans. E. Emerton, *Correspondence*, pp. 111-12.

Whereas, for love of justice you have made common cause with us and taken the same risks in the warfare of Christian service, we have taken special care to send you this accurate account of the king's penitential humiliation, his absolution and the course of the whole affair from his entrance into Italy to the present time.

According to the arrangement made with the legates sent to us by you we came to Lombardy about twenty days before the date at which some of your leaders were to meet us at the pass and waited for their arrival to enable us to cross over into that region. But when the time had elapsed and we were told that on account of the troublous times—as indeed we well believe—no escort could be sent to us, [and] having no other way of coming to you, we were in no little anxiety as to what was our best course to take.

Meanwhile we received certain information that the king was on the way to us. Before he entered Italy he sent us word that he would make satisfaction to God and St. Peter and offered to amend his way of life and to continue obedient to us, provided only that he should obtain from us absolution and the apostolic blessing. For a long time we delayed our reply and held long consultations, reproaching him bitterly through messengers back and forth for his outrageous conduct, until finally, of his own accord and without any show of hostility or defiance, he came with a few followers to the fortress of Canossa where we were staying. There, on three successive days, standing before the castle gate, laying aside all royal insignia, barefooted and in coarse attire, he ceased not with many tears to beseech the apostolic help and comfort until all who were present or who had heard the story were so moved by pity and compassion that they pleaded his cause with prayers and tears. All marveled at our unwonted severity, and some even cried out that we were showing, not the seriousness of apostolic authority, but rather the cruelty of a savage tyrant.

At last, overcome by his persistent show of penitence and the urgency of all present, we released him from the bonds of anathema and received him into the grace of Holy Mother Church, accepting from him the guarantees described below. . . . And now that these matters have been arranged, we desire to come over into your country at the first opportunity, that with God's help we may more fully establish all matters pertaining to the peace of the Church and the good order of the land. For we wish you clearly to understand that, as you may see in the written guarantees, the whole negotiation is held in suspense, so that our coming and your unanimous consent are in the highest degree necessary. Strive, therefore, all of you, as you love justice, to hold in good faith the obligations into which you have entered. Remember that we have not bound ourselves to the king in any way except by frank statement—as our custom is—that he may expect our aid for his safety and his honor, whether through justice or through mercy, and without peril to his soul or to our own.

34. Henry's oath at Canossa (January 1077), trans. E. Emerton, *Correspondence*, pp. 112-13.

I, Henry, king, within the term which our lord Pope Gregory shall fix, will either give satisfaction according to his decision, in regard to the discontent and discord for which the archbishops, bishops, dukes, counts and other princes of the kingdom of Germany are accusing me, or I will make an agreement according to his advice—unless some positive hindrance shall prevent him or myself—and when this is done I will be prepared to carry it out.

Item: If the same lord Pope Gregory shall desire to go beyond the

mountains or elsewhere he shall be safe, so far as I and all whom I can constrain are concerned, from all injury to life or limb and from capture—both he himself and all who are in his company or who are sent out by him or who may come to him from any place whatsoever—in coming, remaining or returning. Nor shall he with my consent suffer any hindrance contrary to his honor; and if anyone shall offer such hindrance, I will come to his assistance with all my power.

35. The second deposition of Henry (March 1080), trans. E. Emerson, *Correspondence*, pp. 149-52.

O blessed Peter, chief of the Apostles, and thou, Paul, teacher of the Gentiles, deign, I pray, to incline your ears to me and mercifully to hear my prayer. Ye who are disciples and lovers of the truth, aid me to tell the truth to you, freed from all falsehood so hateful to you, that my brethren may be more united with me and may know and understand that through faith in you, next to God and his mother Mary, ever virgin, I resist the wicked and give aid to those who are loyal to you. For you know that I entered holy orders not of my own pleasure, and that I accompanied the lord Pope Gregory [VI] unwillingly beyond the mountains, but still more unwillingly returned with my master Pope Leo [IX] to your special church, where I have served you as best I could; and then most unwillingly and unworthy as I was, to my great grief and with groans and lamentations I was set upon your throne.

I say this because it is not I that have chosen you, but you that have chosen me and laid upon me the heavy burden of your Church. And because you have commanded me to go up into a high mountain and denounce their crimes to the people of God and their sins to the sons of the Church, those limbs of the Devil have begun to rise up against me and have dared to lay hands upon me even unto blood.

The kings of the earth, and the princes, both secular and clerical, have risen up, courtiers and commons have taken counsel together against the Lord, and against you, his anointed, saying, "Let us burst their chains and throw off their yoke," and they have striven utterly to overwhelm me with death or banishment.

