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T E X T - B O O K

OF

ECCLESIASTICAL HISTORY.

BY

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By FRANCIS CUNNINGHAM.

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## THIRD PERIOD.

FROM THE BEGINNING OF THE CONTROVERSY CONCERNING THE WORSHIP  
OF IMAGES TO THE REFORMATION.

A. D. 726 — 1517.

AUTHORITIES FOR THE GENERAL HISTORY OF THE MIDDLE AGES,  
PREFIXED TO THE SECOND PERIOD.

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### FIRST DIVISION.

TO THE TIME OF NICHOLAS I., OR TO THE APPEARANCE OF  
THE PSEUDO-ISIDORIAN DECRETALS.

A. D. 726 — 858.

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### CHAPTER FIRST.

#### HISTORY OF THE GREEK CHURCH.

SOURCES:—The Byzantine writers, *Nicephorus* to the year 769 (see Lit. II. Period), *Theophanes* to the year 813 (see Per. Div. 2), and after this *Constantine Porphyrogeneta* († A. D. 959), and *Josephus Genesius* (about A. D. 940) to the year 867, *Georgius Monachus* to the year 959, *Simon Logotheta* to 967, *Leo Grammaticus* to 1013. From these sources are drawn the histories of *Georgius Cedrenus* (A. D. 1057), *John Zonaras* (A. D. 1118), and *Michael Glykas* (A. D. 1450).

#### § 1.

#### CONTROVERSY CONCERNING THE WORSHIP OF IMAGES.

See: *Imperialia de cœtu imaginum in utroque imperio promulgata, collecta et illustrata a Melch. Haiminsfeldio Goldasto*, Francof. 1608. 8vo. — *Jo. Dallaeus de imaginibus*. Lugd. Bat. 1642. 8vo. — *Lud. Maimbourg hist. de l'hérésie des iconoclastes*. Paris. 1679 and 1683. 2 voll. 12mo. *Frid. Spanhemii historia imaginum restituta*, Lugd. Bat. 1686. 8vo. (re-  
cens. in Ejusd. opp. T. II. p. 707) — *Walch's Ketzerhistorie*, Th. 10 u. 11. — *J. Ch. Schlosser's Geschichte der bilderstürmenden Kaiser des oström. Reichs*. Frankf. A. M. 1812. 8vo.

THE worship of images had long reached a height of absurdity revolting to every Christian principle,<sup>1</sup> when the emperor Leo III., Isaureus (A. D. 716—741) an enlightened and energetic prince, became (in what way is uncertain)<sup>2</sup> violently opposed to it.<sup>3</sup> At first he contented himself with forbidding the practice (A. D. 726), but soon afterwards (A. D. 730) commanded the pictures to be taken away from the churches.<sup>4</sup> These measures were enforced by the removal of the Patriarch of Constantinople, Germanus,<sup>5</sup> who ventured to oppose them, and the substitution of the more submissive Anastasius; and by vigorously suppressing various tumultuous movements in different parts of the empire.<sup>6</sup> In Rome, indeed, where his authority was denied,<sup>7</sup>

<sup>1</sup> Even the author of the *oratio adv. Constantimum Cabalinum*, a fanatic of the eighth century, can only answer (c. 13) the reproach: ἡ γενεὰ αὐτὴ θεοποίησεν τὰς εἰκόνας by the rejoinder: ὅφελεις οὐδέξαι τὸν ἀγράμματον λαὸν cf. Joannis Damasc. opp. ed. Le Quien T. I. p. 621 and 622.

<sup>2</sup> Watch Th. 10. S. 202 ff. Schlosser l. c. S. 161, attempt to explain the cause of this prejudice. Vid. *Theophanes ad ann. VI. Leonis* p. 336: Τούτῳ τῷ ἔτει ἡλάγκαζεν ὁ βασιλεὺς τοὺς Ἐλέγους καὶ τοὺς Μοντανοὺς βασιτίσθεται, and then ad ann. VII. follow the first denunciations of picture-worship, in the suppression of which the emperor was especially assisted by the renegade Beser and Theophilus, bishop of Nakolia. In the *Synodicon vet.* c. 138. (in *Fabrii bibl. græc.* vol. XI. p. 248) Leo is called τῇ πλάνῃ Κανσταντίνου ἐπισκόπου Ναυαλείας, καὶ Βίσης Πατρικίου σαρακηνόφρονος τῶν αἱρεσιαρχῶν χρεινόμενος. It is worthy of remark that Leo considered the ravages of a volcano which broke forth in the Cretan sea, as the punishment of the impiety of picture-worship. *Nicephori breviar.* p. 37: ὡς ἐκ τῶν εἰκονομάτων θύρωσε τε καὶ προσκυνήσεως γεγονέναι οἴμενος τὸ περίστοι, cf. *Theophanes* p. 339.

<sup>3</sup> See the emperor's own words in a letter to Gregory II. bishop of Rome, cf. *Gregorii Epist. I. ad Leonem* in Mansi T. XII. p. 959: αἱ εἰκόνες εἰδώλων τόπον ἀναπληροῦσι, — οἱ προσκυνοῦντες αὐτὰς εἰδώλολάτραι, — οὐ δεῖ προσκυνεῖν χειροποίητα, καὶ πᾶν εἶδος καὶ ὄμοιωμα, καθὼς ἔπειν ὁ Σεός, μάτε ἣν οὐδανῷ, μῆτρι ἢ τῆς γῆς (Exod. xx. 4.). — πληροφόροντόν με, τίς ἡμῖν παρέδωκε σέβεσθαι καὶ προσκυνεῖν χειροποίητα καὶ γὰρ ὄμοιογά, ὅτι θεοῦ νομοθεσία ἐστι.

<sup>4</sup> Comp. especially *Theophanes*, p. 336—343. *Nicephorus*, p. 37—38.

<sup>5</sup> Subservient as he had shown himself in acknowledging the Monothelite doctrines to please the emperor Philippius, and afterwards renouncing them to please his successor (*Theophanes*, p. 330. *Nicephorus*, p. 31. Watch's Ketzergesch. Th. 9. S. 466 ff.), he was immovable in his adherence to image worship. In the *Actis Concil. Niceni II. Actio IV.* in Mansi T. XIII. p. 99 seq. are three letters from him. The third ad Thomam Episc. Claudiopolis is a long defence of the use of pictures. P. 125 he dwells particularly on the miracles that have thereby been wrought, of which the most wonderful seems to be ἡ ἐν Σωζοπόλει τῆς Πισιδίας τὸ τῷ ὑπάρχοντα εἰκὼν τῆς παναχράντου θεοτόκου, ἐκ τῆς γεγραμμένης παλάμης αὐτῆς τὴν τοῦ μύρου βλύσιν προχίουσσι.

<sup>6</sup> Namely, the revolt in Greece and the Cyclades (*Theophanes*, p. 339. *Nicephorus*, p. 37), and the uproar in Constantinople at the taking down of the crucifix (called ὁ Αντιφωνητής) ἐν τοῖς Χαλκοπατεῖοις Gregor. II. Ep. I. ad Leonem Mansi T. XII. p. 969. *Theophanes*, p. 339 (who calls it τὴν τοῦ κυρίου εἰκόνα τὴν ἵππη τῆς χαλκῆς πύλην), comp. Watch Th. 10. S. 178 ff. Schlosser S. 177.

<sup>7</sup> *Gregorii II. Epistolæ 2 ad Leonem Imp.* (written A. D. 730, not 726. Watch Th. 10. S. 173) in the *Actis Concil. Niceni II.* Mansi T. XII. p. 959 seq. The ignorance and want of decency betrayed in these letters shown in Bower's *History of the Popes*. Watch Th. 11. S. 271 ff. e. g. p. 966: καὶ τὰ μικρὰ παιδία καταπαίζουσι σου. γύρωσον εἰς τὰς διατοιβὰς τῶν στοιχίων, καὶ εἰπὲ ὅτι ήγά τιμι ὁ καταλύτης καὶ διώκτης τῶν εἰκόνων· καὶ εὐθὺς τὰς πινακίδας εὐτῶν

and in the East, which was now overrun by the Saracens,<sup>8</sup> Leo was forced to allow his measures to be blamed with impunity ;<sup>9</sup> but in his own realm the party opposed to picture-worship (*εἰκονομίχοι*, *εἰκονοκλάσται*, *εἰκονοκαύσται*, *χριστιανοκτόνοι*) soon became by far the most numerous.<sup>10</sup> Leo's successor, CONSTANTINE COPRONYMUS (A. D. 741 – 775), an emperor equally honored by his subjects and beloved by his soldiers, pursued the same course. After the defeat of the seditious Artabasdos, who had attempted to make his cause more popular by declaring in favor of the worship of pictures (A. D. 741 – 743),<sup>11</sup> this practice assuming constantly a more and more fanatical character, especially amongst the monks, the emperor called a general council at Constantinople (A. D. 754), at which it was solemnly condemned ;<sup>12</sup> though at Rome<sup>13</sup> and in the East,<sup>14</sup> the decrees of this

*εἰς τὴν κεφαλὴν σου βίωσι, καὶ ὅπερ οὐκ ἐπιδεύθης ὑπὸ τῶν φρονίμων, παιδευθῆσῃ ὑπὸ τῶν ἀρρώνων.* "Εγραψας, ὅτι Οζίας ὁ βασιλεὺς τῶν Ιουδαίων (more probably Hezekiah 2 Reg. 18, 4) μετὰ ὀκτακοσίους ἵματούς ἔξηγαγε τὸν χαλκῖνον ὄφιν ἐκ τοῦ ναοῦ, καὶ γὰρ μετὰ ὀκτακοσίους ἵματούς ἔξηγαγε τὰ εἴδωλα ἐκ τῶν ἱκνητῶν. Ἀλέξας καὶ Οζίας ἀδέλφος σου ἦν, καὶ τὸ σὸν πτίσμα εἶχε, καὶ τοὺς τότε ἱεροὺς ἐπιχάννεται ἀστερός σύ (Uzziali 2 Chron. xxvi. 16 – 18). Ἐξεινον γὰρ τὸν ὄφιν ὁ ἡγιασμένος Δαβὶδ εἰσῆγαγεν εἰς τὸν ναὸν μετὰ τῆς ἀγίας κιβωτοῦ. — p. 967: συνέφερε σοι, βασιλεῦ, τῶν δύο προκειμένων, αἱρετικὸν σε ὑπερέσσθαι, ή διώκτην καὶ καταλυτὴν τῶν ιστοριῶν καὶ ζωγραφιῶν τῶν εἰκόνων καὶ παθημάτων τοῦ κυρίου.

<sup>8</sup> See *Johannis Damasceni λόγοι γ' ἀπολογητικοὶ πρὸς τοὺς διαβάλλοντας τὰς ἀγίας εἰκόνας* in opp. ed. Le Quien T. I. p. 305 seq.

<sup>9</sup> The assertion of *Theophanes*, p. 340: οὐ μόνον γὰρ περὶ τὴν σχετικὴν τῶν σεπτῶν εἰκόνων ὁ δυστεῖβης ἴσφαλλετο προσκύνησον, ἀλλὰ καὶ περὶ τῶν πρεσβειῶν τῆς πανάγυνος Θεοποκού, καὶ πάντων τῶν ἀγίων καὶ τὰ λείψανα αὐτῶν ὁ παρμύαρος, ὡς οἱ διδάσκαλοι αὐτοῦ "Ἄραβες, ἰδεῖτε λύττετο", repeated word for word by *Georg. Cedrenus*, p. 455, is contradicted by the historical facts. See Cone, Const. Anthd. ix. and xl at the end of note 12.

<sup>10</sup> The accounts of the persecution of the Iconoclasts, given by later historians, are much exaggerated. See *Walch Th.* 10. S. 286 ff.

<sup>11</sup> *Theophanes*, p. 347 seq.

<sup>12</sup> The *ὅρος* of the Council in the Acts Nie. II. Mansi T. XIII. p. 203 seq. cf. p. 216: Ἀπέστησεν ἡμᾶς (I. X.) ἐκ τῆς φιδοροποιοῦ τῶν διαιρέντων διδασκαλίας ἡτοι τῆς τῶν εἴδωλων πλάνης τε καὶ λατρείας, καὶ τὴν ἐν πνεύματι καὶ ἀληθείᾳ προσκύνησον παραδίδωσεν. p. 221: Πάλιν δὲ — ὁ τῆς κακίας δημιουργὸς οὐκ ἡπάρχει κατὰ διαφόρους καρισμῶν τε καὶ τρόπους πονητῶν ἴππωνες, ὥστε ὑπὸ χῖφα διὰ ἀπατης ἐντῷ ποιῆσαι τὸ ἀνθρώπινον ἀλλὰ ἐν ποστχρηματι. Χριστιανικοῦ τὴν εἰδωλολατρίαν κατὰ τὸ λειψός ἐπιτίγνυε, πείσας τοὺς ιδίους σοφίσμασι τοὺς προς αὐτὸν ὄφελτας μὴ ἀποστηναὶ τῆς κτίσεως, ἀλλὰ ταῦτην προσκυνεῖν, καὶ τάντον σύβοσθαι, καὶ θεὸν τὸ ποίμνα οἴεσθαι τῇ τοῦ Χριστοῦ κλήσιει ἐπονημάζουμενον. p. 225: Διὸ δὲ καθὼς πάλαι ὁ τῆς σωτηρίας ἡμῶν ἀεχηγὸς καὶ τελειωτὴς Ἰησοῦς τοὺς ἐμαυτὸν πανσέρφους μαθητὰς καὶ ἀποστόλους τῇ τοῦ παναγεστάτου πνεύματος δυνάμει ἐπὶ ἐκμετάσει τῶν τοιούτων κατὰ παντὸς ἐξαπίστειλην, οὕτως καὶ τὸν τοὺς αὐτοῦ θεοπάντοτας, καὶ τῶν ἀποστόλων ἐφαμίλλους, πιστοὺς ἡμῶν βασιλεῖς ἐκανέστησε, τῷ τοῦ αὐτοῦ πνεύματος σοφισθέντας δυνάμει, πρὸς καταρτισμὸν μὲν ἡμῶν καὶ διδασκαλίαν, καθαίρεσσι δὲ διαιρονικῶν ὄχυρωμάτων ἐπαιροσμένων κατὰ τῆς γνώστως τοῦ Θεοῦ, καὶ ἐλεγχεῖν διαβολικῆς μεθόδιας καὶ πλάνης. p. 251: That they who should paint pictures of Christ were either Eutychians, or p. 255 Nestorians. p. 324: ὁμοφάνως ὅριζομεν, ἀπόβλητον εἶναι, καὶ ἀλλοτρίαν καὶ ἰδεῖτε λυγμένην ἐκ τῆς τοῦ Χριστιανῶν ἐκκλησίας πᾶσαν εἰκόνα ἐκ παντοίας ὑπεροχῆς καὶ χρωματωργυκῆς τῶν ζωγράφων κακοτεχνίας πεποιημένην. (p. 328:) μηκέτι τολμᾶν ἀνθετεῖν τὸν οἰονδόποτε ἐπιτηδεύειν τὸ τοιοῦτον ἀστεβίς καὶ ἀνόσιον ἐπιτηδεύμα. ὁ δὲ τολμῶν ἀπὸ τοῦ παρέντος κατασκευάσαι εἰκόνα, η̄ προσκυνῆσαι, η̄ σπῆσαι ἐν ἐκκλησίᾳ η̄ ἐν ἀδιατικῷ ὅτε, η̄ κούψαι, εἰ μὲν ἐπίσκοπος η̄ πρεσβύτερος η̄ διάκονος εἶναι, καθαιρίσθαι· εἰ δὲ μονάρχων η̄ λαΐκος, ἀναθεματίζεσθαι, καὶ τοῖς βασιλεῖς ὑόροις

council were not admitted. The picture-worshippers now took refuge in the monasteries, whence their fanaticism often broke forth in open resistance, and the consequence was a degree of severity towards the monks, which, in some provinces, amounted to absolute persecution.<sup>15</sup> On this account Constantine has become the object of monkish abhorrence, and they have richly revenged themselves on him by their historical misrepresentations.<sup>16</sup>

Under the next emperor, LEO IV. CHAZARUS (A. D. 775 — 780) the laws against the worship of pictures were still enforced. IRENE, however (780 — 802), was more favorably disposed towards this superstition. At first she was compelled to be cautious for fear of the populace and the soldiery, but afterwards, in conjunction with the new patriarch Tarasius,<sup>17</sup> she summoned a synod which was broken up by an insurrection at Constantinople;<sup>18</sup> but met again at Nice (Conc. eccl. VII. 787) and once more sanctioned it.<sup>19</sup> The decrees of this coun-

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ὑπενθυνος ἦστα, ὡς ἵναντιος τῶν τοῦ Θεοῦ προσταγμάτων, καὶ ἐκθέσης τῶν πατρικῶν δογμάτων. Amongst the thirteen Anathemas affixed, particularly noticeable are IX. (p. 345): Εἴ τις οὐχ ὁμολογεῖ τὴν ἀπόφθεσιν Μαρίαν κυρίων καὶ ἀληθῆς Θεοτόκου, ὑποτίθει τε εἶναι πάσον δόγματος καὶ ἀρχάτου κτίσεως, καὶ μετὰ τὸ λιγονοῦς πίστεως τὰς αὐτῆς οὐκ ἔχειται προσβίτες, ὡς παῤῥοίαν ἔχουσσης πρὸς τὸν ἐξ αὐτῆς τεχθέντα θεὸν ἡμῶν, ἀνάθεμα. XI. (p. 348): Εἴ τις οὐχ ὁμολογεῖ ἄπαντα, τοὺς ἀπ' αἰῶνας καὶ μέχρι τοῦ νῦν ἀγίους, πρὸς νόμουν, καὶ ἐν νόμῳ καὶ ἐν χάριτι τῷ θεῷ ἴναποτήσαντας, τιμίους εἶναι ἴνωπιον αὐτοῦ Φυχῆς τε καὶ σώματος, καὶ τὰς τούτων οὐκ ἔχειται προσευχής, ὡς παῤῥοίαν ἔχοντων ὑπὲρ τοῦ κόσμου προσβείνειν, κατὰ τὴν ἐκκλησιαστικὴν περιέδοσιν, ἀνάθεμα.

<sup>13</sup> cf. Concilium Lateranense, A. D. 769, Mansi T. XII. p. 713 seq.

<sup>14</sup> Συνοδίκην of Theodorus, patriarch of Jerusalem about A. D. 766 in Actis Cone. Nic. II. Mansi T. XII. p. 1135. Comp. Wallach Th. 10, S. 376 ff.

<sup>15</sup> Leo first put Andreas to death (A. D. 762). Ἐλέγχοντα αὐτοῦ τὴν ἀσεβίαν, καὶ Οὐάλεντα τὸν καὶ Ιωλ τὸν ἀποκαλοῦντα αὐτόν, *Theophanes*, p. 363. Then followed, A. D. 766 to 775, a series of cruelties called forth by the obstinacy of the Iconoclasts, *Theoph.* p. 367 seq., *Nicephorus*, p. 45 seq., especially *Acta S. Stephani* in the *Analectis Graecis* ed. Monach. Benedict. Paris. 1688. Ito. p. 396 seq. Comp. Wallach Th. 10, S. 403 ff. Schlosser S. 228 ff.

<sup>16</sup> Comp. Wallach Th. 10, S. 413 ff. On the names *Copronymos* (see the account *Theoph.* p. 334) and *Cuballinus* vid. Wallach S. 356 ff. — *Theophanes*, p. 370: πανταχοῦ μὲν τὰς πρεσβείας τῆς παρθένου καὶ θεοτόκου καὶ πάντων τῶν ἀγίων εγγράφων, ὡς ἀναφελεῖς, καὶ ἀγρέφως ἀποκρητών, δι’ ὃν ἡμῖν πηγάδει πᾶσα βούθεια· καὶ τὰ ἄγια λειψάνα αὐτῶν κατορθών, καὶ ἀφανῆ ποιον, κ. τ. λ. (cf. note 9) contradicted by Wallach Th. 10, S. 401 ff. No doubt, however, many of the superstitions, connected with the reliques, disappeared. *Cone. Nic. II.* can. 7. in Mansi T. XIII. p. 427: — τῇ οὖν ἀσεβεῖ αἱρέσει τῶν Χριστιανοκαπηλούδων καὶ ἄλλα ἀσεβήματα συνηκολούθησαν. — Τερπός τινα ἔθη παραλίκασιν, ἢ χρηὶ ἀνανεῳδῆναι — δοσὶ οὖν σεπτοὶ ναοὶ κατειργάθησαν ἐπτὸς ἀγίων λειψάνων μαρτύρων, ὅρζομεν ἐν αὐτοῖς κατάθεσιν γενίσθαι λειψάνων μιτά καὶ τῆς συνήθους εὐχῆς.

<sup>17</sup> S. Tarasii vita by his pupil Ignatius Acta SS. Febr. T. III. p. 576 seq.

<sup>18</sup> See especially the συγγεαφή σύντομος δηλωτικὴ τῶν πραχθέντων πρὸς τῆς συνόδου *Mansi T. XII.* p. 990 seq. *Theophanes*, p. 389.

<sup>19</sup> The Acts of this Synod in *Mansi T. XII.* p. 951 — XIII. p. 820. In the ὅρος *Actio VII. Mansi XIII.* p. 377 we read: ὅρζομεν σὺν ἀκριβείᾳ πάσῃ καὶ ἐμπελεῖσι παρατησίαις τῷ τύπῳ τῶν τιμίων καὶ ζωτικοῦ σταυροῦ ἀνατίθεσθαι τὰς σεπτὰς καὶ ἀγίας εἰκόνας — ἐν ταῖς ἀγίαις τοῦ Θεοῦ ἐκκλησίαις, ἐν ιεροῖς σκεύεσι καὶ ἐσθῆσι, τοῖχοις τε καὶ σανίσιον, οἷκοις τε καὶ ὁδοῖς. — (ὅτῳ γὰρ συνεχῶς διεκνικῆς ἀνατυπώσεως ὄντωνται, τοισῦτον καὶ οἱ ταύταις θεώμενοι διανιστανται πρὸς τὴν τῶν πρωτοτόπων μνήμην τε καὶ ἵπποθησιν) καὶ ταύταις ἀστυσμὸν καὶ τιμητικὴν προσκούνησιν ἀπονέμειν, (οὐ μὴν τὴν κατὰ

eil remained in force under NICEPHORUS (A. D. 802–811) and MICHAEL RHANGABE (A. D. 811–813), although there were always many opposed to picture-worship, especially amongst the soldiers.<sup>20</sup>

LEO V. ARMENUS (A. D. 813–820), a prince distinguished for his virtues,<sup>21</sup> was opposed to the worship of pictures,<sup>22</sup> which in the mean time had been carried to the most extravagant lengths.<sup>23</sup> A synod

πίστιν ἡμῶν ἀληθινὴν λατρεῖαν, ἥ τοῖς μόνη τῇ θεῷ φύσις, ἀλλ' ὃν τρόπον τῷ τύπῳ τοῦ τυμπάνου καὶ ζωσταῖς στιλεσὶ καὶ τοῖς ἄγίοις εὐαγγελίοις καὶ τοῖς λειψαῖς ἱεροῖς ἀναδημασίαι) καὶ θυμιασμάτον καὶ φώτων προσκυνήσης τῆς τούτων τιμῆς τοισθεῖσαν, καθὼς καὶ τοῖς ἀρχαῖς εὐερῆσσιν εἴποται· ἥ γὰρ τῆς εἰκόνες τιμὴ ἐτί ποτε πρωτότοτον ὀνταβάντι, καὶ ὁ προσκυνῶν τὴν εἰκόνα προσκυνεῖν εὐ αὐτῇ ποὺ ἐγγραφεῖν τὸν ἑποτοσιον. In the confession of faith of the Synod ib. p. 132, we read: τὰς ἄγιας καὶ σεκτὰς εἰκίνες ἀποδεκτέας, καὶ ἀσπαζόμενα, καὶ περιπτυσσόμενα — τιμάμεν καὶ ἀσπαζόμενα καὶ τιμπτικάς προσκυνοῦμεν. — The whole Synod joined in the cry: Νέον Κωνσταντίνου καὶ νέας Ἐλένης αἰνίαν ἡ μνήμην τῷ μὴ ἀσπαζόμενῳ τὰς ἄγιας εἰκίνες ἀνάστη.

<sup>20</sup> Comp. the relation of Theophanes, p. 125: That certain persons (*τινὲς τῶν δυσσεβῶν τῆς μισθίου αἰρέσις τοῦ θεοσυγγενοῦς Κωνσταντίνου*) broke into the imperial tomb, προσέπιπτον τῷ τοῦ πλάνου μνήματι τοῦτον ἐπικαλούμενοι καὶ σὺ θεόν· ἀνάστη, λέγοντες, καὶ βοῆθον τῇ πολιτείᾳ ἀπελλομένη.

<sup>21</sup> Sources for his history: The Chronographica narratio eorum quae tempore Leonis configerunt, appended to Theophanes; S. Nicephori Patr. vita by Ignatius in the Actis SS. Mart. T. II. p. 296 seq., Greek in the Append. p. 704 seq.; S. Nicete vita by Theostericius Acta SS. April. T. I. p. 261 seq.: Greek in the Append. p. XXII. seq.; S. Theophani vita prefixed to his Chronography and Act. SS. Mart. T. II. p. 218; S. Theodori Studite vita by Michael Monachus in Simeondii opp. T. V. p. 1 seq. S. Nicolai Studite vita in Act. SS. Febr. T. I. p. 538.

<sup>22</sup> Cronographi. narratio, p. 433: λέγων πόθες τινας ὅμηροντας αὐτῷ, ὅτι τίνος ἔνεκκεν, φησι, ταῦτά τως ἔργονταν οἱ Χριστιανοὶ κατακυριεύμενοι ὑπὸ τῶν ἕδρων; ἐμὲ δοκεῖ διὰ τὸ προσκυνήσθαι τὰς εἰκίνες, καὶ ἀλλού εἰδέν· καὶ βούλομαι αὐτάς καταστρέψαι· βούλεται γάρ, φησι ὅσοι βασιλεῖς ἔδειντο καὶ ποτεκύνειν αὐτάς, ἀπίθανον, οἱ μὲν ἐδιωκθέντες, οἱ δὲ εἰ πολύν ποιοῦντες· μόνον δὲ οἱ μὴ προσκυνήσαντες αὐτάς ιδίων θανάτῳ ἔπειστο· εἰς τὴν βασιλείαν αὐτοῦ ἐπειλεύτοι, καὶ, μετὰ δέξις προκομισθεῖς εἰς τὰ τῶν βασιλέων κομπητήματα ἐσάρη ἐπὶ τοῖς Ἀποστόλοις. Λοιπὸν εἰκόνες καγκὼ βούλομαι μηδισοῦσθαι καὶ κατατρέψαι τὰς εἰκίνες, κ. τ. λ. Still more remarkable the words of the emperor to the patriarch Nicephorus, ib. p. 437: ὁ λαός σκανδαλίζεται διὰ τὰς εἰκόνας, λίγοντες, ὅτι κακῶς αὐτάς προσκυνοῦμεν, καὶ διὰ διὰ τοῦτο ταῦτην κομιδίουν ἡμῶν· συγκατάβα τι μηδέν, καὶ τοῖσιν εἰκόνοις εἰς τὴν λαὸν, καὶ τὰ χαρηλὰ περιέλαμψεν· εἰ δὲ μὴ βούλει, πεῖσον ἡμᾶς διὸ ἔνεκκεν προσκυνῆσαι, τῆς γεφύρης μὴ ἵχουσας ἥρτος πάποτε. The patriarch had no other answer than: ἡμῖς αὐτὸν καλῶν· εἴς ἀρχῆς καὶ ἀναθένει δροῦθεν ὑπὸ τῆς Ἀποστόλων καὶ τῶν πατέρων, οὐτε παραταλέομεν, οὐτε πεισθεῖσέν τινας αὐτοῖς ὀπινομοῦμεν.

<sup>23</sup> cf. Michaelis Balbi et Theophilii Imp. epist. ad Ludov. Pium, A. D. 824 (latin in the Acts of the Synod of Paris A. D. 825), Goldast, l. c. p. 610 seq. Mansi T. XIV. p. 417 seq. There we read: Multi de ecclesiasticis seu et laicis viris alieni de apostolicis traditionibus facti, et neque paternos terminos custodiennes, facti sunt inventores malarum rerum. Primum quidem honorificas et vivificas crueas de sacris templis expellebant, et in eadem loca imagines statuebant, ponebantque lucernas coram eis, simul et incensum adolebant, atque eas in tali honore habebant, sicut honorificum et vivificum lignum, in quo Christus verus Deus noster crucifigi dignatus est propter nostram salutem. Psallebant et adorabant, atque ab eisdem imaginibus auxilium petebant. Plerique autem linteamini bus easdem imagines circundabant, et filiorum suorum de baptismatis fontibus susceptrices faciebant (a patrician who had done this is well nigh sainted by Theodore Stud. epist. 17.). Alii vero religiosum habitum monasticum sumere volentes, religiosiores personas postponebant, qui prius comam capitis eorum suscipere solebant, adhibitis imaginibus quasi in sinum earum decidere capillos eorum sinebant. Quidam vero sacerdotum et clericorum colores de imaginibus radentes,

having been held at Constantinople under his direction, in the year 815,<sup>24</sup> it was forbidden, and the decree enforced by the rigorous punishment of the refractory, who were for the most part monks, under the seditious Theodore Studita. MICHAEL II. BALBUS allowed the practice in private,<sup>25</sup> but this did not satisfy the fanatical party; and his successor, THEOPHILUS (829—842), finding that such toleration only led to new encroachments, put in force again the decrees of the council.<sup>26</sup>

Soon after his death, THEODORA once more gave the sanction of the church to the worship of pictures (A. D. 842),<sup>27</sup> and caused a yearly festival (*ἡ ζυγιαζή τῆς ὁρθοδοξίας*) to be instituted in commemoration of this final triumph;<sup>28</sup> though we still find some traces of opposition.<sup>29</sup>

## § 2.

### CONDITION OF THE GREEK CHURCH.

During these controversies, in which the orthodox doctrine was determined always by the caprice of the court, the Greek clergy became to the last degree venal and corrupt;<sup>1</sup> whilst the monks, on the other hand,

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immissuerunt oblationibus et vino, et ex hac oblatione post missarum celebracionem dabant communicare volentibus. Alii autem corpus Domini in manus imaginum ponebant, unde communicare volentes accipere fecerunt. Nonnulli vero spreta ecclesia, in communibus dominibus, tabulis imaginum pro altariis utebantur, et super eas sacrum ministerium celebrabant, et alia multa his similia illicita, et nostrae religioni contraria in ecclesiis fiebant, quae a doctioribus et sapientioribus viris satis indigna esse videbantur.

<sup>24</sup> cf. *Mansi XIV.* p. 235 seq. *Walch Th. 10.* S. 687 ff. Especially *Michaelis Ep. ad Lud. P.* (l. c.): Propterea statuerunt orthodoxi Imperatores et doctissimi Sacerdotes, locale adunare concilium. — Talia ubique communi consilio fieri prohibuerunt, et imagines de humilioribus locis efferrí fecerunt, et eas, quæ in sublimioribus locis posita erant, ut ipsa pictura pro scriptura haberetur, in suis locis consistere permisserunt, ne ab indoctioribus et infirmioribus adorarentur, sed neque eis lucernas accenderent, neque incensum adolerent, prohibuerunt.

<sup>25</sup> Theodori Studita vita c. 102 — 122, and Nicolai Stud. vita.

<sup>26</sup> Still there are no instances of capital punishment, *Walch Th. 10.* S. 715 ff.

<sup>27</sup> *Walch Th. 10.* S. 761 ff. and S. 784 ff. *Schlosser S. 541 ff.*

<sup>28</sup> Leo Allatius de Dominicis et hebdomadibus Græcorum annexed to his work *De ecclesiæ occidentalis atque orientalis perpetua consensione Colon. Agripp. 1648.* 4to. p. 1432. *Walch l. c. S. 799 ff.*

<sup>29</sup> According to *Nicolaï Papæ I. epist. ad universos Catholicos* (*Mansi T. XV.* p. 161) he had been told by the Byzantine ambassadors, who were sent to invite him to a Synod at Constantinople A. D. 861, maxime candem ecclesiam (Constantinopolitanam) ab iconomachis redivivam contentionem excitantibus vexari, Christumque per singula conventicula blasphemari. Hence the decrees in favor of the pictures at the Synod of Constantinople A. D. 869 can. III. and and VII. *Mansi T. XVI.* p. 400 and 401, and at that A. D. 879 *Mansi T. XVII.* p. 494, comp. *Walch. Th. 10.* S. 808 ff.

<sup>1</sup> For instance the Patriarch Anastasius, at first a tool of Leo Isaurus, but changing his opinions under the pretender Artabasius. *Theophanes*, p. 348: *κατάποστος τὰ τίμια καὶ ζωοτοῖς ξύλα ἀμφε τῷ λαῷ· ὅτι μὲν τὸν προστλαθίντα ἐν αὐτοῖς, οὐτε μοι εἴπει Κωνσταντῖνος ὁ βασιλεὺς, ὅτι μη λογίσῃ νιὸν Θεοῦ εἶναι, ὃν ἔτικεν ἡ Μαρία,*

were driven by oppression to the most fearful fanaticism, before which every thing had to bow whenever their cause was triumphant. Under such circumstances little advance could be hoped in the theological sciences. The only writings worthy of mention are those of *John Damascenus* from the year 730, a monk in the Laura of St. Sabas († about A. D. 760),<sup>2</sup> and for their historical importance, those of the fanatic *Theodore* from the year 798, Abbot of Studium († A. D. 826).<sup>3</sup>

### § 3.

#### PAULICIANS.

*Petri Siculi* (about the year 870) *historia Manichæorum* (gr. et lat. ed. Matth. Raderus, Ingolst. 1604. 4to. Latin alone in the Bibl. PP.), Photius adv. Paulianistas s. recentiores Manichæos libb. IV. (in J. Christ. Wolfii anecdotis gr. T. I. et II. Hamb. 1722 – 23. Svo. and in Gallandii Bibl. PP. T. XIII. p. 603 seq.) — Gibbon, c. 55. A. Neander, der heil Bernhard u. s. Zeitalter. Berlin. 1813. Svo. S. 333. F. Schmidii hist. Paulicianorum Orientalium diss. Hafniæ. 1826. Svo. Die Paulicianer, an essay in Winer's u. Engelhardt's Neuem krit Journal d. theol. Literat. Bd. 7. St. 1 and 2. Gieseler Untersuchungen über die Geschichte der Paulicianer, in the Theol. Studien u. Kritiken. 1829. Heft. 1. S. 79 ff. [Murd. Mosheim II. p. 118, note. — Tr.]

The sect of the Paulicians appeared in Armenia, on the borders of the Greek empire, about the year 660. This sect sprung from the remains of the Gnostics,<sup>1</sup> and their tenets were deeply tinged with the Gnostic character.<sup>2</sup> They took the Apostle Paul for their great mod-

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τὸν λεγόμενον Χριστὸν, εἰ μὴ ψιλὸν ἀνθρώπον. ἡ γὰρ Μαρία αὐτὸν ἔτεκεν ἵψῃ ἢ μάτηος μου ἡ Μαρία). Constantine punished him in the most exemplary manner, *Theoph.* p. 353, but; πάλιν δὲ ὡς ὄμφρονα αὐτοῦ ἐνφοβήσας καὶ δουλώσας ἐν τῷ θρόνῳ τῆς ἱερωσύνης ἐκάθισε. — Comp. the manner in which the bishops, who, just before the Synod of Nice had been violently opposed to the worship of pictures (*Theoph.* p. 389 and the συγγραφὴ σύντομος in *Mansi* T. XII. p. 990), at once retracted in Act. 1. *Mansi* XII. p. 1015.

<sup>2</sup> His principal work *Πηγὴ γνώσεως* in three parts, 1) Τὰ φιλοσοφικὰ. 2) Πιεζὶ αἰρέσεων, 3) Ἐκδοσις ἀκριβῶν τῆς ὁρθοδόξου πίστεως. — Besides these the Ἱερὰ ταχαλλῆλα. His controversial writings, orations, letters ed. *Michael Le Quien*. Paris. 1712. 2 voll. fol.

<sup>3</sup> His numerous writings, orations, and letters against the opposers of picture-worship, collected in *Jac. Sirmondii*, opp. T. V. Besides these the κατηχήσεις (lat. ed. *Jo. Livinejus*. Antwerp. 1602. Svo. cf. *J. J. Muller* Studium cœnob. Constant. illustratum diss. philol. hist. Lips. 1721. p. 32 seq.) and much beside in part unprinted cf. *Fabricii Bibl. Gr.* T. IX. p. 234.

<sup>1</sup> *Theophanes*, p. 413: Μανιχαῖοι, οἱ νῦν Παυλικιανοὶ λεγόμενοι καὶ Αθιγγάνοι. But *Petrus Sic.* p. 43, and *Photius* I. 4: Μάνεντα καὶ Παῦλον καὶ Ιωάννην (the two sons of Callinice, whom the Catholics considered the founders of the sect) προδύμως ἀναθεματίζουσιν. *Phot.* I. 6: τοὺς μὲν ἀληθῶς ὄντας Χριστιανούς Ρωμαίους οἱ τροπαλιτῆροι οὐνομάζουσιν, οὐντος δὲ τὴν κλησιν — τῶν Χριστιανῶν περιάπτουσιν.

<sup>2</sup> The six points of their heresy, according to *Petrus Sic.* p. 17: I. Duo rerum esse principia, Deum malum et Deum bonum, alium hujus mundi conditorem ac principem, et alium futuri ævi (cf. *Photius* I. 6: ἔτερον μὲν εἶναι θεὸν τὸν ἴστορεύοντα).

el,<sup>3</sup> being led on by a succession of able teachers, (*Constantine Sylvanus*, the supposed founder of the sect, *Simeon Titus*, *Gegnæsius Timotheus*, *Josephus Epaphroditus*, *Baunes*, and *Sergius Tychicus*),<sup>4</sup> the constant persecutions to which they were subjected, had only the effect of purifying them in their internal,<sup>5</sup> and establishing them in their external relations, so that at last they were found not only throughout Asia Minor, but even in Thrace, whither they had been banished by Constantine Copronymus.<sup>6</sup> Michael Rhangabe and Leo Armenus

πατέρες, ὃν καὶ τῆς τοῦ παντὸς ἐξουσίας ὑπερρρίζουσι, τοῦ μίδλωντος μόνον τὸ κρύπτος αὐτῷ ἐγχειρίζονται. Ἐπειγον δὲ τὸν ὅμητον τὸν πάσχον ὡς καὶ τὸ πῆγος τοῦ παρόντος αἰῶνος χαρίζονται). They said to the Catholices: *Vos creditis in mundi opificem, nos vero in illum, de quo in Evangelii Dominus loquitur: "Quoniam vocem ejus non audistis neque speciem ejus vidistis."* (Joan. v. 37. II. Deiparam semperque Virginem — per olim abjectum, nulloque inter bonorum hominum eorum numero vel loco dignantur, neque Christina ex illa natum (Photius I. 7: ἀναθέν μὲν τὸ σῶμα συγκατενυγκεῖν αὐτὸν τερατολογοῦσσιν, δι' αὐτῆς δὲ, ὡς διὰ σωλῆνος, διεληλυθῖναι) Josephinique ex illa post domini partum plures liberos suscepisse dicunt. III. — a domino non panem et vinum in cena discipulis propinatum, sed figurata symbola tantum et verba, tamquam panem et vinum, data (Phot. I. 9: τὸ σωτήριον διαπτύνοντες βάπτισμα, ὑποπλάττονται παραδίχεσθαι αὐτὸν, τὰ τοῦ ἴων γεγγεῖσιν ρίματα τῇ τοῦ βαπτισμάτος φωνῇ ὑποβάλλονται καὶ γάρ φανται, ὁ κύριος ἕφος ἐγώ εἰμι τὸ θέωρος τὸ ζῶν). IV. Formam ac vim veneranda et vivificare crucis non solum non agnoscunt, sed infinitis etiam contumeliis onerant. V. Veteris testamenti tabulas non adiunxit, prophetasque planos et latrones appellant. — Binas vero Catholicas — Petri principis Apostolorum, pessime adversus illum affecti, ut quem omnibus maledictis et contumeliis proscindant, non admittunt (Petrus Sie, says to a Catholic, p. 57: *Cur non legis sacra Evangelia?* The answer is: *Nobis profanis ista legere non licet, sed sacerdotibus duntuxat.* The other replies: *Non ita est, ut putas: nec enim personarum acceptio est apud Deum: omnes siquidem homines vult salvos fieri Dominus, et ad agnitionem veritatis venire).* VI. Areent ab ecclesia administratione presbyteros et seniores. Ajunt enim, quod seniores adversus Dominum congregati sint, etc. cf. Photius I. 9: Τοὺς παρ' αὐτοῖς ἰσχίων σάξιν ἐπέχοντας οὐχ ἰερεῖς, ἀλλὰ συνεκδόμους καὶ νοταρίους ἐπονομάζουσιν (Petrus Sie.: Sergii Sychici discipuli familiariores, — quos et Comperegrinos appellabat — æquali omnes gradu constituti alios sub se sacerdotes habuerunt, qui ab eis Notarii dicebantur) οὗτοι δὲ οὔτε σχήματι οὔτε διάτοι οὔτε την ἄλλων τρόπων βίον σεμνότερον ἐπιτελοῦντι, τὸ διάφορον αὐτῶν τρόπος τὸ πλῆθος ἐπιδίκνονται. See Theol. Stud. u. Krit. 1829.