Among these especially Henry, whom they call "king," son of the emperor Henry, has raised his heel against your Church in conspiracy with many bishops, as well ultramontanes as Italians, striving to bring it under his control by overturning me. Your authority withstood his insolence and your power defeated it. In confusion and humiliation he came to me in Lombardy begging for release from his excommunication. And when I had witnessed his humiliation and after he had given many promises to reform his way of life, I restored him to communion only,

but did not reinstate him in the royal power from which I had deposed him in a Roman synod. Nor did I order that the allegiance of all who had taken oath to him or should do so in future, from which I had released them all at that same synod, should be renewed. I held this subject in reserve in order that I might do justice as between him and the ultramontane bishops and princes, who in obedience to your Church had stood out against him, and that I might establish peace amongst them, as Henry himself had promised me to do on his oath and by the word of two bishops.

The above-mentioned ultramontane bishops and princes, hearing that he had not kept faith with me, and, as it were, in despair about him, chose Duke Rudolf for their king, without my approval as you will bear witness. Then King Rudolf immediately sent an envoy to me declaring that he had assumed the government of the kingdom under compulsion, but nevertheless was prepared to obey me in every way. And to make this the more acceptable, from that time on he repeatedly sent me the same declaration, adding that he would confirm his promise by sending as hostages his own son and the son of his liegeman Bertaldus [of Zähringen].

Meanwhile Henry was beginning to beg for my help against Rudolf. I replied that I would gladly take action after I had heard both sides in order that I might learn which was the more in accord with what was right. But he, thinking himself strong enough to overcome his opponent, paid no attention to my reply. Later, however, as he saw that he could not do as he had hoped, the two bishops of Verdun and Osnabrück came to Rome on the part of his followers and at a synod requested me in behalf of Henry to do what was right by him. The envoys of Rudolf made the same request. Finally, by divine inspiration as I believe, I decreed at the same synod that a conference should be held beyond the mountains that peace might be restored there, or else that he should be recognized as king whose cause seemed to be the more just. For I, as you, my fathers and my lords, will bear me witness, have never to the present day taken either side except as justice required. And because I reckoned that the wrong side would not be willing to have a conference in which justice was to prevail, I excommunicated and placed under the bonds of anathema all persons, whether of a king or a duke or a bishop or of any vassal, who should try by any device to prevent the holding of a conference. But the aforesaid Henry together with his supporters, not fearing the perils of disobedience—which is the crime of idolatry—incurred excommunication by preventing a conference and bound himself in the bonds of anathema and caused a great multitude of Christians to be delivered to death, churches to be scattered abroad and almost the whole kingdom of the Germans to be desolated.

Wherefore, trusting in the justice and mercy of God and of his most worshipful mother Mary, ever virgin, and relying upon your authority, I place the aforesaid Henry, whom they call "king," and all his supporters under excommunication and bind them with the chains of anathema. And again forbidding him in the name of Almighty God and of yourselves to govern in Germany and Italy, I take from him all royal power and state. I forbid all Christians to obey him as king, and I release all who have made or shall make oath to him as king from the obligation of their oath. May Henry and his supporters never, so long as they may live, be able to win victory in any encounter of arms. But that Rudolf, whom the Germans have chosen for their king in loyalty to you, may rule and protect the kingdom of the Germans, I grant and allow in your name. And relying upon your assurance, I grant also to all his faithful adherents absolution of all their sins and your blessing in this life and the life to come. For as Henry is justly cast down from the royal dignity for his insolence, his disobedience and his deceit, so Rudolf, for his humility, his obedience and his truthfulness is granted the power and the dignity of kingship.

And now, most holy fathers and princes, I pray you to take such action that the whole world may know and understand that if you are able to bind and loose in Heaven, you are able also on earth to grant and to take away from everyone according to his deserts empires, kingdoms, principalities, dukedoms, marquises, earldoms and the property of all men. You have often taken patriarchates, primacies, archbishoprics and bishoprics away from wicked and unworthy men and have granted them to pious holders. And if you can give judgment in spiritual things, what may we not believe as to your power over secular things? Or, if you can judge the angels who guide all haughty princes, what can you [not] do to their servants? Now let kings and all princes of the earth learn how great is your power, and let them fear to neglect the commands of your Church. And against the aforesaid Henry send forth your judgment so swiftly that all men may know that he falls and is overwhelmed, not by chance but by your power—and would that it were to repentance, that his soul be saved in the day of the Lord!