<sup>3</sup> The names of their churches were Kibossa (Macedonia), Mananalis (Achaia), Mopsuestia (Ephesus), etc. Photius I. 4.

<sup>4</sup> After the death of Sergius discipuli familiariores (*συνίκηδημοι*) — pari omnes inter se in honore fuerunt, nec unum amplius, ut solebant, cæterorum magistrum designarunt Petr. Sie, in fine.

<sup>5</sup> Petrus Sie, p. 59, says of their doctrines before the time of Sergius: Propter grave intemperantiae cœniū fedaque facinorum inquinamenta — fugiendi hominibus et abominandi passim judicabantur, quo siebat, ut pauci ab eis in fraudem pertraherentur. Hic vero (Sergius) rejectis omnibus illorum flagitiis ac libidinibus, blasphemias velut salubria dogmata complexus, virtutes nonnullas callide simulabat, piætatis specie — certissimum salutis duotor videbatur. And so after his time: His illi artibus ac furo fallunt et percellunt instabiles, etc. — Photius I. 10: ἡ δὲ πολιτεία τούτων γέμει μὲν ἀκολασίας, γέμει δὲ καὶ μισμάτων ἀρρήτων, καὶ ἐπισομάτων ἀνεπινότων, κ. τ. λ. is to be understood with reference to these passages.

<sup>6</sup> Cedrenus ad ann. 752, ed. Paris, p. 463: Κανοσταντῖνος τὴν Θιοδοσιούπολιν παρέλαβεν ἄμα τῆς Μελιτηνῆς, προσλαβόμενος τοὺς συγγενεῖς αὐτοῦ Ἀρμενίους καὶ Σύρους αἱρετικούς, εἰς τὴν Βυζάντιον μεταψήσει καὶ κὴν Θράκην· οἱ μίχει τοῦ νῦν τὴν αἱρεσίν τοῦ πυράνου διακρατοῦσιν· ὑφ' ὧν καὶ ἐπλατύθη ἡ αἱρεσίς τῶν Παυλικανῶν.

renewed the persecutions, and finally Theodora resolved to exterminate them by a general massacre (A. D. 845).<sup>7</sup> Such inhumanity drove the Paulicians to open hostilities. They established themselves on the borders of the empire in a place called Tephrike, and from hence, with the aid of the Saracens, they continued to harass the Greek provinces.

## CHAPTER SECOND.

### HISTORY OF THE WESTERN CHURCH.

*Anastasii Bibliothecarii* (about A. D. 870) *liber pontificalis* (see vol. i. § 129). THE FRANK HISTORIANS, especially *Annales Laurissenses* (commonly called *plebeii* or *Loiseliani*) from A. D. 741 to 829 (the second part from A. D. 788 by Eginhard); and *Annales Eginhardi*, or Einhardi A. D. 741–829; a corrected version of the *Laurissenses*: — *Annales Fuldenses* A. D. 680–901 — the original reaches to A. D. 830, and continued in successive portions to 838, 863, 882, 887, and 901 by contemporaries. — *Annales Bertinianoi* A. D. 741–882, the original likewise to 830, continued 835–861 by Prudentius, bishop of Troyes, 861–882 by Hincmar, bishop of Rheims. All of these works best edited in the *Monumenta Germaniae historica* ed. G. H. Pertz. *Scriptorum Tom. I.* Hannover. 1826. fol. Also in *Duchesne historiae Francorum scriptores coetanei*. Paris. 1636–49. 5 voll. fol. M. Bouquet *Rerum Gallie. et Francie. scriptores*. Paris. 1738–1818. 17 voll. fol.

*Eginhardi* († 844) vita Caroli M. (ed. Bredow. Helmst. 1806. 8vo.). *Monachi Sangallensis de gestis Caroli M.*, libb. II. (written 884–887, probably not by Notkerus balbulus, see Pertz. Mon. Germ. II. p. 729.) *Thegani vita Ludovici Pii* (written 835, with additions to 838). (Astronom.) *Vita Imp. Lud. P.* (Pertz, II. p. 604.) *Nithardi historiarum* libb. IV. (written 841–843). All in the *Mon. Germ. hist. ed.* Pertz, as above cited.

### I. CONVERSION OF THE GERMANS BY BONIFACE.

SOURCES: *Bonifacii epist.* ed. Nic. Serarius, Mogunt. 1605. reeus. 1629. 4to. Steph. Würdtwein ibid. 1789. fol. (comp. Allg. Lit. Zeit. Octob. 1790. S. 49 ff.). — *Bonifacii vita* by Willibald [about A. D. 760] in Canisii lection. ant. ed. J. Basnage T. II. P. I. p. 227 seq. by Othonius [about 1100] ibid. T. III. p. 337 seq. cf. Aeta SS. Junii T. I. p. 452. Mabillon Act. SS. Ord. Bened. Sæc. III. P. II. p. 1 seq.

WORKS: *Nie. Serarii* Moguntiaearum rerum [libri V. Mog. 1604. 4to. denuo ed. G. Chr. Johannes, Francof. 1722. fol.] lib. tertius. — Casp. Sagittarii antiquitates gentilismi et christianismi Thuringie. Jena. 1685. 4to. — H. Ph. Gudeni diss. de Bonif. Germanorum Apost., and Ejusd. observatt. miscell. ex historia Bonifacii selectæ. Both Helmst. 1720. 4to. — J. S. Semperi diss. de

<sup>7</sup> *Cedrenus*, p. 541. Constantini Porphyrog. Continuator IV. c. 16.

propagata per Bonifacium inter Germanos relig. chr. Hal. 1765. — J. F. E. Schmidt's Beytr. zur Kirchengesch. des Mittelalters, Gieszen. 1796. S. 1 ff. The same Kirchengesch. Th. 4to. S. 19 ff. — T. F. Chr. Löhrer's Bonifacius, Gotha. 1812. 8vo. [Murd. Mosheim 41. 6. Vid. Fleury and Milner ad Boniface. — Tr.]

### § 4.

The success of Christianity amongst the various German tribes had been just in proportion to the influence of the Franks; and had hitherto been the fruit of the voluntary activity of individuals, rather than of any regular and organized efforts. Ecclesiastical discipline was, of course, unknown to them, and their Christianity was not unfrequently strongly tinged with Paganism.<sup>1</sup> It was in this state of things that Winfried, an English monk, in the true spirit of an age which confounded the Christian religion with conformity to the external forms of the Christian church, and, especially in England, with subjection to the papal power, undertook the conversion of Germany. After an unsuccessful attempt in Friesland (A. D. 715), he went to Rome in the year 718 to procure full powers for the prosecution of his enterprise.<sup>2</sup> His efforts were first crowned with success amongst the Hessians in the neighbourhood of Amöneburg (A. D. 722). Elated at this, Pope Gregory II. at once appointed him bishop under the name of *Boniface* (A. D. 723), and thus bound him still more closely to the papal interest.<sup>3</sup> At the instance of the Pope he was furnished

<sup>1</sup> Comp. *Gregorii Papæ II. capitulare datum Martiniano Episcopo cæt. in Bavariam alegatis* A. D. 716 *Mansi XII.* p. 257. *Sterzinger v. d. Zustande der baier. Kirche unter Theodo II. in the Abhandl. d. churf. baier. Academie Bd. 10.* [München. 1776] S. 137 ff.

<sup>2</sup> The document (*Othlon. lib. I. c. 12. Bonif. ep. ed. Serarii 118. ed. Würdtw. 2.*) closes thus: *Disciplinam denique sacramenti, quam ad initiantos Deo prævie credituros tenere studeas, ex formula officiorum sanctæ nostræ sedis apostolicae, instructionis tuæ gratia prælibata, volumus ut intendas. Quod vero actioni susceptæ tibi deesse perspexeris, nobis, ut valueris, intimare curabis.*

<sup>3</sup> See the oath of Boniface *Othlon. l. 19. in Bonif. epist. l. c. In nomine Domini Dei et Salvatoris nostri Jesu Christi. Imperante domino Leone III Deo coronato magno imperatore anno VI. post consulatum ejus anno VI. Sed et Constantino magno imperatore ejus filio anno IV. indictione VI. Promitto ego Bonifacius, Dei gratia episcopus, tibi beato Petro Apostolorum principi, vicarioque tuo beato Gregorio Papæ et successoribus ejus, per Patrem, et Filium, et Spiritum Sanctum, Trinitatem inseparabilem, et hoc sacratissimum corpus tuum, me omnem fidelem et puritatem sanctæ fidei catholicae exhibere, et in unitate ejusdem fidei Deo operante persistere, in qua omnis Christianorum salus sine dubio esse comprobatur: nullo modo me contra unitatem communis et universalis ecclesie suadente quopicam consentire; sed, ut dixi, fidem et puritatem meam atque concursum tibi, et utilitatibus ecclesiae tuæ, cui a Domino Deo potestas ligandi solvendique data est, et predicio vicario tuo, atque successoribus ejus per omnia exhibere. Sed et si cognovero antistites contra instituta antiqua sanctorum patrum conversari, cum eis nullam habere communionem aut conjunctionem, sed magis, si valero prohibere, prohibeo: sin minus, fideliter statim Domino meo Apostolico renunciabo. Quod si, quod absit, contra huius promissionis meæ seriem aliquid facere quolibet modo, seu ingenio vel occasione tentavero, reus inveniar in aeterno judicio, ultionem Anarie et Sapphire incurram, qui vobis etiam de rebus propriis fraudem facere vel fatum dicere presumserunt. Hunc autem indiculum sacramenti ego Bonifa-*

with a letter of safety by Charles Martel, and, provided with this, succeeded in completing the conversion of the Hessians, and went then into Thuringia. Gregory III. appointed him Archbishop and Apostolic Vicar (A. D. 732),<sup>4</sup> and in this capacity he began, after a third journey to Rome (A. D. 734), to arrange the ecclesiastical relations of Germany. He first divided Bavaria into four dioceses, Salzburg, Freisingen, Ratisbon, and Passau (A. D. 739);<sup>5</sup> he then established the bishoprics of Wurzburg, Eichstadt, Buraburg, and Erfurth, and at the first council of the German church (A. D. 743) declared the Pope to be its supreme head.<sup>6</sup> To perpetuate and extend the Christian doctrines, he founded several convents; Ohrdruf in Thuringia, and in Hesse Fritzlar and Amöneburg; and the most celebrated of all at Fulda (A. D. 744). Boniface also entered into an association with the new rulers of the Franks, Carlman and Pepin, which proved of no small importance in the later history of the church. His episcopal residence was first at Cologne (A. D. 744), and afterwards at Mentz (A. D. 745). But in the year 753 he resigned his office to his pupil Lullus, and went himself to preach among the Frieslanders, where he was put to death (A. D. 755).

The most striking traits in the character of Boniface were, an exaggerated notion of the importance of external unity in the church and obedience to its statutes, and a deep reverence for the papal authority, without which he would undertake nothing whatever. He sought to regulate the most indifferent action of his own life by ecclesiastical laws,<sup>7</sup> whilst he could never forgive the least departure from

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cius exiguus episcopus manu propria serpsi, atque ponens supra sacratissimum corpus beati Petri, ita ut præscriptum est, Deo teste et judice, præstiti sacramentum, quod et servare promitto. The first instance of an oath of allegiance to the pope, see *Thomassini* vet. et nova ecclesiæ discipl. P. II. lib. 2. c. 44.

<sup>4</sup> Bonifac. epist. 122. ed. Serar. 25 Würdtw.

<sup>5</sup> Sterzinger's Entwurf v. d. Zustande d. baier. Kirche from A. D. 717 to 800 in the Neuen hist. Abhandl. d. churf. baier. Academie Bd. 2. S. 315.

<sup>6</sup> VII. Capitula of this council in *Mansi* XII. p. 363. cf. Bonifac. epist. 105. ad Cudberthum: Decrevimus autem in nostro synodali conventu et confessi sumus fidem catholicam et unitatem, et subjectionem Romanæ Ecclesiæ, fine tenus vitæ nostræ, velle servare: sancto Petro et Vicario ejus velle subjici: synodus per omnes annos congregare: Metropolitanos pallia ab illa sede querere: et per omnia, præcepta Petri canouice sequi desiderare, ut inter oves sibi commendatas numerenur. Et isti confessionis universi consensimus et subscripsimus et ad corpus sancti Petri Principis Apostolorum direximus, quod gratulando Clerus et Pontifex Romanus suscepit. — Et unusquisque Episcopus, si quid in sua diœcese corrigere vel emendare nequeritur, itidem in synodo coram Archiepiscopo et palam omnibus ad corrigitendum insinuet, eodem modo, quo Romana Ecclesia nos ordinatos cum sacramento constrinxit, ut si Sacerdotes vel plebes a lege Dei deviassæ viderim, et corrigerem non potuerim, fideliter semper sedi Apostolice et Vicario S. Petri ad emendandum indicaverim. Sic enim, ni fallor, omnes Episcopi debent Metropolitanos, et ipse Romano Pontifici, si quid de corrigitidis populis apud eos impossibile est, notum facere: et sic alieni fiunt a sanguine animarum perditarum.

<sup>7</sup> A plentiful supply of which were afforded him from Rome, as an important means of confirming the authority of that church, e. g. Gregorii III. Epist. ad Bonif. (ed. Serar. 122. Würdtw. 25. b. *Mansi* XII. p. 277): Agrestem caballum aliquantos adjunxisti comedere, plerosque et domesticum. Hoc nequaquam fieri deinceps, sanctissime sinas frater, sed quibus potueris modis Christo juvante per

them in others,<sup>8</sup> as in the instance of the two priests, Adelbert and Clement.<sup>9</sup> In this way the papal authority became even more abso-

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omnia compesce, et dignam eis indicito penitentiam. Immundum enim est et execrable. *Zachariae Epist. ad Bon.* [ed. Serar. 142. Würdtw. 87. *Mansi XII.* p. 345] : — Flagitasti a nobis, quae recipienda, quae responda sint. Inprimis de volatilibus, i. e. graculis et corniculis atque ciconiis, quae omnino cavenda sunt ab esu Christianorum. Etiam et fibri et lepores et equi silvatici multo amplius vitandi. Attamen, sanctissime frater, *de omnibus e Scripturis sacris bene compertus es.* — Et hoc inquisisti, post quantum temporis debet ardum comedti. Nobis a Patribus constitutum pro hoc non est. Tibi autem potenti consilium præbemus, quod non oporteat illud mandi, priusquam super fumo siecetur aut igne coquatur. Si vero libet, ut incocum manducetur, post Paschalem festivitatem erit manducandum.

<sup>8</sup> Especially is the case of married priests, whom he called *fornicatores*.

<sup>9</sup> Bonif. Ep. ad Zachariam P. [ed. Serar. Ep. 135. Würdtw. 67.] : Maximus tamen mihi labor fuit contra duos haereticos pessimos et publicos et blasphematos contra Deum et contra catholicam fidem. Unus qui dicitur *Adelbert* natione [leg. ratione] generis Gallus est: alter qui dicitur *Clemens* genere Scotus est: specie erroris diversi, sed pondere peccatorum pares. Contra istos obsecro apostolicam auctoritatem vestram, quo mean mediocritatem decindere et adjuvare, et per scripta vestra populum Francorum et Gallorum corrigere studeatis, — ut per verbum vestrum isti duo haeretici mittantur in carcere, — et nemo cum eis loquatur vel communionem habeat. — Propter istos enim persecutions et inimicitias et maledictiones multorum populorum patior. — Dicunt enim de *Adelberto*, quod eis sanctissimum apostolum abstulerim, patronum et oratorem, et virtutem factorem, et signorum ostensorum abstraxerim. Sed pietas vestra audiens vitam ejus judicet. — In primæva enim aetate hypocrita fuit, dicens quod sibi angelus Domini in specie hominis de extremis finibus mundi mira et tamen inepta sanctitatis reliquias attulerit, et exinde posset omnia quæcumque a Deo posceret impetrare: et tune denum — domos multorum penetravit et captivas post se mulierculas duxit oneratas peccatis — et multitudem rusticorum seduxit, dicentum quod ipse esset vir apostolice sanctitatis, et signa atque prodigia faceret. Deinde conductus epis copos indoctos, qui se contra præcepta canonum absolute ordinaverunt. Tumque denum in tantam superbiam elatus est, ut se aquipararet apostolis Christi. Et deditigabatur in alieijus honore Apostolorum vel Martyrum ecclesiam consecrare, improporans hominibus etiam cur tantopere studerent sanctorum Apostolorum limina visitare. Postea, quod absurdum est, in proprii nominis honore dedicavit oratoria, vel, ut verius dicam, sordidavit. Fecit quoque cruciculas et oratoriola in campis, et ad fontes, vel ubique sibi visum fuit: et jussit ibi publicas orationes celebrari, donec multitudines populorum, spretis easteris episcopis et dimissis antiquis ecclesiis, in talibus locis conventus celebrarent, dicentes: Merita sancti Adelberti adjuvabunt nos. Ungulas quoque et capillos suos dedit ad honorificandum et portandum cum reliquiis S. Petri principis Apostolorum. Tum denum, quod maximum scelus, et blasphemia contra deum esse videbatur, fecit. Venienti enim populo et prostrato ante pedes ejus, et cupienti confiteri peccata sua dixit: Scio omnia peccata vestra, quia mihi cognita sunt omnia occulta. Non est opus confiteri, sed dimissa sunt peccata vestra præterita: seeniri et absoluti redite ad domos vestras cum pace. — Alter autem haeticus, qui dicitur *Clemens*, contra catholicam contendit ecclesiam, et canones ecclesiistarum Christi abnegat et refutat: tractatus et sermones SS. patrum, Hieronymi, Augustini, Gregorii reensat. Synodalia jura spernens proprio sensu affirmat, se post duos filios in adulterio natos sub nomine episcopi esse posse Christianæ legis episcopum. Judaismum inducens judicat justum esse Christiano, ut, si voluerit, viduam fratris defuncti accipiat uxoriem. Contra fidem quoque SS. Patrum contendit, dicens, quod Christus filius Dei descendens ad inferos omnes, quos inferni career definit, inde liberavit, credulos et incredulos, laudatores Dei simul et cultores idolorum: et multa alia horribilia de prædestinatione Dei contraria fidei catholicae affirmat. This led to the assembling of a Synod at Rome A. D. 745, the acts of which are in *Mansi T. XII.* p. 373 seq. *Zachariae P. epist. III. ad Bonif.* [ed. Serar. Ep. 144. 139. 138. *Mansi I. c. p. 321, 331, 336.] Welsh's Ketzerhist. Th. 10. S. 1 ff. Neander's Denkwürdigkeiten aus d. Gesch. d. Christenth. Bd. 3. Heft. 2. S. 99 ff.*

lute in the German, than it had ever been in the English church. Worthy of all honor, on the other hand, are the true Christian piety of Boniface, which all this regard to forms could not obscure,<sup>10</sup> and his unyielding morality, which could overcome even his reverence for Rome.<sup>11</sup>

## II. HISTORY OF PAPACY.

## § 5.

## INCREASE OF THE POPE'S TEMPORAL POWER, TO THE TIME OF CHARLEMAGNE.

SOURCES: *Codex Carolinus* in Muratorii Script. rerum Ital. T. III. P. 2. p. 73 seq., best in Cajet. Cenni monumenta dominationis Pontificiae, Romæ. 1760, 61, 2 Bde. 4to. [vid. J. D. Ritter's Rec. in Ernesti's R. Theol. Bibl. Bd. 6. S. 524 ff. 911 ff.]

François Sabbathier essai historique-critique sur l'origine de la puissance temporelle des Papes, à la Haye. 1765. 8vo. — J. R. Becker über den Zeitpunkt der Veränderung in der Oberherrschaft über die Stadt Rom, Lübeck. 1769. 8vo. — J. G. Nehr's Gesch. des Papstthums, Th. I. S. 195 ff. — Planck's Gesch. d. christl. kirchl. Gesellschaftsverf. Bd. 2. S. 714 ff. — [Bowers' Hist. of the Popes, vol. III. — Tr.]

Ever since the prohibition of picture-worship by the emperor Leo Isauricus (vid. p. 2 seq.) the city of Rome, under the conduct of the popes,<sup>1</sup> had been in a state of rebellion against the emperors, though without an absolute separation from the empire.<sup>2</sup> From this they

<sup>10</sup> Neander, l. e. S. 76 ff.

<sup>11</sup> *Bonifacii Ep. ad Zachariam* [ed. Serar. Ep. 132. ed. Würdtw. 51.]: After complaining that a certain layman pretended to have received a dispensation from Rome, ut in matrimonium acciperet viduam avunculi sui, quæ et ipsa fuit uxor consobrini sui, et ipsa illo vivente, discessit ab eo, he proceeds: Carnales homines, idiotae Alemanni vel Bojoarii vel Franci, si juxta Romanam urbem aliquid facere viderint ex his, quæ nos prohibemus, licitum et concessum a sacerdotibus esse putant, et nobis impropterum deputant, sibi scandalum vitæ accipiunt. Sicut affirmant, se vidisse annis singulis in Romana urbe, et juxta ecclesiam in die vel nocte, quando Kalenda Januarii intrant paganorum consuetudine choros ducere per plateas, et acclamaciones ritu Gentilium, et cantationes sacrilegas celebrare et mensas illa die vel nocte dapibus onerare: et nullum de domo sua vel ignem vel ferramentum vel aliquid commodi vicino suo præstare velle. Dicunt quoque, se vidisse ibi mulieres pagano ritu phylacteria et ligaturas, et in brachiis et cruribus ligatas habere: et publice ad vendendum veniales ad comparandum aliis offerre. Quæ omnia eo, quod ibi a carnalibus et insipientibus videntur, nobis hic et impropterum et impedimentum prædicationis et doctrinae perficiunt. — Si istas paganias ibi paternitas vestra in Romana urbe prohibuerit, et sibi mercedem et nobis maximum profectum in doctrina Ecclesiastica acquiret.

<sup>1</sup> *Gregory II. v. 715 – 731, Gregory III. † 741, Zacharias † 752, Stephen II. † 757, Paul I. † 767, Stephen III. † 772, Hadrian I. † 795, Leo III. † 816, Stephen IV. † 817, Paschal I. † 820, Eugene II. † 824, Valentine † 827, Gregory IV. † 843, Sergius II. † 847, Leo IV. † 855, Benedict III. † 858.*

<sup>2</sup> *Anastasius in vit. XC. Gregorii II.: Cognita vero Imperatoris nequitia,*

were withheld by fear of the Lombards, who, under Luitprand (A. D. 712—744), were waiting only for a favorable opportunity to extend their sway over Rome, as well as the Exarchate,\* and whose purpose it was the great object of the popes to defeat.

In the mean time the exaggerated notions of the dignity of the Apostle Peter, and of the high authority of the popes as his successors, had been carried into new countries by the Anglo-Saxon missionaries.<sup>3</sup> Boniface having been summoned by Carlmnan and Pepin (A. D. 743) to set in order the ecclesiastical affairs of their kingdom, undertook the task in the character of the Pope's legate,<sup>4</sup> and thus brought the Kings of the Franks, as well as the national church, into close alliance with Rome. Afterwards, as archbishop of Mentz and the most distinguished prelate of the kingdom, his efforts were constantly directed to the confirmation of the papal authority. Thus it happened that when Pepin, already possessed of regal power, wished also to assume the royal title, he applied for the approbation of the Pope; and Zacharias, by his ready consent, effectually secured the future assistance of the Kings of the Franks (A. D. 752).<sup>5</sup>

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omnis Italia consilium iniit, ut sibi eligerent Imperatorem, et Constantinopolim ducerent. Sed compescuit tale consilium Pontifex, sperans conversionem Principis. — Blando omnes sermone, ut bonis in Deum proficerent actibus et in fide persisterent, rogabat. Sed ne desisterent ab amore vel fide Romani Imperii, admonebat. *Theophanes*, p. 338: Γεγόνος ὁ Ηὔτας Ράμης τοὺς φόρους Ἰταλίας καὶ Ράμης ἐκάλυψε and p. 312: ἀπίστοτος Ῥάμην τε καὶ Ἰταλίαν καὶ τάντα τὰ ἵσπερια τῆς πολιτικῆς καὶ ἐκλησιαστικῆς ὑπακοής. Διονοτος καὶ τῇς ὑπ' αὐτὸν βασιλείας. This last passage, which is repeated by all the Byzantine writers, is explained by that from Anastasius. Still Baronius follows the Greek writers ad. ann. 730. § 5, making the application: Sic dignum posteris idem Gregorius reliquit exemplum, ne in ecclesia Christi regnare sinerentur hæretici principes, si saepe moniti in errore persistere obstinato animo invenirentur. So too *Bellarminus* de Rom. Pont. V. 8: Gregorius Leoni Imp. iconomacho a se excommunicato prohibuit vec-tigalia solvi ab Italis, et prouide multeavit eum parte imperii. This view, defended as late as the eighteenth century by *A. Sandini*, *J. S. Assemani*, and others, is best answered by *Natalis Alexander*, *L. E. Du Pin*, *J. B. Bossuet*, etc. — Comp. *Walch's Ketzehistorie*, Th. 10, S. 263 ff.

\* [i. e. of Ravenna, vid. vol. i. 616. — Tr.]

<sup>3</sup> Comp. vol. i. § 131, *Gregorii II. Epist. I. ad Leonem Imp. (Mansi T. XII. p. 971: τὸν ἄγιον Πέτρον αἱ πᾶσαι βασιλεῖαι τῆς δύστας Θεὸν ἐπίγειον ἵχουσι.* See the addresses of the Popes to the Frank Kings, in which they constantly refer to Petrum clavigerum regni cœlorum or janitorem r. e. especially *Claudi locum § 12. note 11 below.*

<sup>4</sup> Bonifac. Epist. ad Zachariam P. ed. Serar. 132: Notum similiter sit paternitati vestræ, quod Carolommans Dux Francorum me accersitum ad se rogavit, ut in parte regni Francorum, quæ in sua est potestate, synodus facerem congregari: et promisit, se de Ecclesiastica religione, qua jam longo tempore i. e. non minus quam per LX. vel LXX. annos calcata et dissipata fuit, aliquid corrigere et emendare velle. Quapropter si hoc, Deo inspirante, veraciter implere voluerit, consiliun et preceptum vestrae auctoritatis i. e. Apostolicam habere et sapere debeo.

<sup>5</sup> The oldest account of this in *Annalibus Loislianis* ad ann. 749 [751] Bouquet Script. Rer. Gall. T. V. p. 33: Burgardus Wirzeburgensis Episcopus et Folarus Capellanus missi fuerunt ad Zachariam Papam, interrogando de Regibus in Francia, qui illis temporibus non habentes regalem potestatem, si bene fuisset, an non. Et Zacharias Papa mandavit Pipino, ut melius esset illum regem vocari, qui potestatem haberet, quam illum, qui sine regali potestate manebat, ut non conturbaretur ordo. Per auctoritatem ergo Apostolicam jussit Pipinum regem fieri. Ad

Aistulph, King of the Lombards (A. D. 752), having already overrun the Exarchate, and threatening Rome, Stephen II., the reigning Pope, applied to Pepin for aid.<sup>6</sup> This was readily granted, and in two campaigns (A. D. 754 and 755)<sup>7</sup> the Lombards were forced to give up all they had won. Pepin himself assumed the Patriciate of Rome, and made the Pope Patricius of the Exarchate,<sup>8</sup> still acknowledging, however, the supremacy of the Greek emperor. It now became the chief aim of the Popes to prevent all connexion between the Lombards, whom they still feared, and the Franks;<sup>9</sup> and in this they suc-

ann. 750 [752]: Pipinus secundum morem Francorum electus est ad Regem, et cunctus per manum sancte memorie Bonifacii Archiepiscopi, et elevatus a Francis in regno suo in Suessionis civitate. Hildericus vero, qui false Rex vocabatur, tonsoratus est et in Monasterium missus. The inferences of the papal party from this opposed by Du Pin de ant. eccl. discipl. p. 513 seq.

<sup>6</sup> *Anastasius* in vit. XCIV. Stephani II.: Cernens ab imperiali potentia nullum esse subveniendi auxilium, tunc quemadmodum prædecessores ejus beatæ memoriae Dominus Gregorius et Gregorius alius, et Dominus Zacharias beatissimi Pontifices Caroli, excellentissimæ memorie, Regi Francorum direxerunt, potentes sibi subveniri propter oppressiones ac invasiones, quas et ipsi in hac Romanorum provinciæ a nefanda Longobardorum gente perpessi sunt: ita modo et ipse — clam per quendam peregrinum suas misit literas Pipino, etc. (cf. *Gregorii III. Ep. ad Carol. Mart. in Cod. Carol. no. I. et II.*)

<sup>7</sup> Comp. the letters of the pope between the first and second campaign Cod. Carol. no. III. IV. VI. VII. Especially no. III.: Ego Petrus Apostolus — qui vos adoptivos habeo filios, ad defendendum de manibus adversariorum hanc Romanam civitatem et populum mihi a Deo commissum, sed et domum, ubi secundum earnem requiesco, de contaminatione gentium eruendam, vestram omnium provocans dilectionem adhortor, et ad liberandam ecclesiam Dei mihi a divina potentia eominendatam omnino protestans admoneo. — Sed et domina nostra, Dei genitrix semper virgo Maria, nobiscum vos magnis obligationibus adjurans protestatur, atque monet et jubet, simul etiam et throni atque dominationes, vel cunctus cœlestis militiae exercitus, nec non et martyres atque confessores Christi et omnes omnino Deo placentes, et hi nobiscum adhortantes et conjurantes protestantur, etc. — Præstate ergo populo meo Romano, mihi a Deo commiso, — præsidia totis vestris viribus, ut ego Petrus vocatus Dei Apostolus in hac vita, et in die futuri examinis vobis alterna impendens patrocinia, in regno Dei lucidissima ac præclaræ vobis præparem tabernacula, atque præmia æterna retributionis, et infinita paradisi gaudia vobis pollicens ad vicem tribuam. — Non separemini a populo meo Romano: sic enim non sitis alieni aut separati a regno Dei, et vita æterna. Quidquid enim poscetis a me, subveniam vobis videlicet, et patrocinium impendam. — Sin autem, quod non credimus, et aliquam posueritis moram — sciatis vos ex auctoritate sanctæ et unicæ Trinitatis per gratiam apostolatus, quæ data est mihi a Christo Domino, vos alienari pro transgressione nostræ adhortationis a regno Dei et vita æterna. —

<sup>8</sup> *Anastasius* in vit. XCIV. Stephani II. Comp. Savigny's Gesch. d. röm. Rechts im Mittelalter Bd. 1. (Heidelberg. 1815.) S. 312.

<sup>9</sup> Comp. Stephani III. Ep. ad Carolum et Carlomannum concerning a marriage projected between the royal families of the two nations A. D. 770 in the Cod. Carol. no. 45: Quod certe si ita est, hæc propria diabolica est immissio, et non tam matrimonii conjunctio, sed consortium nequissimæ adinventionis esse videtur. — Quæ est enim, præcellentissimi filii, magni Reges, talis desipientia, ut penitus vel dici licet, quod vestra præclara Francorum gens, quæ super omnes gentes emitet, et tam splendifluæ ac nobilissima regalis vestra potentiaæ proles, perfidia, quod absit, ac fœtentissima Langobardorum gente polluatur, quæ in numero gentium nequaquam computatur, de ejus natione et leprosorum genus oriri certum est? — Quapropter et b. Petrus, princeps Apostolorum, cui Regni cœlorum claves a Domino Deo traditæ sunt, et cœlo ac terra ligandi solvendique concessa est potestas, firmiter Excellentiam vestram per nostram infelicitatem obtestatur — ut nullo

ceeded so well that new inroads having been made by the Lombards under Desiderius, and Charlemagne summoned to his assistance by Adrian I., the kingdom of the Lombards was finally destroyed (A. D. 774). After having confirmed and enlarged the grants made by Pepin, Charlemagne exercised all the imperial rights at Rome, in relation to the Pope as well as in other respects:<sup>10</sup> till at length Italy ceased to be subject to the Greek emperor even in name,<sup>11</sup> and Charlemagne (*novus Constantinus*)<sup>12</sup> received the imperial crown of the

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modo quisquam de vestra fraternitate præsumat filiam jam dicti Desiderii Langobardorum Regis in conjugium accipere, nec iterum vestra nobilissima germana, Deo amabilis Gisila, tribuatur filio sape fati Desiderii. — Præsentem itaque nostram exhortationem atque adjurationem in Confessione b. Petri ponentes, et sacrificium super eam atque hostias Deo nostro offerentes, vobis cum lacrymis ex eadem sacra Confessione direximus. Et si quis, quod non optamus, contra hujusmodi nostra: adjurationis atque exhortationis seriem agere præsumserit, sciat, se auctoritate Domini mei b. Petri Apostolorum principis, anathematis vinculo esse innodatum et a regno Dei alienum, atque cum diabolo et ejus atrocissimis pompis et ceteris impiis aternis incendiis concermandum, deputatum. At vero qui obseruator et custos istius nostre exhortationis exsisterit, celestibus benedictionibus a Domino Deo nostro illustratus, aternis præmiorum gaudiis, cum omnibus Sanctis et electis Dei particeps offici mereatur. Still Charlemagne married Desideria, though he put her away after the first year.

<sup>10</sup> Leo P. VIII. A. D. 963 (in Gratiani Decreto P. I. Dist. 63. c. 23): B. Hadrianus — domino Carolo — patriciatus dignitatem, ac ordinationem apostolicas sedis, et investituram episcoporum concessit. *Sigbertus Gemblacensis* [A. D. 1112] in Chron. ad ann. 773 (Gratian. I. c. e. 22.) relates that at a synod in the Lateran immediately after the conquest of Pavia Hadrianus P. cum universalis synodo dedit Carolo jus eligendi pontificem et ordinandi apostolicam sedem, dignitatem quoque principatus. Insuper archiepiscopos et episcopos per singulas provincias ab eo investituram accipere definitivit, et ut, nisi a rege laudetur et investiatur episcopus, a nemine consecretur; omnesque huic decreto rebelles anathematizavit (comp. however, *Pagii* erit. T. III. p. 343, according to whom this passage in Sigb. is spurious). Not only *Baronius*, but also *De Marca* (de conc. sacerd. et imp. lib. VIII. c. 12.) deny that there was ever such a Synod. The testimony of *Florus Diac.* (in Agobardi opp. ed. Baluz. p. 254, and in Gallandii Bibl. PP. T. XIII. P. 592) on the other side cannot be considered of much weight, as he also denies the confirmation of the Popes by the emperors, of which there is abundant proof. Probably the ceremony consisted in confirming to Charlemagne the rights of the former exarchs in Rome itself, as the popes certainly continued to exercise these rights over the rest of the exarchate.

<sup>11</sup> That the claims of the Greek emperors were acknowledged in Italy as late as the year 785, is proved by Hadriani P. Ep. ad Constantimum et Irenen. (in Actis Conc. Nic. II. Actio III. Mansi T. XII. p. 1056 seq.)

<sup>12</sup> Hadriani P. I. Ep. ad Carolum A. D. 780 (Cod. Carol. no. 49): Et sieut temporibus b. Silvestri Rom. Pont. a sanctæ recordationis piissimo Constantino M. Imperatore per ejus largitatem sancta Dei catholica et apostolica Romana Ecclesia elevata atque exaltata est, et potestatem in his Hesperia partibus largiri dignatus est: ita et in his vestris felicissimis temporibus atque nostris S. Dei Ecclesia, i. e. b. Petri Apostoli, germinet atque exsultet. — Quia ecce novus Christianissimus Dei Constantinus Imperator his temporibus surrexit, per quem omnia Deus sanctæ sua Ecclesiæ bb. Apostolorum Principis Petri largiri dignatus est. Sed et cuncta alia, quæ per diversos Imperatores, Patricios etiam et alios Deum timentes, pro eorum anima: merecede et venia delictorum — b. Petro Apostolo — concessa sunt, et per nefandam gentem Langobardorum per annorum spatia abstracta atque ablata sunt, vestris temporibus restituantur. Unde et plures donationes in sacro nostro serinio Lateranen i reconditas habemus. Some have found here a reference to the Donatio Constantin. Magni, namely *De Marca de Cone, Sac. et Imp. Lib. II. c. 12.* On the other hand, *Cenni Monum. domin. Pontif. I. I. p. 304*, shows

Western empire from the hands of Leo III. (Dec. 25th, 800).<sup>13</sup> The Pope assumed all the rights of the former Exarch, including the patriariate of Rome; Rome continuing, however, to be an imperial city,<sup>14</sup> and the emperor to hold the supreme sway therein.<sup>15</sup>

### § 6.

#### PROGRESS OF THE PAPAL POWER AFTER THE TIME OF CHARLEMAGNE.

Though the ecclesiastical relations which had formerly subsisted between the popes and some of the Greek provinces, had been broken up by the picture-controversy,<sup>1</sup> this loss was more than compensated by the influence they had gained in the new churches of the West. The reverence in which they were held in England was seen in the numerous pilgrimages which were undertaken from that country to Rome, so that at length in the year 794, Offa, King of Mercia, was led to found there an English cloister.<sup>2</sup> The French church, however, was far from submitting entirely to the papal authority.<sup>3</sup> True,

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that Hadrian referred here only to the *Acta Sylvestri*, to which he also refers in the *Ep. ad Constantinum et Irenen* (Mansi XIII. p. 529), and out of which grew afterwards the tradition of the *Donatio Constantini*.

<sup>13</sup> *Annales Loiseliani* ad ann. 801: *Ipsa die sacratissima Natalis Domini cum Rex ad Missam ante confessionem b. Petri Apostoli ab oratione surgeret, Leo P. coronam capitii ejus imposuit, et a cuncto Romanorum populo acclamatum est: Karolo Augusto a Deo coronato, magno et pacifico Imperatori Romanorum, vita et Victoria. Et post Laudes ab Apostolico more antiquorum principum adoratus est, atque ablato Patricii nomine, Imperator et Augustus appellatus est.* See Alcuin's Leben von D. F. Lorentz, Halle, 1829, S. 218 ff.

<sup>14</sup> In the will of Charlemagne (*vita Car. M. per Eginhardum* c. 33) we have the nomina metropolium civitatum: Roma, Ravenna, Mediolanum, etc. The Act of Lewis the Good (extracted in *Gratianii decret. P. I. dist. 63. c. 30*), and in which he gives to the Pope the civitatem Romanam cum ducatu suo et suburbanis, etc., is a spurious production of the eleventh century. cf. Chr. G. F. Walch censura diplomatica, quod Ludov. P. Paschal I. P. R. concessisse fertur. Lips. 1749. recus. in *Pettii Sylloge comentatt. theolog. vol. VI. p. 278 seq.*

<sup>15</sup> Concerning the *Missi dominici* in Rome, see *Muratorii Antiqui. Ital. medii aevi diss. IX. T. I. p. 455 seq.* Ch. G. F. Walchii diss. hist. de missis dominicis Pontificis Romani judicibus. Jenæ. 1749. 4to.

<sup>1</sup> *Theophanes*, p. 343, mentions only the confiscation of the papal revenues in Sicily and Calabria. On the other hand, however, we have the passage in *Hadrianus P. I. Ep. ad Carol. R. de imaginibus* in fine (Mansi XIII. p. 808), in which he speaks of having admonished the Greek emperors de diocesi tam Archiepiscoporum quam et Episcoporum sanctæ catholice et apostolice Romæ, and prayed the restitution of those things, quæ tunc cum patrimonii nostris abstulerunt, quando sacras imagines deposuerunt. That the bishop of Thessalonica ceased from this time to act as papal vicar is evident from *Nicolai I. Epist. ad Michael. Imp.* (Mansi XV. p. 167).

<sup>2</sup> Sprengel Allg. Weltgesch. Th. 47. S. 123 shows that it was Offa, King of Mercia A. D. 794, and not Ina, King of Wessex A. D. 726, who introduced the denarius S. Petri.

<sup>3</sup> Boniface wished to invest the new Metropolitans of Rheims, Rouen, and Sens [A. D. 743] with the Pallium. Zacharias was ready to do so [Ep. ad Bonif. in Bonif. Epp. 144]: *Qualiter mos pallii sit, vel quomodo fidem suam exponere debe-*

the same extravagant notions of the papal dignity were entertained here as in the English church,<sup>4</sup> but the first Carlovingian princes were not to be deprived of their right to control ecclesiastical affairs,<sup>5</sup> and still less were they disposed to concede their secular supremacy even over Rome and the Pope.<sup>6</sup> But the natural effect of their situation was to inspire the popes with the wish to bring their power into some proportion with their honors; and it needed only weak or disunited princes to insure to their efforts success. The first traces of such an attempt occur as early as the reign of Lewis the Debonnaire.<sup>7</sup> Though in the year 824 Lothaire had demanded both from the Pope and the people of Rome an explicit avowal of their allegiance,<sup>8</sup> we find Greg-

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ant hi, qui pallio uti conceduntur, eis direximus. But two of them declined the honor, and the Pope asks Boniface, with some astonishment, the cause [Ep. 143]: Quod antea nobis una cum memoratis principibus Galliarum pro tribus palliis suggesti, et postea pro solo Grimone.

<sup>4</sup> See the account of *Alcuinus* Epist. 80. [ed. Froben.] ad Carolum R., A. D. 799: Tres Personæ in mundo altissime hucusque fiterunt: Apostolica Sublimitas, quæ b. Petri Principis Apostolorum sedem vicario munere regere solet. — Alia est Imperialis Dignitas, et secundæ Romæ secularis potentia. — Tertia est Regalis Dignitas, in qua vos Domini nostri J. C. dispensatio Rectorem populi christiani dispositus: cæteris præfatis dignitatibus potentia excellentiorem, sapientia clariorem, Regni dignitate sublimiorem. Ecce in te solo tota salus Ecclesiarum Christi inclinata recumbit. Tu vindex seclerum, tu Rector errantium, tu consolator mœrentium, tu exaltatio honorum, etc.

<sup>5</sup> Charlemagne admonishes Leo III. in congratulating him on his accession: Vestræ vero auctoritatis prudentia canones ubique sequatur, and commissions the Abbot Angilbert Dominum Apostolicum Papam admonitus diligenter de omni honestate vita suæ et præcipue de ss. observatione canonum, de pia s. Dei ecclesiæ gubernatione, etc. *Mansi* T. XIII. p. 981.

<sup>6</sup> Thus a certain pope of this age, perhaps Leo III., writes to the emperor [in Gratiani Decreto P. II. Caus. 2. Quast. 7. c. 41]: Nos si incompetenter aliquid egimus, et in subditis justæ legis tramitem non conservavimus, vestro ac missorum vestrorum cumeta volumus emendare judicio, etc. Instances: Inquiry into the conduct of Leo III., who had caused certain Romans to be put to death, see Vita Ludov. P. per Astronomum c. 25. in Bouquet T. VI. p. 98. — Stephanus IV. statim postquam Pontificatum suscepit, jussit omnem populum Romanum fidelitatem cum juramento promittere Ludewico (*Theganus* de gestis Ludov. P. c. 16. ib. p. 77) and on occasion of his journey to the emperor, præmisit legationem, quæ super ordinatione ejus Imperatori satisfaceret (*Astronomus* c. 26). — When Lothaire was crowned in Rome (A. D. 823), he immediately decided a dispute between the Pope and the convent Farfa to this effect, predictum Monasterium nullatenus sub jure et dominatione præfatae Romanæ ecclesiæ esse debere, and that the former popes had done the convent wrong — injuste abstulisse (*Diploma Lotharii pro Farensi Monasterio* A. D. 840 in *Bouquet* T. VIII. p. 368, cf. *Chron. Farfense* in *Jo. Mabillonii* annal. ord. Bened. T. II. p. 736).

<sup>7</sup> *Astronomus* c. 37: Sub hoc tempore [ann. 823] perlatum est Imperator, Theodorum Primicerio S. Ecclesiæ Romanæ et Leonem Nomenclatorem luminibus privatos, ac deinde decollatos in domo Episcopali Lateranensi. Invidia porro interfectoribus imponebatur, eo quod diceretur, ob fidelitatem Lotharii eos, qui interfici sunt, talia fuisse perpessos. In qua re fama quoque Pontificis laudebatur, dum ejus consensu totum adscriberetur. Missi were sent to Rome, and Paschalis P. ab interfectorum nece se cum plurimis Episcoporum sacramento purgavit.

<sup>8</sup> *Astronomus* c. 38: Soon after the accession of Eugenius (A. D. 824) Lothaire came to Rome cumque de his, que acciderant quereretur, quare scilicet hi, qui Imperatori et Francis fideles fuerant, iniqua nece peremti fuerint, et qui superviverent ludibrio reliquis haberentur; quare etiam tantæ querelaæ adversus Romanorum Pontifices Judicesque sonarent; repertum est, quod quorundam Pon-

ory IV. in the year 833 taking upon himself to interfere in favor of the rebellious sons of Lewis. This attempt, however, proved premature.<sup>9</sup> But by the treaty of Verdun (A. D. 843) the popes became the subjects of Lothaire, who, with less power than their former master, was, besides, often called away to other parts of his empire. At the same time, Rome began to be threatened by the incursions of the Saracens. Thus it happened that Sergius II. (A. D. 844), Leo IV. (A. D. 847), and Benedict III. (A. D. 858), were consecrated without awaiting the consent of the emperor. Still the popes continued to acknowledge their subjection to the imperial power,<sup>10</sup> although public opinion had already begun to reverse the case, and to look upon the imperial power as deriving its essential dignity from the papal unction.<sup>11</sup>

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tificum vel ignorantia vel desidia, sed et Judicium cæca et inexplebili cupiditate, multorum prædia injuste fuerint confiscata. Ideoque reddendo quæ injuste erant sublata, Lotharius magnam populo Romano creavit lœtitiam. Statutum est etiam juxta antiquum morem, ut ex latere Imperatoris mitterentur, qui judiciariam exercentes potestatem, justitiam omni populo, tempore quo visum foret Imperatori, æqua lancea penderent. — *Continuator Supplementi Langobardicorum Pauli Diaconis.* (in Bouquet T. VI. p. 173). Et hoc est juramentum, quod Romano clero et populo ipse (Lotharius) et Eugenius P. facere imperavit: Promitto ego ille per Deum omnipotentem et per ista sacra IV. Evangelia, et per hanc crucem D. N. J. C. et per corpus beatissimi Petri Principis Apostolorum, quod ab hac die in futurum fidelis ero Dominis nostris Imperatoribus Hludowico et Hlothario diebus vita meæ, juxta vires et intellectum meum, sine fraude atque malo ingenio, salva fide, quam repromisi domino Apostolico: et quod non consentiam, ut aliter in hac sede Romana fiat electio Pontificis nisi canonice et juste, secundum vires et intellectum meum: et ille qui electus fuerit, me consentiente, consecratus Pontifex non fiat, priusquam tale sacramentum faciat in praesentia Missi domini Imperatoris et populi, cum juramento, quale dominus Eugenius Papa sponte pro conservatione omnium factum habet per scriptum. The decrees passed by Lothaire on this occasion in Rome, are in Mansi T. XIV. p. 479.

<sup>9</sup> *Astronomus* c. 48. It being reported of Gregory, who was in the camp of the sons, quod ideo adesset, ut tam Imperatorem quam episcopos excommunicatio- nis irretire vellet vinculis, si qui inobedientes essent sue filiorumque Imperatoris voluntati: parum quid subripuit Episcopis Imperatoris præsumptio audaciæ, asser- entibus nullo modo se velle ejus auctoritati succumbere: sed si excommunicans adveniret, excommunicatus abiaret: cum aliter se habeat antiquorum auctoritas Canonum. A g o b a r d, though on the Pope's side, writes to Lewis *de comparatione utriusque regiminis*, c. 4: Certe, clementissime domine, si nunc Gregorius Papa irrationabiliter et ad pugnandum venit, merito et pugnatus et repulsus recedet. Si autem pro quiete et pace populi et vestra laborare nititur, bene et rationabiliter obtemperandum est illi, non repugnandum. — *Gregorii Ep. ad Episcop. Regni Francorum* (*Mansi* T. XIV. p. 519) is an answer to a letter from Lewis's bishops, now no longer extant.

<sup>10</sup> *Leo IV. Lothario Augusto* (in Gratiani Decreto P. I. dist. X. c. 9); De capitulis vel præceptis imperialibus vestris, vestrorumque (leg. nostrorumque) pontificum prædecessorum irrefragabiliter custodiendis et conservandis, quantum valuius et valemus Christo proprio, et nunc, et in aeternum nos conservatores modis omnibus profitemur. Et si fortasse quilibet aliter vobis dixerit, vel dicturus fuerit, sciatis eum pro certo mendacem. Concerning the occasion of this letter, see *Baluzii Præf. ad T. I. Capitularium*, § 21.

<sup>11</sup> The progress of opinion may be seen: *Annales Loiselianni* ad ann. 813: (Carolus Imp.) evocatum ad se apud Aquasgrani filium suum Ludovicum Aquitanæ Regem, coronam illi imposuit et Imperialis nominis sibi consortem fecit. When Stephen IV. visited the emperor A. D. 816 (*Astronomus*, c. 26): Imperator imperiali diadema est coronatus et benedictione inter Missarum celebratio-

The story of Pope Joan, (Johannes Anglicus, or John VIII.), who is supposed to have filled the papal chair between Leo IV. and Benedict III., is a fabrication of later times.<sup>12</sup>

nem insignitus. — *Annales Eginhardi* ad ann. 823: Lotharius cuin secundum patris jussionem in Italia justias faceret, et iam se ad revertendum de Italia præpararet, rogante Paschale P. Romanum venit: et honorifice ab illo susceptus in s. Paschali die apud s. Petrum regni coronam, et Imperatoris et Augusti nomen accepit (without the knowledge, therefore, of Lewis). Lewis II. writes himself to the Greek emperor Basil, as early as A. D. 871 (*Muratori Script. Ital. T. II. P. 2. p. 243. Bouquet T. VII. p. 573*) unctione et sacratione per summi Pontificis manus impositionem divinitus sumus ad hoc culmen proiecti. — Carolus M. abavus noster unctione hujusmodi per summum Pontificem delibutus primus ex gente et genealogia nostra — et Imperator dictus et christus Domini factus est. — Si calumniariis Rom. Pontificem, quod gesserit: calumniari poteris et Samuel, quod spreto Saule, quem ipse unixerat, David in Regem ungere non renuerit.

<sup>12</sup> The origin of this story is a subject of much controversy. In certain MSS. of *Anastasius* it is interpolated from *Martinus Polonus*. In *Mariani Scoti* († 1086) chronicō ad annum 853: Leo P. obiit Kal. Augusti. Huic successit Joanna mulier annis duobus, menibus quinque, diebus quatuor. Equally concise is *Sigebertus Gemblacensis* [† 1113] chron. In both, however, the passage is suspected. The passage in *Stephanus de Borbone* † 1261, lib. de VII. donis Spir. S. (in J. Quetifi et J. Echardi biblioth. ord. Prædicat. s. C. Blascus de collect. can. Isid. Mercat. cap. XVI. § II. note 2 in Gallandii de vetust. cann. collectionibus dissert. sylloge, ed. Mogont. T. II. p. 141) is more full, though not often noticed: Aecidit autem mirabilis audacia, ino insana, circa an. Dom MC [CM?] ut dicitur in chronicis. Quædam mulier literata, et in arte notandi edocta, adsumto virili habitu, et virum se fingens, venit Romanum, et tam industria, quam literatura accepta, facta est notarius curiae, post diabolo procurante cardinalis, postea Papa. Hæc imprægnata cum ascenderet, peperit. Quod cum novisset Romana justitia, ligatis pedibus ejus ad pedes equi distracta est extra urbem, et ad dimidiā leucan a populo lapidata, et ubi fuit mortua, ibi fuit sepulta, et super lapidem super ea positum scriptus est versiculus; “Parce pater patrum papissæ edere partum.” Still more full in *Martini Poloni* [† 1278] chron. and this passage is probably genuine; although in some Codd. not found [*Muratori ad Anatas. p. 247*], cf. *Ptolomeus Licensis* [about A. D. 1312]: Omnes quos legi, præter Martinum, tradunt, post Leonem IV. fuisse Benedictum III. Martinus autem Polonus ponit Johannem Anglicum VIII. (Ex Ms. in Jo. Mabillon. iter Ital. P. I. p. 27). John XX. [† 1277] called himself John XXI., see *G. G. Leibnitii flores sparsi in tumulum Papissæ* (Biblioth. hist. Goetting. erster Theil. 1758. p. 297 seq.) p. 330. From his time the story became universally current (see the series of authors, by whom it is mentioned in *Sagittarii* introd. T. I. p. 679 seq.), various additions were made to it (see *Leibnitius*, I. c. p. 393 — 399), the Stella stercoraria supposed to have had its origin therein, (*Platini de vita Pont. no. 106. Leibnit. I. c. p. 335*), and statues of the female Pope exhibited (*Mabillon Iter Italicum*, p. 157. *Leibnit. p. 333*), till, at length, in the fifteenth century, some began to doubt (*Eneas Sylvius* in Ep. 130. *Platinal*, c.), and *Jo. Aventinus* († 1554) first rejected it (in the Annal. Bojorum lib. 4to.). From that time forward it was denied by the Catholics, but maintained, from mistaken motives, by the Protestants, till *Dar. Blondel* (Question si une femme a été assise en siège papal de Rome entre Léon IV. et Bénoit III. Amsterd. 1649. 8. Joanna Papissa s. famosæ quæstionis, an fomina ulla inter Leonem IV. et Bened. III. RR. PP. media sederit, ἀνάγκης. Amstelod. 1657. 8vo.), copied by *Ph. Labbeus* (cenotaphium Jo. Papissa in diss. de scriptoribus eccl. Paris. 1660. T. I. p. 385 and in his Collect. Concill. *Mansi T. XV. p. 38*) decided the question, though *F. Spanheim* (diss. de Joh. Pap. in Opp. T. II. p. 577 seq.) still defended the other side. Works on the subject are given in *Sagittarii* introd. T. I. p. 676. T. II. p. 626. *Fabricii* Bibl. Gr. vol. X. p. 935. Of the numerous grounds for disbelieving the tradition the following are decisive: 1) *Hincmarii Epist. XXVI. ad Nicolai I. A. D. 867* (ed. Sirmond. T. II. p. 298): Missos meos, cum literis Romanum direxi. Quibus in via nuncius venit de obitu P. Leonis.

## III. HISTORY OF THE CHURCH OF THE FRANK EMPIRE.

Vid. *Capitularia Regum Francorum* (preserved partly in the original, partly in the seven books of the *Capitularium*, of which the four first were collected by *Ansegisus* in the year 827, and the three last by *Benedictus Lerita* about the year 845) ed. *Steph. Baluzius*, Paris, 1677. 2 vols. fol. nov. edit. cur. *Petr. de Chiniac*, Paris, 1780. 2 vols. fol. as appendix to *Mansi collect. concill. T. XII.* — XVII.

## § 7.

## CHURCH GOVERNMENT.

Ever since the renovation of the Frank church under Carlman and Pepin, it had continued to flourish under the Carlovingian Kings, and to be the most important church of the West. In the new church the Metropolitans had been reinstated in their ancient rights;<sup>1</sup> the Kings retaining, however, the general superintendence of the church,<sup>2</sup>

Pervenientes autem Romam cum præfatis literis, et intervenientibus prædictis episcopis, Dominus nomine et gratia Benedictus mihi, quod nostis, privilegium inde direxit. 2) *Diploma Bened.* in confirmationem Privilegiorum Corbejae (*Mansi* T. XV. p. 113, but given more accurately in *Mabillon de re diplom.* p. 436, at the close: *Scriptum* — in mense Octobri indictione quarta. Bene valete. Datum Nonas Octubrias — Imp. Du. — Aug. Hlothario — anno tricesimo nono, et P. C. (post Consulatum) ejus anno XXXIX. sed et Hlodovico novo Imp. ejus filio anno VII., Ind. quarta. sign. *Benedicti Pape* (consequently 7 Oct. 855. Leo IV. died † 17 Jul. 855. Lothaire died 28 Sept. 855 in Pruni). 3) A Roman Denarius, on one side of which was Hlotharius Imp., on the other, around the edges, S. Petrus, and in the middle B. N. E. P. A. (Benedictus Papa), see *J. Garampi de nummo argent. Bened.* III. P. M. Rom. 1749. 4to. K ö h l e r's *Münzbelustig.* Bd. XX. S. 305. 4) *Leonis* P. IX. ad *Michaelem Constantinop. Patriarch Epist.* A. D. 1054 (*Mansi* T. XIX. p. 649) c. 23: Absit autem, ut velimus credere, quod publica fama non dubitat asserere, Constantinopolitanæ ecclesiæ contigisse, ut eunuchos contra primum Nicæni concilii capitulum passim promovendo, fœminam in sede Pontificum suorum sublimasset aliquando. Hoe tam abominabile scelus, detestabileque facinus, etsi enormitas ipsius vel horror fraternaque benevolentia non permittit nos credere, etc. Origin of the story: According to *Baronius* ann. 879 no. 5, a satire upon John VIII. ob nimiam ejus animi facilitatem et mollitudinem; according to others on the dissolute Popes John X. (thus *Aventinus*, l. c.), or XI. or XII. (*Onuphrius Panvinius* in notis ad *Platinam*); according to *Bellarminus* de Rom. Pont. III., 24, transferred from Constantinople to Rome (cf. *Leon IX. Epist.*); according to *Leibnitz* (l. c. p. 367) true of some bishop or other, called Joannes Anglicus; according to *C. Blascus*, l. c. and *Henke* (Kirchengesch. Th. 2. S. 23) a satirical account of the origin of the forged decretals; according to *Schmidt* (Kirchengesch. Th. 4. S. 279) the story originated in mis-understanding the *stella stercoraria*.

<sup>1</sup> *Capit.* ann. 742, c. 1, ann. 755, c. 2.

<sup>2</sup> Exercised also through Missos, cf. *Capitula data Missis dominicis* A. D. 802 [Baluz. capit. I. p. 375]: II. De Episcopis et reliquis Sacerdotibus si secundum canonican institutionem vivant, et si canones bene intelligant et adimpleant. III. De Abbatibus, utrum secundum regulam an canonice vivant, et si regulam aut canones bene intelligant. IV. De monasteriis virorum, etc. V. de monasteriis puellarum, etc. cf. *Capitulare Noriomagense* A. D. 806 cap. 4. [l. c. p. 453], *Capitularium* lib. I. c. 116. [l. c. p. 726].

the right of arbitration in church matters,<sup>3</sup> as also the direction and confirmation of all ecclesiastical decrees.<sup>4</sup> Though Charlemagne wished to introduce again the election of bishops by the clergy,<sup>5</sup> they still continued, for the most part, to be appointed by the King.<sup>6</sup> The Carolingians continued also to dispose as they pleased of the church lands. Bishoprics, indeed, were no longer bestowed on laymen in usufruct, but single estates and abbeys were not seldom given in this

<sup>3</sup> *Capitulare Francofurtense* A. D. 794, c. 4. (l. c. p. 261) : Statutum est a Domino Rege et s. Synodo, ut Episcopi justitas faciant in suas parochias. Si non obedierit aliqua persona Episcopo suo de Abbatibus, Presbyteris, Diaconibus, etc. veniant ad Metropolitanum suum, et ille dijudicet causam cum suffraganeis suis. Comites quoque nostri veniant ad judicium Episcoporum. Et si aliquid est, quod Episcopus metropolitanus non possit corrigere vel pacificare, tunc tandem veniant accusatores cum accusato cum litteris Metropolitani, ut sciamus veritatem rei.

<sup>4</sup> *De Marca* lib. VI. c. 24 — 28, although from A. D. 811 the clergy formed a separate Curie in the Diet. See *Planck*, Bd. 2. S. 139. cf. *Praef. ad Conc. Mogunt.* ann. 813 (*Mansi* T. XIV. p. 64) : Gloriosissimo Imp. Carolo Aug. veræ religionis rectori ac defensori s. Dei ecclesiae. — Venimus secundum iussionem vestram in civitatem Moguntinam — gratias agimus Deo, quia s. ecclesiae sua tam pium ac devotum in servitio Dei concessit habere rectorem, qui suis temporibus sacrae sapientiae fontem aperiens, oves Christi indesinenter sanctis reficit alimentis, ac divinis instruit disciplinis, etc. After an enumeration of their employments : De his tamen omnibus valde indigemus vestro adjutorio, atque sana doctrina, quæ et nos jugitur admoneat, atque clementer erudit, quatenus ea, que paucis subter perstrinximus capitulis, a vestra auctoritate firmantur, si tamen vestra pietas ita dignum esse judicaverit : et quidquid in eis emendatione dignum reperitur, vestra — imperialis dignitas jubeat emendare. Comp. the *Prefationes to the Conciliis Arelat.* VI. [ib. p. 57] *Turon.* II. [ib. p. 83] and especially *Cabillon.* II. [ib. p. 93.]

<sup>5</sup> *Capit. Aquitanense* A. D. 803, c. 2. (Baluz. Cap. I. p. 379) verbally repeated *Capit. Aquisgr.* A. D. 816, c. 2. (l. c. p. 561). Comp. Formula diversæ in Episcoporum promotionibus usurpatæ post restitutam electionum libertatem in *Baluz.* T. II. p. 591. Especially concerning the influence of the royal *Missi* at the election : Adlocutio Missorum Imp. Ludov. P. ad Clerum et Plebeium electionis causa congregatam, ibid. p. 601.

<sup>6</sup> *Baluzius ad Concilia Gallie Narbonensis* (Paris, 1668. 8vo.) p. 34. *Ejusd.* not. ad Capitul. T. II. 1141, comp. *Leo IV. epist. ad Lothar.* et *Ludov. Aug.* about A. D. 853 (in Gratiani Decret. P. I. dist. 63, c. 16) : — Vestram mansuetudinem deprecamur, quatenus Colono humili diacono candem ecclesiam [Reatinam] ad regendum concedere dignemini ; ut vestra licentia accepta, ibidem cum Deo adjuvante consecrare valeamus episcopum. Si autem in predicta ecclesia nolueritis, ut præficiatur episcopus, Tusculanam ecclesiam, que viduata existit, illi vestra serenitas dignetur concedere ; ut consecratus a nostro præsulatu, Deo omnipotenti vestroque imperio grates peragere valeat. So too John VIII. petitions King Carlomann A. D. 879, to bestow the bishopric Vercelli on a certain Consperatus (*Mansi* T. XVII. p. 125), and afterwards announces the appointment to the inhabitants, (*Mansi* I. c. p. 166), with the remark, quoniam — Carolomanus — ipsum Vercellensem episcopatum more præcessorum suorum regum et imperatorum concessit huic Consperto, etc.

<sup>7</sup> *Carlomanni capitulare II. datum ann. 743 apud Liptinas*, c. 2. (Baluz. T. I. p. 149) : Statuimus quoque cum consilio servorum Dei et populi Christiani, propter imminentia bella et persecutiones caterarum gentium, quæ in circuitu nostro sunt, ut sub preorio et censu aliquam partem ecclesiæ pecunia [estates, possessions,] in adjutorium exercitus nostri cum indulgentia Dei aliquanto tempore retineamus, ea conditione, ut annis singulis de unaquaque casata solidus, i. e. XII. denarii, ad ecclesiam vel monasterium reddantur, eo modo ut si moriatur ille cui pecunia commoda fuit, Ecclesia cum propria pecunia revestita sit. Et iterum, si necessitas cogat, aut Princeps jubeat, præcarium renovetur et rescribatur novum,

way to successful soldiers.<sup>7</sup> The ecclesiastical supremacy of the Pope was acknowledged,<sup>8</sup> the Kings often applying to him for advice in ecclesiastical matters,<sup>9</sup> and allowing the right of appeal to him, as fixed at the council of Sardica.<sup>10</sup> In the affairs of their own church, however, they allowed no interference, but by argument and persuasion.<sup>11</sup>

## § 8.

## REFORMATION WITHIN THE CHURCH.

The attention of the Carlovingian princes was particularly turned to

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comp. Eugen Montag's *Gesch. d. deutschen staatsbürgerl. Freiheit od. Rechte des gemeinen Freyen, des Adels, u. d. Kirchen Deutschlands* (2 Bde Bamberg u. Würzb. 1812–1814), Bd. I, Th. I, S. 333 ff. Ludwig d. F. Capit. ann. 823, c. 8 (ib. p. 635): *Abbatibus quoque et Laicis specialiter jubemus, ut in monasteriis, quae ex nostra largitate habent, Episcoporum consilio — peragant.* Under the sons of Lewis, it became still more common, Planck, Bd. 2, S. 542 ff., Montag, I. c. S. 337 ff.

<sup>8</sup> *Conc. Parisiensis* (ann. 849) *Synodica ad Nomenojum Ducem* (*Mansi T. XIV. p. 923*): *omnem Iesistī Christianitatem, dum vicarium b. Petri apostolicum, cui dedit Deus primatum in omni orbe terrarum sprevisti.*

<sup>9</sup> Thus *Pepin*, see *Zacharie Ep.* in *Cod. Carol.* no. 5. Comp. *Epist. Caroli M.* ad *Episc. A. D. 799* (in *Baluzii capit. T. I.* p. 327): *Et hoc vobiscum magno studio pertractandum est, quid de illis Presbyteris, unde approbatio non est et semper negant, faciendum sit. Nam hoc sapissime a nobis et progenitoribus atque antecessoribus nostris ventilatum est, sed non ad liquidum hactenus definitum. Unde ad consulendum Patrem nostrum Leonem Papam sacerdotes nostros mittimus. Et quicquid ab eo vel a suis pereperimus, vobis una cum illis quos mittimus, renuntiare non retardabimus. Vos interdum vicissim tractate adtentius, quid ex his vobiscum constituamus una cum praedicti s. Patris institutionibus, etc. So concerning ordinations conducted by suffragan bishops *Capit. Aquisgr. A. D. 803* (l. c. p. 380): *quod iurgium cum enucleatus discutere voluissemus, placuit nobis ex hoc apostolicam sedem consulere, jubente canonica auctoritate atque dicente: Si maiores causa in medio fuerint devoluta, ad sedem Apostolicam, ut s. Synodus statuit, et beata consuetudo exigit, incunctanter referatur.**

<sup>10</sup> These provisions are found, it is true, only in the *Capitularies of Benedictus Lerita*. *Capitul. lib. VI. c. 64*: *Si liteni habuerit Episcopus cum alio Episcopo, non alterius, sed suae provinciae judices querat. Et ut judicato in aliqua causa Episcopo licet iterare judicium, et, si necesse fuerit, libere Episcopum adire Romanum, lib. VII. c. 103, e. 173, c. 315, c. 412. Addit. IV. c. 27.*

<sup>11</sup> Hence various *Capitularies apostolicae* sedis hortatu, monente Pontifice, ex præcepto Pontificis. On the earlier limits of the papal authority, and their gradual extension, see *Agobard de dispensatione eccles. rerum* c. 20 (cf. adv. legem *Gundobaldi*, c. 12): *Verum quia sunt qui Gallicanos Canones aut aliarum regionum putent non recipiendos, eo quod legati Romani seu Imperatoris in eorum constitutione non interfuerint* (adv. leg. *Gund.* l. c. quod neoterici Romani eos non commendaverint); restat, ut etiam SS. Patrum doctrinas et expositiones diversos que tractatus, ut sunt Cypriani, Athanasii, etc. doceant non esse recipiendos: *quia eum haec tractarent — legati Romani s. Imperatoris non aderant. Melius mihi sentire videntur, qui secundum Domini dictum, ubi duo vel tres in nomine Domini congregatos agnoscent, Dominum quoque inter eos aspissime non dubitant. — Ubi cunque enim catholici Ecclesiarum rectores pro Ecclesiarum utilitatibus cum Dei timore in ejus nomine et honore convenient, quicquid consonanter s. scripturis statuant, nulli proculdubio spernenda, immo veneranda omnibus esse debent.*

reforming the morals of the clergy;<sup>1</sup> no easy task in that gross and sensual age.<sup>2</sup> To this end they made use of the *vita canonica*,<sup>3</sup> or system of rules for the life of the clergy, which had been first introduced in his own diocese by Chrodegang, bishop of Metz. This having been approved of by Charlemagne,<sup>4</sup> and adopted afterwards, with some additions, by Lewis the Debonnaire in 816,<sup>5</sup> was soon established in nearly all the cities of the Frank empire (*Canonici cathedrales, and collegiati. Monasteria canonicorum*). The discipline of the country clergy was secured by the division of the diocese into Archdeaconships (*Archidiaconatus*),<sup>6</sup> and these again into Archipresbyteries, or Decanies. The reformation of the convents was conducted chiefly by Benedict, Abbot of Aniane († A. D. 821),<sup>7</sup> and at his instance the *Capitulare Aquisgranense de vita et conversatione monachorum*<sup>8</sup> was issued by Lewis the Debonnaire in the year 817.

The church of Rome, as the most ancient church of the West, was chosen by Charlemagne as his model. In the year 774 he received from Adrian I. a code of canons (*codex canonum*),<sup>9</sup> and afterwards sent for the *Sacramentarium* of Gregory the Great,<sup>10</sup> and two singers, that he might introduce also the Roman church music.<sup>11</sup>

<sup>1</sup> Thus *Caroli anni capit. I. ann. 742, c. 2* [Baluz. I. p. 146]: *Servis Dei per omnia omnibus armaturam portare vel pugnare, aut in exercitum et in hostem peregre omnino prohibuimus. — Nec non et illas venationes et sylvaticas vagationes cum canibus omnibus servis Dei interdiximus. Similiter ut accipitres et falco non habeant. c. 6.* Punishments for incontinence. *Pipini capit. ann. 744, c. 8* [ib. p. 158]: *Similiter diximus, ut neque clericus mulierem habeat in domo sua, quae cum illo habitat, nisi matrem, aut sororem, vel neptem suam.* All these laws frequently repeated.

<sup>2</sup> Comp. *Gewilieb*, archbishop of Mayence Othlonus in *vita Bonif. I. c. 41*. See especially *Capitulare VIII. ann. 803* in Baluz. I. p. 405.

<sup>3</sup> *Chrodogangi regula sincera Mansi T. XIV. p. 313. cf. Thomassini vet. et nov. eccl. discipl. P. I. lib. III. c. 9.*

<sup>4</sup> *Cupit. Aquisgr. ann. 789, c. 71* [Baluz. I. p. 238]: *Qui ad clericatum accedunt, quod nos nominamus canonican vitam, volumus, ut illi canonice secundum suam regulam omnino vivant, et Episcopus corum regat vitam, sicut Abba Monachorum. Capit. I. ann. 802, c. 22* [ib. p. 369].

<sup>5</sup> The *regula Aquisgranensis* in Harzhemii Concil. German. T. I. p. 430 seq.

<sup>6</sup> The title *canonicus* was already in use, but only in the sense of *canoni s. matricula Ecclesie adscriptus*, or *canonem frumentarium percipiens* (see Muratori diss. de *Canoniciis* in the *Antiquit. Itali medii avi. T. V. p. 183 seq.*) It was now first used in the signification of *clericu regulari*, i. e. *canonice virentis*.

<sup>7</sup> This was done first by *Heddo*, bishop of Strasburg, who in the year 774 prayed Pope Hadrian I. for his confirmation of the same. See *Grandidier hist. de l'église de Strasburg*, vol. I. p. 176, 291. *Planck*, Bd. 2. S. 284 ff.

<sup>8</sup> His most remarkable production was the *codex regularum*. ed. *Luc. Holsteinius*, Rome, 1661. recens. Paris, 1661. 4to.

<sup>9</sup> Baluz. T. I. p. 579.

<sup>10</sup> Epitome of this work in *Canisii lectt. ant. ed. Basnage T. II. p. 266 seq.* *Mansi T. XII. p. 859 seq.* Its character given in *Ballerini de ant. Canonum collectt. P. III. c. 2. J. C. Rudolph nova comm. de cod. can. quem Hadr. I. Carolo M. dono dedit*, Erlang. 1777. Svo. Spittler's *Gesch. d. kanon. Rechts* S. 168 ff.

<sup>11</sup> *Hadriani Epist. ad Car. in Cod. Carol. no. 82. Mansi T. XII. p. 798.*

<sup>11</sup> *Monachus Sangallensis de gestis Car. M. lib. I. c. 11. Monach. Egolis-*

The laws concerning marriage, also, were conformed to the principles of the Roman church.<sup>12</sup> The blessing of a priest was made necessary to its legality,<sup>13</sup> and all disputed points referred to the bishop.<sup>14</sup> The old freedom of divorce<sup>15</sup> was now much restricted.<sup>16</sup> Until the time of Charlemagne, the party not accused of crime was permitted to marry again,<sup>17</sup> but afterwards the Roman notion began more and more to prevail, that divorced persons could not marry so long as both parties lived.<sup>18</sup> The discipline of the church was enforced not only by spiritual terrors,<sup>19</sup> but also by secular punishments.<sup>20</sup> In particular, the yearly rounds made by the clergy to inspect the discipline of the churches (Synodi),<sup>21</sup> had a great effect in preserving external decency.

*mensis vita Car. M. ad ann. 787.* Schools for such singing in metre (*Mon. Sang.* : ut nunc usque — ecclesiastica cantilena dicatur Metensis, apud nos vero qui Teutonica s. Tenti-ca lingua loquuntur, aut vernacula Met aut Mette, vel secundum Graecam derivationem usitate vocabulo Mettisca nominetur). *Guilielm. Durandi rationale divin. officior. lib. V. c. 2:* relates, Car. M. Clericos minis et suppliciis per diversas provincias cogisse, et liquos Ambrosiani officii combussisse.

<sup>12</sup> See *G. W. Boehmer* über die Ehegesetze im Zeitalter Carls d. G. Göttingen. 1826. 8vo.

<sup>13</sup> *Capit. lib. VI. c. 130, 327, 108. lib. VIII. c. 179.*

<sup>14</sup> *Planeck*, Bd. 2. S. 275 ff. *Boehmer*, S. 126 ff.

<sup>15</sup> See vol. i. § 123, note 8.

<sup>16</sup> The lawful causes of divorce in *Boehmer*, S. 126 ff.

<sup>17</sup> Thus Pepin allowed the husband, who had put away his wife for adultery, to marry again. *Capit. ann. 757, c. 8.* *Capit. ann. 752, c. 5.* And even cap. 9: Si quis necessitate inevitabiliter cogente in alium ducatum s. provinciam fugerit, — et uxor eius — eum sequi noluerit. At that time, however, they were less strict even at Rome, cf. *Gregorii II. Ep. ad Bonifacium A. D. 726, c. 2.* in *Mansi XII* p. 245. *Leo VII.* († A. D. 939) Epist. ad Eberhardum ducem Bojariae (in *Aventini Annual. Bojorum lib. IV. c. 23*, ed. Gundling, p. 461).

<sup>18</sup> So first Cone, Paris, ann. 829, lib. III. c. 2 (*Mansi XIV.* p. 596): Quod nisi causa fornicationis, ut Dominus ait, non sit uxor dimittenda, sed potius sustinenda. Et quod hi, qui causa fornicationis dimissis uxoribus suis alias ducunt, Domini sententia adulteri esse notentur. This *Benedictus Levita* has adopted in his Collection of Capitularies, *Capitt. lib. VI. c. 235* but perverted the sense by leaving out the *Visi*. *Benedict* has preserved many decrees of older Synods against the remarrying of divorced persons (Lib. VI. c. 63, c. 87. VIII. c. 73, c. 381), though he does not omit to give also the very different regulations of the French Kings (e. g. Lib. V. c. 21). The civil law did not yet, however, go as far as the ecclesiastical, see *Lotharii I. Legg. Langobard.* c. 92: Nulli licet excepta causa fornicationis adhibitam sibi uxorem relinquere, et deinde aliam copulare. See *Boehmer*, S. 108 ff.

<sup>19</sup> See *Baluzii Capitul. II.* p. 1396.

<sup>20</sup> Childebert's Decretio A. D. 595, c. 2 [in *Baluz. T. I.* p. 17] against those excommunicated for incest, in case of obstinacy. More general *Pipini Capit. vern.* ann. 755, c. 9: Si aliquis ista omnia contemnerit, et Episcopus emendare minime poterit, Regis iudicio exilio condennetur. cf. *Capitt. lib. VII. c. 215.* — *Synodus Regiotionina* [Pavia] A. D. 850, c. 12 (*Mansi T. XIV.* p. 934): Hoc autem omnibus Christianis intimandum est, quia hi, qui sacri altaris communione privati, et pro suis seculeribus reverendis adytis exclusi publicae pénitentiae subjugati sunt, nullo militie secularis uti concilio, nullamque reipublicæ debent administrare dignitatem, etc.

<sup>21</sup> *Carol. M. Capit.* ann. 769, c. 7: Statuimus, ut singulis annis unusquisque Episcopus parochiam suam sollicite circumeat, et populum confirmare et plebes

## §. 9.

## PRIVILEGES OF THE CLERGY.

The Carlovingian princes were in the highest degree liberal towards the clergy, both in bestowing upon them new wealth and new privileges. The tithes granted to the church by Charlemagne in the year 779, were at first unwillingly paid, but were perseveringly insisted on.<sup>1</sup> Every church also was endowed with a certain extent of land (*mansi ecclesiasticus*) to be held by the clergy free of all rent or taxes.<sup>2</sup> To this were added numerous donations,<sup>3</sup> and, as the feudal system became more general, many private estates were converted into ecclesiastical fiefs.<sup>4</sup> Some churches, too, were already invested with certain rights which belonged only to royalty (*Regalia*).<sup>5</sup>

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docere, et investigare, et prohibere paganas observationes, divinosque vel sortilegos, aut auguria, phylacteria, incantationes, vel omnes spurcitas gentilium studeat. *Capit.* II. ann. 813, c. 1: Ut episcopi circumneant parochias sibi commissas, et ibi inquirendi studium habeant de incestu, de parricidiis, fratricidiis, adulteriis, cenodoxiis, et aliis malis quae contraria sunt Deo, quae in sacris scripturis leguntur quae Christiani devitare debent. *Capitt.* lib. VII. c. 148, 465. Description of these Synods in *Regino de disciplina ecel.* lib. II. c. 1 seq. *Harzheimii Cone.* Germ. T. II. p. 511. *Jo. Morini Comm. hist. de disciplina in administratione sacramenti penitentiae* lib. VII. c. 3.

<sup>1</sup> *Capit.* ann. 779, c. 7: De decimis, ut unusquisque suam decimam donet, atque per jussionem Pontificis dispensetur. *Capitulatio de partibus Saxonie* (ann. 791) c. 16: Et hoc Christo proprio placuit, ut undecunque census aliquid ad fiscum pervenerit, sive in frido, sive in qualicunque banno, et in omni redibitione ad Regem pertinente, decima pars Ecclesiis et Sacerdotibus reddatur. c. 17: Similiter secundum Dei mandatum præcipimus, ut omnes decimam partem substantiae et laboris sui Ecclesiis et Sacerdotibus donent, tam nobiles quam ingenui, similiter et liti, juxta quod Deus unicuique dederit Christiano, partem Deo redendant; afterwards often repeated. Most efficacious, probably, were admonitions, such as those of the Synod of Frankfort, *Capit. Francoford.* ann. 794, c. 23: Omnis homo ex sua proprietate legitimam decimam ad Ecclesiam conferat. Experimento enim didicimus, in anno, quo illa valida famis irrepuit, ebullire vacuas annonas a demonibus devoratas, et voces exprobrationis auditas. *Planck*, Bd. 2, S. 397 ff.

<sup>2</sup> *Ludov. P. Capit.* ann. 816, c. 10: Statutum est, ut unicuique Ecclesiae unus mansus integer absque ullo servitio adtribuatur, et Presbyteri in eis constituti non de decimis, neque de oblationibus fidelium, non de domibus, neque de atriis vel hortis juxta Ecclesiam positis, neque de praescripto maneo aliquod servitium faciant prater ecclesiasticum. Et si aliquid amplius habuerint, inde Senioribus suis debitum servitium impendant. Concerning mansus see *Eugen Montag's Gesch. d. deutschen staatsbürgerl. Freiheit*, Bd. 1. Th. 1. S. 273 us. 325.

<sup>3</sup> Also by contractus precarios, *Planck*, I. c. S. 390 ff. *Montag*, I. c. S. 278 ff. That the clergy were not over scrupulous as to the means of obtaining these donations is evident from *Caroli M. Capitulare* II. ann. 811, c. 5. cap. 6.

<sup>4</sup> *Capit.* III. ann. 811, c. 3: Dieunt etiam, quod quicunque proprium suum Episcopo, Abbatii, vel Comiti aut Judici vel Centenario dare noluerit, occasiones querunt super illum pauperem, quomodo eum condemnare possint, et illum semper in hostem faciant ire, usque dum pauper factus volens nolens suum proprium tradat aut vendat, alii vero, qui traditum habent, absque ullius inquietudine domi resident, comp. K. F. Eichhorn's deutsche Staats-und Rechtsgeschichte (Gottingen. 1818—1823. 4 Thle 8) Tb. 1. S. 438 ff.

<sup>5</sup> Comp. *E. Montag's Gesch. d. deutschen staatsbürgerl. Freiheit*, Bd. 1. Th. 1.

From Charlemagne's time every prelate was obliged to keep an advocate (*Advocati Ecclesia*)<sup>6</sup> for the transaction of his secular affairs. Charlemagne exempted the clergy more than ever from the jurisdiction of the civil courts,<sup>7</sup> but it was not, probably, till after his time that the right of arbitration, which had formerly been granted to the bishops (Vol. i. Second Period, Div. i. chap. iii. § 89, note 5) was in certain cases changed to the right of final decision.<sup>8</sup> Any undue encroachment on the part of the clergy was not much to be feared during his life, though he saw the necessity of defining their rights more accurately.<sup>9</sup> No such precautions being taken, however, the political con-

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S. 285. Lewis the Good gave the right of coinage not only to several convents (Walch diss. de pietate Lud. P. 1748, in Pottii syll. commentarij, theol. vol. IV. p. 280), but also to the church of Cenomanum (St. Baluzii miscellan. lib. II. p. 100). Also to the bishops and abbots a judicial power, often extending beyond their own estates (E. Montag, l. c. Bd. I. Th. I. S. 220 ff. Eichhorn, l. c. S. 387).