~~Gregory's Defense of His Policy~~

~~36. Letter of Gregory to Bishop Hermann of Metz (March 1081), trans. E. Emerton, *Correspondence*, pp. 166-75.~~

~~. . . You ask us to fortify you against the madness of those who babble with accursed tongues about the authority of the Holy Apostolic See not being able to excommunicate King Henry as one~~

32

To all the noble magnates of England.¹

IF TO OUR WELL-BELOVED son in Christ, John, illustrious king of the English, you pay the loyalty that is his due, be assured that this is pleasing both to God and to us. But because you should regulate your loyal attachment to the earthly king so as never to offend the Heavenly King, being upright and loyal men you ought to be on guard to save the king by your faithful advice from a policy which he has seemingly planned in enmity to God—that of persecuting our venerable brother, Stephen, archbishop of Canterbury and, through him, the church committed to his charge. So, with all your strength, save him from rejecting the counsel of good men and from walking in the counsel of the ungodly,² whose thoughts will all perish in one day³ whereas the counsel of the Lord which they attempt to bring to nought standeth for ever.⁴ Indeed, since ‘ye cannot serve two masters’ (as the Truth puts it in the Gospel⁵), it is undoubtedly in your interests, in view of the king’s opposition to God, not to support him and, putting the fear of God above that of man, not to caress him in company with those who ‘sew pillows under his elbow’⁶ with their flattering hand, and not to fear displeasing

to publish in England. A similar but more strongly worded letter was addressed at the same time to all the bishops of England and Wales (P. 3225).

¹ cf. Ps. 1:1

² cf. Ps. 145 (A.V. 146):4

³ cf. Ps. 32(A.V. 33):11

⁴ cf. Matt. 6:24

⁵ cf. Ezek. 13:18

▲ . . . ▲▲

Appendix B: Primary Source Readings from Case Study II
 From Christopher R. Cheney and W.H. Semple, *Selected Letters of Pope Innocent III*.
 London: Thomas Nelson and Sons Ltd, 1953.

him temporarily in the cause of justice—for conduct so upright will not injure you by exciting him to hatred but will in time benefit you by winning his love. For undoubtedly, when he has taken wiser advice and returned to his senses, he will regard you as very dear friends for the sincerity of your counsel, whereas the others by whose evil prompting he is now led astray he will regard with hatred; and in the same way, when he is finally cured by the physician's treatment, he will realize how different in intention were the counsels of sinners that aggravated his mental disease, and the medicines which the Apostolic See in its anxious concern employed to heal him. As for us, who act the part of doctor to him—he will rise up to pay us thanks and will end by praising the efficacy of the medicine which earlier he loathed for its bitterness; and acknowledging with what genuine affection we have loved him, he will admit that, when a loved friend is chastised, the motive is a pious affection, love's blows having this peculiarity that, the more sharply laid on, the more friendly they are.⁷

Wherefore, we earnestly admonish you and zealously exhort you, by apostolic letter enjoining it on you as you hope for remission of sins, to urge the king by honest reasoning and sound advice not to walk in the path of Rehoboam nor forsake the counsel of the older men,⁸ but to despise as flatterers and expel as corrupters those who encourage him in wickedness and 'fatten his head with the oil of the sinner.'⁹ Let him recall how Uzza was smitten by the Lord¹⁰ for putting out his hands, piously indeed but unworthily, to touch the ark—and let him not presume rashly to put out his hand against ecclesiastical rights, lest the Lord, who by the judgment of the hand that wrote 'Mene, Tekel, Peres'¹¹ allowed

Belshazzar's kingdom to be unexpectedly siezed by the Persians, should be gravely angry on account of His church which the king vainly plans to humiliate; but rather let him recount the gifts of God who, by His kindness exalting him before kings, has gloriously spread his name and power among the princes of the earth through the favour of the Roman Church.

Do you, therefore, whose loyalty and wisdom should make themselves powerfully felt in the difficulties of the king and kingdom, now at this time of misfortune begin loyally and wisely to combat the king's purpose so as not to let yourselves and the kingdom be drawn into a turmoil from which (and may God avert the danger!) there could be no easy escape. For we, who would not shrink, if occasion demanded, from fighting to the death for the justice of this cause,¹² do not intend to withdraw our apostolic hand from the defence of ecclesiastical liberty. Assuredly, our hand is not shortened¹³: indeed by God's grace it is so extended that, if any man's sins make it heavy against him, it will be able to bring upon him, spiritually and temporally, a crushing weight of punishment.

St Peter's, Rome, the 21st of November, in the tenth year of our Pontificate.