<sup>6</sup> *Caroli Capit.* II. ann. 813, c. 14, cf. *Lotharii Capit.* Tit. III. c. 7, c. 9, c. 18. *Pippini Ital. Regis Leges Langobard.* c. 7. It was the duty of these advocates to appear in courts on behalf of the church they represented, to attend to the administration of justice in the diocese, etc. (Montag, l. c. S. 232 ff.). Many churches had *Defensores ecclesiae* besides (Montag, S. 250). For the most part, however, both offices were united, and the titles *Advocati*, *Defensores*, *Vicedomini*, are synonymous. The appointment of such officers originated in the ancient form of church government, particularly in the African church, though the *Advocati* were very different from the ancient *Defensores*, who were subordinate officers, cf. *Thomassinus*, P. I. lib. II. cap. 97 seq.

<sup>7</sup> In civil matters no change was made (comp. Bd. I. S. 418). *Capit. Francof.* ann. 794, c. 28: *De Clericis ad invicem altercantibus aut contra Episcopum suum agentibus, ut, sicut canonies docent, ita omnimodis peragant.* Et si forte inter Clericum et Laicum fuerit orta alteratio, Episcopus et Comes simul convenient, et unanimiter inter eos causam definiant secundum rectitudinem. But in criminal cases, *Capit. Aquisgr.* ann. 789, c. 37: *Ut Clerici ecclesiastici ordinis, si culpam incurrint, apud ecclesiasticos judicentur, non apud seculares.* Still the final decision belonged to the King and his ministers. *Lothar. Imp.* in *lege Longobard.* lib. II. tit. 45, c. 2 (Baluz. capit. T. II. p. 337): *Ut omnes Episcopi, Abbates, et Comites, excepta infirmitate vel nostra jussione, nullam habeant excusationem, quin ad placita Missorum nostrorum veniant, aut talem vicarium mittant, qui in omnibus causis pro illis rationem reddere possit.* *Caroli Calvi Capit.* Tit. 49, ann. 869, c. 7 (ibid. p. 211): *Uti si Episcopi suis laicis injuste fecerint, et ipsi laici se ad nos inde reclamaverint, nostra regiae potestati secundum nostrum et suum ministerium ipsi Archiepiscopi et Episcopi obedient — sicut temporibus avi et patris nostri juxta et rationabilis consuetudo fuit.* Eichhorn, l. c. S. 418.

<sup>8</sup> *Capit. lib. VI.* c. 366, makes a law, quam ex XVimo Theodosii Imp. libro — sumsimus, universally binding. (That this is not a lex Constantini is proved by Gothofred. in Cod. Theod. ed. Ritteri, vol. VI. p. 339.) It provides as follows: Quicunque item habens, sive possessor sive petitor fuerit, vel in initio litis, vel cursus temporum curriculis, sive cum enim negotium peroratur, sive cum iam cœperit promi sententia, si judicium elegerit sacrosanctæ legis Antistitis, illico sine aliqua dubitatione, etiamsi alia pars refragatur, ad Episcoporum judicium cum sermone litigantium dirigatur. — Omnes itaque cause que vel prætorio jure vel civili tractantur, Episcoporum sententiis terminatae, perpetuo stabilitatis jure firmentur; nec licet ulterius retractari judicium, quod Episcoporum sententiis deciderit. Schmidt Kirchengesch. Th. 5. S. 161, and Eichhorn, l. c. S. 418, consider this law, which is found only in Benedict's collection, as a *Pseudo-isidorianum*.

<sup>9</sup> *Capitulare interrogationis* de iis quæ C. M. pro communii omnium utilitate interroganda constituit [ann. 811] c. 4: — *Discutiendum est atque interveniendum, in quantum se Episcopus aut Abbas rebus secularibus debeat inserere, vel in*

sequence of the bishops continued constantly to increase under the less vigorous administration of his successors.<sup>10</sup>

### § 10.

#### DIFFUSION OF CHRISTIANITY UNDER THE CARLOVINGIAN DYNASTY.

Charlemagne was no less anxious to extend his religion than his rule; though the means used to attain his end were only too apt to inspire the free nations he subdued with suspicion and hatred of Christianity. Thus his long wars with the Saxons,<sup>1</sup> from the year 772, had for their object as much conversion as conquest. After the baptism of Wittekind and Alboin (A. D. 785) ensued a peace of eight years; but in 793 the Saxons rose again and were not entirely put down before the year 803. Instead of relying on persuasive means for their conversion, the most rude compulsion was resorted to;<sup>2</sup> hence it is not

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quantum Comes vel alter laicus in ecclesiastica negotia. Hic interrogandum est acutissime, quid sit quod Apostolus ait; “Nemo militans Deo implicat se negotiis secularibus” (2 Tim. ii. 4), vel ad quos sermo iste pertinet.

<sup>10</sup> Lewis' sons, to make the deposition of their father irrevocable (Capitull. lib. VI. c. 338: Quod ad militiam secularem post paenitentiam redire nemo debeat), caused him to be condemned to a public penance by the synod of Compeigne A. D. 833 (Conventus Compendiensis, in Bouquet T. VI. p. 243 seq. Mansi T. XIV. p. 647). From this time the bishops were considered as the judges of the Kings. A council at Aix-la-Chapelle A. D. 812 deposed Lothaire (*Vithard* de dissens. filiorum Lud. P. in Bouquet T. VII. p. 30. Mansi T. XIV. p. 785), another at Attigny under Archbishop Menilo of Sens A. D. 858, deposed Charles the Bold. See, however, *Caroli Calvi* libellus proclamatiois adv. Wenilonem Archiepisc. Senonum A. D. 859, c. 3 (*Baluz.* T. II. p. 134: A qua consecratione vel regni sublimitate supplantari vel projici a nullo debueram, saltem sine audiencia et judicio Episcoporum, quorum ministerio in Regem sum consecratus, et qui throni Dei sunt dicti, in quibus Deus sedet, et per quos sua decernit iudicia; quorum paternis correptionibus et castigatoriis iudicis me subdere fui paratus, et in praesenti sum subditus. Comp. Planck's Gesellschaftsverfassung B. 3. S. 22.

<sup>1</sup> Nic. Schaten historia Westphaliae Neuhusii. 1690, fol. p. 417 seq. H. J. Meinders tr. de statu relig. et reipubl. sub Car. M. et Lud. P. in vet. Saxonia, Lemgo. 1711. 4to. Just. Möser's Osnabrück. Geschichte Th. I. (R. A. Berl. 1780).

<sup>2</sup> cf. *Capitulatio de partibus Saxonie* Baluz. T. I. p. 249 seq. (according to Baluz. T. II. p. 1039 A. D. 788) e. g. c. IV.: Si quis sanctum quadragesimale jejunium pro desperatu christianitatis contemserit, et carnem comedenter, morte moriatur. c. VII.: Si quis corpus defuncti hominis secundum ritum paganorum flamma consumi fecerit, et ossa ejus ad cinerem redegerit, capite puniatur. c. VIII. Si quis deinceps in gente Saxonum inter eos latens non baptizatus se abscondere voluerit, et ad baptismum venire contemserit, paganiisque permanente voluerit, morte moriatur. Then follow laws against certain Heathen usages, c. XVI. and XVII. concerning tithes, see § 9, note 1. The remarks of *Aetuūn* on this subject are very just, e. g. Ep. XXVIII. (ed. Froben.) ad *Donnum Regem* (A. D. 796): Sed nunc praevideat sapientissima et Deo placabilis devotio vestra pios populo novo Pradicatores, moribus honestos, scientia sacrae fidei eductos et Evangelicis praeceptis imbutos: SS. quoque Apostolorum et prædicacione verbi Dei exemplis intentos, qui lac i. e. suavia præcepta suis auditoribus in initio fidei ministrare solebant, dicente Apostolo Paulo: “Et ego fratres, non potui vobis loqui quasi spiritualibus,” etc. [1 Cor. iii. 1. 2.] Hoc enim totius mundi Prædicator, Christo in se loquente, significavit, ut nova populorum ad fidem conversio mollioribus præ-

surprising that many of them long continued to be secretly Pagans. Between A. D. 780–814, Charlemagne founded in Saxony the bishoprics of Osnabrück, Munster, Paderborn, Minden, Bremen, Verden, and Seligenstadt; to which Lewis the Debonnaire added Hildesheim. This last founded also the convents of Corbiea nova (A. D. 822) and Herford.

The Slavonians and Abri, Charlemagne could neither convert nor conquer.

The visit of Harald Klak, a banished prince of Jutland, at the court of Lewis the Debonnaire, drew the attention of the emperor to the conversion of the north. Harald was baptized in the year 826 at Ingelheim, and then returned to his native country attended by the missionary Anschar.<sup>3</sup> The chief success of this apostle was in North-Albingia; in Jutland, and Sweden, which he visited A. D. 829 and 855, Christianity was less firmly established. In the year 831 Anschar was made the head of these newly founded churches, as Archbishop of Hamburg; and in the year 849, bishop of Bremen. He died A. D. 865.

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ceptis quasi infantilis aetas lacte esset nutrienda: ne per anteriora praecepta fragilis mens evomat, quod bibit. — His ita consideratis, vestra sanctissima pietas sapienti consilio prævideat, si melius sit, rudibus populis in principio fiduci jugum imponere decimarum, ut plena fiat per singulas dominus exactio illarum: an Apostoli quoque ab ipso Deo Christo edicti et ad prædicandum mundo missi exactiones decimarum exegissent, vel alicubi demandassent dari, considerandum est. Scimus quia decimatio substantiae nostræ valde bona est. Sed melius est illam amittere, quam fidem perdere. Nos vero in fide catholica nati, nutriti et edicti vix consentimus, substantiam nostram pleniter decimare. Quanto magis tenera fides, et infantilis animus, et avara mens illarum largitati non consentit? Roborata vero fide et confirmata consuetudine Christianitatis; tunc quasi viris perfectis fortiora danda sunt praecepta, quæ solidata mens Religione Christiana non abhorreat. Illud quoque maxima considerandum est diligentia, ut ordinate fiat prædicationis officium et baptismi sacramentum: ne nihil pro sit sacri ablution baptismi in corpore, si in anima ratione utenti catholica fidei agnitus non praecesserit in corde. — Ipse Dominus in Evangelio, discipulis suis præcipiens ait: “Ite, docete omnes gentes, baptizantes eos,” etc. (Math. xxviii. 19, 20.) Hujus vero præcepti ordinem b. Hieronymus in commentario suo — ita exposuit: Primum doceant omnes gentes, deinde doctas intinguant aqua. Non enim potest fieri, ut corpus baptismi capiat sacramentum, nisi ante anima fidei suscepit veritatem. *Epist. XXI. ad Arnonem* (bishop of Salsburg, to whom the conversion of the Abri was intrusted): Idecirco misera Saxonum gens toties baptismi perdidit sacramentum, quia nunquam fidei fundamentum habuit in corde. Sed et hoc sciendum est, quod fides, secundum quod s. Augustinus ait, ex voluntate fit, non ex necessitate. Quomodo potest homo cogi, ut credit, quod non credit? Impelli potest homo ad baptismum, sed non ad fidem, etc. *Epist. XXXVII. ad Megenfridum*: Si tanta instantia suave Christi jugum et onus ejus leve durissimo Saxonum populo prædicaretur, quanta decimarum redditio, vel legalis pro parvissimis quibuslibet culpis edicti necessitas exigebatur, forte baptisnatis sacramenta non abhorrent. Sint tandem aliquando doctores fidei Apostolicis erudit, sint predicatores, non predatores, etc. *Epist. LXII. ad Arnonem*: Tu vero — perge in opus Dei — et esto prædictor pietatis, non decimarum exactor. — Decima, ut dicitur, Saxonum subvererunt fidem. Quid injungendum est jugum cervicibus idiotarum, quod neque nos, neque fratres nostri sufferre potuerunt?

<sup>3</sup> *Vita S. Anscharii* by his pupil Rembert (Act. SS. Febr. T. I. p. 559). Mæller hist. Cimbriae literaria. T. III. p. 8. Langebeck chronol. ævi Anschar. in Script. Rer. Dan. T. I. p. 496. Münter's verm. Beytr. zur. Kirchengesch. Kopenh. 1798. S. 254. Still fuller in his Kirchengesch. v. Dænem. und Norw. Th. 1. Leipzig. 1823. S. 266. St. Anschar von E. Ch. Kruse, Altona. 1823. Unfortunately, Anschar's diarium is lost, as also his letters, excepting one: see Münter's Kirchengesch. Th. 1. S. 319. Kruse, l. c. S. 227.

## § 11.

## EFFORTS OF THE CARLOVINGIAN KINGS TO PROMOTE THEOLOGICAL LEARNING.

*Jo. Launoii de scholis celebrioribus s. a Carolo Magno s. post eundem Car. per Occidentem instauratis liber.* Paris. 1672. 8vo. (republ. together with *Jo. Mabillonii iter German.* by J. A. Fabricius, Hamb. 1717. 8vo.) *L. Thomassini* vet. et nov. eccl. discipl. P. II. lib. 1. c. 96—100. *Histoire littéraire de la France par des religieux Benédictins de la Congregat. de St. Maur.* (Paris. 1733 seq. is in 15 vols. 4to., and to be continued.) T. IV. and V. of *Bossuet's Discours.* See *L' Histoire Universelle, depuis le commencement du monde jusqu' au l'empire de Charles le Sage.* Paris. 1681. 12mo. (Continued to 1700. Paris. 1752. 12mo. Translated into English by Richard Spencer. A. M. Lond. 1730. 8vo.—Tr.)\*

Charlemagne having himself engaged in the study of the liberal sciences in Italy, was immediately anxious to introduce them amongst his subjects, and especially amongst the clergy. To this end he invited to his court many learned foreigners;<sup>1</sup> as, for instance, Petrus Pisanus, Paulus Warnefridi († A. D. 799),<sup>2</sup> Paulinus, patriarch of Aquileia († A. D. 804), and in the year 793 the most distinguished of all, Flaccus Alcuinus or Albinus († A. D. 804).<sup>3</sup> He strove to awaken a zeal for those studies both by precept and example, attaching schools to the cathedrals, and convents<sup>4</sup> in which the trivium and quadrivium

\* See also *C. H. Van Herwerden*, *Comm. de iis, quae a Carolo Magno tum ad propagandam religionem Christi, tum ad emendandam ejusdem docendi rationem acta sunt.* Lugd. Batav. 1825. 4to. *Aleuin's Leben, ein Beytrag zur Staats-Kirchen-und Culturgeschichte der Karolingischen Zeit,* von *D. F. Lorenz.* Halle. 1829. 8vo.

<sup>1</sup> *Monach. Engolismensis rita Car.* M. ad ann. 787: Et dominus Rex Carolus iterum a Roma artis Grammaticae et Computatoriae Magistros secum adduxit in Franciam, et ubique studium literarum expandere jussit. Ante ipsum enim dominum Regem Carolum in Gallia nullum studium fuerat liberalium artium.

<sup>2</sup> His works: *De historia Longobardorum* libb. VI. and *historiae miscellae* libb. XVI., afterwards enlarged both best ed. in *Muratori Rer. Ital. Scriptor.* T. I.) — *Vita Gregorii M., Benedicti, etc.* — *Excerpta de primis Metensium Episcopis.* — *Homiliarium.*

<sup>3</sup> Controversial writings against the Adoprarians — bibl. commentaries — Dogmatis writings — especially *de fide S. Trinitatis* libb. III. ad Car. M. — *De virtutibus et vitiis* I. — *Vita S. Willebrordi, Martini, etc.* — *Homiliae* — *de VII artibus* — carmina — especially *Epistole* 232, Opp. ed. *Frobenius*, Ratisbon. 1777. Tomi II. fol.

<sup>4</sup> *Car. M. Epist. ad Baugulfum Abb. Fulldensem*, or rather a circular addressed to all bishops and abbots in A. D. 787 (Bouquet T. V. p. 621. Baluz. Capit. T. I. p. 201): Notum sit — devotioni vestrae, quia nos una cum fidibus nostris consideravimus utile esse, ut Episcopia et Monasteria — etiam in literarum meditationibus, cis qui, donante Domino, discere possunt, secundum uniuscuiusque capacitatem, docendi studium debeat impendere: qualiter sicut regularis norma honestatem in mortali, ita quoque docendi et discendi instantia ordinet et orniet seriem verborum, ut qui Deo placere appetunt recte vivendo, ei etiam placere non negligant recte loquendo. Quamvis enim melius sit bene facere quam nosse, prius tamen est nosse quam facere. — Nam cum nobis in his annis a nonnullis Monaste-

um\* were taught. Though the prosperity of these institutions was somewhat checked in the unquiet reigns of his successors (Lewis the Dernnaire,<sup>5</sup> Lothaire, and Charles the Bold),<sup>6</sup> yet these emperors were no less friendly to the cause of learning than their great ancestor had been. In this period, therefore, there were many flourishing schools, the schola Palatina, that at Tours, Lyons, Orleans, Rheims, Fulda,

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riis sepius scripta dirigerentur, — cognovimus in plerisque — eorumdem et sensus rectos et sermones incultos, — Unde factum est, ut timere inciperemus, ne forte, sicut minor erat in scribendo prudentia, ita quoque et multo minor esset, quam rekte esse debuisse, in eis SS. Scripturarum ad intelligendum sapientia. — Quamobrem hortantur vos literarum studia non solum non negligere, verum etiam humillima et Deo placita intentione ad hoc certatum discere, ut facilius et rectius divinarum Scripturarum mysteria valeatis penetrare. — Tales vero ad hoc opus viri eligantur, qui et voluntate et possibilitatem discendi et desiderium habeant alios instruendi, etc. *Capitul. Aquisgr.* ann. 789, c. 70 (Baluz. I. p. 237) : — Non solum servilis conditionis infantes sed etiam ingenuorum filios (Canonici et Monachii) adgregent sibique socient. Et ut scholae legentium puerorum fiant. Psalms, notas, cantus, computum, grammaticam per singula monasteria vel episcopia discent. — Mentioned repeatedly by *Conc. Cabilonense* [A. D. 813] can. 3. J. König's *Geschichtl. Nachrichten über das Gymnas. zu Münster in Westphalen seit Stiftung dess. durch Karl d. G. bis auf d. Jesuiten.* Münster. 1821. 8vo. — The literary pursuits of Charlemagne described in Alcuin's *Leben* by Lorenz, as above cited.

\* The notion of the seven *artes liberales* originated with Augustine *de ordine lib. II.*, see lsc. Thomasius in the *Observationum select.* Halens. T. II. p. 40 seq. The division into the Trivium and the quadrivium is given in the lines :

Gram. loquitur, Dia. verba docet, Rhe. verba colorat;  
Mus. canit, Ar. numerat, Geo. ponderat, As. colit astra.

Grammar, Logic, and Rhetoric composed the *Trivium*, Music, Arithmetic, Geometry, and Astronomy the *quadrivium*.

<sup>5</sup> *Capit.* ann. 823, c. 5 (Baluz. T. I. p. 634) *Conc. Paris.* VI. ann. 829, lib. I. c. 30 (Mansi T. XIV. p. 558). The passage in the letter of this council ad Ludov. Imp. [lib. III. c. 12]: Similiter obnixe ac suppliciter vestrae celstitudini suggestimus, ut morem paternum sequentes, saltem in tribus congruentissimis imperii vestri locis, scholae publicae ex vestra auctoritate fiant: ut labor patris vestri et vester per inueniam, quod absit, labefactando non pereat, is to be understood of the higher places of education. *C. E. Bulæ hist. Acad.* Paris. T. I. p. 159.

<sup>6</sup> *Herici Mon. ad Car. Calvum* about A. D. 876 (Dedication prefixed to his libb. VI. carminum de vita S. Germani see Bouquet T. VII. p. 662) : — Illud vel maxime vobis aeternam parat memoriam, quod famatis inni avi vestri Caroli studium erga immortales disciplinas non modo ex aequo representatis, verum etiam incomparabili fervore transcenditis: dum quod ille sopitis eduxit cineribus, vos fomento multiplici tum beneficiorum, tum auctoritatis usqueque provehitis, immo, ut sublimibus sublimia conferant, ad sidera perurretis. Ita vestra tempestate ingenia hominum duplice nituntur adminiculo, dum ad sapientiae abdita persequenda omnes quidem exemplo alliciuntur, quosdam vero praemitis invitatis. — Id vobis singulare studium effecistis, ut sicubi terrarum magistri florerent artium — hos ad publicam eruditioinem undecunque vestra celstudo conduceret, comitas atraheret, dapsilitas provocaret. — Dum te tuosque ornamenti sapientiae illustrare contendis, cunctarum fere gentium scholas et studia sustulisti. — Spretis ceteris in eam mundi partem, quam vestra potestas complectitur, universa optimarum artium studia confluxerunt. The low state of the sciences in Burgundy may be seen from *Conc. Valentinius III.* fann. 855] c. 18 (Mansi T. XV. p. 11): Ut de scholis tam divinae quam humanæ literaturæ, necnon et ecclesiasticae cantilenæ, juxta exemplum prædecessorum nostrorum, aliquid inter nos tractetur, et si potest fieri, statuatur atque ordinetur: quia ex hujus studii longa intermissione, pleraque ecclesiarum Dei loca et ignorantia fidei et totius scientiae inopia invaserunt.

Old and New Corbeia, Hirschan, Reichenau, and St. Gal.\* The Franks were, in consequence, distinguished in the ninth century by a great number of learned men; amongst the most worthy of mention are: *Agobard*, archbishop of Lyons († A. D. 841),<sup>7</sup> *Rabanus Maurus*, abbot of Fulda in the year 822, and archbishop of Mentz in 847 († A. D. 856),<sup>8</sup> *Haimo*, bishop of Halberstadt († A. D. 853),<sup>9</sup> *Walafried Strabo*, scholasticus in Fulda in A. D. 842, abbot of Reichenau († A. D. 849),<sup>10</sup> *Serratus Lopus*, abbot of Ferrieres († A. D. 862),<sup>11</sup> and *Ratramnus*, a monk of Corbey († after the year 868);<sup>12</sup> *Claudius*, bishop of Turin († about the year 839),<sup>13</sup> and *Christian Druthmar*, a monk of Corbey about the year 840,<sup>14</sup> were distinguished as critical scholars; and as a philosopher, *John Scotus*, or *Erigena*, who was at the court of Charles the Bold († after A. D. 877).<sup>15</sup>

\* See *Hümann's* *Städtewesen des Mittelalters*. Th. 4. S. 307 ff.

<sup>7</sup> Amongst his writings are four against the Jews, several against the superstitions of the time (adv. legem Gundobadi, et impia certamina, quae per eam geruntur. Liber contra judicium Dei. — De grandine et tonitruis — Epist. ad Barthol. Episc. Narbonn. de quorundam illusione signorum. — De picturis et imaginibus) and on the contemporary political events (De divisione imperii Francorum inter filios Lud Imp. flebilis epistola. Liber apologeticus pro filiis Lud. P. — Chartula porrecta Lothario Aug. in Syn. Compendiensi). Opp. prim. ed. *Papir. Masson.* Paris. 1605. 8vo. castigatus *St. Baluzius*. Paris. 1666. 2 voll. 8vo. and by this *Gallandius* T. XII. p. 405 seq.

<sup>8</sup> Writings: Commentaries to almost all the bibl. books, Homilies, Ethical works. On the customs of the church (De Clericorum institutione et ceremoniis Eccl. libb. III. De sacris Ordinibus, Sacramentis divinis, et vestimentis sacerdot. De disciplina eccl. libb. III.). Opp. ed. *G. Colvenerius*. Colon. 1627. VI. T. fol.

<sup>9</sup> Bibl. Commentaries. — Historia eccl. breviarium libb. X. (ed. *Jo. Maderus. Helmst.* 1671.)

<sup>10</sup> De exordiis et incrementis rerum Ecclesiasticarum (in Scriptt. de div. Offic. ed. Melch. *Hittorp.* Colon. 1568). Glossa ordinaria in Biblia (ed. Antverp. 1634. 6 voll. fol.). Vita S. Galli, Othmari, et al.

<sup>11</sup> Work on predestination. — Epistolæ 132. — Opp. ed. *St. Baluzius*. Paris. 1664. emend. Antverp. 1710. 8vo.

<sup>12</sup> Called Bertramus by an error of the copyists. He was not abbot of Orbaïs, nor to be confounded with the Ratiamnus, abbot of Neuwilliers in Alsace. Hist. lit. de la France T. V. p. 333. De partu virginis. — De prædestinatione libb. II. Contra Græcorum errores libb. IV. — De corpore et sanguine Domini.

<sup>13</sup> The only works of his published are *Comm. in epist. ad Galatas* (Paris. 1542. 8vo. Bibl. Patrum, Lugd. T. XIV. p. 134), the *Præfationes* to the *Epositt. super Leviticum*, and in *Epist. ad Ephesios* (in Mabillonii Vett. Analect. ed. II. p. 90 seq.), and *Dicta in lectionem s. Evangelii sec. Matthæum 8, 1–13; 11, 25–29*: (*Claudii Tour. Ep. ineditorum operum specimen, præmissa de ejus doctrina, scriptisque diss. exhibuit A. Rudelbach Ham. 1824. 8vo.*) Many of his comm. are still in the libraries cf. Rich. Simon. hist. crit. des principaux commentateurs du N. T. p. 353. The same, Critique de la Bibliothèque de M. Du Pin, T. I. p. 284.

<sup>14</sup> Comm. in evang. Matthæi ed. Argentorati. 1514. op. Jo. Secerii Hagenoæ. 1530. Bibl. PP. Lugd. T. XV. p. 86. cf. Rich. Simon, I. c. p. 370. That Druthmar was erroneously supposed to have lived in the eleventh century by Fabricius bibl. lat. and Wachler Gesch. d. Literat. Th. 2. (2te umarb. S. 59) is shown. Hist. liter. de la France. T. V. p. 85.

<sup>15</sup> *Hincmar* calls him Scottigena, *Trithemius* first Erigena. Joh. Scot. Erig. od v. d. Ursprung einer christl. Philosophie u. ihrem heil. Beruf v. d. Peder Hiort. Kopenh. 1823. 8vo. II. Schmid der Mysticismus des Mittel-

For the instruction of the people little could as yet be done on account of the extreme ignorance of the lower orders of the clergy.<sup>16</sup> Charlemagne insisted particularly on frequent preaching,<sup>17</sup> and to this end caused a homiliarium, or collection of discourses, to be compiled for the use of the churches;<sup>18</sup> which plan was likewise followed by

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alter's in seiner Entstehungsperiode. Jena 1824. Svo. S. 114 ff. The current story of his return to England and violent death arose from confounding him with a certain Johannes presbyter et monachus ex Eald-saxonum genere (*Asserii hist. Alfredi regis*) see *Mabillon ann. Benedict.* lib. XXXV. § 39. lib. XXXVIII. § 72. *Hist. lit. de la France*, T. V. p. 418. *Hiort* S. 44. Works: *De divisione natura* libb. V. (ed. *Th. Gale*. Oxon. 1681. fol.) The philosophical system there-in contained, developed in *Hiort* S. 47 - 86). — *De praest. Dei*. — *Opera* S. *Dionysii latine versa*.

<sup>16</sup> *Capit. Iquisgran.* ann. 789, cap. 68: The bishops are directed to see ut presbyteri fidem rectam teneant, et baptismum catholicum obseruant, et missarum preces bene intelligent, et ut Psalmi digne secundum divisiones versuum modulentur, et dominicanam orationem ipsi intelligent, et omnibus predicent intelligentiam. *Hincmar*, Archbishop of Rheims, requires (*Capitula presbyteris data ann. 852 in Mansi T. XV. p. 475*) e. 1: Ut unusquisque presbyterorum expositionem symboli, atque orationis dominicae juxta traditionem orthodoxorum patrum plenius dicat, exinde prædicando populum sibi commissum sedulo instruat. *Praefationem* quoque canonis et eundem canonem intelligat, et memoriter ac distinete proferre valeat, et orationes missarum, apostolum quoque et evangelium bene legere possit; psalmorum etiam verba et distinctiones regulariter, et ex corde cum cantis consuetudinarii pronuntiare sciat. Nec non et sermonem Athanasii de fide, cuius initium est: "Quicunque vult salvs esse," memoria quisque conmemoret et sensum illius intelligat, et verbis communibus enuntiare queat. Further that he know by heart e. 2. ordinem baptizandi, e. 3. exorcismos et orationes ad catechumenos faciendum, ad fontes quoque consecrandum, et ceteras preces super maseulos et feminas, pluraliter atque singulariter, e. 4. ordinem reconciliandi atque unguendi infirmos, orationes quoque eidem necessitatibus competentes, similiter ordinem et preces in exequiis atque agendis defunctorum, nec minus exorcismos et benedictiones aquæ et salis. e. 8. homiliae XL. *Gregorii* quisque presbyter studiose legat et intelligat: et ut cognoscat, se ad formam LXXXII. discipulorum in ministerio ecclesiastico esse prouotum, sermonem prædicti doctoris de LXII. discipulis a Domino ad prædicandum missis plenissime dicat ac memoria tradat. Computo etiam necessario et cantu per anni circulum plenissime instruatur. Similar to this are the *Capitula Walterii Episc. Aurelianensis* (Mansi T. XV. p. 503).

<sup>17</sup> *Capit.* 1. ann. 813, c. 14, and the synods held in the same year. *Trelatens.* [c. 10.] *Mogunt.* [c. 25.] *Rhemens.* [c. 14, 15.] *Turon.* [c. 4. c. 17:] Quilibet episcoporis habeat homiliae continentis necessarias admonitiones, quibus subjecti erudiantur. — Et ut easdem homiliae quiske aperte transferre studeat in rusticam Romanam linguam, aut Theotiseam, quo facilius cuncti possint intelligere quæ dicuntur.] *Cabilouense* [c. 2]. *Theodulphi capit. ad Parochiæ suæ sacerdotes* c. 28 (vid. Mansi T. XIII. p. 28): Hortamus vos parato, esse ad docendas plebes. Qui scripturas seit, prædicet scripturas: qui vero nescit, saltem hoc, quod notissimum est, plebibus dicat, ut declinet a malo et faciant bonum, inquirant pacem et sequantur eam, etc.

<sup>18</sup> *Carol. M. in homiliarium Pauli Diacon.* about A. D. 788 (Baluz. T. I. p. 203. Bouquet T. V. p. 622): — Quia curæ nobis est, ut Ecclesiarum nostrarum ad meliora semper proficiat status, oblitteratam pene majorum nostrorum desidia reparare vigilant studio literarum satagimus officinam, et ad pernoscenda sacrorum librorum studia nostro etiam quos possumus invitamus exemplo, — quia ad nocturnale officium compilatas quorundam casso labore, licet recto intuitu, minus tamen idonee reperimus lectiones; — earundem lectionum in melius reformare tramitem, mentem intendimus, i lque opus Paulo Diacono familiari nostro elimandum injunximus. — Qui nostre celstitudini devote parere desiderans, tractatus atque sermones et homelia diversorum catholicorum Patrum perlegens, et optima quaque decerpens in duobus voluminibus per totius anni circulum congruentes cuique festivitatibus dis-

his successors.<sup>19</sup> *Theodulph*, bishop of Orleans († A. D. 821), on whom Charlemagne much depended in these matters, established schools for the common people also, in his diocese.<sup>20</sup> His example was followed by some, though probably not many, others.<sup>21</sup>

The pains taken at this time to promote the religious education of the people, is proved by works of a devotional character still existing in the German language.<sup>22</sup> Amongst these are two Gospel Harmonies in rhyme, one in the old Saxon,<sup>23</sup> the other, by Otfried, a monk of Weissenburg (A. D. 847 — 870), in the Frank dialect.<sup>24</sup>

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tincte et absque vitiis nobis obtulit lectiones. Quarum omnium textum nostra sagacitate perpendentes, nostra etiam auctoritate eadem volumina constabilimus, vestraeque religioni in Christi Ecclesiis tradimus ad legendum. This Homiliarium has been printed Spiræ. 1482. Basil. 1493. fol. and several times in the sixteenth century.

<sup>19</sup> *Ludov. P. Capit. Aquisgr.* ann. 816, c. 28. *Syn. Mogunt.* ann. 847, c. 2, repeats the can. 17. *Conc. Turon.* ann. 813 [see note 17]. The *Rescriptum consultationis Epp. ad Domin. Ludovic. H. Imp.* [about A. D. 855] c. 3. Baluz. T. II. p. 352, shows us the low state of preaching in Italy at this period.

<sup>20</sup> Concerning *Theodulph* see *Hist. de la France* T. 4. p. 459. See *Capitulare ad Parochiae suæ sacerdotes* (in Mansi T. XIII. p. 993 seq.) c. 20: Presbyteri per villas et vicos scholas habeant, et si quilibet fidelium suos parvulos ad discendas literas eis commendare vult, eos suscipere et docere non renuant, sed cum summa caritate eos doceant. — Cum ergo eos docent, nihil ab eis pretii pro hac re exigant, nec aliquid ab eis accipiant, excepto quod eis parentes caritatis studio sua voluntate obtulerint.

<sup>21</sup> *Cone. Mogunt.* ann. 813, can. 45: Symbolum, quod est signaculum fidei, et orationem dominicam discere semper admonent sacerdotes populum Christianum. Volumusque, ut disciplinam condignam habeant, qui haec disere negligunt, sive in jejunio, sive in alia castigatione emendentur. Propterea dignum est, ut filios suos donent ad scholam, sive ad monasteria sive foras presbyteris, ut fidem catholicam recte discant, et orationem dominicam, ut domi alias edocere valeant. Et qui aliter non potuerit, vel in sua lingua hoc diseat. *Herardi Archiep. Turonensis capitula* A. D. 858, c. 17 (in Baluz. capituli. T. I. p. 1286): Ut scholas Presbyteri pro posse habeant et libros emendatos. *Walterii Episc. Aurelian. capitula* c. 6 (Mansi T. XV. p. 506): Ut unusquisque presbyter suum habeat clericum, quem religiose educare procuret; et si possilitas illi est, scholam in ecclesia sua habere non negligat.

<sup>22</sup> *M. Gerbert* iter Alemannicum, Italicum et Gallicum. St. Blasii. 1765. 8vo. — *Incerti Monachi Weissenb.* Catachesis theotisca sœc. 9, conscripta, ed. J. G. *Eccardus*. Hanov. 1713. *Hymnorum veteris Ecclesiæ XXVI. interpretatio theotisca* ed. *Jac. Grimm*. Gott. 1820. 4to. Geistl. Lieder aus dem 9ten. Jahrhund. in Hoffmann's Fundgruben für Gesch. deutscher Sprache u. Literatur. Th. 1.

<sup>23</sup> *Ieliand*, or the Old Saxon Gospel Harmony, ed. by J. A. Schmeller. Munich. 1830. 4to. referred to probably in the *Præf. in librum ant. lingua Saxonica conscriptum* in Flacii catalog. testium veritatis no. 101, p. 126, where it says of Lewis the Debonnaire: — Præcepit namque cuidam viro de gente Saxonum, qui apud suos non ignobilis vates habebatur, ut vetus ac novum Testamentum in germanicam linguam poetice transferre studeret, quatenus non solum literatis verum etiam illiteratis sacra divinorum præceptorum lectio panderetur (cf. *Walch de pietate Lud. P. in Pottii syll. comm. theol.* vol. IV. p. 309). Otfried wrote: *Volumen evangeliorum in V. libros distinctum* (in *Jo. Schilteri thesaur. antiquitatum teutonicarum* T. I. Ulnæ. 1727. fol.).

<sup>24</sup> Krist, das älteste von Otfried in 9ten Jahrh. verfasste hochdeutsche Gedicht, kritisch herausgeg. von E. W. Graff. 1831. 4to.

§ 12.

PART TAKEN BY THE GALLICAN CHURCH IN THE CONTROVERSY  
CONCERNING IMAGE-WORSHIP.

See the works cited § 1 — particularly Walch's *Ketzerhistorie*, Th. II. S. 1 – 266.

By its conduct in this controversy the Gallican church proved at once its independence of Rome, and its theological superiority. Of the Synod of Gentiliacum, held to consider this subject, and occasioned, as it would seem, by an embassy from the Greek church (A. D. 767),<sup>1</sup> we know nothing further. But in the year 790, a formal refutation of the decrees of the second council of Nice (*libri Carolini*)<sup>2</sup> was drawn up under the direction of Charlemagne;<sup>3</sup> and though Pope

<sup>1</sup> *Annales Loiseliani* ad ann. 767: Tunc habuit dominus Rex Pipinus in supra-dicta villa [Gentiliaco] Synodus magna inter Romanos et Gracos de s. Trinitate et de Sanctorum imaginibus. So too the other annales.

<sup>2</sup> Prim. ed. *Eli. Phili* (*J. Du Tillet*, afterwards bishop of Brieux, then of Meaux) 1549. Reprinted in *Goldasti* imperial. decret. de cultu imaginum p. 67 seq. and in his collectio constitutionum imperialium T. I. p. 23 seq. Last: Augusta Cone. Nic. II. censura h. e. Caroli M. de impio imaginum cultu libb. IV. ed. *Ch. A. Heumann*. Hanover. 1731. Svo. — Mentioned by the Syn. Paris. (see note 8 below) and *Hincmar* opusc. adv. Hincmar. Laudunensem, c. 20. — *Sixti Senensis* præf. in biblioth. sanctam (Venet. 1566) p. 3, brings forward the strange notion, in which others have followed him, that Andr. v. Carlstadt was the author. On the other hand, *Baroniūs* ad ann. 794, § 30, *Bellarmin* and many others, suppose them to have been the work of some heretic, and sent to Rome by Charlemagne for condemnation. More correct the opinion of *Sirmond* ad Concil. Francof. *Natalis Alex.* diss. de imaginibus in his hist. eccl. T. V. p. 782. *Hist. lit. de la France* T. IV. p. 410, etc. — In these books Charlemagne alone is the speaker: Præf. ad lib. I.: Ecclesiæ in sinu regni gubernacula suscepimus — nobis, quibus [ecclesiæ] ad regendum commissa est. — lib. I. c. 6: Venerandæ memoriae genitoris nostri — Pipini regis cura, etc. It is not probable that the emperor prepared these books without assistance, but there seems to be no good reason for thinking that *Aleuin* assisted him. We read Præf. ad lib. I., that the council of Nice was held ferme ante triennium; hence the books must have been written A. D. 790, and *Aleuin* came to the imperial court in 793 (*Pagi* ad h. l.). See *Frobenius* in Opp. *Alcuini* T. II. p. 459. Walch's *Ketzerhist.* Th. II. S. 49 ff.

<sup>3</sup> Great principles of these books: Lib. II. c. 21: Solus igitur Deus colendus, solus adorandus, solus glorificandus est, de quo per Prophetam dicitur: "Exaltatum est nomen ejus solius" (Ps. 148, 13): Cujus etiam Sanctis, qui triumphato diabolo cum eo regnant, sive quia viriliter certaverunt, ut ad nos incolumis status ecclesiæ perveniret, sive quia eandem ecclesiam assiduis suffragiis et intercessionibus adjuvare noscunt, veneratio exhibenda est: imagines vero, omni sui cultura et adoratione seclusa, utrum in basilicis propter memoriam rerum gestarum et ornamentum sint, an etiam non sint, nullum fidei catholicae adferre poterunt præjudicium: quippe cum ad peragenda nostræ salutis mysteria nullum penitus officium habere noscantur. Lib. III. c. 16: Nam dum nos nihil in imaginibus spernamus præter adorationem, quippe qui in basilicis Sanctorum imagines non ad adorandum, sed ad memoriam rerum gestarum et venustatem parietum habere permittimus: illi vero pene omnem suæ credulitatis spem in imaginibus collocent; restat, ut nos Sanctos in eorum corporibus vel potius reliquiis corporum, seu etiam vestimentis veneremur, juxta antiquorum patrum traditionem: illi vero parietes et tabulas ado-

Adrian attempted to answer this exposition,<sup>1</sup> the worship of pictures was formally condemned at a Synod held in Frankfort (A. D. 794);<sup>2</sup> according to later authorities, with the consent of the English church.<sup>3</sup> The same enlightened views of religion were seen in the opinions expressed by the French bishops of that time concerning pilgrimages.<sup>4</sup> An embassy sent by the emperor Michael, the stammerer, to Lewis the Debonnaire,<sup>5</sup> led to another declaration by the Synod of Paris against

rantur in eo se arbitrentur magnuni fidei habere emolumenatum, eo quod operibus sint subjecti pictorum. Nam et si a doctis quibusque vitari possit hoc, quod illi in adorandis imaginibus excent, qui videlicet non quid sint, sed quid innunt venerantur, indoctis tamen quibusque scandalum generant, qui nihil aliud in his præter id quod vident venerantur et adorant.

<sup>4</sup> *Epist. Hadriani P. ad Carol. R. de imaginibus*, qua confutantur illi, qui Synodum Nicenam II. oppugnarunt in *Mansi T. XIIII. p. 759—810* (p. 795: Praedecessores nostri sa pius dicti sanctissimi pontifices in sacris conciliis taleni dedere sententiam: Si quis sanctas imagines Domini nostri J. Chr. et ejus genitricis, atque omnium Sanctorum secundum SS. Patrum doctrinam venerari noluerit, anathema sit. cf. *Cone. Lateran.* ann. 769, Act. IV, in *Mansi XII.* p. 729).

<sup>5</sup> *Cone. Francofordinensis can. II. prim. ed. Du Tillet* in præf. ad libr. Carol. (from an old Cod. Ecclesiæ Remensis, vid. Baluz. ad Capit. T. II, p. 753). *Goldast imp. decreta p. 74 Mansi T. XIII. p. 909:* Allata est in medium quæstio de nova Græcorum synodo, quana de adorandis imaginibus Constantinopoli fecerunt, in qua scriptum habebatur, ut qui imaginibus Sanctorum, ita ut deitiae Trinitati, servitum aut adorationem non impenderent, anathema judicarentur. Qui supra sanctissimi patres nostri omnimodis et adorationem et servitutem eis renuentes contemserunt atque conscientes condemnaverunt. Comp. *Innates Loiseliani* ad ann. 794, concerning the Synod of Frankfort: *Pseudosynodus Græcorum*, quan falso septimum vocabant, et pro adorandis imaginibus fecerunt, rejecta est a Pontificibus. *Eginhard de gest. Car.* M. ad ann. 794. *Synodus etiam* que ante paucos annos in Constantinopoli sub Irene et Constantino filio ejus congregata, et ab ipsis non solum septima, verum etiam universalis erat appellata, ut nec septima nec universalis haberetur diceretur, quasi supervacua in totum ab omnibus abdicata est (the council of Nice was closed at Constantinople). *Basquez, Suarez, Surius, Binius*, and others suppose, that at the council of Frankfort the decrees of the council of Nice were confirmed, and only the Pseudoseptima rejected. *Baronius, Bellarminus, Natalis Alex.* and others, that the decrees of the council of Nice were misunderstood, and only on that account rejected. *Barruel du Roïn*. Pape et de ses droits religieux. Paris, 1803, vol. II, p. 402 seq. denies the authenticity of the Acts of the council of Frankfort. More correct *Sirmond* ad Cone. Francof. *Petav.* dogmat. theol. XV. c. 11. *J. Mabillon de cultu saecularium imaginum* prefixed to his Act. SS. Ord. S. Bened. Sæc. IV. vol. I.

<sup>6</sup> *Rogerus de Horeden* (about A. D. 1198) in his Annal. Anglican. ad ann. 792, comp. *Wilkins cone. magn. Britann.* Tom. I. p. 73. *Dallæus de imag.* lib. III. c. 2, p. 380.

<sup>7</sup> *Cone. Cabilonense II. ann. 813, Can. 45:* A quibusdam qui Romam Turonumve, et alia quædam loca sub prætextu orationis inconsulte peragunt, plurimum erratur. Sunt presbyteri, et diacones, et ceteri in clero constituti, qui negligenter viventes, in eo purgari se a peccatis putant, et ministerio suo fungi debere, si præfata loca attingant. Sunt nihilominus laici, qui putant se impune aut peccare aut peccasse, quia hæc loca frequentant — non attendentes quod ait b. Hieronymus: Non Hierosolymam vidisse, sed Hierosolymis bene vixisse, laudandum est. Qui vero peccata sua sacerdotibus, in quorum sunt paroclis, confessi sunt, et ab his agenda penitentia consilium acceperunt, si orationibus insitendo, elemosynas largiendo, vitam emendando, mores componendo, Apostolorum limina, vel quorumlibet Sanctorum invisiere desiderant, horum est devotione modis omnibus collaudanda.

<sup>8</sup> Its object see in *Michaelis Balbi Ep. ad Ludov.* P. A. D. 824 (cf. § 1, note 23): Propterea quia tam illorum, qui noluerunt suscipere Concilia localia et a veri-

image-worship (A. D. 825), and this time accompanied with an express rebuke of the Pope.<sup>9</sup> The Franks were not, indeed, successful in their attempt to reconcile the Pope and the Greek church,<sup>10</sup> but on the

tate redargui, fugerunt hinc et venerant ad antiquam Romanam — injuriam et calumnias ecclesie inferentes et veræ religioni detrahentes. — Unde honorem Ecclesiæ Christi qui erentes fecimus literas ad s. Papam antiquam Romanam et eas misimus per prædictos missos nostros ad eum. — De cetero oratione vestra spiritualis Dilæctio, ut cum omni honore et illeßione ad eum veniant auxilium eis ferentes in his, quæ Deo placeant. — jubent ei, et si amodo manifesti fuerint quidam seductores pseudochristianæ ecclesiæ calumniatores, illuc eos expellere, etc.

<sup>9</sup> *Acta Synod. Paris.* prim. ed. (*Jac. Bougars*) Francof. 1596. 12mo. Also in *Godefridi imp. decret.* p. 623. First included in the collections by *Mansi* T. XIV. p. 415 seqq. comp. *Walech.* l. c. §. 56. — *Synodus Paris. ad Ludov. et Lotharium Imp.* (*Godefrid.* p. 627 seqq.) — Priorum epistolam Londini Haeritani Papæ, quam pridem pro incendiis erigendis Constantino Imp. et Hereme matre ejus ad eorum preicationem in transmarinis partibus direxit, coram nobis legi fecimus, et quantum nostra parvitate res patuit, sicut justè reprehendit illos, qui imagines Sanctorum tumulario ausu in illis partibus confingere et penitus abdere præsumserunt, sic inilicrete noscitor fecisse in eo, quod superstitione eas adorare pisset. — Inseruit etiam in eadem epistola quedam testimonia SS. Patrum, quantum nobis datur intelligi, valde absonta, et ad rem, de qua agebatur, minime pertinentia. — Eandem porro Synodus [Nicaenam] cum s. memoria genitor vester coram se suisque perlegi fecisset, et multis in locis, ut dignum erat, reprehendisset, et quedam capitula, quæ reprehensioni patebant, pra notasset, eaque per Angilbertum Abbatem eidem Hildiiano Papæ direxisset, ut illius judicio et auctoritate corrigerentur: ipse rursus favendo illis, qui ejus instinctu tam superstitione quamque incongrua testimonio memoriori operi inseruerant, per singula capitula in illorum excusationem respondere que voluit, non tamen que decuit, conatus est. Talia quippe quodam sunt, que in illorum objectionem oppo-uit, quæ remota pontificali auctoritate, et veritati et auctoritati retrahantur. Sed licet in ipsis objectionibus aliquando absonta, aliquando inconvenientia, aliquando etiam reprehensione digna testimonia defensionis gratia proferre lius sit; in fine tamen ejusdem apologiae sic sentire et tenere et predicare ac præcipere de his quæ agebantur professus est, sicut a b. Papa Gregorio institutum esse constabat (vid. vol i. § 92. note 6). Quibus verbis liquido colligitur, quod non tantum scienter, quantum ignoranter in eodem facto a recto tramite deviaverit. — Venerabilis namque *Freculfus* Episc. subtiliter prudenterque, qualiter ipse et *Adegarius* socius illius (the two French ambassadors, who had accompanied the Greek ambassadors to Rome) egissent, viva voce parvitatæ nostræ innotuit. Sed cum prudenti relatu illius cuncta cognovissemus, qualiter partim veritatis ignorantia, partim pessima consuetudinis usu hujus superstitionis pestis illis in partibus (Rome and Italy) inolevisset, et priora et posteriora studiosissime considerassimus, intelleximus, quantum nobis res patuit, quo zelo ad haec eon-ideranda vestra s. Devotio excitata fuerit. Non enim ignoramus animum vestrum magno tædio posse affici, cum illos a recto tramite quoquo modo conspicitis deviare, qui, summa auctoritate prædicti, deviantes quosque debuerant corripere (the Pope). — Sed quoniam maximum volbis in eo obstaculum erat, eo quod pars illa, que debebat errata corrigerre, suaque auctoritate hujusc superstitiois errori obniti, ipsa prorsus eidem superstitioni non solum resistere, verum etiam ineauta defensione contra auctoritatem divinam et SS. Patrum dicta nitebatur suffragari, aperuit volbis Dominus o-tium juxta optatum volbis desiderium, ut licentia vobis ab eadem tribueretur auctoritate tantæ rei cum vestris quarendi familiariter veritatem — quatenus sancto vestro desiderio ac vigilanti studio veritas patefacta, dum se in medium ostenderet, etiam ipsa auctoritas volens nolensque veritati cederet atque succumberet.

<sup>10</sup> This was their object, the Parisian fathers advising to this end, l. c. p. 631: Credimus itaque, quod illos reprehendendo, illisque compatiendo, istos vero demulcendo, laudando, et præferendo, eorumque auctoritatem magnis laudum præconiis effero, et S. Romanae ecclesie condignam laudem deferendo, veritatem tamen ex testimoniosis SS. Scripturarum et sententiis SS. Patrum in medium proferendo, et veraciter sobrieque exponendo, poterit vestra sanctissima Devotio, sicut optat,

other hand, neither did the Popes venture to treat them as they had heretofore treated those who differed from them in opinion. Throughout the ninth century the worship of images continued to be rejected in the empire of the Franks,<sup>11</sup> and yet was no one on that account excommunicated.

This is the more remarkable inasmuch as the Franks, in some cases, went far beyond the Greeks in opposing this superstition. Claudio, archbishop of Turin (A. D. 821 — 839), attacked the reigning prejudices with such freedom as to provoke the opposition of the abbot Theodemir,<sup>12</sup> and a certain Dungal<sup>13</sup> (A. D. 827). Still he was not mo-

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utrisque consulere. Sic quippe refragator vineulis veritatis modo blandiendo, modo honorando, modo secundum rationem veritatem demonstrando subtiliter adstrictus, non audebit aliter docere, quam quod veritas habet, etc. In the same spirit also was the letter of Lewis to Eugenius II, and the *comonitorium* (instructions) to the ambassadors sent to Rome, Jeremy, Archb. of Sens, and Jonas, bishop of Orleans (see Goldast, p. 717. Baluzii capitull. T. I. p. 643, and thence in Mansi in the App. ad T. XV. p. 435). In these instructions we read : Sed et vos ipsi tam patienter ac modeste cum eo de hac causa disputationem habeatis, ut summopere caveatis, ne nimis ei resistendo eum in aliquam irevocabilem pertinaciam incidere compellatis, sed paulatim verbis ejus quasi obsequendo magis quam aperte resistendo ad mensuram, qua in habendis imaginibus tenenda est, eum deducere valeatis. — Postquam vero hanc rationem de carundem imaginum causa consummaveritis, si tamen hoc ad nihilum Romana pertinacia permiserit — eum interrogatis, si ei placeat, ut nostri Legati pariter cum suis in Graciā pergant, etc.

<sup>11</sup> *Anastasius* in his Praef. in septimum Synodum ad Joann. VIII. Papam about A. D. 830 (Mansi T. XII. p. 983) : Quae enim super venerabilium imaginum adoratione præsens synodus docet, haec et apostolica sedes vestra — antiquitus tenuit, et universalis ecclesia semper venerata est et haec tenus veneratur : quibusdam dumtaxat Gallorum exceptis, quibus utique nondum est harum utilitas revelata. Ajunt namque, quod non sit quodlibet opus manuum hominum adorandum, etc. — The *Annales Fuldenses* (about A. D. 900) and *Mettenses* (about 904) ad ann. 791 still copy the old annalists without qualification: *Pseudosynodus Graecorum* pro adorandis imaginibus habita, et falso septima vocata, ab Episcopis damnatur (*Bouquet* T. V. p. 330 and 347).

<sup>12</sup> Extracts from *Claudii Apologeticum atque Rescriptum adv. Theodemirum Abb.*, prefixed to *Dungal's* responsio, and scattered in the answer of *Jonas*, also in *Goldasti* imper. decr. p. 764: — Postquam coactus suscepī sareinam pastoralis officii, missus a pio Principe — Ludovico, veni in Italiani, civitatem Taurini, inveni omnes basilicas, contra ordinem veritatis, sordibus anathematum et imaginibus plenas. Et quia, quod homines colebant, ego destruere solus ecepī, ideireo aperuerunt omnes ora sua ad blasphemandum me, et nisi adjuvisset me Dominus, vivum deglutiissent me. — Dicunt isti, contra quos Dei ecclesiam defendendam suscepimus: “Non putamus imagini, quam adoramus, aliquid inesse divinum. Sed tantummodo pro honore ejus cuius est, tali eam veneratione adoramus.” Cui respondeo, quia, si Sanctorum imagines hi qui daemonum cultum reliquerunt, venerantur, non idola reliquerunt, sed nomina mutaverunt. — Si omne lignum schema cruei factum volunt adorare, pro eo quod Christus in cruce peperit; — adorentur ergo puellæ Virgines, quia virgo peperit Christum, adorentur et præsepi, quia mox natus in præsepio est reclinatus, adorentur et veteres panni, quia continuo cum natus est pannis veteribus est involutus, etc. — Redite prævaricatores ad eorū, qui recessistis a veritate et diligitis vanitatem, et estis vani facti, qui rursum crucifixitis filium Dei, et ostentui habetis, et per hoc catervatim animas misericordum socias factas daemonum habetis; alienando eas per nefanda saerilegia simulacrorum a creatore suo, habetis eas dejectas et projectas in damnationem perpetuam.

Quod vero ais, quod ego prohibeam, homines penitentie causa pergere Romanum, falsum tu loqueris. Ego enim iter illud nec adprobo nec improbo, quia scio, quod nec omnibus obest, nec omnibus prodest. — Scimus enim, quod non intellecta

lested, though it is probable that even in France he was thought to have gone too far; and, after his death, John, bishop of Orleans (A. D. 840), openly condemned him.<sup>14</sup> Agobard, archbishop of Lyons (A. D.

Evangelica verba Domini Salvatoris, ubi ait b. Apostolo Petro: "Tu es Petrus et super hanc Petram aedificabo Ecclesiam meam, et tibi dabo claves regni eorum," propter ista jam dicta Domini verba imperitum hominum genus pro adquirenda vita aeterna, postposita omni spirituali intelligentia, volunt pergere Romanum. — Si proprietatem verborum Domini subtiliter consideramus, non est ei dictum: "Quodcunque solveris in celo, erit solutum et in terra, et quodcunque ligaveris in celo, erit ligatum super terram." — Ac per hoc sciendum est, quod tam diu antistitibus Ecclesiae istud ministerium concessum est, usque dum ipsi peregrinantur in hoc mortali corpore: cum vero debitum mortis reddiderint, alii succedunt loco ipsorum, qui eandem obtinent judicariam potestatem. — Audite et hoc insipientes in populo, et stulti aliquando sapite, qui intercessionem Apostoli Romanum pergendo quaritis, quid contra vos dicat idem saepe dictus b. Augustinus, etc. — Promittente Deo debet fidelis quisque credere quanto magis jurante quidem dicere: "Si fuerint in medio ejus Noe, Daniel, et Job," i. e. si tantæ sanctitatis, tantæ justitiae, tantique meriti sint, quanti illi fuerint, "non liberabunt filium neque filiam" (Ezech. xiv. 20). Haec ideo dicit, ut nemo de merito vel intercessione Sanctorum confidat, quia nisi eandem fidem, justitiam veritatemque teneat, quam illi tenerunt, per quam illi placuerunt Deo, salvis esse non poterit. — Quinta tua in me objectio est, et displicere tibi dicas, eo quod Dominus Apostolicus indignatus sit mihi. Hoc dixisti de Paschali Ecclesiæ Romana Episcopo, qui praesente jam corruit vita. Apostolicus autem dicitur, quasi Apostoli custos. Certe non ille dicendus est Apostolicus, qui in Cathedra sedet Apostoli, sed qui Apostolicum implet officium. De illis enim, qui eum locum tenent, et non implet officium, Dominus dixit: "Super cathedram Moysi sederunt Scribae et Pharisei," etc. (Math. xxiii. 1, 2).

<sup>13</sup> *Dungali* liber responsionum adv. Claudi Taur. Ep. sententias in *Bibl. PP. Colon.* T. IX. P. II. p. 875 seq. *Lugdun.* vol. XIV. p. 197 seq. In the preface an account of the differences of opinion caused by Claudius de sancta pictura, de cruce, finally: Pari ratione de memoris Sanctorum causa orationis adeundis, et reliquiis eorum venerandis obnuntiatur: alii affirmantibus, bonam et religiosam esse consuetudinem, basilicas martyrum frequentare, ubi eorum sacri cineres et sancta corpora — cum honore eorum meritis congruo condita habentur, ubique ipsis intervenientibus corporales ac spirituales quotidie languores, divina operante manu et gloria coruscante, copiosissime et praesentissime sanantur: alii vero resistunt, dicentes, Sanctos post obitum nullum adjuvare, nullique posse intercedendo succurrere, nihil eorum duntaxat scientes, que in terris geruntur, illorumque reliquias nullam alicuius reverentia gratiam comitari, sicut nec ossa vilissima quorundam animalium, reliquamve terram communem.

<sup>14</sup> *Jonæ* de cultu imaginum libb. III. in *Bibl. PP. Colon.* T. IX. P. I. p. 90 seq. *Lugdun.* vol. XIV. p. 167 seq. In the *Præfatio*: Deo dilectissimus Princeps [Ludovicus] inter cætera bonitatis sua studia erga divinum cultum amplificandum multiplici modo ferventia, quandam Presbyterum, natione Hispanum, nomine Claudium, qui aliquid temporis in Palatio suo in Presbyteratus militaverat honore, cui in explanandis SS. Evangeliorum lectionibus quantulacunque notitia inesse videbatur, ut Italicae plebis (qua magna ex parte a SS. Evangelistarum sensibus procul aberat) sacrae doctrinae consultum ferret, Taurinensi præsulem subrogari fecit Ecclesiæ. Lib. I, above: Qui dum super grege in sibi creditum pro viribus superintenderet, — vidit eum inter cætera, que emendatione digna gerebat, superstitiones, imo perniciose imaginum adorationi, qua plurimum nonnulli illarum partium laborant, ex inolta consuetudine deditum esse. Unde immoderato et indiscreto zelo succensus non solum picturas sanctorum rerum gestarum, quæ non ad adorandum sed solummodo (teste B. Gregorio) ad instruendas nescientium mentes, in Ecclesiæ suis antiquitus fieri permisæ, verum etiam eruces materiales, quibus ob honorem et recordationem redemptoris sua sancta consuevit uti Ecclesia, a cunctis Parochiæ sua basilicis dicitur delcis, evertisse, et penitus abdicasse. Sed quis errorem gregis sui ratione corrigerere neglexit, et eorum animis scandalum generavit, et in sui detestationem eos quodammodo prouumpere coegit. — Dicitur etiam, Claudium eundem adversus reliquias Sanctorum — eorumque sepulchra —

§16—§10), a determined enemy to all superstition, was but little behind Claudius in his contempt for image-worship,<sup>15</sup> and yet met with no trouble, or persecution, on this account.

*quedam nefanda dogmatisca se, et usque nunc dogmatizare. Quae licet series literarum suorum manifeste non inducit ex his tamen, quae inuit, et ex veridica quorundam fideliis relatione, ita se res habere liquido claret.* — Theodemirus — eidem Clodio, ut & his se — con posset, literis Charitatis relectis mandari curavit. Ille e contra fratrem admonitionis impatiens, turbidaque indignatione permotus, non solum in illum justo se redarguentem, verum etiam in omnes s. Catholice et Apostolice ecclesiæ sincerissimos cultores Galilam Germanicamque incolentes, — et ab Imaginibus superflua adorantes immunes, diversarum reprehensionum ac vituperationum j. cultoribus, et ostiolatoribus damnatione et falsæ religionis superstitione et inimicis illis celestibus irritos, stent textus suorum literarum demonstrat appellare non credimus. *Praefatio:* The book of Claudius against Theodemir had been brought to the emperor Lewis. Qui ab eo suique Palati prudentissimi viris examinatus iusto iudicio si respiciatur. John had received extracts from the work from the Emperor, for the purpose of answering them, but at the news of the death of Claudius had abandoned the task. Sed quia ut relatione verilla dicitur, non modo error, de quo agitur, in ciscipulorum suorum mentibus revivisit, quin potius heresis Ariana pulchrius deprehenditur, de qua tertur quedam monachia libiorum concessisse, et — in armario Episcopii sui clandestina calliditate reliquisse: non sum virsus, quin — opus, quod pretermisseram, enucleatum discentientium reportem, etc.

<sup>15</sup> *Agobardi lib. contra eorum superstitionem, qui picturis et imaginibus SS. adorationis obsequium deficendum putant* (comp. S. 56, note 7); c. 17: Non solum vero divinitum deferre bonum in, quibus non licet, sed et ambitiose honorare Sanctorum memorias obcaptandæ gloriæ populum, reprehensibile est. Arguit super his Damascus Phusikos in Evangelio, teste b. Hieronymo, his verbis: "Væ vobis, Scribe et Pueri! hypocrite, qui ad dicentes sepulchra prophetarum," etc. (Matth. xxiii. 29, 30), c. 23: Si serpente amatum, quem Deus fieri præcepit, quoniam errans populus tamquam idolum colere coepit. Ezechielis religiosus rex cum magna pietate laude continxit: multa religiosius Sanctorum imagines ipsi quoque Sanctis laventibus, qui ob sui honorem cum divina religionis contentu eas adorari more idolorum indignantissime feruntur omni genere contendit, et usque ad pulverem sunt eraderi; presertim cum non illas fieri Deus jussit, sed humanus sensus excogitaverit; c. 30: Adoretur, colatur, veneretur a fidelibus Deus: illi soli sacrificetur, vel mysterio corporis et sanguinis quo sumus redempti; vel in sacrificio cordis contriti et humiliati. Angeli vel homines sancti amentur, honorentur, caritate, non servitute. Non eis corpus Christi offeratur, cum sint hoc et ipsi. Non ponamus spem nostram in homine sed in Deo, ne forte redundet in nos illud propheticum: "Maledictus homo qui confidit in homine," etc. (Der. xvii. 5.) c. 31. Agit hoc nimis versutus et callidus humani generis inimicus, ut sub praetextu honoris Sanctorum rursus idola introducat, rursus per diversas effigies adoretur: ut avertat nos ab spiritualibus, ad carnalia vero demergat: ac per omnia simus digni ab Apostolo audire: "O insensati, quis vos fascinavit?" etc. c. 35: Electanus enim in nomine solus Jesu, quod est super omne nomen: ne si alteri hunc honorem tribuimus, alieni judicemur a Deo, et dimittantur secundum desideria cordis nostri ire in adiventionibus nostris. The verbal agreement of Claudius and Agobard in various passages deserves particular attention. For instance, Claudius has Certe si adorandi iuiscent, *riri potius quam mortui* adorandi esse debuerunt, i. e. ubi similitudinem Dei habent, non ubi pecorum vel, quod verius est, lapidum seu lignorum vita, sensu et ratione carentium. Agobard, c. 28, precisely the same: *riri magis quam parti.* — *Controversy concerning St. Agobard Act. SS. Junii T. II. p. 748.* Hist. lit. de la France T. IV. p. 571, 575.

§ 13.

OF THE INSERTION IN THE SYMBOLUM OF THE WORDS 'FILIOQUE.'

*G. J. Vossii de tribus Symbolis* (ed. II. Amstd. 1662. ito.) diss. 3. § 15 seq.

*Mich. Le Quien* diss. de processione Sp. S. — the first of his dissertations prefixed to the works of Joh. Damascenus. T. I. p. 1 seq. *J. G. Walchii* hist. controv. Graecorum Latiorumque de processione Sp. S. Jenæ. 1751. See. W. C. L. Ziegler's *Geschichtsentwicklung des Dogma von heil. Geiste*, in his theol. essays, vol. I. p. 204 (Gottingen. 1791).

A doctrine, at first peculiar to the Latin church fathers, of the procession of the Holy Spirit from both Father and Son,<sup>1</sup> had long before this been inserted in the Constantinopolitan creed by the Spanish church,<sup>2</sup> and now became a subject of controversy.<sup>3</sup> What was decided with respect to it at the council of Gentilly is not known.<sup>4</sup> As to the propriety of its insertion in the Symbolum (which had by degrees become customary),<sup>5</sup> there was a diversity of opinion in the French

<sup>1</sup> Supported especially by the authority of Augustine (*de trinit.* IV. 20; *Nec possumus dicere, quod Sp. S. et a Filio non procedat, neque enim frustra idem Spiritus et Patris et Filii Spiritus dicitur.* V. 14, XV. 26; *De utroque procedere sic docetur, etc.*) and Leo the Great (*Epist. XV. ad Turibium e.* I. — tamquam — nec aliis sit, qui genuit, alius, qui genitus est, alius, qui de utroque processit). Comp. Wundermann's *Gesch. der Glaubenslehren*, Th. I. S. 383 ff. Münchener's *Dogmengesch.* Bd. 3. S. 500 ff.

<sup>2</sup> First at the *Council Tolet.* III. ann. 589 (*Mansi T. IX.* p. 981) : — Credimus et in Spiritum S. dominum et vivificantem ex Patre et Filio procedentem, etc. So also *Council Tolet.* VIII. ann. 653, *Braecar.* III. 675, *Tolet.* XII. 681, XIII. 683, XV. 688, XVII. 694. *Council Tolet.* III. cap. 2, provides also, ut per omnes ecclesias Hispanie — secundum formam orientalium ecclesiarum, Concilii Constantinopolitani — symbolum fidei recitetur, ut priusquam dominica dicatur oratio voce clara a populo decantetur, etc.

<sup>3</sup> It had been so at an earlier period (about A. D. 650) *Maximi Ep. ad Marinum*: see *Ziegler*, S. 208.

<sup>4</sup> Comp. § 12, note 1. More plainly *Ido* in *Chron. ad ann. 767*: Quæstio ventilata est inter Graecos et Romanos de Trinitate, et utrum Spir. S. sicut procedit a Patre ita procedat a Filio.

<sup>5</sup> *Walafrid Strabo de rebus eccles.* c. 22: apud Gallos et Germanos post dejec-  
tionem Felicis heretici sub glorioissimo Carolo Francorum Rectore damnati, idem  
Symbolum latius et cerebris in Missarum copit officiis iterari. *Paulinus Patr.*  
*Äquilejensis* in *Council. Foro Juliensi* ann. 791 (*Mansi T. XIII.* p. 829 seq.) is to  
be sure very animated in resisting all additions to the Symbolum, but what he  
thereby understands, see p. 836: Addere vel minuere est subdole contra sacro-  
sanctum eorum sensum, aliter, quam illi, callida tergiversatione diversa sentire.  
Explanatory clauses, therefore, he does not include. Si recenseatur Nicæni sym-  
boli series veneranda, nihil aliud de Spiritu S. in ea nisi hoc modo reperiri poterit  
pronulgatum: Et in Sanctum, inquit, Spiritum. — Supplererunt tamen [CL pa-  
tres] quasi exponendo eorum sensum, et in Spiritum S. confitentur se credere,  
Dominum et vivificantem ex Patre procedentem. — Sed et postmodum propter  
eos videlicet hereticos, qui susurrant Spiritum S. solius esse Patris et a solo proce-  
dere Patre, additum est: Qui ex Patre Filioque procedit. Et tamen non sunt hi s.  
Pates culpandi, quasi addidissent aliquid vel minuissent de fide CCCXVIII Pa-  
trum, quia non contra eorum sensum diversa senserunt sed immaculatum eorum  
intellexunt sanis moribus supplere studuerunt, etc. *Ziegler*, S. 211, is wrong in

church, but the doctrine itself was very generally maintained, as for instance by Alcuin and Theodulphus.<sup>6</sup> That it was contained in the so-called Athanasian creed (which, probably, had likewise been brought into France from Spain<sup>7</sup>), served strongly to recommend it. The matter having been brought by Charlemagne before a Synod at Aix (A. D. 809), Pope Leo III. decided in favor of the doctrine, but against its insertion in the Symbolum.<sup>8</sup>

## § 14.

### ADOPTIAN CONTROVERSY.

**Chr. G. F. Welchii hist. Adoptianorum.** Götting. 1755. 8vo. — *Frobenii diss. hist. de hæresi Elipandi et Felicis* in his ed. Opp. Alcuini T. I. p. 923 seq. — **Welch's Ketzerhist.** Bd. 9, S. 667 seq.

It had long since been maintained by various writers of the Western church that Christ as *man* was only the adopted Son of God.<sup>1</sup> This doctrine was now more fully brought out and developed by

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supposing that there is here any rejection of the new phrase; nor is the reading p. 842 qui ex patre *filioque* procedit interpolated. On the other hand, *Alcuinus Epist. 75* (ed. Froben.) *ad fratres Lugdun.* Hispanici erroris sectas tota vobis cavete intentione. — Et Symbolo catholicæ fidei nova nolite inserere, et in ecclesiasticis officiis inauditas priscis temporibus traditiones nolite diligere.

<sup>6</sup> *Alcuini lib. de processione Spir.* S. ad Car. M. first printed in Opp. Alcuin. ed. Froben. T. I. p. 743. — *Theodulphi de Spir.* S. liber (in Theodulfi opp. ed. J. Sirmond. Par. 1646. 8vo. and in Sirmondii opp. T. II. p. 695). — cf. *Libr. Carolin.* lib. III. c. 3: ex patre et filio — omnis universaliter confitetur et credit ecclesia eum procedere.

<sup>7</sup> *Vossius* as above cited. *Guil. E. Tentzelii* judicia eruditorum de Symb. Athanas. Gothæ. 1687. 12mo. *Dan Waterland* critical history of the Athanasian creed. Cambridge. 1721. ed. 2. 1728. 8vo. *Quesnelli* diss. de variis fidei libellis in antiquo Rom. Ecclesiae Codice contentis (diss. XIV. in Leon. M. and in Gallandii de vetust. canonum collationibus dissertatt. syll. ed. Mogunt. T. I. p. 829) and *Balleriniorum* obss. ad Quesnelli diss. (ib. p. 842). Does not the evident affinity of the Athanasian creed with *Conc. Tolet.* III. and IV. authorise us in ascribing its origin to Spain? In France it is mentioned first by *Theodulphus de Spir.* S. *Hincmarus contra Godeschalcum* and in the Capitulis Presbyteris dat. (see § 11, note 16).

<sup>8</sup> Disputes of the monks in Jerusalem *Baluzii* Miscellan. T. VII. p. 14. — Collatio eum Papa Romæ a legatis habita et Epist. Caroli Imp. ad Leonem P. III. utraque a Smaragdo Abb. edita (*Mausi* T. XIV. p. 17 seq.) — *Anastasii vita* XCIVIII. Leonis tti. (Muratori p. 208): Hic vero pro amore et cantu orthodoxæ fidei fecit in basilica S. Petri scuta argentea duo, scripta utraque Symbolo, unum quidem literis Græcis, et aliud Latinis, etc. See also Photius epist. ad Patriarcham Aquil. in Combebisiū Auctario nov. P. I. p. 529.

<sup>1</sup> Comp. *Welchii hist. Adopt.* cap. I (p. 1—67). Especially *Fabius Marinus Victorinus* [about 360] *adv. Arium* lib. I.: Non sic filius, quemadmodum nos. Nos enim adoptione filii, ille natura. Etiam quadam adoptione filius et Christus, sed secundum carnem. *Isidorus Hispalensis Origini*, s. *Etymologg.* lib. VII. c. 2: Unigenitus autem vocatur secundum Divinitatis excellentiam, quia sine fratribus: Prinogenitus secundum susceptionem hominis, in qua per adoptionem gratia fratres habere dignatus est, de quibus esset primogenitus. The authorities on this subject in the Epist. Episcoporum Hispan. ad Episc. Gallie, etc. and in the Epist. Elipandi ad Alcuinum (see notes 6 and 11), Ambrose, Hilary, Jerome, Au-

Elipand, archbishop of Toledo, and Felix, bishop of Urgel,<sup>2</sup> most probably in the course of controversy with a certain bishop Meginius.<sup>3</sup> Having been long contested in Spain,<sup>1</sup> it at length began

gustine Isidore Hispal, are mostly inapplicable. At the close : Item Praedecessores nostri Eugenius, Ildephonse, Julianus Toletanus Antistites in suis dogmatibus ita diverunt in Missa de Cena Domini : "Qui per adoptivi hominis passionem, dum suo non indulxit corpori, nostro denum — pepercit." — Item in Missa de Ascensione Domini : — "Hodie Salvator noster post adoptionem carnis sedem repetit Deitatis." Item in Missa defunctorum : "Quos fecisti adoptionis participes, jubeas hereditatis tue esse consortes." These passages are really found in the Liturgia Mozarabica ed. Alex. Lesle. Romæ. 1755. 4to. — The passage *Hilarius de trinit.* II. c. 29 : Parit virgo: partus a Deo est. Infans vagit: laudantes angeli audiuntur. Panni sordent: deus adoratur. Ita potestatis dignitas non amittitur, dum carnis humilitas *adoptatur* is on erit grounds remarkable. Alcuinus e. Felicem lib. VI. c. 6, complains that the passage is corrupt, and reads *adoratur*, Agobardus adv. Felic. c. 49, explains it correctly by *adsumitur* (juxta hunc modum et ceteros doctores dixisse et sensisse, ubicumque nomen et verbum adoptionis in fidei dogmatibus inseruerunt, credimus). Concerning the controversy between P. Constant, who in his ed. of Hilarius defends *adoptatur*, and Barth. Germonius, who would substitute *adoratur*, see Welch hist. Adopt. p. 26 seq.

<sup>2</sup> *Epist. Episc. Hisp. ad Episc. Galliae*, etc. c. 2: Nos — confitemur et credimus, Deum Dei filium ante omnia tempora sine initio ex Patre genitum — non adoptione sed genere, neque gratia sed natura: — pro salute vero humani generis, in fine temporis ex illa intima et ineffabili Patris substantia egrediens, et a Patre non recedens, hujus mundi infima petens, ad publicum humani generis apparens, invisibilis corpus adsumens de virginie, ineffabiliter per integra virginalia Matris enixus: secundum traditionem Patrum confitemur et credimus, eum factum ex muliere, factum sub lege, non genere esse filium Dei sed adoptione; neque natura sed gratia, id ipsum eodem Dominino attestante qui ait: "Pater major me est." (Jo. xiv. 28. Further Lue. i. 80. Jo. i. 14.) — Cap. 9: Credimus igitur et confitemur Deum Dei filium, lumen de lumine, Deum verum ex Deo vero, ex Patre *Unigenitum* sine adoptione; *Primogenitum* vero in fine temporis, verum hominem assumendo de Virgine in carnis adoptione: *Unigenitum* in natura; *Primogenitum* in adoptione et gratia. Proofs from Rom. viii. 29 (prinogenitus in multis fratribus). Ps. xxii. 23. Unde fratres, nisi de sola carnis adoptione, per quod fratres habere dignatus est? Especially 1 Joh. iii. 2 (similes ei erimus): Similes utique in carnis adoptione, non similes ei in Divinitate. For the Filius unigenitus were cited Ps. ex. 4. (Ex utero ante Luciferum genui te) xliv. 2. Jes. xlv. 23. Prov. viii. 25, for the Filius primogenitus et adoptivus Deut. xviii. 15. (Prophetam suscitabit Dominus Deus de fratribus vestris) Matth. xvii. 5. Ps. lxxxix. 27 seq. Ps. ii. 8. Jes. xlv. 2, 3, Mich. vi. 7, etc. Cap. 10: (credimus) in uno eodemque Dei et hominis filio in una persona; duabus quoque naturis plenis atque perfectis, Dei et hominis, domini et servi, visibilis atque invisibilis, tribus quoque substantiis, verbi scilicet, anima et carnis. — *Felix* (ap. Alcuin. contra Felicem lib. IV. c. 2): Secundo autem modo nuncupative Deus dicitur, sicut superius dictum est de sanctis predicatoribus, de quibus Salvator Judais ait: "Si enim illos dixit deos, ad quos Dei sermo factus" (Jo. x. 35): qui tamen non natura ut Deus, sed per Dei gratiam ab eo, qui verus est Deus, deificati dii sunt sub illo vocati: in hoc quippe ordine Dei filius dominus et redemptor noster juxta humanitatem, sicut in natura ita et in nomine, quamvis excellentius cunctis electus, verissime tamen cum illis communicat, sicut et in ceteris omnibus i.e. in *praedestinatione*, *in electione*, *in gratia*, *in susceptione*, *in adsumptione nominis servi otque applicatione*, seu cetera his similia, ut idem qui essentialiter cum Patre et Spiritu Sancto in unitate Deitatis verus est Deus, ipse in forma humanitatis cum electis suis per adoptionis gratiam *deificatus* fieret, et *nuncupative Deus*.

<sup>3</sup> Called in the *Epist. Episc. Hisp. ad Episc. Galliae*, etc. c. 17: Casianorum et Salibancorum [Sabellianorum] Magister. An Epist. Elipandi ad Migetium is found in the Espanna sagrada by Henr. Florez (Madrid. 1754 — 76. 31 Th. 4to.) T. V. p. 543.

<sup>4</sup> First contradicted by *Beatus* and *Etherius* — which then called forth *Elipandi*

to spread in France, so that Charlemagne thought it necessary for him to interfere. Felix was forced to retract, first at Ratisbon (A. D. 792) and then at Rome.<sup>5</sup> Eliwand having complained to the emperor of this treatment,<sup>6</sup> a synod was held at Frankfort (A. D. 794), at which Adoptianism was condemned anew.<sup>7</sup> After many fruitless attempts by various writers, of whom Alcuin was the most important,<sup>8</sup> to convince the Adoptians of their error,<sup>9</sup> Felix was

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*epist. ad Fidelem Abbatem* A. D. 785 (preserved in the answer, best edited in Alcuini Opp. ed. Froben. T. II. p. 587). — On the other side *Beati et Etherii adv. Eliwandum* libb. II. (best in Canisii lectt. antt. ed. Basnage T. II. P. I. p. 269 and Gallandius T. XII. p. 299, though many corrections might still be made from the Codd. Toletanus cf. Gregor. Majans in Alcuini Opp. ed. Froben T. II. p. 592 seq.) — Vid. *Hadriani P. I. epist. ad Episcopos per universam Spaniam commorantes* in the Cod. Carol. no. 97, in Mansi T. XII p. 814. Doubts of the genuineness Waleh's Ketzherist. Bd. 9, S. 747.

<sup>5</sup> In the Acts of the Synod of Narbonne A. D. 788 (ed. *Eoluz. ad de Marea concord. Sac. et Imp. lib. VI. c. 25. Mansi T. XII. p. 821*) the introduction and the signatures, which have reference to this subject, are probably spurious. Waleh, I. c. S. 687 f. 719 f. — Concerning the Synods at Ratisbonne and Rome, see the accounts: *Alcuinus adv. Eliwandum* lib. I. c. 16. *Acta Conc. Rom. ann. 799* (vid. Mansi T. XII. p. 1031) and all the Frank annals.

<sup>6</sup> *Epist. Episcop. Hispaniae ad Carol. M.* (prim. ed. H. Florez in Espanna sagrada T. V. p. 558. Waleh, hist. Adopt. p. 154. Amended in Opp. Alcuini ed. Froben T. II. p. 567). *Epist. Episcop. Hispaniae ad Episc. Galliae, Aquitaniae et Austriae* (prim. ed. Froben ex Cod. Tolet. I. c. p. 568 seq.).

<sup>7</sup> *Acta Conc. Francofordiensis* (Mansi T. XII. p. 863). Also: *Epist. Hadriani P. I. ad Episc. Hispaniae* (ib. p. 865), *Libellus Episcoporum Italiae contra Eliwandum* or *Paulini Aquilej. libellus saecro-syllabus* (ib. p. 873, and in the works of Paulinus), *Synodica Concilii ab Episc. Galliae et Germaniae ad Praesules Hispaniae missa* (ib. p. 883), then *Can. Francof. I.* (ib. p. 909), and lastly *Caroli M. Epist. ad Eliwandum et ceteros episcop. Hispaniae* (ib. p. 899).

<sup>8</sup> First *Alcuini libellus adv. heresim Felicis ad Abbates et Monachos Gothiae missus* (prim. ed. Froben ex Cod. Vatic. in Opp. Alcuini T. I. p. 759 seq.) and *Epist. ad Felicem* (prim. ed. Froben ex. cod. Salisburg. I. c. p. 783 seq.). Against this last *Felicis libellus contra Alcuinum*, of which there remain only fragments in the works on the other side. Of this work *Alcuini epist. 68. ad Dominum Regem*: *Hujus vero libri, vel magis erroris responsio multa diligentia et pluribus adjutoriis est consideranda. Ego solus non sufficio ad responsionem. Pravideat vero tua sancta Pietas huic operi tam arduo, et necessario adjutores idoneos, etc. Ejusd. Epist. 69. ad eund.:* *De libello vero Infelicitis non magistri sed subversoris placet mihi valde, quod vestra sanctissima voluntas et devotione habet curam respondendi ad defensionem fidei catholicæ. Sed obsecro, si vestra placeat pietati, ut exemplarium illius libelli Domino dirigatur Apostolico, aliud quoque Paulino Patriarchæ, similiter Richbono, et Teudulfo Episcopis, Doctoribus et Magistris, ut singuli pro se respondeant. Flaccus vero tuus tecum laborat in reddenda ratione catholicæ fidei. Tantum detur ei spatium, ut quiete et diligenter licet illi cum pueris suis considerare Patrum sensus; quid unusquisque diceret de sententiis, quas posuit præfatus subversor in suo libello. Et tempore præfinito a vobis, ferantur vestrae auctoritati singulorum responsa.* This was followed by the *Council Roman. ann. 799*, at which Leo III pronounced an anathema against Felix, Mansi T. XII. p. 1029. The writings of *Paulini Aquilej. libb. III. adv. Felicem Orgelitanum* (best ed. in Paulini Opp. ed. J. F. Madrisi Venet. 1737. p. 95 seq.) and *Alcuini libb. VII. adv. Felicem* (ed. Froben T. I. p. 788) first appeared after the Council of Aix-la-Chapelle.