Innocent, bishop, servant of the servants of God, to his venerable brethren Stephen, archbishop of Canterbury and cardinal of the Holy Roman Church, William of London, Eustace of Ely, Giles of Hereford, and Hugh of Lincoln, bishops, greeting and apostolic benediction.¹

UNSCRUPULOUS ARRANGEMENTS which are unlawfully made in despite of canonical probity and ecclesiastical liberty should with good reason be annulled by apostolic authority, so that they may not become a precedent for unscrupulous men. Wherefore by apostolic letter we command you that the concessions, compacts, and undertakings, which clergy or monks of whatever profession or order have made, after the Interdict, with John king of England to prevent seized or extorted property being restored in full, shall be by you declared null and void,² and the authors and agents responsible for them shall be excommunicated by you unless, after warning, they have made restitution. If any of the aforesaid individuals refuse to claim restitution of seized or extorted property, you are to compel the

Although enregistered at the end of the book for the fifteenth pontifical year, they belong to the first weeks of Innocent's sixteenth year.

¹ This was the condition of the settlement with John (no. 45 above). The Waverley annals record the form of quitclaim which John had extracted from monasteries (*Ann. mon.*, ii. 268, cf. *ibid.* iii. 34 and Coggeshall, p. 165). A quitclaim in this precise form was given in September 1212 by the prior of Bath (*Two chartularies of Bath Abbey* (Somerset Rec. Soc., 1893), ii. 18). cf. *R.Ch.*, p. 193. For further arrangements see no. 58 below.

detainers of the property to restore it notwithstanding, and it is to be reserved in accordance with apostolic mandate for the relief of the Holy Land. If you cannot all take part in discharging this business, let three or two of you discharge it, without appeal.

The Lateran, the 7th of March, in the sixteenth year of our Pontificate.

To Nicholas, bishop of Tusculum, legate of the Apostolic See, and to Pandulf, subdeacon and member of our household.

As YOU ARE FULLY aware, each household throughout England is bound to pay a penny to us yearly for the tribute of St Peter.¹ But the prelates of England who collected 'Peter's pence' in our name, handling a business which their overlord disliked, had no compunction about retaining the greater part for themselves—paying to us only 300 marks and appropriating a thousand or more. Wherefore, that the rights of the Roman Church may be preserved uninjured, we strictly direct and command you by the authority of this letter, first to receive from them the money hitherto paid as Peter's pence (if necessary, compelling them to obey by ecclesiastical censure, with right of appeal denied); and, secondly, to insist on our behalf that they should pay the balance in full. We cannot see on what right they can defend themselves: they cannot shew any concession granted them by the Apostolic See, nor can

irregular. The tax was collected by the local clergy and transmitted through the archdeacons and other officials to bishops or papal collectors. At each stage in the transmission, more was collected than was forwarded. Innocent III tried to remedy this by a mandate dated 31 December 1205 (printed, Delisle, 'Lettres inédites,' p. 414 and Pitra, i. 507, trans. Lunt, *Papal revenues*, ii. 62). A royal prohibition dated 26 May 1207 (*R.L.P.*, p. 72, Wilkins, i. 514) forbade the clergy to discuss or modify this payment in a meeting which had been summoned at St. Albans.

This second effort of Innocent III to obtain the full proceeds of the levy was no more successful than the first. For more than a century his successors intermittently renewed their demands in vain. In the sixteenth century the papal *camera* still received only three hundred marks a year on this account. For the whole subject see Lunt, *Financial relations*, pp. 3-84.

they establish against the Roman Church a limitation of action through lapse of a century, especially if times of schism are excluded.³ However, if they are minded to test the right, you will fix a convenient date on which, by suitable agents, they must enter an appearance before us to shew what right they have had for such actions; and we declare beforehand that, if they think fit to contest the matter in court, we shall in the same court claim restitution of all that has so far been withheld.

The Lateran, the 28th of January, in the sixteenth year of our Pontificate.

Innocent, bishop, servant of the servants of God, to the noblemen the barons of England, a spirit of sounder understanding.¹

WOULD THAT IN THE suit you have recklessly started against your lord the king you had prudently considered the oath of fealty you gave, the rights of the Apostolic See, the mandate containing our ordinance, and the privilege granted to Crusaders: for you would certainly not have proceeded to an action which almost all who hear of it abominate as a crime—especially as you have constituted yourselves in this suit both judges and executors of judgment, though the king was ready to grant you full justice in his court by your peers according to the customs and laws of the kingdom, or before us to whom the decision of this suit belonged by right of lordship, or even before arbitrators, chosen by each side, who together with us would arrive at a settlement. Hence, as you did not deign to accept any of these procedures he has appealed to our court, placing himself and his kingdom, with all his honour and rights, under apostolic protection, and publicly proclaiming that, as the lordship of the kingdom belonged to the Roman Church, he neither could nor ought to make any change in it to our prejudice. Since, therefore, the settlement, whatever the terms, is one which you induced him to accept by force and fear, and is not only demeaning and