<sup>9</sup> The great reproach cast on the Adoptians was always that of Nestorianism, e. g. *Alcuinus contra Felicem lib. I. c. II*: *Sicut Nestoriana impieitas in duas Christum dividit personas propter duas naturas; — ita et vestra iudeota temeritas in duos cum dividit filios, unum proprium, alterum adoptivum. Si vero Christus est proprius filius Dei Patris et adoptivus: ergo est alter et alter. Similiter si in divinitate*

at last persuaded by Alcuin to yield at a synod at Aix A. D. 799.<sup>10</sup> Elipand, however, resisted the persuasions of Alcuin with great bitterness.<sup>11</sup> After the death of Felix, indeed, at Lyons (A. D. 818), proofs were found that he had by no means entirely abandoned his opinions;<sup>12</sup> but having lost their leaders the Adoptians soon sank into oblivion.<sup>13</sup>

### § 15.

#### CONTROVERSIES OF PASCHASIUS RADBERTUS.

Paschasius Radbertus,<sup>1</sup> a monk, and from A. D. 844 – 851 abbot,

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Deus verus est, et in humanitate Deus incompativus, alter et alter est, et nullatenus sic sentientes potestis vobis evitare impietatem Nestorianæ doctrinæ: quia quem ille in duas personas dividit propter duas naturas, hunc vos dividitis in duos filios; et in duos Deos per adoptionis nomen et nuncupationis. *Lib. IV. c. 5:* Nam si duas personas in uno Christo propter apertam blasphemiam timeas fateri, tamen omnia, quæ duabus personis inesse necesse est, in tua confessione confirmare non metuis. On the other hand *Lib. II. c. 12:* Adsumit namque sibi Dei filius carnem ex virgine, et non amisit proprietatem, quam habuit in Filii nomine; sed quamquam duas habuisset post nativitatem ex virgine naturas, tamen unam proprietatem in filii persona firmiter tenuit. Accessit humanitas in unitatem personæ Filii Dei, et mansit eadem proprietas in duabus naturis in Filii nomine, quæ ante fuit in una substantia. In adsumptione namque carnis a Deo persona perit homini, non natura. In nobis est persona adoptionis, non in Filio Dei: quia singulariter ille unus homo ex Deo conceptus et in Deum adsumptus habet proprietatem Filius Dei esse, quod omnes Sancti habent per adoptionem gratia Dei. — Nee in illa adsumptione alius est Deus, alius homo, vel alius Filius Dei, et alius Filius Virginis: sed idem est Filius Dei, qui et Filius Virginis; — ut sit unus Filius etiam proprius et perfectus in duabus naturis Dei et hominis.

<sup>10</sup> See *Confessio fidei Felicis, Orgelitanæ sedis Episcopi*, quam ipse post spretum errorem suum in conspectu concilii edidit, et tis, qui in ipso errore ei dudum consentientes fuerant, direxit (Mansi T. XIII. p. 1035 seq. and in Alcuini opp. ed. Froben T. I. p. 917 seq.) and *Alcuinus adv. Elipandum lib. I. c. 16.*

<sup>11</sup> First *Epist. Alcuini ad Elipandum* (Alcuini Opp. ed. Froben T. I. p. 863), and *Epist. Elipandi ad Alcuinum* (ib. p. 868), both A. D. 799. The last begins: Reverentissimo fratri Albino Diacono, non Christi ministro, sed Antiphrasii Beati fœtidissimi discipulo, tempore glorioi Principis in finibus Austriae exorto, novo Arrio, sanctorum venerabilium Patrum Ambrosii, Augustini, Isidori, Hieronymi doctrinis contrario, si se converterit ab errore via sue, a Domino aeternam salutem: et si noluerit, aeternam damnationem. After this *Alcuini adv. Elipandum libb. IV.* (ib. p. 876 seq.).

<sup>12</sup> See a posthumous work of his extracted and refuted in *Agobardi liber adv. dogma Felicis Episc. Urgellensis ad Ludovicum Pium Imp.*

<sup>13</sup> In the middle ages Folmar (about 1160) defended the Adoptian notions (Walch hist. Adopt. p. 247); and Duns Scotus (1300) and Durandus a S. Porciano (1320) admit the expression filius adoptivus in a certain sense (Walch, I. c. p. 253). — In later times the Adoptians have been defended among the Catholics by the Jesuit Gabr. Vasquez commentator. in Thomam (Ingolst. 1606. fol.) in P. III. diss. 89, c. 7, amongst the Protestants by G. Calixtus (Helmstädt. Weihnachtsprogr. A. D. 1643. reprinted in Ejusd. de persona Christi dissertationum fasciculus ed F. U. Calixtus. Helmst. 1663. p. 96) and others (Walch, I. c. p. 256 seq.).

<sup>1</sup> The views prevalent in the time immediately preceding that of Radbertus (Beda, Alcuin, Charlenagne) may be found in Cramér's Fortsetzung von Bossuet, Disc. sur l' Histoire Univ. Bd. I. S. 222.

of Corbey († A. D. 865)<sup>2</sup> first reduced the fluctuating expressions long in use concerning the body and blood of Christ in the holy supper, to a regular theory of transubstantiation.<sup>3</sup> His doctrine, however, met with very considerable opposition. Rabanus Maurus rejected it entirely,<sup>4</sup> Ratramnus,<sup>5</sup> in the opinion for which he was called upon by

<sup>2</sup> Concerning him, vid. Hist. lit. de la France T. V. p. 287. *Opea* (of which the most remarkable the *Commentar. in Evang. Matth. libb. XI.*) ed. J. Sirmond. Paris. 1618. fol. and afterwards in *Bibl. PP. Lugd. T. XIV.* p. 352 seq.

<sup>3</sup> *Pasch. Radb. lib. de corpore et sanguine Domini* 831, dedicated to Marinus, abbot of New Corbey; in the second edition A. D. 844 presented to Charles the Bald. The early printed editions (prim. ed. Hioh Gastius. Hagenow. 1528. 4to.) are mutilated. The first correct ed. Nicol. Mameranus. Colon. 1550. 8vo. Afterwards many editions—the best in *Edm. Martene et Ursini Durand veterum Script. et monument. amplissima collectio* (Par. 1724—33. T. IX. fol.) T. IX. p. 367 seq. cf. *Hist. lit. de la Fr.* T. V. p. 294 seq. — *Cap. I:* Patet igitur quod nihil extra vel contra Dei velle potest, sed cedunt illi omnia omnino. Et ideo nullus moveatur de hoc corpore Christi et sanguine, quod in mysterio vera sit caro et verus sit sanguis, dum sic voluit ille qui creavit: “*Omnia enim quecumque voluit fecit in celo et in terra*” (*Ps. cxxxv. 6*): et quia voluit, licet in figura panis et vini maneat, haec sic esse omnino, nihilque aliud quam caro Christi et sanguis post consecrationem credenda sunt: unde ipsa Veritas ad discipulos: “*Hæc*,” inquit, “*caro mea est pro mundi vita*;” et ut mirabilius loquar, non alia plane, quam quæ nata est de Maria, et passa in cruce et resurrexit de sepulcro. *Cap. 4:* Sed quia Christum vorari fas dentibus non est, voluit in mysterio hunc panem et vinum vere carnem suam et sanguinem consecratione Spiritus Sancti potentialiter creari, creando vero quotidie pro mundi vita mystice immolari, ut sicut de Virgine per Spiritum vera caro sine coitu creatur, ita per eundem ex substantia panis ac vini mystice idem Christi corpus et sanguis conseretur; de qua videlicet carne et sanguine: “*Amen, amen,*” inquit, “*deo vobis, nisi manducaveritis carnem filii hominis, etc. (Jo. vi. 53)*” *Cap. 14:* Examples, quod hæc mystica corporis et sanguinis Sacraenta—visibili specie in agni formam aut in carnis et sanguinis colore monstrata sint, or tamquam puerulus jacens super altare, etc. *Cap. 29:* — Non modo caro aut sanguis Christi in nostram convertuntur carnem aut sanguinem, verum nos a carnalibus elevant et spiritales efficiunt. Hoc sane nutritur in nobis, quod ex Deo natum est et non quod ex carne et sanguine. — Frivolum est ergo—in hoc mysterio cogitare de stercore, ne commisceatur in digestione alterius cibi. Denique ubi spiritualis esca et potus sumitur, et Spiritus S. per eum in homine operatur, ut si quid in nobis carnale adhuc est, transferatur in spiritum, et fiat homo spiritualis, quid commixtionis habere poterit? Comp. *Pasch. R. Epistola ad Fredugardum de corp. et sang. Dom. and Ejusd. expositio in Matth. Ev. lib. XII. ad Matth. xxvi. 26.* Even J. Sirmond concedes, in his vita Paschasii: Genuinum ecclesiae catholice sensum ita primus explicuit, ut viam ceteris aperierit, qui de eodem arguento multa postea scripserunt.

<sup>4</sup> *Rab. M. Epist. ad Heribaldum Antissidorensem Episc. s. liber pœnitentialis cap. 33* (in Canisii Lectt. antt. T. II. P. 2, p. 311): Quod autem interrogasti, utrum Eucharistia, postquam consumitur, et in secessum emittitur more aliorum ciborum, iterum redeat in naturam pristinam, quam haberat, antequam in altari consecraretur: superflua est hujusmodi questio, cum ipse Salvator dixerit in Evangelio: “*Omne quod intrat in os, in ventrem vadit, et in secessum emittitur (Matth. xv. 17).*” Sacramentum corporis et sanguinis ex rebus visibilibus et corporalibus conficitur, sed invisibilem tam corporis quam animæ efficit sanctificationem et salutem. Quæ est enim ratio, ut hoc, quod stomacho digeritur, et in secessum emittitur, iterum in statum pristinum redeat, cum nullus hoc unquam fieri esse asseruerit. Nam quidam nuper de ipso Sacramento corporis et sanguinis Domini non rite sentientes dixerunt: hoc ipsum corpus et sanguinem Domini, quod de Maria Virgine natum est, et in quo ipse Dominus passus est in cruce, et resurrexit de sepulcro [idem esse quod sumitur de altari]. Cui errori quantum potuimus, ad *Egilum Abbatem* sribentes, de corpore ipso quid vere credendum

the emperor, and which has been often erroneously attributed to John

sit apocryphus. This letter to Egilius is no longer extant. Mabillon supposes it to be the *Dicta coiudicis sapientis de corpore et sanguine Domini ad. Ratbertum* (Act. SS. Ord. Bened. T. VI. p. 591) edited by him from a Col. Gemblac., comp. the Praef. ad h. Tom. no. 57-60. — et *Rab. Maur. de institutione clericorum* lib. I. c. 31 (Hittorp, p. 324): *Mahuit enim Dominus corporis et sanguinis sui sacramenta fidelium ore percipi, et in pastum eorum redigi, ut per visible opus invisibilis ostenderetur effectus.* Sicut enim cibus materialis fornicatus nutrit corpus et vegetat, ita etiam verbum Dei intus animam nutrit et roboret. — aliud est sacramentum, aliud virtus sacramenti. Sacramentum enim ore percipitur, virtute sacramenti interior homo satiatur: Sacramentum in alimentum corporis redigitur, virtute autem sacramenti aeterna vita adipiscitur. — Quia panis corpus confirmat, ideo ille corpus Christi congruenter nuncupatur, vinum autem, quia sanguinem operatur in carne, ideo ad sanguinem Christi refertur: huc autem dum sunt visibilia, sanctificata tamen per Spiritum S., in sacramentum divini corporis transeunt. Lib. III. c. 13. Amongst the examples of figurative language: “*Nisi manducaueritis;*” inquit, “*carnem filii hominum;*” etc. (Jo. vi. 53). Facinus vel flagitium videtur jubere. Figurata ergo est, praecipiens passionis Domini esse communicandum; et suaviter atque utiliter recolendum in memoria, quod pro nobis caro ejus crucifixa et vulnerata sit (word for word from August. de doctr. christ. III. cap. 16).

<sup>3</sup> *Ratr. de corpore et sang. Domini liber ad Carol. R.* (prim. ed. cum præf. Leonis Juda, Colon. 1532. 8vo. oīlen ed. both in the original and in translations, best by Jac. Boileau. Paris. 1712. 12mo.) Quod in ecclesia ore fidelium sumitur corpus et sanguis Christi, quarit vestre Magnitudinis Excellentia, in mysterio fiat an in veritate? i. e. *utrum* aliquid secreti contineat, quod oculis fidei solummodo patet — et *utrum* ipsum corpus sit, quod de Maria natum est et passum, etc. Following these two questions the book is divided into two parts. In answer to the first: Ille panis, qui per sacerdotis ministerium Christi corpus efficitur, aliud exterius humanis sensibus ostendit, et aliud interius fidelium mentibus clamat. Exterius quidem panis, quod ante fuerat, forma prætenditur, color ostenditur, sapor accipitur: ast, interius longe aliud, multoque preciosius multoque excellentius intimatur, quia celeste, quia divinum, i. e. corpus Christi ostenditur, quod non sensibus carnis, sed animi fidelis contuitu vel adspicitur, vel accipitur, vel comeditur. § 2: — Hac ita esse dum nemo potest abnegare, claret, quia panis ille vinumque figurate Christi corpus et sanguis existit. — Nam si secundum quosdam figurate nihil hic accipiatur, sed totum in veritate conspiciatur, nihil hic fides operatur: quoniam nihil spirituale geratur; sed quicquid illud est, totum secundum corpus accipitur. — At quia confitentur et corpus et sanguinem Christi esse, nec hoc esse potuisse, nisi facta in melius commutatio; neque ista commutatio corporaliter, sed spiritualiter facta sit; necesse est, ut jam figurate facta esse dicatur, quoniam sub velamento corporis panis corporeique vini spirituale corpus Christi spiritualisque sanguis existit. Non quod duarum sint existentiae rerum inter se diversarum, corporis videlicet et spiritus: verum una eademque res secundum aliud species panis et vini consistit, secundum aliud autem corpus et sanguis Christi. Secundum namque, quod utrumque corporaliter contingit, species sunt creaturæ corporeæ, secundum potentiam vero, quod spiritualiter factæ sunt, mysteria sunt corporis et sanguinis Christi. Consideremus fontem sacri baptismatis, qui fons vita non immortale nuncupatur — si consideretur solummodo, quod corporeus aspicit sensus, elementum fluidum conspicitur. — Sed accessit S. Spiritus per sacerdotis consecrationem virtus. — Igitur in proprietate humor corruptibilis in mysterio vero virtus sanabilis. Sic itaque Christi corpus et sanguis superficie tenus considerata creatura est mutabilitati, corruptelaque subiecta, si mysterii vero perpendis virtutem, vita est participantibus se, tribuens immortalitatem. Non ergo sunt idem, quod cernuntur, et quod creduntur. Secundum enim quod cernuntur, corpus pascunt corruptibile, ipsa corruptibilia; secundum vero quod creduntur, animas pascunt in aeternum victuras, ipsa immortalia. — Sunt autem sacramenta baptismus et chrisma, corpus et sanguis. Quæ ob id sacramenta dicuntur, quia sub tegumento corporalium rerum virtus divina secretus salutem eorundem sacramentorum [ope] operatur. In answer to the second question: — Ait enim (Ambrosius): “in illo sacramento Christus est;” non enim ait: “ille

Scotus,<sup>6</sup> declared decidedly against it, and all the most respected theologians of the day adhered to the more reasonable view.<sup>7</sup> Still this

panis et illud vīnum Christus est." — Est quidem corpus Christi, sed non corporale sed spirituale; est sanguis Christi, sed non corporalis sed spiritualis. — Corpus Christi, quod mortuum est et resurrexit et immortale factum, jam non moritur — aeternum est nec jam possibile. Hoc autem, quod in ecclesia celebratur, temporale est non aeternum, corruptibile est non incorruptum. — Quod si non sunt idein, quomodo verum corpus Christi dicitur et verus sanguis? — De vero corpore Christi dicitur, quod si verus Deus et verus homo, qui in fine saeculi ex Maria virgine genitus. Haec autem dum de corpore Christi, quod in ecclesia per mysterium geritur, dici non possunt, secundum quendam modum corpus Christi esse cognoscitur. Et modus iste in figura est et imagine, ut veritas res ipsa sentiatur. In orationibus, qua post mysterium sanguinis corporisque Christi dicuntur, et a populo responderetur amen, sic sacerdotis voce dicitur: "Pignus aeternae vite capientes humiliiter imploramus, ut quod imagine contingimus, sacramenti manifesta participatione simannus." Et pignus nempe et imago alterius rei sunt, i. e. non ad se, sed ad aliud adspicunt. Pignus nempe illius rei est, pro qua donatur, imago illius, cuius similitudinem ostendit. Significant nempe ista rem, cuius sunt, non manifeste ostendunt. Quod quum ita est, apparet, quod hoc corpus et sanguis pignus et imago rei sunt futurae, ut quod nunc per similitudinem ostenditur, in futuro per manifestationem reveletur. — Item alibi: "Perficiant in nobis, Domine, quæsumus, tua sacramenta, quod continent, ut quæ nunc specie gerimus, rerum veritate eapiamus." Dicit quod in specie gerantur, ista in veritate, i. e. per similitudinem, non per ipsius rei manifestationem. Differunt autem a se species et veritas. Quapropter corpus et sanguis, quod in ecclesia geritur, differt ab illo corpore et sanguine, quod in Christi corpore per resurrectionem jam glorificatum cognoscitur. Et hoc corpus pignus est et species, illud vero ipsa veritas. — Videamus itaque multa differentia separari mysterium sanguinis et corporis Christi, quod nunc a fidelibus sumitur in ecclesia, et illud quod natum est de Maria virgine, quod passum, quod sepultum, quod resurrexit, quod cœlos ascendit, quod ad dexteram patris sedet. — Docemur a salvatore nec non a S. Paulo Apostolo, quod iste panis et iste sanguis, qui super altare ponitur, in figuram sive memoriam dominice mortis ponatur, ut quod gestum est in praeterito, praesenti revocet memoriae, ut illius passionis memores effecti, per eam efficiamur divini munieris consortes, per quam sumus a morte liberati. Cognoscentes, quod ubi pervenerimus ad visionem Christi, talibus non opus habebimus instrumentis, quibus admonemur, etc. — The earlier Catholic theologians universally considered this as an heretical work, and supposed it to be a spurious production of the Protestants. Hence included in the Index libr. prohibit. of A. D. 1559. It was first adopted as Catholic by *De Sainte Beure*, 1655, who was followed therein by *Jo. Mabillon*, *Act. SS. Ord. Bened. T. VI. pref. p. 44*, and *Ann. Bened. lib. XXXV. § 40*, and *J. Boileau* in his ed.

<sup>6</sup> All the writers of the next succeeding centuries speak either of a work of Ratramnus or of John Scotus, on the Sacrament; those who mention the one say nothing of the other. Afterwards, indeed, they were distinguished as distinct works, and as that of Ratramnus only was found in the Cod., that of Scotus was supposed to be no longer extant. On the other hand, P. de Marca (*Epist. ad d'Acherium* in the *Spicilegia* of d'Acherius, T. II, p. 852, ed. 2.) supposes that there was but one work, and that by the heterodox Scotus. An attempt is made also by F. W. Laufs, in the *theol. Studien und Kritiken*, Bd. I (1828) Heft. 4. p. 755, to prove the identity of the works, though he supposes Ratramnus to have been the author.

<sup>7</sup> e. g. *Hildegard Strabo de rebus eccles.* c. 16: (Christus) corporis et sanguinis sui sacramenta in panis et vini substantia eisdem discipulis tradidit, et ea in commemorationem sanctissime sue passionis celebrare perdoceuit, (c. 17:) illius unitatis perfectae, quam cum capite nostro jam spe, postea re, tenebimus, pignora. *Christian. Druthmar Exposit.* in Matth. xxvi, 26 seq. Dedit discipulis sacramentum corporis sui — ut mentiores illius facti semper hoc in figura facerent (facere?) quod pro eis acturus erat, non obliviscerentur. "Hoc est corpus meum" i. e. in sacramento (*Sixt. Senensis Bibl. Sanct. lib. VI. p. 158* reads, according to a Cod. Lugd. hoc est vere in sacramento subsistens). — Vinum et

mystical doctrine, which had probably existed for a long time amongst the common people, though never before theologically developed, was not without its advocates; and it was easy to foresee that it needed only a time of greater darkness and ignorance, such as soon followed, to become prevalent.

In the same mystical spirit Radburtus taught also the *miraculous delivery of Mary*,<sup>9</sup> though here again he was opposed by Ratramnus.<sup>10</sup>

laetificat et sanguinem arget. — Et idcirco non inconvenienter sanguis Christi per hoc figuratur. — Sicut denique si aliquis peregre proficiscens dilectoribus suis quoddam vinculum dilectionis relinquit, eo tenore, ut omni die haec agant, ut illius non obliviscantur: ita Deus praecepit agi a nobis, transuersus *spiritualiter* (*Sixt. Sen.* i. e. leaves out the *spiritualiter*) corpus in panem, vinum in sanguinem, ut per hæc duo memoremus que fecit pro nobis, etc. (But the edition by J. Wimpheling, Strasb. 1514, really exists, and has the common text, see *Cave T. II.* p. 25. *Hist. lit. de la Fr.* T. V. p. 89). — *Florus Magister de expositione Missæ* (complete first in Martene et Durand amplissima collect. T. IX. p. 577 seq.) c. 4: Hujus sacrificii caro et sanguis ante adventum Christi per victimas similitudine promittebatur, in passione Christi per ipsam veritatem reddebat, post ascensum Christi per sacramentum memoria celebratur. *Idem ade. Amalarium* (*ibid.* p. 641 seq.) c. 9: Prorsus panis ille sacrosancta oblationis corpus est Christi, non materie vel specie visibili, sed virtute et potentia spirituali. — Simplex e frugibus panis conficitur, simplex e botris vinum liquatur, accedit ad haec offertenis ecclesiæ fides, accedit mysticæ precis consecratio, accedit divinae virtutis infusio; sieque miro et ineffabili modo, quod est naturaliter ex germine terreno panis et vinum, efficitur spiritualiter corpus Christi, i. e. vita et salutis nostræ mysterium, in quo aliud oculis corporis, aliud fidei videmus obtenu, nec id tantum, quod ore percipimus, sed quod mente credimus, libamus. — Mentis ergo est cibus iste, non ventris, non corruptitur sed permanet in vitam aeternam. — Corpus igitur Christi — non est in specie visibili, sed in virtute spirituali, etc. Radbert himself mentions the opposition he met with in *Exposit. in Matth. lib. XII. ad Matth. xxvi. 26*. Audiant qui volunt extenuare hoc verbum corporis, quod non sit vera caro Christi, quæ nunc in sacramento celebratur in Ecclesia Christi, neque verus sanguis ejus, nescio quid volentes plaudere aut fingere, quasi quedam virtus sit carnis et sanguinis in eo tantummodo sacramento. — Miror, quid velint nunc quidam dicere, non in re esse veritatem carnis Christi vel sanguinis: sed in sacramento virtutem quandam carnis et non carnem, virtutem fore sanguinis et non sanguinem, figuram et non veritatem, umbram et non corpus. — Hæc idcirco prolixius dixerim et expressius, quia audivi quosdam me reprehendere, qua si ego in eo libro, quem de sacramentis Christi edideram, aliquid his dictis (namely, *Hoc est corpus m.* etc.) plus tribuerem voluerim, aut aliud quam ipsa veritas repromittit, etc.

<sup>8</sup> Especially *Haimonis tract. de corp. et sang. Dom.*, or rather a fragment of a Comin. on 1 Cor. (in d'Achery Spicileg. ed. nov. T. I. p. 42 seq.) and *Hincmarii Ep. ad Carol. Calv. de cavendis viiis et virtutibus exercendis* cap. 12.

<sup>9</sup> *Pasch. Ratb. opusc. de partu virginis* addressed to a venerabilis matrona Christi una cum sacris virginibus Vesona monastice degentibus (in d'Achery Spicil. T. I. p. 44 seq.): Dicunt enim (viz. his opposers) non aliter b. Virginem Mariam parere potuisse, neque aliter debuisse, quam communis lege naturæ, et sicut mos est omnium seminarum, ut vera nativitas Christi dici possit. — Non dico, quod dicant, virginitatem amisisse, quæ nesciens virum Virgo concepit, Virgo peperit, et Virgo permanebat: sed quia id ipsum, quod confitentur, negant, dum dicunt, eam communis lege naturæ pueroram filium edidisse. Quod si ita est, ut astrunnt et affirment, quod absit, Maria Virgo non est, Christus sub maledicto natus est, ira filius de carne peccati etc. — Nam et ipsa lex naturæ, sub qua nunc mulieres concipiunt et pariunt, ut ita dicam, vere non est lex naturæ quodammodo, sed maledictionis et culpæ. — Ideo sicut (Christus) clavis visceribus jure creditur conceptus, ita omnino et clauso utero natus. — sicut mirabiliter conceptus, ita mirabiliter Deus et homo natus. — Non est credendum quod ejus (Mariæ) puerum doloribus et genitibus more femininarum subjacerit. — Christus de Virgine speciali et ineffabili quodammodo procreatus, absque vexatione matris ingressus

## § 16.

## CONTROVERSIES OF GOTTSCHALK.

*Jac. Usserii* Gotteschalei et prædestinationis controversie ab eo motæ hist. Dublini 1631. 4to. Hanov. 1662. 8vo. — *Gilb. Manguini* vett. auctorum, qui sacerdotem IX. de prædestinatione et gratia scripsierunt, opera et fragm. Paris 1650. 2 voll. 4to. — *Lnd. Cellotii* hist. Gotteschalei prædestinationis. Paris 1655 fol. — *Natalis Alex.* diss. de causa Gotteschalei (in hist. eccl. sœc. IX et X diss. Vta). — *Jo. Jac. Hottingeri* diatribe hist. theol. qua prædestinationam et Godeschalei pseudohareses commenta esse demonstratur. Tiguri 1710. 4to. *Ejusd.* fata doctrina de prædestinatione et gratia Dei (Tig. 1727. 4to.) p. 397 seq. — *W. F. Gess* Merkwürdigkeiten aus dem Leben Hinkmars (Götting. 1806. 8vo. S. 15 seq.

Gottschalk,<sup>1</sup> a monk of Orbais, and a faithful follower of Augustine and Fulgentius, on a pilgrimage to Rome, taught the doctrine of a two-fold predestination (of the elect to life, and of the non-elect to death). For this he was accused by Rabanus Maurus of teaching a predestination to sin;<sup>2</sup> and having been condemned at a synod held in Mentz (A. D. 848),<sup>3</sup> he was delivered over to his Metropolitan

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est mundum — sine dolore et sine gemitu et sine ulla corruptione carnis. — cf. (*Ch. W. F. Walchii*) hist. controversie Sæc. IX de partu Virginis (Progr.) Gœtt. 1758. 4to.

<sup>10</sup> *Ratr. lib. de eo, quod Christus ex virginе natus est* (d'Achery l. c. p. 52 seq.) c. 1: Fama est, et quorundam non contemnenda cognovimus relatione, quod per Germaniae partes serpens antiquus perfidie novæ venena diffundat, et Catholicae super nativitate Salvatoris fidem, nescio qua fraudis subtilitate subvertere molitur; dogmatizans Christi infantiam per virginis januam vulvæ, humane nativitatis verum non habuisse ortum, sed monstruose de secreto ventris incerto tramite luminis in auras exisse, quod non est nasci, sed erumpi. — Jam ergo nec vere natus Christus, nec vere genuit Maria. He closes thus, c. 10: Ergo omnifariam adversario devicto, teneamus vera fide, confiteanur ore veridico, Verbum carnem factum, per ministerium vulvæ naturaliter natum, et secundum rationis consequentiam, et secundum divinarum testimonia scripturarum et secundum doctorum non contemnendam auctoritatem. Satis abundeque, ut astimo, monstratum est, Dominum Salvatorem de Virgine sicut hominem natum, non ut integratatem violaret illa nativitas, quia Maria Virgo fuit ante partum, Virgo in partu, Virgo manens et post partum; sed ut qui de virginis corpus assumit, et intra gremium virginale concrèvit, per aulam quoque virginem naturaliter nasceretur.

<sup>1</sup> Concerning an earlier controversy of Gottschalk's, at that time a monk in Fulda, with his abbot Raban, and the decision of the Synod of Mayence, A. D. 829, see the extracts of the Cent. Magd. from the now no longer extant Epistola Rabani and Ep. Hattonis ad Otgarinum *Centur. IX. cap. 9*, p. 401, and *cap. 10*, p. 543 and 546. This was no doubt the occasion of Raban's work, *contra eos qui repugnant institutis b. P. Benedicti* (prim. ed. *J. Mabillon* in Append. Annal. Bened. T. II. no. LI.) vid. *Mabillon Ann. Bened.* lib. XXV. c. 30.

<sup>2</sup> See *Rabani epist. ad Nottingum Episc. Veronensem* and *ad Eberardum comitem*, A. D. 847 (both first ed. by *J. Sirmond*: *De prædestinatione contra Gottescaleum epistola III.* Paris 1647. 8vo. and in Sirm. opp. T. II).

<sup>3</sup> Fragments of the statement of opinions made by Gottschalk to Rabanus are preserved in *Hincmar de prædestin.* c. 5: *Ego Gotescalehus credo et confiteor — quod gemina est prædestinationis, sive electorum ad requiem, sive reproborum ad*

Hinemar, archbishop of Rheims, for punishment, and by him, after much ill-treatment, sentenced to imprisonment, at the synod of Chiersy A. D. 849.<sup>4</sup> Gottschalk maintained that he had only held fast the doctrine of Augustine;<sup>5</sup> and, indeed, there were not a few who thought that Hinemar had encroached upon it. Prudentius, therefore, bishop of Troye,<sup>6</sup> Ratramnus,<sup>7</sup> and Servatus Lupus,<sup>8</sup> came for-

mortem: quia sicut Deus incommutabilis ante mundi constitutionem omnes electos suos incommutabiliter per gratiam suam predestinavit ad vitam aeternam, similiter omnino omnes reprobos, qui in die judicii damnabuntur propter ipsorum mala merita, idem ipse incommutabilis Deus per justum judicium suum incommutabiliter predestinavit ad mortem merito sempiternam. — c. 21: Unde te [Rabane] potius ejusdem catholicissimi doctoris [Augustini] fructuissimis assertionibus incomparabiliter inde quoque malueram nisi, quam erroneis opinib[us] Massiliensis Gennadii — et infelici Cassiani etc. — c. 27: H[oc] omnes impios et peccatores, quos proprio fuso sanguine filius Dei redimere venit, hos omnipotentis Dei bonitas ad vitam predestinatos irretractabiliter salvari tantummodo velit: et rursus illos omnes impios et peccatores, pro quibus idem filius Dei nec corpus assumpsit, nec orationem, ne dieo sanguinem fudit, neque pro eis ullo malo crucifixus fuit, quippe quos pessimos futuros esse praescivit, quosque justissime in aeterna praepicitando tormenta præfinivit, ipsos omnino perpetui salvari penitus nolit. Of the Synod of Mayence we have only *Rabani epist. synodalis ad Hinemarum* (first ed. by Sirmend in the work cited in note 2, Mansi T. XIV. p. 914.) according to which Gottschalk taught quod predestinatione Dei, sicut in bono, sia ita et in malo: et tales sint in hoc mundo quidam, qui propter predestinationem Dei, qua eos cogat in mortem ire, non possent ab errore et peccato se corriger; quasi Deus eos fecisset ab initio incorrigibilis, et penae obnoxios in interitum ire. On the other hand *Hinemar de predestin.* c. 15: concedes, Dicunt Gotescalchus et ejus affines: predestinavit Deus reprobos ad interitum, non ad peccatum. cf. *Remigius* in libro de tribus epistolis note 11 below.

<sup>4</sup> *Conec. apud Carisiacum Mansi T. XIV. p. 919.* According to *Flodoardus* (about A. D. 940) *hist eccl[esiæ] Rhemensis* lib. II, c. 28, Hinemar afterwards called on Gottschalk to confess Deum et bona præscire et mala; sed mala tantum præscire, bona vero et præscire et predestinare. Unde præscientia esse potest sine predestinatione: predestinatione autem esse non potest sine præscientia: et quia bonos præscivit et predestinavit ad regnum, malos autem præscivit tantum, non predestinavit, nec ut perirent sua præscientia compulit — which Gottschalk refused to subscribe.

<sup>5</sup> In his two confessions, written in prison (prim. ed. J. Usserius l. c. in append. p. 211 seq. *Mauguin* l. c. Tom. I. p. 7 seq.) In the longer one he thus refers to his adversaries: Te precor, Domine Deus, gratis eccl[esiæ] tuam custodias, ne sua diutius eam falsitate pervertant, haeresosque suæ pestifera de reliquo pravitate subvertant, licet se suosque secum lugubriter evertant. Ego vero gratis edoctus ab ipsa veritate — hic evidenter expressam de predestinatione tua fidem catholicam fortiter teneo, veraciter patenterque defendo; et quincunque contraria dogmatizare cognosco, tamquam pestem fugio, et tamquam haereticum abjicio. — Porro conflictum eujustlibet eorum, si semel his lectis et intellectis cedere noluerit, et instar Pharaonis induratus, haeretico videlicet more, tam manifestæ veritati acquiescere contemserit, secundum consilium vel potius præceptum Apostoli, jam mili vitandum censeo. — Attamen propter minus peritos et ob id ab eis illectos, et nisi corrigantur, perditos, optare in publicum, si tibi Domine placeret, fieri conventum: quatenus adstruta palam veritate, et destructa funditus falsitate, gratias ageremus communiter tibi. Namely quatuor dolis uno post unum positis, atque ferventi sigillatim repletis aqua, oleo pingui, et pice, et ad ultimum accenso copiosissimo igne, liceret mihi — ad adprobandam hanc fidem meam, immo fidem catholicam, in singula introire, et ita per singula transire, etc.

<sup>6</sup> *Prudentii Trecassini epistola ad Hinemarum Rem. et Pardulum Laudunensem* (about 819) prim. ed. *Lud. Cellot* in *hist Gottesch.* p. 425 seq.

<sup>7</sup> *Ratramni de Predestinatione libb. II.* (about 850) prim. ed. *G. Mauguin* l. c. T. I. p. 27 seq.

<sup>8</sup> *Serv. Lupi lib. de tribus quæstionibus* (namely, de libero arbitrio, de prædes-

ward in defence of the orthodox doctrine as taught by Augustin; whilst John Scotus, who attempted to answer them,<sup>9</sup> only involved Hincmar the more deeply by his own heterodoxy.<sup>10</sup> At length Remigius, archbishop of Lyons, appeared openly, in the name of his church, as the champion of the unfortunate Gottschalk.<sup>11</sup> Hincmar's views

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tinatione bonorum et malorum and de sanguinis Christi superflua taxatione) together with a *Collectarum de tribus Quest.* A. D. 850. The first, very faulty edition by *Donatus Candidus*. 1648, 16mo. A corrected text by *J. Sirmond*. Paris 1650. Svo. and *G. Mauguin* l. c. T. II. p. 9 seq. cf. *Hist. lit. de la France*, T. V. p. 262 seq., where the statements of Cave are corrected.

<sup>9</sup> *Jo. Scot. de prædestinatione Dei contra Gotteschalcum* (851) prim. ed. *G. Mauguin* l. c. T. I. p. 103 seq. Observe the bold assertions, cap. 6: nullum peccatum nullamque ejus poenam aliunde nasci, nisi propria hominis voluntate, libero male utentis arbitrio—stultissimum esse, dubitare humanam voluntatem esse secundum naturam, neque dubitari posse ipsam rationalem substantiam esse. c. 10: Omne malum, peccatum, et poenam ejus, esse, et haec nihil esse: peccatum ejusque consequentias in morte atque miseria constitutas non aliud esse, quam integræ vitae beatæque corruptiones, ita ut singula singulis opponantur: integrati quidem peccatum, vita mors, beatitudini miseria. Haec sunt, haec penitus non sunt. Omnem perversæ voluntatis defectum, vel privationem, vel peccatum, finemque ipsius mortem miseriamque suppliciorum æternorum omnino nihil esse: ac per hoc nec præsciri nec prædestinari. c. 12: Omnem præscientiam Dei prædestinationem esse, et omnem prædestinationem præscientiam. Omnem prædestinationem Dei omnino esse præparationem gratiæ: omnemque gratiam donum. — Poenam impios juste torquere, quæ donum non est. — Non esse igitur prædestinationem poenæ: c. 16: nihil aliud esse poenas peccatorum, nisi peccata eorum: in igne æterno nihil aliud esse poenam, quam beatæ felicitatis absentiam. — nec in primo homine peccasse naturæ generalitatem, sed uniuersusque individuam voluntatem. c. 17: Ignem æternum non esse poenam, neque ad eam preparatum vel prædestinatum, sed qui fuerat prædestinatus; ut esset in universitate omnium bonorum, sedes factus est impiorum: in quo proculdubio habitabunt non minus beati quam miseri. Misericordiam nullam esse; nisi morteni æternam: æternam mortem veritatis ignorantiam: nullamque misericordiam esse nisi veritatis ignorantiam. c. 18: Errorem prædestinationis ex disciplinarum ignorantia — et Græcarum literarum inscitia ortum esse.

<sup>10</sup> Scotus was answered [§52] by *Prudentius: Tractatus de prædestinatione contra Joh. Scot.* (prim. ed. *Mauguin* l. c. T. I. p. 191, then in the *Bibl. PP. Lugdun.* T. XV. p. 467, seq.) and *Florus Magister: lib. de prædestinatione contra Jo. Scoti erroneas definitiones* also called *Ecclesiæ Lugd. lib. etc.* because written in the name of the church, best ed. in *Mauguin* T. I. p. 575 and in the *Bibl. PP. Lugd.* T. XV. p. 611 seq.)

<sup>11</sup> *Hincmar* and *Pardulus*, bishop of Laon, had written on this occasion to *Amolo*, archbishop of Lyons, and accompanied their Letters with *Rabani* epist. ad *Notingum* (cf. note 2). On this *Remigius* wrote in the name of his church: *liber de tribus epistolis* (in the *BB. PP.* and in *Mauguin* T. II. P. I. p. 61 seq.). In this it is said, without circumlocution, Cap. 24: Videtur nobis sine dubio, quod illa, quæ [Gotteschalcus] de divina prædestinatione dixit, juxta regulam catholicæ fidei vera sint, et a veridicis patribus manifestissime confirmata, nec ab ullo penitus nostrum, qui catholicus haberet vult, responda sive damnanda. Et ideo in hac re dolemus non hunc miserabilem, sed ecclesiasticam veritatem esse damnatam. *Rabanus* is reproached with the false interpretation he had put on Gottschalk's system (comp. note 3). Cap. 41: Tertia epistola — assumit, quantum nobis videatur, non necessariam, nec ulla tenus ad rem, de qua queritur, pertinentem disputationem. Queritur namque — non illud, utrum impios Deus et iniquos prædestinaverit ad ipsam impietatem et iniquitatem, i. e. ut impii et iniqui essent, et aliud esse non possent: quod nullus omnino moderno tempore dicere vel dixisse invenitur, quod est utique immanis et detestabilis blasphemia: — sed illud potius queritur, utrum eos, quos veraciter omnino præscivit, proprio vitio impios et iniquos

having been confirmed by the council of Chiersy (A. D. 853) in presence of Charles the Bald;<sup>12</sup> Remigius at once protested,<sup>13</sup> and the Synod of Valence (A. D. 855) sanctioned the opposite doctrine of Gottschalk.<sup>14</sup> But the two archbishops soon after came to an under-

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futuros, et in suis impietatis atque iniquitatibus usque ad mortem perseveratus, justo iudicio prædestinaverit æternō supplicio puniendos.