¹ For this form of greeting, see no. 44, n. 1 above. By using this form, the pope seems to include all the English barons in the sentence pronounced seven weeks earlier (no. 80 above). This letter is complementary to no. 82 above, and borrows various phrases from both nos. 80 and 82.

shameful but also illegal and unjust, so that it deserves to be universally rejected, and most of all for the method used, we, who are bound to provide both spiritually and temporally for the king and the kingdom, by apostolic letter direct and command you, and in honest faith advise you, to make a virtue of necessity and voluntarily to renounce this settlement, making amends to the king and his people for the losses and wrongs inflicted on them, so that the king, appeased by manifest proofs of loyalty and submission, may of himself graciously concede to you all that lawfully ought to be conceded—a course to which we also will powerfully urge him; for, while we do not wish the king to lose his rights, on the other hand we do wish him to stop oppressing you, so that under our lordship the kingdom of England may not be crushed by evil customs or unjust extortions; but a settlement of the kind we suggest will always be sure and stable. May He therefore, who desires not that any should perish, inspire you to concur humbly in our salutary counsels and commands, lest (if you act otherwise) you should fall into a dire strait from which you could ultimately escape only with much suffering: for, to omit other matters, what we could not possibly ignore is the serious danger to the whole Crusade, a danger that would be near if the concessions thus wrested from a great prince who has taken the Cross were not cancelled by our authority—and cancelled even though he should prefer to have them upheld. So, at the time when the archbishop and the bishops of England will be attending

* vestro gravamine P

† aut C; et WP

* art. nec. WP

* servari C; observari WP

the General Council which we purpose holding chiefly to expedite the Crusade, you are to send fit proctors to appear before us ²—confidently entrusting yourselves to our good pleasure : for, with God's favour, we shall make a settlement which, sweeping away oppressions and abuses from the kingdom of England, will leave the king satisfied with his rights and dignity, and cause both the clergy and the whole people to rejoice in the peace and freedom that are their due.

Anagni, the 24th of August, in the eighteenth year of our Pontificate.

² The baronial party is not known to have sent representatives to the Lateran Council.

first public statement of the charges that were to bedevil Boniface for the rest of his reign (No. 98).

On his way south to join the papal curia at Orvieto, Pierre Flotte discussed the whole situation with representatives of the Colonnas, and when he came to negotiate with Boniface his hand was greatly strengthened by the possibility that Philip might support the cardinals' appeal to a general council against the pope. Under that threat Boniface finally capitulated. In the bull *Etsi de statu* (No. 99) he clearly conceded the principle that the king alone, without the consent of the pope, could decide when a state of necessity existed in his own kingdom which made it expedient to tax the clergy. Philip had won an easy victory.

Clericis Laicos

97. The bull *Clericis Laicos* (February 1296), trans. H. Bettenson, *Documents of the Christian Church* (New York, 1943), pp. 159-61.

Boniface Bishop, servant of the servants of God, for the perpetual record of the matter. That laymen have been very hostile to the clergy antiquity relates; and it is clearly proved by the experiences of the present time. For not content with what is their own the laity strive for what is forbidden and loose the reins for things unlawful. Nor do they prudently realize that power over clerks or ecclesiastical persons or goods is forbidden them: they impose heavy burdens on the prelates of the churches and ecclesiastical persons regular and secular, and tax them, and impose collections: they exact and demand from the same the half, tithe, or twentieth, or any other portion or proportion of their revenues or goods; and in many ways they try to bring them into slavery, and subject them to their authority. And, we regret to say, some prelates of the churches and ecclesiastical persons, fearing where there should be no fear, seeking a temporary peace, fearing more to offend the temporal majesty than the eternal, acquiesce in such abuses, not so much rashly as improvidently, without obtaining authority or license from the Apostolic See. We therefore, desirous of preventing such wicked actions, decree, with apostolic authority and on the advice of our brethren, that any prelates and ecclesiastical persons, religious or secular, of whatsoever orders, condition or standing, who shall pay or promise or agree to pay to lay persons collections or taxes for the tithe, twentieth, or hundredth of their own rents, or goods, or those of the churches, or any other portion, proportion, or quantity of the same rents, or goods, at their own estimate or at the actual value, under the name of aid, loan, relief, subsidy, or gift, or by any other title, manner, or pretext demanded, without the authority of the same see:

Appendix C: Primary Source Readings from Case Study III

From Brian Tierney, *The Crisis of Church and State 1050-1300*. Toronto: Toronto University Press, 1988.