<sup>12</sup> The *Capitula IV. Carisiacensia* from Hincmar de prædest. c. 2. Mansi T. XIV. p. 920 (by Sirmond in concill. Gall. T. III. and the following compilers of council-decrees, erroneously ascribed to the Conc. Carisiac. I. A. D. 849, comp. Ann. Bertiniani ad ann. 853 Mansi, l. c. p. 995) cap. 1: Deus omnipotens hominem sine peccato rectum cum libero arbitrio condidit, et in paradiſo posuit, quem in sanetitate justitiae permanere voluit. Homo libero arbitrio male utens peccavit et cecidit, et factus est massa perditionis totius humani generis. Deus autem bonus et justus elegit ex eadem massa perditionis, secundum præscientiam suam, quos per gratiam prædestinavit ad vitam, et vitam illis prædestinavit æternam: ceteros autem, quos justitiae iudicio in massa perditionis reliquit, perituros præscivit, sed non ut perirent prædestinavit: pœnam autem illis, quia justus est, prædestinavit æternam. Ac per hoc unam Dei prædestinationem tantummodo dicimus, quæ aut ad donum pertinet gratia aut ad retributionem justitiae. Cap. II.: Libertatem arbitrii in primo homine perdidimus, quam per Christum Dominum nostrum recepimus: et habemus liberum arbitrium ad bonum, præuentum et adiutum gratia; et habemus liberum arbitrium ad malum, desertum gratia. Liberum autem habemus arbitrium, quia gratia liberatum, et gratia de corrupto sicutum. Cap. III.: Deus omnipotens omnes homines sine exceptione vult salvos fieri, licet non omnes salventur. Quod autem quidam salvantur, salvantis est donum: quod autem quidam pereunt, pereuntum est meritum. Cap. IV.: Christus Jesus Dominus noster, sicut nullus homo est, fuit vel erit, cuius natura in illo assumta non fuerit, ita nullus est, fuit, vel erit homo, pro quo passus non fuerit, licet non omnes passionis ejus mysterio redimantur. Quod vero omnes passionis ejus mysterio non redimuntur, non respicit ad magnitudinem et pretii copiositatem, sed ad infidelium, et ad non credentium ea fide, quæ per dilectionem operatur, respicit partem; quia poculum humanæ salutis, quod confectum est infirmitate nostra, et virtute divina, habet quidem in se, ut omnibus prosit: sed si non bibitur, non medetur.

<sup>13</sup> In the libellus de teneenda immobiliter S. Scripturæ veritate, et SS. orthodoxorum Patrum auctoritate fideliter sectanda (Mauguin T. II. P. I. p. 173 seq. Bibl. PP. Lugd. T. XV. p. 701 seq.).

<sup>14</sup> Conc. Valentiniū (Mansi T. XV. p. 1 seq.) can. III.: Fidenter fatemur prædestinationem electorum ad vitam, et prædestinationem impiorum ad mortem: in electione tamen salvandorum misericordiam Dei precedere meritum bonum; in damnatione autem periturorum meritum malum præcedere justum Dei iudicium. In malis vero [Deum] ipsorum malitiam præscisse, quia ex ipsis est; non prædestinas, quia ex illo non est. Pœnam sane malum meritum eorum sequentem, uti Deum, qui omnia prospicit, præcivisse, et prædestinas, quia justus est, etc. Can. IV.: Item de redēntione sanguinis Christi, propter nimium errorem, qui de hac causa exortus est, ita ut quidam, sicut eorum scripta indicant, etiam pro illis impiis, qui a mundi exordio usque ad passionem Domini in sua impietati mortui æterna damnatione puniti sunt, effusum eum definiant: — illud nobis simpliciter et fideliter tenendum ac docendum placet, — quod pro illis hoc datum pretiuū teneamus, de quibus ipse Dominus noster dicit: “Sicut Moyses exaltavit serpente,” etc. (Joh. iii. 14–16.) et apostolus (Hebr. ix. 28). — Porro capitula IV. quæ a concilio fratrum nostrorum minus prospecte suscepta sunt, propter inutilitatem vel etiam nxietatem et errorem contrarium veritati: sed et alia XIX. syllogismis ineptissime conclusa (namely, the work of John Scotus), et licet jactetur, nulla sæculari literatura nitenta, in quibus commentum diaboli potius, quam argumentum aliquod fidei deprehenditur, a pio auditu fidelium penitus explodimus, et ut talia et similia caveantur per omnia auctoritate Spiritus S. interdicimus. Can. V.: Item firmissime tenendum credimus, quod omnis multitudine fidelium ex aqua et Spiritu S. regenerata — et in morte Christi baptizata, in ejus sanguine sit a peccatis suis abluta. — Ex ipsa tamen multitudine fidelium et redemtorum, alios salvari

standing (A. D. 850),<sup>15</sup> and Gottschalk's situation was no better than before; especially as he had irritated Hincmar anew by resisting the alteration of one of the psalms used in the church.<sup>16</sup> Hincmar having published several works in defence of his conduct, and in support of his opinions,<sup>17</sup> Gottschalk's defenders were silent. The unfortunate man appealed to Pope Nicholas I., but without success,<sup>18</sup> and at last died in prison, and in the ban of the church, in the year 868.<sup>19</sup>

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æterna salute, quia per gratiam Dei in redēmptione sua fideliter permanent; — alios, quia noluerunt permanere in salute fidei — ad plenitudinem salutis et ad perectionem æternæ beatitudinis nullo modo pervenire.

<sup>15</sup> At the *Conc. Tullense apud Saponarias* (Mansi T. XV. p. 527), at whieh, according to the Titulis Canonum, III. still extant, the subjects discussed were de stabili unione principum Caroli et Lotharii atque Caroli Regum, and X : de capitulis quibusdam in synodo relectis, de quibus inter quosdam episcopos erat controversia. In the *Can. Valentinus* IV. the passage directed against the Capitula Canisiae, had been expunged by Remigius and his bishops at the Conc. Lingonense held a few days before, and in this form it was presented to Hincmar and his bishops at Savonnières, cf. Mansi, l. c. p. 525 seq. and 538. *Hincm. poster. diss. de prædest.* in præf.

<sup>16</sup> Te, trina Deitas unaque, poscimus Hincmar wished to change into Te summa Deitas. Gottschalk's defence of the expression is contained in Hincmar's refutation: *De una et non trina Deitate* about 857 (in Hincm. opp. ed. Sirmont T. I. p. 413 seq.) also, Ratramnus' defence of the trina Deitas.

<sup>17</sup> After A. D. 856. First *De prædestinatione Dei et libero arbitrio libb. III.* against Gottschalk and all his defenders (Flodoard. hist. eccl. Rhem. III. c. 15); no longer extant. Then *Posterior de prædest. Dei et libero arbitrio diss. contra Gotesc. et cæteros Predestinationarios* (begun 859, ended 863 in Opp. ed. Sirm. T. I. p. 1 seq.).

<sup>18</sup> Comp. *Hincmari Ep. ad Nicolaum* I. A. D. 864, preserved by Flodoard. III. 12—14 (in ed. Sirm. T. II. p. 244 seq.) and *Hincm. epist. ad Egilonem Archiep. Senonensem* A. D. 866 (in ed. Sirm. I. c. p. 290 seq. Mauguin T. II. P. I. p. 237 seq.).

<sup>19</sup> Obstinacy and vanity, strengthened by oppression, may very possibly have produced in Gottschalk such dreams as *Hincmar de non trina Deit.* in fine describes: Scripsit quoque ad Deum loquens, et dieens ei, quod ipse illi præceperit, ut pro me non oraret, et quia primum filius in eum intraverit, postea Pater, deinde Spiritus S., qui in illum intrans ei circa os barbam ussit. — Ante hos annos revealatum sibi quibusdam familiaribus suis scripsit, quod ego statim post tres semianños sua revelationis, siue Antichristus usurpans sibi potestatis potentiam, mori, et ipse Remorum episcopus fieri, et post septennium veneno interfici, et sic gloriæ martyrum adæquari deberet, etc. — Gottschalk is most zealously defended by the Calvinists (Usser, Hottinger, &c.) and Jansenists (Corn. Jansenii Augustinus T. I. lib. 8. c. 23. Mauguin, &c.), most opposed by the Jesuits (Sirmont, Cellot, &c.), comp. Bd. I. S. 433, note 10.

## IV. SPANISH CHURCH.

*Elogii Cordubensis* [† A. D. 859] opera (memoriale Sanctorum libb. III. — Apologeticus pro martyribus — Exhortatio ad martyrium — Epistolæ) ed. cum scholiis *Ambros.*, *Morales.* Compluti 157 t. reprinted in Bibl. PP. Colon. T. IX. P. I. p. 645. Lugd. T. XV. p. 242, and in A. Schotti Hispan. illustr. T. IV. p. 217 seq. (The citations here are according to this last ed.)

## § 17.

The Spanish Christians (Mozarabes)<sup>1</sup> had lived very peacefully under their Saracen rulers<sup>2</sup> until, in the reign of Caliph Abd-er-Rhaman II. (A. D. 822 — 852), there began to spread amongst them a fanatical zeal for the glories of martyrdom (from A. D. 850).<sup>3</sup> Though condemned by a large part of their fellow-Christians, and even by the national Synod held at Corduba<sup>4</sup> in the year 852,<sup>5</sup> this fanaticism

<sup>1</sup> Not according to Roderie, archbishop of Toledo († 1245), in histor. Hispan. III. e. 22, Mixtiarabes, eo quod mixti Arabibus convivebant, but *Arabi Mustara-ba* (i. e. Ar. insititi) in contradistinction to the *Arabi Iraba*, cf. *Ed. Pocockii Spec. hist. Arabum*, Oxon. 1650. p. 39. *Herbelot* s. v. Arab and Mostarab.

<sup>2</sup> Comp. Ant. Morales de statu Christ. Relig. etc. in Schotti Hisp. illustr. T. IV. p. 220 seq. — *Eulogius*, it is true, nemor. SS. lib. I. (ibid. p. 247) complains of diruptiones basilicarum, opprobria sacerdotum, et quod lunariter solvinus eum gravi merore tributum. — *Nemo nostrum* (i. e. sacerdotum) inter eos securus ingreditur, nemo quietus permeat, nemo septum eorum nisi de honestatu perfransit, etc. — Adeo ut multi ex eis tactu indumentorum suorum nos indignos dijudicent, propiusque sibimet accedere execrentur. To the same effect Morales in the Scholia extracted from the *Judiculus luminosus*, p. 255 (written in Corduba A. D. 854, and extant there in ms. Vid. p. 236).

<sup>3</sup> True, the first martyr Perfectus (*Eulogii* memor. II. e. 1) was provoked by the Mahometans. Res vero tanti facinoris in sacerdote commissi multos otio secundæ professionis per deserta montium et nemora solitudinum in Dei contemplatione fruentes ad sponte et publice detestandum et maledicendum sceleratum vatem (Mohammed) exilire coegit: majorisque ardoris somitem moriendo pro justitia cunctis ministravit, e. g. (*Eulog. epist. ad Wiliesindum*, p. 331): Quidam Presbyterorum, Diaconorum, Monachorum, Virginum et Laicorum repentina zelo divinitatis armati in forum descendentes, hostem fidei repulerunt, detestantes atque maledicentes nefandum et scelerosum ipsorum vatem Mahomat, et hoc modo contra eum animosum spiritum erigentes, testimonium protulerunt: “Virum hunc, quem vos summa veneracione excolitis — magum, adulterum et mendacem esse cognovimus, ejusque credulos aeternae perditionis laqueis mancipandos confitemur,” etc. It followed of course that omnes gladio vindice interenti sunt.

<sup>4</sup> Concerning which, see *J. S. de Aguirre* Collect. concill. omn. Hispaniæ (T. IV. Rom. 1693 and 1694, fol.) T. III. p. 149. *Ferreras* histoire générale d'Espagne T. II. p. 604. *Eulogii memoriale SS.* II. e. 15: Concerning the Metropolitanorum iudicio, qui ob eandem causam tunc et diversis provinciis a rege fuerant adunati. The close: Inhibitum esse martyrium, nec licere cuiquam deinceps ad palestram professionis discurrere, præmisso pontificali decreto ipsæ literæ nuntiabant. Accompanied by an injunction to keep still: *Indic. luminosus*, p. 255: Ecce lex publica pendet, et legalia jussa per omne regnum eorum discurrunt, ut qui blasphemaverit (Mohammed) flagelletur, et qui percosserit (a Christian) occidatur.

<sup>5</sup> The views of this Synod on the subject are given by its most bitter opponent, *Eulogius Menor*. lib. I. p. 245: Jubent eos non recipi in catalogo Sanctorum, inusitatum scilicet atque profanum asserentes hujusmodi martyrium. Quippe

continued to increase,<sup>6</sup> and with it (under the next Caliph Mohammed A. D. 852 — 886) their sufferings.<sup>7</sup>

quos nulla violentia præsidialis fidei suam negare compulit, nec a cultu sanctæ piæque religionis amovit, sed propria se voluntate discrimini offerentes, ob superbiam suam (ita dicunt), que initium est omnis peccati, interemti suarum paricipiæ effecti sunt animarum. Præceptis etiam Evangelicis eos arguendos esse credunt (Matth. v. 41, Luc. iii. 14, 1 Petr. ii. 23, 1 Cor. vi. 10), p. 247: Non debere esse martyres, aut haberi, qui non violenter tracti sunt ad martyrium, sed sponte sua venientes, his convitum intulerunt, qui eos in nullo molestia afficerint. — *Id. in Apologeticæ Martyrum* (p. 309): Isti tirones et nostrorum temporum confessores ab iectu inuteronis celere tantummodo excipientes interitum, nullam furentium acerbitudinem perpessi tortorum, non sub diutinum desudarunt stimulum. Præsertim cum ab hominibus Deum colentibus et cœlestia jura fatentibus compendiosa morte peremti sint. Unde sat eis est, si præteriorum curationem adepti sunt criminum, etc.

<sup>6</sup> Its champions were *Samson*, Presbyter of Corduba (concerning his Apologieum opus contra Hostigesium Episc. Malacitanum, who had called him at the council of Corduba hereticum cum convito, see *Morales*, I. c. p. 255) and *Eulogius*. Examples of their fanaticism *Eulog. memor*, p. 241: Et licet formidolosis facultas collata sit declinandi rabiem persecutionis, non tamen passim hoc observandum est a perfectis, qui jam præscia Redemptoris potentia denotati et conscripti, quasi ab immensi Legionibus, ad exercitum præriorum Dei electi sunt. — Secundum Apostolum dissolvi cupiunt et esse cum Christo, viam compendii requirentes, qua de corpore mortis hujus eruti propere ad cœlestem patriam pervenirent, et pia violentia regnum Dei arriperent. Sic quoque armati lorica justitiae in forum prossiliunt, prædicanter Evangelium Dei principibus et nationibus mundi. — Ideo perfido odio contra adversarios Ecclesiæ insurgentes, arguunt impios de falsidice vatis iniqui doctrina, præstigiis, sacrilegiis — detestantur quoque et maledictionibus auctore in tanta perversitatis impugnant, eundemque cœtum talibus inservientem culturis perenni anathemate damnant. p. 216: Idcirco huic perdito atque spurcissimo vati resistere, virtus mactæ coronæ est: summumque trophyum tanti derisoris cultum evertere: adeo ut si illum actas nostra superstitem haberet, nequam ab ejus esset interitu Christicolis resiliendum. — Foretque (ut reor) tunc melius paenitulinem unius occisi homunculi gerere, quam tot nationum luere perniciem. — Quoniam quemadmodum sine culpa non est maledicere justos, pios persecuti, adversitatem parare electis: ita magni meriti esse credo, subvertere impios, Ecclesiæ hostibus contraire, bellum parare incredulis et framea verbi Dei concidere adversarios fidei, etc. — p. 249: Et iceireo, ut quidam sapientium meminit, inter primas dignitates regnum cœlestium sunt ponendi, qui ad passionem venerunt non quæsiti: et excellentis voti est inter toruenta prosilire, ubi non est criminis latuisse. Against the more moderate view of Mohammedanism *Apolog. Mart.* p. 311: Deum ergo et legem isti vanitatis cultores ullo modo habere eredendi sunt, qui evangelicæ institutionis per totum orbem vitalia diffusa præcepta non solum non credunt, verum et iniquum putantes Christum verum Deum et verum hominem eredere? etc.

<sup>7</sup> *Memor. SS. II. c. 16*: Qui [Mahomad] ingenito quodam odio saepius quæstiōnem aduersus fideles proponens, non illo inferior esse meritis apparuit, cuius nomine insignitus ostenditur. Nam ipso die, quo sceptrum regni adoptus est, Christianos abdicari Palatio jussit, dignitate privavit, honore destituit. — *III. c. 2*: Multi autem sua se sponte a Christo divergentes adhaerebant iniquis, sectamque diaboli summo colebant affectu. — *c. 3*: [Mahomad] jubet ecclesiæ nuper structas diruere, et quicquid novo cultu in antiquis basilicis splendebat, fueratque temporibus Arabum rudi formatione adjectum elidere. Eulogius was put to death A. D. 859. See his life by his friend Alvarus. *Ibid. p. 223*.

## V. STATE OF RELIGION AMONGST THE PEOPLE.

- PARTICULAR SOURCES: 1) Liturgical documents: *Ordo Romanus de divinis officiis per totius anni circulum* (written in the eighth century). — *Amalarii Chorepiscopi Metensis de divinis officiis libb.* IV. ad Ludov. Imp. (written 819–827), and *de Ordine Antiphonarii lib.* (written later). — *Rabani Mauri de Clericorum institutione et ceremoniis eccl. lib. III.* (written 819), and *de Sacris Ordinibus, sacramentis divinis et vestimentis sacerdotalibus*, see § 11, note 8 above. — *Walafridi Strabonis de exordiis et incrementis rerum ecclesiasticarum* see § 11, note 10 above. All collected in: *De divinis cathol. eccl. officiis variis vetustorum Patrum ac Scriptt. libri, editi per Meleh. Hittorpium. Colon.* 1568. Paris. 1610. fol.
- 2) Martyrologies: especially the *Kalendarium Rom.* written in the eighth century (in Jo. Frontonis Epistt. et dissertt. eccl. ed. J. A. Fabricius. Hamb. 1720. Svo.). — *Martyrologium Aquilejense* (not *Romanum*, see H. Valesii diss. at the end of his *Eusebins*), which Ado prefixes to his, as of great antiquity, and which is at least as old as the beginning of the ninth century. — *Wandelberti Mon. Prumiensis Martyrologium rhythmicum* about A. D. 850 (erroneously inserted in Beda's works, under the title *Ephemerides Bedae*, best ed. in D. Archery Spicileg. T. II. p. 39). — *Adonis Archiep. Vienn. († 875) Martyrologium* (ed. Herib. Rosweydis, appended to *Baroni Martynol. Rom. Antwerp.* 1613. fol.) — In part also the Martyrologies of Usuardus (about A. D. 876) and Rother (892–895).

## § 18.

## PUBLIC WORSHIP.

Though many of the absurdities of ecclesiastical superstition were exposed and resisted by Charlemagne,<sup>1</sup> there were others so inwoven with the notions of the time, that even he was unable to perceive them. Of these one of the most remarkable was the exaggerated veneration of saints and their relics.<sup>2</sup> These reliques, the legends con-

<sup>1</sup> *Capit. I. ann. 789, c. 76:* De pseudographiis et dubiis narrationibus. c. 77: De mangonibus et nudis cum ferro. *Capit. III. ann. 789, c. 4:* Ut nullus in psalterio vel in evangelio vel in aliis rebus sortire presumat, nec divinationes aliquas observare. c. 18: Ut cloacas non baptizent, nec chartas per perticas appendant propter grandinem. *Capit. Franrof. ann. 794, c. 40:* Ut nulli novi sancti colantur, aut invocentur, nec memoriae eorum per vias ergantur; sed ii soli in Ecclesia venerandi sunt, qui ex auctoritate passionum aut vitæ merito electi sunt. See his notions concerning images of the saints, § 12, note 3.

<sup>2</sup> Comp. the controversial writings *Christ. Nifanii ostensio hist. theol. quod Car. M. in quamplurimis fidei articulis formaliter non fuerit papista* Francof. 1670. Svo. On the other side *Nic. Schaten Carolus M. Rom. Imp. romano-cathol. libb. IV. explicatus et vindicatus.* Neuhaus. 1674. 4to. In reply to this *Nifanii* Car. M. confessor veritatis evangel. Francof. 1679. Svo. Other writings in Walchii bibl. theol. T. II. p. 369. — *Karlomanni Capit. I. ann. 712, c. 2:* The army must be accompanied by priests, qui propter divinum ministerium, Missarum, scilicet solemnia adimplenda, et Sanctorum patrocinia portanda, ad hoc electi sunt, i. e. unum vel duos Episcopos cum capellani Presbyteris Princeps secum habeat, etc. So too *Caroli M. Capit. VIII. ann. 803* (Capellani a Capa see Du Fresne Glossar. ad Scriptt. med. et inf. Latin. s. v.), cf. *Monachus Sangall. de gestis C. M. I.*

cerning which became more and more marvellous,<sup>3</sup> were brought chiefly from the East,<sup>4</sup> and from Rome,<sup>5</sup> and the populace attributed the power of working miracles not only to them<sup>6</sup> but also to the mass; whence the origin of *private masses*.<sup>7</sup> To the festivals<sup>8</sup> were added that of the Birth of the Virgin, on the 8th of September,<sup>9</sup> that of the

c. 4. — Even *Huin* (homil de natali S. Willibrordi ed. Froben T. II. p. 195) says: Te continuo, o pater, prosequinur laudibus, tu nobis assiduis auxiliare precibus. Credimus te in presentia Demini Dei tui omnia posse impetrare, quae poscis; dum tanta potuisti in praesentia nostra per ejus gratiam efficere miracula, etc.

<sup>3</sup> See the catalogue in *Mabillon* Act. SS. Ord. S. Bened. Sac. IV. P. I. p. 114. Catalogue of the relics of Christ in *J. Dallanus* adv. Latinorum de cultus religiosi objecto traditionem lib. IV. c. 17. Of the virgin. Ibid. c. 18.

<sup>4</sup> e. g. *Annales Loiseliiani* ad ann. 799: Monachus quidam de Hierosolymis veniens, benedictionem et reliquias de sepulchro Domini, quas Patriarcha Hierosolymitanus Donno Regi miserat, detulit.

<sup>5</sup> *Gregory IV. Epist. ad Otgar.* (in *Mabillonii Analectt.* vett. ed. II. p. 570) confesses that in Rome there remained no relics of the saints unappropriated.

<sup>6</sup> The miraculous relics in the convents became a great annoyance to the more serious monks. *Mabillon* Act. SS. Ord. Bened. Sac. III. P. I. Praef. p. 87. 430, 581. *Schröck's Kirchengesch.* Th. 20. S. 114 ff.

<sup>7</sup> [Private masses were those in which the priests alone partook of the hostia. *Murdock's Mosheim* 2. 51. note. — Tr.] *Walafridus Strab. de reb. eccles.* c. 22: Per totam Missam pro eis quam maxime et quasi non-ordinatum oratur, qui ibi offerunt atque communicant. Possumus autem et debemus — dicere, ceteros in fide et in devotione offerentium et communicantium persistentes ejusdem oblationis et communionis dici et esse participes. Quamvis autem, cum soli sacerdotes Missas celebrent, intelligi possit, illos ejusdem actionis esse cooperatorates, pro quibus tunc ipsa celebrantur officia, et quorum personam in quibusdam responsionibus sacerdos exequitur: tamen fatendum est, illam esse legitimam Missam, cui intersunt sacerdos, respondens, offerens atque communicans, siue ipsa compositio precium evidenti ratione demonstrat. Even *Pseudoisidorus* directs (*Anacleti P. Epist. I. c. 2*, in *Gratiani Decreto P. III. Dist. II. c. 10*): Peraacta consecratione omnes communicent, qui noluerint ecclesiasticis carere liminibus. Sic enim et Apostoli statuerunt, et s. Romana tenet ecclesia. cf. *J. F. Buddeus de origine Missæ Pontificæ* in his *Miscellaneis Sacr.* P. I. p. 1 seq. and the interesting essays, entitled: Karl d. G. u. seine Bischofe. Die Synode v. Mainz i. J. 813. (In the Tüb. cath. theol. Quartalschrift. 1824.)

<sup>8</sup> *Capitularium lib. I. c. 158*: Hæ sunt festivitates in anno, quæ per omnia venerari debeant: Natalis Domini, S. Stephani, S. Johannis Evangelista, Innocentum, Octabas Domini, Epiphania, Octabas Epiphianæ, Putificatio S. Mariae, Pascha dies octo, Letania major, Ascensio Domini, Pentecosten, S. Johannis Bapt., S. Petri et Pauli, S. Martini, S. Andreæ. De adsumptione S. Mariae interrogandum relinquimus. — *Conc. Mogunt.* ann. 813 can. 36 (Mansi XIV. p. 73): Festos dies in anno celebrare sancimus. Hoc est diem dominicum Paschæ cum omni honore et sobrietate venerari, simili modo totam hebdomadem illam observari decrevimus. Diem ascensionis Domini pleniter celebrare. Item Pentecosten similiter ut in Pascha. In natali App. Petri et Pauli diem unum, nativitatem S. Joannis Baptiste, assumptionem S. Mariae, dedicationem S. Michaelis, natalem S. Remigii, S. Martini, S. Andreæ. In natali Domini dies quatuor, octavas Domini, epiphianam Domini, purificationem S. Mariae. Et illas festivitates martyrum vel confessorum observare decrevimus, quorum in unaquaque parochia sancta corpora requiescent. Similiter etiam dedicationem templi.

<sup>9</sup> Celebrated in the Greek church as early as the seventh century (see *Andreas Cretensis* homil. II. in *Gallandii Bibl. PP.* XIII. p. 93 seq.), at Rome in the eighth century (Calendar, Frontonis ed. Fabric. p. 226), and, under Charles the Bald, adopted into the Gallic church. See *Augusti's Dekkwttdigkeiten*, Bd. 3. S. 102.

Ascension of the Virgin,<sup>10</sup> and the feast of All Saints on the first of

<sup>10</sup> It was very early a subject of conjecture what became of Mary. At first it was supposed from Luke ii. 35, that she was put to death. In opposition to this opinion *Origen hom. XVII.* in *Lucam*: *Nulla docet historia b. Virginem gladii occisione migrasse: praeſertim cum non anima sed corpus ferro soleat interfici.* So also *Ambros. comm.* in *Luc. 2.* *Isidorus Hisp. de vita et obitu SS. Bedæ comm.* in *Luc. 2.* The tradition is thus introduced by *Eriphane. har. LXXVIII. § 11:* Σηπτήσωσι τὰ ἵχνα τῶν γραφῶν, καὶ εὑρώσων ἐν οὐτε θάνατον Μαρίας, οὐτε οὐ τίθηνται, οὐτε εἰ μὴ τίθηνται· οὐτε εἰ μὴ τίθηται. — ἀλλ᾽ ἀπλῶς ἴσωποντος ἡ γραφὴ, διὰ τὸ ὑπερβάλλον τὸν θαύματος ἵνα μὴ εἰς ἔκπληξον ἀγάγῃ τὴν διάνοιαν τῶν ἀνθρώπων. — τάχα γάρ του καὶ ἵχνη εὑρόμενη τῆς ἀγίας ἐκείνης καὶ μαραρίας, ὡς οὐτε εὐροῦν ἔστι τὸν θάνατον αὐτῆς. τῷ μὲν γαρ ὁ Συμέων φάσκει περὶ αὐτῆς· “καὶ σοῦ αὐτῆς τὴν Ψυχὴν διεῖσθαι βούφαια” (*Luc. II. 35*) — τῷ δὲ τῆς Αποκαλύψεως Ιωάννου φασκούσης, διὰ καὶ ἐπιτεθὲν ὅδοικων ἐπὶ τὴν γυναικαν τὴν γεννήσασαν τὸν ἄρρενα, καὶ ἰδούσαν αὐτὴν πρίγονης ἀετοῦ, καὶ ἐλύφην εἰς τὸν ἔρημον, ὅπως ἂν μὴ λάβῃ αὐτὴν ὁ δράκων (*Apoc. 12, 13, 14*). Τάχα δὲ δύναται ἐπ' αὐτὴν πληροῦσθαι· οὐ πάντως δὲ ὅγιζομεν τοῦτο, καὶ οὐ λέγω, ὅτι ἀθανάτος ἔμενεν· ἀλλ' οὐτε διαβεβαιοῦμεν εἰς τίθηνται· ὑπερβάλλει γάρ ἡ γραφὴ τὸν νοῦν τὸν ἀνθρώπων καὶ ἐν μετεώρῳ εἴσεστι, κ. τ. λ. (Similar *Hilarius can. 20*, and *Ambrosius de Cain et Abel I. c. 2*, concerning the death of Moses). The use of ambiguous expressions (e. g. *Euseb. de vit. Const. IV. c. 64. Basileus* — πρὸς τὸν αὐτὸν Θεὸν ἀνελαυβάνετο. *Gregor. Tur. de gloria confessor. c. 99*: anniversarii *assumptionis S. Aviti dies*) contributed, no doubt, to the existence of such a tradition. First found in *Gregor. Turon. de glor. Mart. I. c. 4*: Impleto a. b. Maria hujus vita cursu cum iam vocaretur a sæculo, congregati sunt omnes apostoli de singulis regionibus ad dominum ejus. Cumque audissent, quia esset adsumenda de mundo, vigilabant cum ea simul: et ecce Dominus Jesus advenit cum angelis suis, et accipiens animam ejus tradidit Michaeli angelo et recessit. Dilueulo autem levaverunt Apostoli cum lectulo corpus ejus, posueruntque illud in monumento, et custodiebant ipsum, adventum Domini præstolantes. Et ecce iterum adstitit eis Dominus, susceptumque corpus sanctum in nube deferri jussit in Paradisum: ubi nunc resumta anima cum electis ejus exultans aeternitatis bonis nullo occasuris fine perfruitur. In the Greek church *Andreas Cretensis* (about 650) hom. in dormitionem Mariæ (Galland. T. XIII. p. 147) has many marvellous things to relate of Mary, but the story is found first complete in *Jo. Damasceni λογοὶ γ' εἰς τὴν κοίμησιν τῆς — Θεοτόκου* and in *Nicēphori Callisti hist. eccl. II. c. 21 seq.* and *V. c. 14*. — According to *Nicēph. Call. h. e. XVII. c. 28*, the emperor Mauritius ordered the celebration of the *κοίμησις τῆς Θεοτόκου* on the 15th August. So too in a Rom. calendar of the eighth century. *Die V. mens. Aug. Sollemnia de pausatione S. Mariae (Jo. Frontonis epistola et dissert. eccl. ed. J. A. Fabricius, Hamb. 1720. Svo. p. 221)*. The Gallic church celebrated it on the 18th January (Mabillon liturg. Gallican. p. 118 seq. 211 seq.). In the eighth century only the pausatio or dominio was spoken of (*Beda de locis sanctis*, c. 7, says that in the valley of Josaphat there was a church ded. to Mary, and therein an altar, ad eius dexteram monumentum vacuum, in quo S. Maria aliquandiu pausasse dicitur, sed a quo vel quando sit ablata, nescitur). The introduction of the festum assumptionis in the Gallic church, see note *S. Anastasius in vita C. Paschalis*: — fecit — vestem de chrysoclavo, habentem historiam qualiter B. Dei Genetrix Maria corpore est assumta — *rita CV. Leonis IV.*: octavam Assumptionis b. Dei Genetricis diem, quæ minime Romæ antea celebatur — celebrari præcepit. *Wandalberti martyrolog.* about 850 (erroneously called the *Ephemerides Bedæ*) ad 18 Cal. Sept. :

Octava et decima mundi lux flosque Maria  
Angelico comitatu choro petit æthera virgo.

*Notker balbulus* [† 912] in *Martyrologio* (*Canisii lectt. ant. ed Basnage T. II. P. III. p. 167*) defends the account given by *Gregor. Tur.*, but adds: De quibus quia doctissimi tractatores videntur inter se dissidere, non est meum in tam brevi opusculo definire: hoc tamen certissime cum universalis ecclesia et credimus et confitemur, quia si reverendissimum illud corpus, ex quo Deus est<sup>2</sup> incarnatus, adhuc alicubi in terra celatur, revelatio utique ipsius ad destructionem Antichristi reser-  
vatur. *Augusti's Denkwürdigkeiten*, Bd. 3. S. 109 ff.

November.<sup>11</sup> In France, the mystical doctrine contained in the pretended writings of Dionysius the Areopagite,<sup>12</sup> were the more readily

<sup>11</sup> In the Greek church the Sunday after Whitsuntide is called ἡ κυριακὴ τῶν ἀγίων πάντων (Heineccius Abbild. d. griech. Kirche Th. 3. S. 183 f.), as early as the time of Chrysostom (cf. his Ἑγκώμιον τῆς τοῦ ἀγίου πάντας ed. Montf. T. II. p. 711). Leo Allat. de hebdom. et dominic. Græc. c. 31). — In the Latin church erroneously traced to Boniface IV. cf. *Anastas. VII. LXVIII Bonif. IV.*: petit a Phocate Principe templum quod appellatur Pantheon. In quo fecit Ecclesiam S. Mariae semper Virginis et omnium Martyrum. This church was called S. Mariae ad martyres (*Anastas.* vit. LXXXVII. Vitaliani and vit. LXXXII. Benedicti II.), the festival of dedication on 13th May. Comp. the Martyrol. Rom. or Aquilej., which Ado prefixes to his own, and which is at least as old as the ninth century: III. Id. Maj. S. Mariae ad Martyres dedicationis dies agitur a Bonifacio Papa statutus. So also the Kal. Rom. of the eighth century, ed. by Fronto (ed. Fabricius, p. 198). Besides this festival, the martyrol. Aquil. of Ado mentions ad Kal. Nov. Festivitas Sanctorum, quæ celebris et generalis agitur Roma, which is wanting in Fronto's calendar (see Frontonis nota in ed. Fabric. p. 233). Consequently 1] the fest. OO. SS. is different from the dedic. Mariae ad MM. 2] it was celebrated at Rome as early as the eighth century, together with that festival. Probably connected with the oratorium in honorem omnium Sanctorum (see Anastasius in vita Greg. III.) erected by Gregory III. — Ado is the first to confound the two festivals. *Adonis Martyrol. ad III. Idus Maj.*: Natalis S. Mariae ad Martyres. Phoca Imperatore b. Bonifacius Papa in veteri fano, quod Pantheon vocabatur, — ecclesiam beatæ semper virginis Marie et omnium Martyrum dedieavit. Cujus dedicationis sacratissima dies agitur Romæ III. Idus Maji. *Id. ad Kal. Nov.* Festivitas SS. omnium. Petente namque P. Bonifacio jussit Phocas Imp. in veteri fano, quod Pantheon vocabatur — ecclesiam b. semper Virg. Mariae et omnium Martyrum fieri, ut ubi quondam omnium non Deorum sed dæmoniorum cultus agebatur, ibi deinceps omnium fieret memoria Sanctorum: quæ ab illo tempore Kal. Nov. in urbe Roma celebris et generalis agitur. Sed et in Galliis, monente S. recordationis Gregorio Pontifice, piissimus Ludovicus Imp., omnibus regni et imperii sui Episcopis consentientibus, statuit ut solemniter festivitas OO. SS. in prædicta die annuatim perpetuo ageretur. As the dedicatio S. Mar. ad Mart. was not observed in other countries, *Sigebert Gemblae*, ad ann. 609 explains the matter by supposing that Boniface in Cal. Nov. instituit solennitatem omnium martyrum, quæ postea, ercente religione Christiana, decreta est fieri in honore omnium Sanctorum (cf. id. ad ann. 835), *Durandus* on the contrary (*Rationale divin. offic. lib. VII. c. 31*) supposes that Boniface had fixed the IV. [III.] Idus Maji for the festum B. Mariae ad martyres, but that Gregor. IV. changed the time to the Cal. Nov. and the festival to a fest. Omnium SS., an opinion, adopted by many since, but evidently erroneous.

<sup>12</sup> *Pauli P. Ep. ad Pipinum* (Cod. Car. no. 25. Mansi T. XII. p. 612) in Embolo: Direximus etiam Praecellentiae vestrae et libros, quatos reperi potuimus, i. e. — Dionysii Ariopagitæ libros, etc. (Neander Denkwürdigkeiten, Bd. 3. Heft 2. S. 54 A. supposes that some trace of these writings is found as early as Columban). — Pope Hadrian I. presented them to Julianus, abbot of St. Denys (Mabillon Ann. Bened. lib. XXXI. c. 42). — King Michael sent them A. D. 824 to St. Lewis I. see *Rescriptum Hilduini ad Ludov.* [in the Areopagiticis] § 4: Cæterum de notitia librorum ejus, quos patrio sermone conscripsit, — lectio nobis per Dei gratiam et vestram ordinationem, cujus dispensatione interpretato serinia nostra petentibus reserant, satisfacit. Authenticos autem eosdem libros Graeca lingua conscriptos, quando Oeconomus Ecclesia Constantinop. et cæteri missi Michaelis, legatione publica ad vestram gloriam Compendio funeti, sunt, in ipsa vigilia solennitatis S. Dionysii pro numero magno suscepimus. So that Michael did not send them in a Latin translation, as is supposed by Mabillon Ann. Bened. lib. XXIX. c. 59, and in the *Hist. liter. de la France* T. V. p. 425. *Johannes Scotus* translated them anew at the instance of Charles the Bald, about A. D. 859 (comp. his two dedications addressed to Charles, and *Anastasii Bibl. Ep. ad Carol.* in Jac. Usserii vett. *Epistolarum Hibernie. sylloge*, Dublini, 1632. p. 40 seq. and Nicolai P. I. ep. ad Car. Calv. in *Bulæi hist. univ. Paris.* T. I. p. 184).

received from their confounding the Areopagite with their own Dionysius (St. Denys).<sup>13</sup> Nearly at the same time the free Christians in Spain discovered the relics of their Apostle James the elder (afterwards called *Compostella*),<sup>14</sup> who proved a valuable ally in their struggle with the Saracens.

## § 19.

### CHURCH DISCIPLINE.

**PARTICULAR SOURCES:** Besides the Capitularies of the French Kings, and the decrees of Synods and bishops: *Haletgarii Ep. Cameracensis* [† 831] *Opus de vitiis et viritutibus, remediis peccatorum, et ordine vel judicii pénitentiae libb. VI.* (in Carisii lectt. ant. ed. Basnage T. II.)

The laws concerning penance had long been much relaxed, and it

<sup>13</sup> First in the *Gestis Dagoberti*, c. 3, (written in the time of Charlemagne, Bouquet T. II. p. 580) we read that Dionysius Episc. Parisiensis was martyred temporibus Donitiani, and *Synod. Paris A. D. 824* (Mansi T. XIV. p. 466) that he a S. Clemente in Gallias cum duodenario numero primus prædicator directus et—martyrio coronatus est. Hincmar relates that he had read something of the same kind in the *Actis S. Sanctini* (*Hincmar. epist. ad Carol.* in the *Areopagitice*). The two Dionysius are made identical in the *Actis Dionysii*, first printed in the *Act. SS. Mens. Oct. T. IV.* p. 792, and older than *Hilduin* (see *Act. SS. I. c. p. 700*, no. 17 seq. p. 701, no 23 seq.). The fable was afterwards somewhat improved by *Hilduins*, abbot of St. Denys, *Vita et Passio Dionysii*, etc. (*Areopagitica* ed. Matth. Galenus Colon. 1563. 8vo. and contained in *Surri vitis SS. ad IX. Oct.*: Epist. Ludov. P. ad *Hilduinum* — *Rescriptum Hild. ad Lud. Imp.* — Ep. *Hild.* ad cunctos S. cath. matris ecclesiæ filios et fideles — *Passio Dionysii* — *Revelatio facta S. P. Stephano* — Ep. *Hincmar. Rhein.* ad Carol. Imp. de Dion. Ar. — Ep. *Anastasii Bibl.* ad Carol. Imp. contra falsas quorundam opiniones, asserentium b. Dionys. *Parisiorum Episc.* non esse *Areopagitam*). In the *Act. SS. Mens. Oct. T. IV.* it is proved that the story was not an invention of *Hilduins* as is maintained by J. Launoii *judicium de Areopageticis*. Paris, 1641. 8vo. p. 696 seq. — Its truth was for a long time doubted on account of Gregor. Tur. hist. Fr. I. 28 (see Bd. I. S. 169, note 1), and because the Martyrologies, as also Usuardus, Ado, Notker (other instances in Launoji discussio responsionis de duobus Dionys. Paris. 1642. 8vo. cap. 19), distinguished two bishops, the Areopagita on the 3d Oct. and the Parisiensis on the 9th. — *Jo. Scotus* epist. ad Car. Imp. (see note 11) says: *Fertur præfatus Dionysius [Areopagita] fuisse discipulus atque adjutor Pauli Apostoli — cuius Lucas commémorat in Act. Apost. et Diony- sius Corinth. etc.* — *Hunc eundem quoque non præfati viri, sed alii moderni tem- poris asserunt — temporibus P. Clementis — Romanum venisse, et ab eo — in partes Galliarum directum fuisse, etc.*

<sup>14</sup> The oldest authority on the subject is the *Historia Compostellana MS.* (a work of the 12th century, see Nie. Antonii Biblioth. Hispan. ed. de Aguirre T. II. lib. 7, c. 4, no. 64 seq.). From this the story is reprinted in the *Act. SS. mens. Jul. T. VI.* p. 16, no. 46 seq. According to this account the discovery was made in the time Adefonsi Casti (Alfonso el Casto A. D. 791 – 842) and Charlemagne. Sometimes supposed to have been A. D. 798, sometimes 808, and again 816 (Baronius ad h. a. no. 48 – 52), and sometimes still later. — *Notkeri* [† 912] *Martyrolog. ad VIII. Cal. Aug.* (Gallandius T. XIII. p. 803): *Hujus b. Apostoli sacratissima ossa ad Hispanias translata, et in ultimis earum finibus — celeberrima illarum gentium veneratione excoluntur. Nec immerito, quia ejus corporali præ- sentia et doctrina atque signorum efficacia idem populi ad Christi fidem conversi referuntur.* — That the victory of Clavijo A. D. 849 was won by the help of these relics (related first by Rodericus Rer. Hisp. lib. IV.) is doubted even by the Spanish historians. See *Act. SS. I. c. p. 37*, no. 138.

was now established that public penance should be exclusively confined to public offences. Absolution for private offences was at once granted on confession; the penance to be observed for a certain time afterwards.<sup>1</sup> Confession, however, was no longer held to be an indispensable condition of the forgiveness of sins.<sup>2</sup> The substitution of acts of charity, and other observances for the actual penance, the conditions for doing which had already found their way into the *libri penitentiales*,<sup>3</sup> was still considered an abuse.<sup>4</sup> In consequence of these changes

<sup>1</sup> *St. Bonifacii statuta* (A. D. 745, first in Dacher, *Spicil. T. I.* p. 507, Mansi T. XII. p. 386) c. 31, and extracted thence in *Capitularium lib. VI.* c. 206, where the text is much corrupted: *Quia varia necessitate præpedimur, Canonum statuta de reconciliandis pœnitentiibus pleniter observare, propterea omnino non dimittatur. Curet unusquisque Presbyter [Added in Capit: jussione Episcopi de occultis tantum, quia de manifestis Episcopos semper convenient judicare], statim post acceptam confessionem pœnitentiua, singulos data oratione reconciliari.* How much more rare public penance had become is seen in the decrees of the three councils held 813 *Arelat.* c. 26, *Rhem.* c. 31, *Cabilon.* c. 25, *Rhaban.* *de instit. cleric.* c. 30, cf. *J. Morianus de disciplina in administratione Sacramenti Pœnitentiae.* Paris, 1651, fol.