And also whatsoever emperors, kings, or princes, dukes, earls, or barons, powers, captains, or officials, or rectors, by whatsoever names they are called, of cities, castles, or any places whatsoever, wheresoever situate, and all others of whatsoever rank, eminence or state, who shall impose, exact, or receive the things aforesaid, or arrest, seize, or presume to take possession of things anywhere deposited in holy buildings, or to command them to be arrested, seized, or taken, or receive them when taken, seized, or arrested, and also all who knowingly give aid, counsel, or support, openly or secretly, in the things aforesaid, by this same should incur sentence of excommunication. Universities, too, which may have been to blame in these matters, we subject to ecclesiastical interdict.

The prelates and ecclesiastical persons above mentioned we strictly command, in virtue of their obedience, and on pain of deposition, that they in no wise acquiesce in such things without express leave of the said see, and that they pay nothing under pretext of any obligation, promise, and acknowledgment whatsoever, made in the past, or in existence before this time, and before such constitution, prohibition, or order come to their notice, and that the seculars aforesaid do not in any wise receive it; and if the clergy do pay, or the laymen receive, let them fall under sentence of excommunication by the very deed.

Moreover, let no one be absolved from the aforesaid sentences of excommunications and interdict, save at the moment of death, without authority and special leave of the Apostolic See, since it is part of our intention that such a terrible abuse of secular powers should not be carried on under any pretense whatever, any privileges whatsoever notwithstanding, in whatsoever tenors, forms or modes, or arrangement of words, conceded to emperors, kings and the others aforesaid; and we will that aid be given by no one, and by no persons in any respect in contravention of these provisions.

Let it then be lawful to none at all to infringe this page of our constitution, prohibition, or order, or to gainsay it by any rash attempt; and if anyone presume to attempt this, let him know that he will incur the indignation of Almighty God, and of his blessed apostles Peter and Paul.

The Colonna Cardinals

98. Third manifesto of the Colonna cardinals against Boniface (June 1297), ed. H. Danelle, *Archiv für Literatur- und Kirchengeschichte*, V (Leipzig, 1889), pp. 519-24.

James of S. Maria in Via Lata and Peter of S. Eustachio, by the mercy of God cardinal deacons, to the venerable chancellor and the

advice of the cardinals and to obtain their consent in certain arduous affairs, especially in alienating the goods of the church, but this pseudo-pontiff does not deign to seek their counsel or await their consent. Rather if we or any of our brothers put forward any word that is contrary to his own opinion, he attacks the speaker with scathing words and, boasting that he rules over kings and kingdoms even in temporal affairs, he does not fear to assert that he can do anything of his own will by virtue of his plenitude of power, although no legitimate papal authority inheres in him. . . .

Consider then with faithful discernment God and his holy church so that, when the illegitimate usurper has been deposed and cast out, a true and legitimate pastor may rule truly, legitimately and canonically over the church his mother, the bride of Christ, redeemed by the blood of her spouse. Lest the sacraments of the church be further profaned, let all the acts of the same Benedict be suspended since he has been justly denounced by us, and let care be taken that a universal council be swiftly assembled which, laying aside all error, will declare the truth concerning the iniquity, nullity and injustice of the process he has presumed to institute against us. And meanwhile let no one obey or heed, especially in matters touching the safety of the soul, this man who does not possess the authority of a supreme pontiff although *de facto* he rashly holds the place of one.

The Capitulation of the Pope

99. The bull *Etsi De Statu* (July 1927), ed. G. Digard, M. Faucon, and A. Thomas, *Les Registres de Boniface VIII*, I (Paris, 1884), col. 941-42.

. . . Recently, discharging the duty of our pastoral office, we enacted a decree by apostolic authority in favor of the churches and of ecclesiastical liberty, laying down that prelates and ecclesiastical persons of any state, rank or dignity should not pay taxes to emperors, kings, princes or other rulers without the authority of the apostolic see, whether under the name of an aid, loan or gift or any other name; and that emperors, kings, princes or other rulers should not presume to demand, exact or receive them from the same prelates and ecclesiastical persons. . . .

We add to this our declaration that if some dangerous emergency should threaten the aforesaid king [Philip] or his successors in connection with the general or particular defence of the realm, the above mentioned decree shall by no means extend to such a case of necessity. Rather the same king and his successors may demand and receive from the said

prelates and ecclesiastical persons a subsidy or contribution for such defence and the said prelates and persons can and must pay it to the oft-mentioned king and his successors whether under the name of a quota or some other name, even when the Roman pontiff has not been consulted, and this notwithstanding the above mentioned decree and notwithstanding any kind of privilege or exemption obtained from the apostolic see, in whatever form of words it is drawn up. And the declaration of a state of necessity may be left to the consciences of the aforesaid king and his successors. . . .

brother the cardinal of Porto has said. But the king cannot deny that, like all the faithful, he is subject to us by reason of sin. . . . Our predecessors deposed three kings of France; they can read it in their chronicles and we in ours, and one case is to be found in the *Decretum*; and although we are not worthy to tread in the footsteps of our predecessors, if the king committed the same crimes as they committed or greater ones we would depose him like a servant with grief and great sorrow. . . . As for our summons to the prelates, we answer to you who have come on their behalf that we do not suspend the summons. Rather we confirm, strengthen and renew it. . . .

Unam Sanctam

103. The bull *Unam Sanctam* (November 1302), ed. E. Friedberg, *Corpus Iuris Canonici*, II (Leipzig, 1881), col. 1245-46.

That there is one holy, Catholic and apostolic church we are bound to believe and to hold, our faith urging us, and this we do firmly believe and simply confess; and that outside this church there is no salvation or remission of sins, as her spouse proclaims in the Canticles, "One is my dove, my perfect one. She is the only one of her mother, the chosen of her that bore her" (Canticles 6:8); which represents one mystical body whose head is Christ, while the head of Christ is God. In this church there is one Lord, one faith, one baptism. At the time of the Flood there was one ark, symbolizing the one church. It was finished in one cubit and had one helmsman and captain, namely Noah, and we read that all things on earth outside of it were destroyed. This church we venerate and this alone, the Lord saying through his prophet, "Deliver, O God, my soul from the sword, my only one from the power of the dog" (Psalm 21:21). He prayed for the soul, that is himself, the head, and at the same time for the body, which he called the one church on account of the promised unity of faith, sacraments and charity of the church. This is that seamless garment of the Lord which was not cut but fell by lot. Therefore there is one body and one head of this one and only church, not two heads as though it were a monster, namely Christ and Christ's vicar, Peter and Peter's successor, for the Lord said to this Peter, "Feed my sheep" (John 21:17). He said "My sheep" in general, not these or those, whence he is understood to have committed them all to Peter. Hence, if the Greeks or any others say that they were not committed to Peter and his successors, they necessarily admit that they are not of Christ's flock, for the Lord says in John that there is one sheepfold and one shepherd.

We are taught by the words of the Gospel that in this church and in

her power there are two swords, a spiritual one and a temporal one. For when the apostles said "Here are two swords" (Luke 22:38), meaning in the church since it was the apostles who spoke, the Lord did not reply that it was too many but enough. Certainly anyone who denies that the temporal sword is in the power of Peter has not paid heed to the words of the Lord when he said, "Put up thy sword into its sheath" (Matthew 26:52). Both then are in the power of the church, the material sword and the spiritual. But the one is exercised for the church, the other by the church, the one by the hand of the priest, the other by the hand of kings and soldiers, though at the will and suffrance of the priest. One sword ought to be under the other and the temporal authority subject to the spiritual power. For, while the apostle says, "There is no power but from God and those that are ordained of God" (Romans 13:1), they would not be ordained unless one sword was under the other and, being inferior, was led by the other to the highest things. For, according to the blessed Dionysius, it is the law of divinity for the lowest to be led to the highest through intermediaries. In the order of the universe all things are not kept in order in the same fashion and immediately but the lowest are ordered by the intermediate and inferiors by superiors. But that the spiritual power excels any earthly one in dignity and nobility we ought the more openly to confess in proportion as spiritual things excel temporal ones. Moreover we clearly perceive this from the giving of tithes, from benediction and sanctification, from the acceptance of this power and from the very government of things. For, the truth bearing witness, the spiritual power has to institute the earthly power and to judge it if it has not been good. So is verified the prophecy of Jeremias [1.10] concerning the church and the power of the church, "Lo, I have set thee this day over the nations and over kingdoms" etc.

Therefore, if the earthly power errs, it shall be judged by the spiritual power, if a lesser spiritual power errs it shall be judged by its superior, but if the supreme spiritual power errs it can be judged only by God not by man, as the apostle witnesses, "The spiritual man judgeth all things and he himself is judged of no man" (1 Corinthians 2:15). Although this authority was given to a man and is exercised by a man it is not human but rather divine, being given to Peter at God's mouth, and confirmed to him and to his successors in him, the rock whom the Lord acknowledged when he said to Peter himself "Whatsoever thou shalt bind" etc. (Matthew 16:19). Whoever therefore resists this power so ordained by God resists the ordinance of God unless, like the Manicheans, he imagines that there are two beginnings, which we judge to be false and heretical, as Moses witnesses, for not "in the beginnings" but "in the beginning" God created heaven and earth (Genesis 1:1). Therefore we declare, state, define and pronounce that it is altogether necessary to salvation for every human creature to be subject to the Roman Pontiff.

The Attack on Boniface

104. Charges against Boniface presented by Guillaume de Plaisans before a royal council in Paris (June 1303), ed. P. Dupuy, *op. cit.*, pp. 102-6.

He does not believe in the immortality or incorruptibility of the rational soul but believes that the rational soul undergoes corruption with the body. He does not believe in an eternal life to come . . . and he was not ashamed to declare that he would rather be a dog or an ass or any brute animal than a Frenchman, which he would not have said if he believed that a Frenchman had an immortal soul. . . . He does not faithfully believe that, through the words instituted by Christ, spoken by a faithful and properly ordained priest in the manner prescribed by the church over a Host, it becomes the true body of Christ. . . . He is reported to say that fornication is not a sin any more than rubbing the hands together is. . . . He has often said that he would ruin himself and the whole world and the whole church to lay low the king and the French people if he could not do it otherwise. . . . He has had silver images of himself erected in churches to perpetuate his damnable memory, so leading men into idolatry. . . . He has a private demon whose advice he takes in all matters. . . . He has publicly preached that the Roman pope cannot commit simony, which is heresy. . . . He is guilty of the crime of sodomy. . . . He has caused many clerics to be murdered in his presence, rejoicing in their deaths. . . . He has compelled certain priests to reveal mens' confessions and then, without the consent of those who confessed, has made them public to their shame and confusion. . . . He does not fast on fast days or in Lent. . . . He has depressed and debased the rank and status of the cardinals. . . . He is openly called a simonist or rather the fount and origin of simony. . . . He is publicly accused of treating inhumanly his predecessor Celestine—a man of holy memory and holy life who perhaps did not know that he could not resign and that accordingly Boniface could not legitimately enter upon his see—imprisoning him in a dungeon and causing him to die there swiftly and secretly, and this is notorious throughout the whole world. . . . He does not seek the salvation of souls but their perdition.

105. An eyewitness account of "the outrage at Anagni." Letter of William Hundleby to the bishop of Lincoln (September 1303), trans. H. G. J. Beck, *Catholic Historical Review*, XXXII (1947), pp. 200-5.

Behold, Reverend Father, at dawn of the vigil of the Nativity of the Blessed Mary just past, suddenly and unexpectedly there came upon Anagni a great force of armed men of the party of the King of France and of the two deposed Colonna cardinals. Arriving at the gates of Anagni and finding them open, they entered the town and at once made an assault upon the palace of the Pope and upon that of the Marquis, the Pope's nephew. . . .

After a time, however, the Marquis, nephew of the Pope, realizing that defense was no longer possible, surrendered to Sciarra and the captain, so that they spared his own life and those of his son and companions. In this fashion were the Marquis and one of his sons taken and thrown into prison, while another son escaped by means of a hidden passage. When the Pope heard this reported, he himself wept bitterly, yet not even the Pope was in a position to hold out longer. Sciarra and his forces broke through the doors and windows of the papal palace at a number of points, and set fire to them at others, till at last the angered soldiery forced their way to the Pope. Many of them heaped insults upon his head and threatened him violently, but to them all the Pope answered not so much as a word. And when they pressed him as to whether he would resign the Papacy, firmly did he refuse—indeed he preferred to lose his head—as he said in his vernacular: "E le col, e le capel" which means: "Here is my neck and here my head." Therewith he proclaimed in the presence of them all that as long as life was in him, he would not give up the Papacy. Sciarra, indeed, was quite ready to kill him, but he was held back by the others so that no bodily injury was done the Pope. Cardinal Peter of Spain was with the Pope all through the struggle, though the rest of his retinue had slipped away. Sciarra and the captain appointed guards to keep the Pope in custody after some of the papal doormen had fled and others had been slain. Thus [were] the Pope and his nephew taken in Anagni on the said vigil of the Blessed Mary at about the hour of vespers and it is believed that the Lord Pope put in a bad night.

The soldiers, on first breaking in, had pillaged the Pope, his chamber and his treasury of utensils and clothing, fixtures, gold and silver and everything found therein so that the Pope had been made as poor as Job upon receiving word of his misfortune. Moreover, the Pope witnessed all and saw how the wretches divided his garments and carted away his furniture, both large items and small, deciding who would take this and who that, and yet he said no more than: "The Lord gave and the Lord taketh away, etc." And anyone who was in a position to seize or to lay hold upon something, took and seized it and carried it off, while no one then paid any more attention to the person of the Pope than he did to Godfrey Ceco of Lincoln or to Peter Stall. . . .

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