<sup>2</sup> *Theodulfi Epist. Arelian. Capitulare ann. 797 ad Parochiæ sue sacerdotes c. 30* (Mansi XIII. p. 1091) *Conc. Cabilon.* A. D. 813, *can. 33:* *Quidam Deo solummodo confiteri debere dicunt peccata, quidam vero sacerdotibus confitenda esse percensent: quod utrumque non sine magno fructu intra sanctam fit ecclesiam.* Ita dimittaxat et Deo, qui remissor est peccatorum, confiteantur peccata nostra, et cum David dicamus: “*Delictum meum cognitum tibi feci, etc.* (Ps. xxxii. 5.)” Et secundum institutionem Apostoli confiteamur alterutrum peccata nostra, et oremus pro invicem, ut salvemur (Jac. v. 16). Confessio itaque, quæ Deo fit, purgat peccata: ea vero, quæ sacerdoti fit, docet, qualiter ipsa purgantur peccata. Deus namque salutis et sanitatis auctor et largitor, plerunque hanc præbet suæ potentie in visibili administratione, plerunque medicorum operatione.

<sup>3</sup> In *Theodori Cantuar. lib. pœnit.* A. D. 680 (ed J. Petitus. Paris, 1677) these rules are not probably genuine (J. Morin, *de discipl. pœn.* lib. X. c. 17), though they are so in the *lib. pœn.* *Romanus*, as well in the smaller edition, which Haltingar, *Camerac.* [825] appended to his *Book de pœnitentia* (in *Canisii lect. ant.* ed. Basnage T. II. p. 131) as in the larger (*ibid.* p. 122 and 129). Comp. § 31, notes 1 and 2, below.

<sup>4</sup> *Conc. Cloveshor.* A. D. 717, *can. 26* (Mansi T. XII. p. 403): — Postremo igitur (sicuti nova adinventio, juxta placitum scilicet propriæ voluntatis sue, nunc plurimis periculosa consuetudo est) non sit eleemosyna porrecta ad minuendam vel ad mutandum satisfactionem per jejunium et reliqua expiationis opera, a sacerdote Dei pro suis criminibus jure canonico indictam, sed magis ad augmentandam emendationem suam, ut eo citius placetur divinae indignationis ira, etc. *Conc. Cabilon.* A. D. 813, *can. 36*, against those qui ex industria peccantes propter eleemosynarum largitionem quandam sibi promittunt impunitatem. *Can. 38:* Modus autem pœnitentia peccata sua confitentibus aut per antiquorum canonum institutionem, aut per s. scripturarum auctoritatem, aut per ecclesiasticam consuetudinem — imponi debet, *repudiatis ac penitus eliminatis libellis quos pœnitentiales vocant*, quorum sunt certi errores, incerti auctores. — Qui dum pro peccatis gravibus leves quosdam et inusitatos imponunt pœnitentia modos, consunt pulvilos secundum propheticum sermonem, sub omni cubito manus, et faciunt cervicalia sub capite universæ etatis ad capiendas animas [Ezech. xiii. 18]. (Similar *Conc. Paris.* ann. 829, lib. I. c. 32.) *Can. 45:* Nam et a quibusdam, qui Romanum Turonumve, et alia quædam loca sub pretextu orationis inconsulte peragrant, plurimum erratur. Sunt presbyteri et diacones et ceteri in clero constituti, qui negligenter viventes, in eo purgari se a peccatis putant, et ministerio suo fungi debere, si præfata loca attingant. Sunt nihilominus laici, qui putant se impune peccare aut peccasse, quia haec loca oraturi frequentant, etc.

in the system of penance, excommunication became less frequent.<sup>5</sup> At the same time it had been made more fearful by the civil forfeitures now connected with it,<sup>6</sup> and by the distinction which began to be made in the ninth century between *Excommunication* and *Anathema*.<sup>7</sup> In all these matters, the last appeal was to the bishop of the diocese.<sup>8</sup>

<sup>5</sup> *Caroli M. Capit.* III, anni 803, and thence in *Capitol.* lib. I, c. 136, lib. VI, c. 217: *Ut excommunicaciones passim (for which Capit. lib. VI. subito) et sine causa non fiant.*

<sup>6</sup> cf. § 8, note 15.

<sup>7</sup> The germs of such a distinction *Augustin. hom.* 50, de penitentia: prohibitio (a communione) mortalis and medicinalis, — *Syn. Rom.* I<sup>7</sup>, sub *Symmacho A. D.* 504. (*Mansi T. VII*, p. 298): — *Si vero monachus aut laicus fuerit, communione piretur, et si non emendaverit vitium, anathemate feriatur.* cf. *Du Pin* de ant. eccl. discipl. p. 261 seq. — *Synodus Regiaticina A. D.* 850, can. 12: *Hoc autem omnibus Christianis intimandum est, quia hi, qui sacri altaris communione privati, et pro suis sceleribus, reverendis adytis exclusi publice penitentiae subjugati sunt, nullo militie secularis uti concilio, nullumque reipublicae debent administrare dignitatem.* — *Qui vero administrationem episcopi seu sacerdotum perpetrat palam scelere penitentie remedium suscipere noluerint, magis abjecendi sunt, anathematizandi scilicet, tamquam putrida ac desperata membra ab universalis ecclesiæ corpore dissecandi, cuiusmodi jam inter Christianos nulla legum, nulla morum, nulla collegii participatio est, quibus neque in ipso exitu communicatur, et quorum neque post mortem saltem inter defunctos fideles commemoratio fit.* Sed si ad hoc irrevocabile judicium obdurate cordis contentus trahit, non sine magna tamen examinatione veniendum est, et omnia sacerdoti prius experienda, nec absque metropolitani cogitatione, et provincialium episcoporum communis iudicio quenlibet anathematizandum esse permittimus. *Comp. Arsenii Episc.* (*Legate of Nicol. I.*) *Ep. gener. ad omnes Episc.* (*Mansi T. XV.* p. 326). *Planck's Gesch. d. christl. kirchl. Gesellschaftsverf.* Bd. 3, S. 507 ff.

<sup>8</sup> Vid. Ahytoni's *Episc. Basiliensis Capitulare* (about A. D. 820) c. 18 (*Mansi XIV.* p. 396).

## SECOND DIVISION.

FROM NICHOLAS I. TO GREGORY VII.

A. D. 858 — 1073.

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### CHIEF SOURCES.

- I. **GREEKS:** *George Cedrenus* and *John Zonarus* (vid. p. 1).
- II. **LATINS:** *Annales Bertiniani*, *Fuldenses*, and *Mettenses* (vid. p. 15). *Regino*, abbot of Prael († A. D. 915. Chronicon from the birth of Christ to the year 907. Continued to the year 967 in *Pertzii Monum. Germ. hist.* T. I.). — *Luitprand*, bishop of Cremona († after the year 970). *Hist. rerum in Europa suo temp. gestarum libb.* VI. in *Muratori Rer. Ital. Script.* T. II. P. I. The credibility of this source, which is often underestimated by those who follow *Muratori Annali d'Italia* T. V., is vindicated by *Martini Records* of the royal academy of Munich for 1809—10. *Hist. Classe* p. 3 fl. — *Ditmar*, bishop of Merseburg († A. D. 1018. Chronicon, embracing the time of the Saxon emperors, first ed. complete in *Leibnitii Scriptt.* *Brunsvicens.* T. I.—then *J. A. Wagner*. Norimb. 1807). — *Hermannus Contractus*, monk of Reichenau († A. D. 1054. Chronicon de VI. mundi aetatibus to A. D. 1054; important for Chronology — to be found in *Pistorius* T. I., with its continuations contained in *Ussermann*, *Monumenta res Alemanieas illustrantia*. 1790 and 1792. 4to. *Docen im Archive für ältere deutsche Geschichtskunde*, Bd. 3. *Stenzel* *Gesch. Deutschlands*, Bd. 2). — *Marianus Scotus*, monk of Menth († A. D. 1086. Chronicon from the beginning of the world to the year 1083, continued by *Dodechinus* to the year 1200 — vid. *Pistorius (Rerum Germ. Scriptor.)* T. I.). — *Lambertus Schafnaburgensis*, monk at Hersfeld, de reb. gestis Germanorum, fullest from A. D. 1010—1077. vid. *Pistorius* T. I. Also ed. *J. C. Krause*. Hal. 1797. 8vo.). — *Sigebertus* monk of Gemblours († A. D. 1113. Chronicon, continuation of Jerome from A. D. 381—1112. vid. *Pistorius* T. I.).
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## CHAPTER FIRST.

HISTORY OF THE WESTERN CHURCH.

### I. HISTORY OF PAPACY.

#### § 20.

##### PSEUDO-ISIDORIAN DECRETALS.

*Dav. Blondelli* Pseudo-Isidorus et Turrianus vapulantes. Genev. 1628. 4to. — *C. Blasci* comm. de collect. cann. Isid. Mere. in *Gallandii de vet. canonum collectionibus dissertationum sylloge*. Ed. Magont. 1790. T. II. p. 1 seq. —

(Spittlers) *Gesch. des canon. Rechts bis auf die Zeiten des falschen Isidorus.* Halle, 1778. S. 220 ff.—Planck's *Gesch. d. christl. kirchl. Gesellschaftsverf.* Bd. 2. S. 800 ff.—Walter's *Lehrbuch des Kirchenrechts.* Bonn, 1829.

THE weakness and disunion of Charlemagne's successors gave the Popes both courage and opportunity for new pretensions, whilst another Isidorian collection,<sup>1</sup> with spurious additions, was gradually brought into use to give these pretensions an historical basis. The aim of the forged decretals is, generally, to exalt the episcopal dignity,<sup>2</sup> and to

<sup>1</sup> The preface begins: *Isidorus Mercator servus Christi lectori conservo suo et parenti in domino fidei salutem.* The Merlin ed. leaves out the word *micerator*; some codd. have partly as a gloss, *Peccator*, vid. *Ballerini* de ant. collection. canonum (prefixed to T. III. Opp. Leonis and in Gallandii syll.) P. III. c. 6, no. 18. *Blascus*, l. c. cap. 6, p. 35.—The Pseudo-isidorian collection has undergone many alterations, and hence is seldom found uncorrupted. This is the case even in the only complete ed. of it: *J. Merlini Tom. prim. IV. concilior. generall., XLVII. conc. provinc., decret. LXIX. Pontificum ab Apostolis usque ad Zachariam I. Isidoro autore.* Paris, 1523, fol. (reprinted Colon. 1530, fol. Paris, 1535. 8vo.) some inquiries concerning its original form in *Ballerini*, l. c. P. III. c. 5–8. Spittler, l. c. S. 221 ff.—It consisted of three parts: I. 61 epistola decretales of the Popes of the three first centuries from Clement to Melchiades (two of these, from Clement to James, were in existence before, 59 Pseudoisidorian). II. Canons of the councils, chiefly from the genuine Isidorian collection. III. Epist. decret. from Sylvester to Gregory the Great, of which 35 Pseudoisid., the rest are mostly from the Isidorian collection. Many of the decrees are taken from the liber Pontificalis; and as their object is only to give credibility to the work, they must be left out of the question in determining the object of the imposture. *Blascus*, l. c. cap. 15.—Spittler, l. c. 43 and 252, shows that such impositions were by no means uncommon in that age.

<sup>2</sup> Planck, l. c. S. 820. *Urbani P.* (A. D. 222) *Ep. unic.*: Quod autem sedes in episcoporum ecclesiæ excelsæ constituta et præparatae inveniuntur ut thronus, speculationem et potestatem judicandi, et solvendi atque ligandi a Domino sibi datain materiam docent, unde ipse salvator in evangelio ait: “Quæcumque ligaveritis super terram, etc.”—Ideo ista prætulimus carissimi, ut intelligatis potestatem episcoporum vestrorum, in eisque dominum veneremini, et eos ut animas vestras diligatis et quibus illi non communicant, non communicetis, et quos ejecerint non recipiatis. Valde enim timenda est sententia episcopi, licet injuste liget aliquem, quod tamen summopere providere debet. *Pontiani P.* (A. D. 230) *Ep. I.*: De illis enim dictum est, “qui vos contristabit, me contristabit, et qui vobis facit injuriā, recipiet id, quod inique gessit”; et alibi: “Qui vos audit, me audit, et qui vos spernit, me spernit. Qui autem me spernit, spernit eum, qui me misit.” Hi enim non sunt infestandi, sed honorandi. In eis quoque dominus honoratur, cuius legatione funguntur. Hi ergo si forte ceciderint a fidelibus sunt sublevandi et portandi. Accusandi autem non sunt ab infamibus, aut sceleratis, vel inimicis, aut alterius sectæ hominibus vel religionis. Si peccaverint, a reliquis arguantur sacerdotibus, sed et a summis pontificebus constringantur, et non a sæcularibus aut malæ vite hominibus arguantur vel arceantur. Penalties for any encroachment on the estates of the church, and regulations tending to increase the difficulty of interfering with the bishops are multiplied without end. cf. *Blascus*, l. c. cap. 8, p. 54 seq. e. g. *Pii P. Ep. I.* [ann. 147]: Oves pastorem suum non reprehendant, plebs vero episcopum non accuset, nec vulgus eum arguat, quem non est discipulus super magistrum, neque servus supra dominum. Episcopi autem a Deo sunt judicandi, qui eos sibi oculos elegit, nam a subditis aut prævæ vitæ hominibus non sunt arguendi vel accusandi aut lacerandi, ipso domino exemplum dante, qui per se ipsum, et non per alium vendentes sacerdotes, et ementes ejicit de templo, etc. *Zephyrini P. Ep. I.* (A. D. 208): Patriarchæ vero vel primates accusatum discutientes episcopum non ante sententiam perferant finitivam, quam

increase the power of the Primates,<sup>3</sup> and of the Roman pontiff in particular,<sup>4</sup> at the expense of the Metropolitans. They must have

apostolica fulti autoritate, ac reum scipsum confiteatur, aut per innocentes et regulariter examinatos convincatur testes. Qui minori non sint numero, quam illi discipuli fuerunt, quos dominus ad adjumentum apostolorum eligere percepit, i. e. septuaginta duo. — Accusatores autem eorum omni carant suspicione, quia columnas suas dominus firmauerat stare voluit, non a quibuslibet agitari. — Duodecim enim judices quilibet episcopis accusatus, si necesse fuerit, eligat, a quibus ejus causa juste judicetur: nec prius audiatur, aut excommunicetur, vel judicetur, quam ipsi per se elegantur, et regulariter vocatus ad suorum primo couentum episcoporum, per eos ejus causa juste audiatur et rationaliter discernatur. Finis vero ejus causæ ad sedem Apostolicam deferatur, ut ibidem tercineatur. Nec antea finiatur, sicut ab Apostolis vel successoribus eorum olim statutum est, quam ejus autoritate fulciatur.

<sup>3</sup> *Aniceti P. Ep.* I. (164, partly contained in *Gratian.* P. II. Caus. IX. Qu. 3, c. 6): Nulli archiepiscopi primates vocentur, nisi illi, qui primas tenent civitates quarum episcopos apostoli et successores apostolorum regulariter patriarchas et primates esse constituerant, nisi aliqua gens deinceps ad fidem convertatur, cui necesse sit propter multitudinem eorum primatum constitui. Reliqui vero, qui alias metropolitanas sedes adepti sunt non primates sed metropolitani nominentur. Si autem aliquis metropolitanorum inflatus fuerit, et sine omnium comprovincia- lium præsencia vel consilio episcoporum, aut eorum aut alias causas, nisi eas tan- tum, quæ ad propriam suam parochiam pertinent, agere aut eos gravare voluerit; ab omnibus districte corrigatur, ne talia deinceps præsumere audeat. Si vero incorrigibilis, eisque inobediens apparuerit, ad hanc apostolicam sedem, cui omnia episcoporum judicia terminare præcepta sunt, ejus contumacia referatur, ut vindicata de eo fiat, et ceteri timorem habeant. Si autem propter nimiam longinquitatem, aut temporis incommoditatem, vel itineris asperitatem grave ad hanc sedem ejus causam deferre fucrit, tunc ad ejus primatem causa deferatur, et penes ipsum hujus sanctæ sedis auctoritate judicetur. Comp. *Stephani P. Ep.* II. [261], where is added: Si prohiberi non potuerunt accusations episcoporum, ad memoratos primates debent ab accusatoribus deferri. Comp. *Blascus,* l. c. cap. 12, p. 99 seq., and cap. 13, p. 111 seq., where it is correctly remarked that the object of this provision was to exalt the archbishop of Mayence. In fact, a distinction began to be made already between primates and metropolitans (*de Marca de primatu Lugdunensi* c. 23, in his *dissertatt.* annexed to the *de concord. sac. et imp.* ed. Böhmer, p. 23); though all that was taken from the metropolitans fell eventually to the papal see.

<sup>4</sup> *Planck*, l. c. S. 815 ff. *Eichhorn's deutsche Rechtsgeschichte*, Th. I (Aufl. 2) S. 394 ff. *Vigilius Ep. ad Profuturum* (where cap. 6 and 7 are *Pseudo-isidorian*) c 7 (partly in *Grat.* P. II. Caus. II. Qu. 6, c. 12): Nulli vel tenuiter sententi vel pleniter sapienti dubium est, quod ecclesia Romana fundamen- tum et forma sit ecclesiarum, a qua omnes ecclesiæ principium sumisse nemo recte credentium ignorat, quum, licet omnium apostolorum par esset electio, beato tamen Petro concessum est, ut ceteris præmineret, unde et Cephas vocatur, quia caput est et primus omnium apostolorum. Et quod in capite præcessit, in membris sequi necesse est. Quamobrem s. Romana ecclesia ejus merito domini voce consecrata, et ss. Patrum auctoritate roborata primatum tenet omnium ecclesiæ, ad quam tam summa episcoporum negotia et judicia atque querelæ, quam et majores ecclesiæ quæstiones, quasi ad caput, semper referenda sunt. Nam et qui se scit aliis esse præpositum, non moleste ferat aliquem esse sibi prælatum; ipsa namque ecclesia, qua prima est, ita reliquis ecclesiæ vices suas credit largiendas, ut in partem sint vocatæ sollicitudinis non in plenitudinem potestatis (this remarkable expression taken from *Leonis M. Ep.* XII. ad *Anastas.* Thessal.: Vices enim nostras ita tuae credimus caritati, ut in partem sis vocatus sollicitudinis, non in plenitudinem potestatis, namely, as papal vicar in Illyria). *Pontianus Ep.* II. [230] calls himself Pontianus sanctæ et universalis ecclesiæ Episcopus. — New rights of the popes: 1) regarding the power of making laws; *Damasus Ep.* IV. (*Grat.* P. II. C. XXV. Qu. 2, c. 12): Omissa decretalia et cunctorum decessorum nos- trorum constituta, qua de ecclesiasticis ordinibus et canonum promulgata sunt

been written between A. D. 829<sup>5</sup> and 845<sup>6</sup> in France,<sup>7</sup> and Benedict Levita of Mentz may justly be suspected of a share at least in the forgery. They were soon circulated in various compilations,<sup>8</sup> appealed

disciplinis: ita a vobis et ab omnibus episcopis ac cunctis generaliter sacerdotibus custodiri debere mandamus, ut, si quis in illa commiserit, veniam sibi deinceps noverit denegari. *Marcellus* Ep. II. (Gratian. P. I. Dist. 17, c. 1): Synodus episcoporum absque hujus s. Sedis auctoritate (quoniam quosdam episcopos possitis congregare) non potestis regulariter facere. *Julius* Ep. II. (Gratian. I. c. 2): Regula vestra nullas habet vires nec habere poterit: quoniam nec ab orthodoxis episcopis hoc concilium actum est, nec Romanus legatus interfuit, canonibus praeципientibus sine ejus auctoritate concilia fieri non debere. Nec ullum ratum est aut erit unquam, quod non fultum fuerit ejus auctoritate. 2) as regarded ecclesiastical judicature: *Julius* Ep. I. (Grat. P. II. C. III. Qu. 6, c. 9): Dudum a ss. Apostolis, successoribus eorum in antiquis decretum fuerat statutis, que haec tenet s. et universalis Apostolica tenet ecclesia, non oportere preter sententiam Romani Pontificis concilia celebrari, nec episcopum damnari, quoniam S. Romanam ecclesiam primatem omnium ecclesiarum esse voluerunt, et sicut b. Petrus Ap. primus fuit omnium Apostolorum, ita et haec ecclesia suo nomine consecrata (Domino instituente) prima et caput sit ceterarum, et ad eam, quasi ad matrem atque apicem, omnes maiores ecclesiae causae et judicia episcoporum recurrent, et iuxta ejus sententiam terminum sumant: nec extra Romanum quicquam ex his debere decerni Pontificem. *Zephyrinus* Ep. I. (Grat. P. II. C. II, Qu. 6, c. 8): Ad Romanam ecclesiam ab omnibus, maxime tamen ab oppressis, appellandum est et concurrendum quasi ad matrem, ut ejus uberibus nutriantur, auctoritate defendantur, et a suis expressionibus releventur; quia nec potest nec debet mater obliisci filium suum. cf. *Damasus* Ep. VI. Discutere namque episcoporum et summorum ecclesiasticorum negotiorum causas Metropolitanos una cum omnibus suis comprovincialibus, ita ut nemo ex eis desit, et omnes in singulorum concordent negotiis, licet, sed definire eorum atque ecclesiasticarum summas querelas causarum, vel damnare episcopos absque hujus s. sedis auctoritate minime licet, quam omnes appellare, si necesse fuerit, et ejus fulciri auxilio oportet. Nam, ut nostis, synodus sine ejus auctoritate fieri, non est catholicum, etc. 3) relating to the eccles. administration: *Caius* Ep. II. (Grat. P. II. C. VII. Qu. 1, c. 39): Si utilitatis causa fuerit mutantus [episcopus] non per se hoc agat, sed fratribus invitantibus, et auctoritate hujus sancte sedis faciat, non ambitus causa, sed utilitatis et necessitatis.

<sup>5</sup> For passages of the Synod of Paris, A. D. 829, are inserted in the letters of Urban and John III. *Blascus*, I. c. p. 39 seq. thinks differently, however.

<sup>6</sup> Because in this year Benedict Lev. began his collection of Capitularies (comp. § 7) in which decretals from the Pseudoisidore are found in great numbers, but without being distinguished from other Capitularies. Comp. Bened. pref. (Baluz. T. I. p. 803): Haec vero *capitula*, quæ in subsequentibus tribus libellis coadunare studimus, in diversis locis et in diversis schedulis, sicut in diversis synodis ac placitis generalibus edita erant, sparsim invenimus, et maxime in s. Magontiacensis metropolis ecclesiae scrinio a Rieulfo ejusdem s. sedis Metro politano recondata, et denum ab Autario secundo ejus successore atque consanguineo inventa reperimus.

<sup>7</sup> Thus *Blondellus*, *Ballerini*, *Spittler*, *Planck*. On the other hand they are supposed by *Mabillon* ann. Bened. ad ann. 785, lib. XXV. no. 56, *Blascus*, I. c. cap. 6, to have been written in the time of Charlemagne; *Febronius* de statu eccles. T. I. p. 643, carries them back as far as A. D. 744.

<sup>8</sup> Besides *Bened. Capitul.* libb. III., there are *additio quarta Capitularium* (vid. Spittler Gesch. des can. Rechts S. 217), *Hadriani P. I. Capitula Angilramno tradita* or *Capitula Angilramni* (Mansi T. XII. p. 303 seq., dated A. D. 785, but first produced by Hincmar of Laon, see Hinckm. Rhem. opusc. adv. Hinckm. Laud. c. 24, see note 11, below, evidently spurious, *Ballerini* de ant. collectt. Cann. P. III. cap. VI. § 2, no. 8. *Blascus*, I. c. p. 151, perhaps by this very Hincmar of Laon. Spittler in Meusels Geschichtsforscher, Th. 4, S. 92 ff. and in the Gesch. des can. Rechts S. 235, 271 ff.), *Capitula Remedii* (in Goldast.

to without suspicion in the public affairs of the church,<sup>9</sup> and used by the Popes, beginning with Nicholas I.,<sup>10</sup> without any material

Scriptt. Rer. Alem. T. II. P. II. p. 119 seq., dating from the time of Charlemagne, vid. Spittler Gesch. d. can. Rechts S. 236), *Capitula Isaaci Ep. Lingoensis* (in Baluzii Capitul. T. I. p. 1233, about A. D. 859, vid. Spittler S. 281). — *Regino Prumiensis* in his de disciplinis eccles. libb. II. [about 906] made little use of the forged decretals (Ballerini, l. c. P. IV. c. 11); but *Bureardus Ep. Wormatiensis* by his *Decretorum volumen* [about 1020] secured them reception into the church.

<sup>9</sup> First A. D. 857 in the *Epistola Synodalis* (written by Hincmar at the Syn. Carisiaca) sub nomine Caroli R. ad Episc. et Com. Gallie scripta (in Carol. Calv. Capit. Tit. XXIII, Baluz. T. II. p. 92, in Mansi T. XV. p. 127): Audiant raptiores et prædones rerum ecclesiasticarum, quod s. Anacletus P. ab ipso Petro Apostolo presbyter ordinatus cum totius mundi sacerdotibus judicavit, etc. Item s. Urbanus Papa et martyr, etc. Item s. Lucius Papa, etc. About A. D. 860, when Hermann, bishop of Nevers, was to be deposed from his bishopric, Wenilo, archbishop of Sens sent to Nicholas I. to ask (Mansi XV. p. 397. Serv. Sup. Epist. 170. ed. Baluz. p. 194. Comp. Baluzen's Ann. p. 466 seq.): Dicitur autem Melchiades P. decrevisse, ne quis unquam pontifex sine consensu papæ Romani deponeretur. Unde supplicanus, ut statuta illius, sicut penes vos habentur, nobis dirigere dignemini, etc. Nicholas, in his answer (in Mansi, l. c.), praises highly his conduct in sending to Roine: antequam ad consulta vestra mentis oculum inclinemus, parumper in laudibus vestris stylum opere pretium duximus immorandum, and goes on to speak of Hermann's case, though without answering the question. — See *Blascus*, l. c. p. 17.

<sup>10</sup> *Leo IV.* says, as late as the year 850 in Ep. II. ad Episc. Britann. s. 6 (Mansi T. XIV. p. 884; Gratian P. I. Dist. XX. c. 1): De libellis et commentariis aliorum non convenit aliquem judicare, et SS. Conciliorum canones relinquere, vel decretalium regulas, i. e. quæ habentur apud nos simul cum illis in canone, et quibus in omnibus ecclesiasticis intimir judicis, i. e. Apostolorum, Nicænorum, etc.: et cum illis regulae præsulum Romanorum Silvestri (the constit. Silv. were forged still earlier than the Pseudo-Isidorian, vid. *Blascus*, l. c. p. 11, 25), Siricii, Innocentii, Zosimi, Cælestini, Leonis, Gelasii, Hilarii, Symmachii, Simplicii. *Isti omnino sunt, per quos judicant episcopi, et per quos episcopi simul et clerici judicantur.* Even Nicholas I., in the year 863, Ep. V. ed. Hincmarum (in Mansi T. XV. p. 374) knows of no more ancient constitutions Rom. sedis Pontiff, than those of Siricius, Innocent, etc. But as early as A. D. 865, he is found defending the Pseudo-Isidorian collection in the Ep. ad univ. Episc. Gall. (Mansi XV. p. 694): Etsi [Rothadus Episc.] sedit apostolicam nullatenus appellasset, contra tot tamem et tanta vos decretalia efferti statuta, et episcopum inconsultis nobis deponere nullo modo debuitis. — Absit enim, ut decretalia constituta — debito cultu et cum summa discretione non amplectantur opuscula, quæ dumtaxat et antiquitus s. Romana ecclesia conservans, nobis quoque custodienda mandavit, et penes se in suis archivis et vetusti rite monumentis recondita veneratur. Absit ut scripta eorum quoquomodo parvipendenda dicamus, quorum videmus Deo auctore s. ecclesiam aut roseo cruore floridam, aut rorifluis sudoribus et salubribus eloquiis adornatam. — Quamquam quidam vestrum scriperint, haud illa decretalia priscorum pontificum in toto codicis canonum corpore contineri descripta, cum ipsi, ubi suæ intentioni hæc suffragari conspiciunt, illis indifferenter utantur, et solum nunc, ad imminutionem potestatis sedis apostolicae, et ad suorum augmentum privilegiorum, minus accepta esse perhibeant. Nam nonnulla eorum scripta penes nos habentur, quæ non solum quorundamque Romanorum pontificum, verum etiam priorum decreta in suis causis præferre noscuntur. — Decretales epistolæ Rom. Pontificum sunt recipienda, etiamsi non sunt canonum codici compaginatae. *Hadrianus II. Ep. XXXII. ad Episc. Synodi Duziacensis* (Mansi XV. p. 852) cites A. D. 871 the *Epistola Anteri P.* etc. But in other things not directly affecting their own power, the Popes did not at once adopt the Pseudo-Isidorian principles. Thus not only Nicholas I., but even *Gregory VII.* (Epist. lib. VII. ep. 34) decided that priests convicted of crimes should be expelled from the clergy, though *Pseudo-Callistus*, Ep. 2, says: Errant itaque, qui putant, sacerdo-

opposition ;<sup>11</sup> maintaining their authority<sup>12</sup> until the Reformation led to the detection of the cheat.<sup>13</sup> On these decretals were founded the pretensions of the Popes to universal sway in the church,<sup>14</sup> whilst the pretended *Donatio Constantini*,<sup>15</sup> a fiction of an earlier time, but adopted into them, was the first step in their advance to temporal power.

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tes post lapsum, si condignam egerint p[ro]nitentiam, domino non posse ministrare. Comp. *Blascus*, l. c. p. 18 seq.

<sup>11</sup> *Hincmar*, like the French bishops Nicol. ep. see note 10, did not question the genuineness, but only the authority of these decretals. cf. *Blascus*, l. c. p. 16. *Hincmar. opusc. adv. Hincmar. Laudun.* c. 24 : De sententiis vero, quae dicuntur ex Græcis et Latinis canonibus, et synodis Romanis atque decretis præsumunt ac ducum Romanorum collecte ab Adriano Papa et Ingilrammo Metensium episcopo date, quando pro sui negotii causa agebatur, ex quibus quædam tuis commentis interposuisti, quam dissonæ inter se habeantur, — et quam diversæ a sacris Canonicis, et quam discrepantes in quibusdam ab ecclesiasticis judicis habeantur (ut hic quædam de plurimis ponam) evidenter manifestatur.

<sup>12</sup> Concerning those who are supposed to have doubted the authenticity of the forged decretals in the middle ages, Petrus Comestor [1170], Marsilius Patavinus [1324] (Wycliffe said of them : *Decretales epistola sunt apocryphae et seducunt a Christi fide, also apocryphae = erroneæ*), Gobelinus Persona [1418], Heinr. v. Kalteisen [1432, comp. however, the remarks of Spittler, l. c. S. 259], Nicolaus Cusanus [1448], Erasmus, see *Blascus*, l. c. cap. 5, p. 30 seq.

<sup>13</sup> After Calvin (*institutt.* IV. c. 7, § 11, 20) the Magdeburg. Centuries (Centur. II. c. 7, and Cent. III. c. 7) first undertook to dispute the authenticity of these decretals, which was given up about at the same time by Anton. Cointius and Antonius Augustinus, archbishop of Tarragona (*Blascus*, l. c. p. 33) whilst the Jesuit *Franc. Turrianus* wrote libb. V. adv. *Magdeburgenses Centuriatores pro Canonibus Apostolorum et epistolis decretalibus pontificum apostolicorum*. Florent. 1572. Colon. 1573. *Bellarminus* (de Pont. Rom. lib. II. c. 14) and *Baronius* (ad ann 865, § 8) also abandoned them. The question was decided by *Dav. Blondelli Pseudo-Isidorus et Turrianus vapulantes*. Genev. 1628. 4to.

<sup>14</sup> The Papists, though they acknowledge the deception, will not allow that its effects were so important. See *Ballerini*, l. c. P. III. c. 6, § 3, and *P. Ballerini de potest. eccl. summ. Pontif. et concill. generall. una cum vindiciis contra J. Febronium. Veron. 1768. Aug. Vindel. 1770* in the *Vindiciis* cap. 5. On the other hand see *Jo. Gerbasii diss. de causis majoribus*. Paris. 1679. 4to. *Fleury hist. eccl. T. XVI. diss. preliminaire. Justification des discours et de l'hist. eccl. de M. d'Abbe de Fleury. 1736. P. II. Tübingen cath-theol. quartalschrift. 1823.*

<sup>15</sup> Of this document there are four Greek texts, but only one Latin text. vid. F. A. Biener de collectionibus Cann. Ecclesiæ græca. Berol. 1827. The last only, is of any historical importance, being found in the Pseudo-Isidorian collection under the title of *Edictum Domini Constantini Imp.*, and extracts from it in the *Decret. Gratiani Dist. XCVI. c. 13*. That there never was any such *Donatio* is acknowledged by Otho III. in the year 999 (see below, § 22, note 24), and in 1152 by the Roman church (see § 51, note 18). In the fifteenth century this was shown to be the case by *Nicolaus Cusanus de concordantia catholica* (about A. D. 1432), and especially by *Laurentius Valla* († A. D. 1457), *de falso credita et ementita Constantini donatione Declamatio*, vid. *Münch über die Schenkung Constantini's. S. 30 ff.* Since then the document is universally allowed to be spurious, but the donation itself is still asserted by *Baronius*, and the *Jesuits Jac. Gretser, Nic. Schaten, and others*; e. g. *Blanchini ad Anast. de vitis Pontiff. T. II. Manachii Antiquit. Christ. P. II.*

## § 21.

PAPACY UNDER NICHOLAS I. (A. D. 858—867), ADRIAN II. (TO A. D. 872) AND JOHN VIII. (TO A. D. 882).

N e h r s Gesch. d. Papstthums, Th. 1, S. 247 ff.—Planck's Gesch. d. kirchl. Gesellschaftsverf. Bd. 3, S. 1 ff.

The successors of Charlemagne,<sup>1</sup> unable to withstand at once the attacks of foreign enemies, and the encroachments of their own powerful vassals, were forced to seek protection from the church, and hence had long since been led to invest their bishops with various important rights.<sup>2</sup> The advantage thus given to the Pope, as the highest of all bishops, was first perceived by Nicholas I.<sup>3</sup> The success of his new pretensions was made more certain by his appearing as the champion of the oppressed, and thus securing a powerful ally in public opinion; whilst he was assisted by the mutual jealousy of the princes, who were always ready to aid in humbling each other. The first opportunity of interference was offered him by King Lothaire II., who, out of love to his mistress Waldrade, had long shamefully maltreated his Queen Teutberg, till he at length divorced her at a council held at Aix in the year 862.<sup>4</sup> Charles the Bald and his bishops having taken part with the wronged Teutberg,<sup>5</sup> Nicholas, to whom she had long since applied for aid, ventured to send legates into Lorrain to investigate the matter anew.<sup>6</sup> But these legates (influenced probably

<sup>1</sup> After the death of Lothaire I. (A. D. 855), the empire was divided amongst his sons; Italy being given to Lewis II. († 875), Lorrain to Lothaire II. († 869), Germany to Lewis II. († 875), and France to Charles the Bald († 877).

<sup>2</sup> For instance, the right of judging Kings, comp. § 9, note 9.

<sup>3</sup> From the time of Leo IV. the Popes began to assume a new consequence in the style of their communications, prefixing to them their own names, and avoiding the title of Dominus, heretofore given to princes. cf. Garnerius ad libr. diurn. Pontif. Rom. p. 151. Planck, Bd. 3, S. 29.—See the description of Nicholas I. given by Regino, and from him in the ann. Mettens. ad ann. 868: Post p. Gregorium usque in præsens nullus Praesul in Romana urbe illi videtur æquiparandus: regibus ac tyrannis imperavit, eisque, ac si dominus orbis terrarum, auctoritate præfuit: Episcopis et Sacerdotibus religiosis ac mandata Domini observantibus humilis, blandus, pius, mansuetus apparuit; irreligiosis et a recto tramite exorbitantibus terribilis atque austерitate plenus extitit, ut merito credatur alter Helias (Deo suscitante) nostris in temporibus resurrexisse, etsi non corpore, tamen spiritu et virtute.

<sup>4</sup> In the year 860 Teutberg was condemned by a Synod held at Aix to do church-penance (Mansi T. XV. p. 547), and in 862 another Synod granted Lothaire permission to marry again (Mansi, l. c. p. 611).

<sup>5</sup> Hincmar, the archbishop, wrote against the proceedings of the Conc. Aquisgr. A. D. 860 his work de divortio Hlotharii Regis et Theutbergæ Reginæ in Opp. ed. Sirmond T. I. p. 557 seq.

<sup>6</sup> Comp. *Vic. epist.* L. ad Carol. Calv. Reg. A. D. 867 (Mansi XV. p. 319): Cum nos ex utraque parte, i. e. tam a Theutberga quam a Lothario fuerimus provocati judices,—ad nullos alios convenit super hoc negotio judices convolare: cuius secundum sacros canones a judicibus, quos communis consensus elegerit, non licet provocare.

by the bribes of Lothaire) confirming the decision of the former council<sup>7</sup> at the Synod of Metz (A. D. 863), Nicholas went so far as of himself to declare the decision of the Synod null, and depose the two highest ecclesiastical dignitaries of Lorrain, Gunther, archbishop of Cologne, and Thietgand archbishop of Triers.<sup>8</sup> The anger of the emperor at this piece of presumption was soon allayed,<sup>9</sup> whilst Lothaire was fain to submit lest resistance should give his uncles an opportunity of seizing on his territories.<sup>10</sup> When, afterwards, he continued his illicit intercourse with Waldrade, at the same time seeking to conciliate the Pope by the most crouching affectation of humility,<sup>11</sup> the severity with which he had been treated by Nicholas was considered only the just reward of his voluptuousness and cowardice.<sup>12</sup>

<sup>7</sup> *Ann. Bertiniani* ad ann. 863.

<sup>8</sup> *Concil. Romanum* ann. 863, in *Mansi XV.* p. 619.

<sup>9</sup> *Ann. Mettenses* ad ann. 865: *Tunc enim turpiter de honestati* (the two archbishops) *Ludovicum Imp.* — *adeunt, qui eo tempore apud Beneventum morabatur, vociferantes se injuste esse depositos: ipsi Imperatori et omni s. Ecclesiae injuriam esse factam, cum nusquam auditum sit, vel uspiam lectum, quod ullus Metropolitanus sine voluntate Principis vel praesentia aliorum Metropolitanorum fuerit degradatus.* Concerning Lothaire's expedition against Rome, see especially *Ann. Bertin.* ad ann. 864; where too may be found the protest of the two archbishops, in which they prove their deposition to have been unlawful, c. 3: *sine Synodo et canonico examine, nullo accusante, nullo testifice, nullaque disputationis distinctione dirimente, vel auctoritatum probatione convincente, absque nostri oris confessione, absentibus aliis Metropolitanis et diecesanis coepiscopis et confratribus nostris, extra omnium omnino consensum, tuo solius arbitrio et tyrannico furore damnare nosmet voluisti.* c. 4: *Sed tuam maledictam sententiam — nequaquam recipimus: immo cum omni cœtu fraterno, — contemnimus atque abjeicimus.* Te ipsum quoque — in nostram communionem nostrumque consortium recipere nolumus, contenti totius Ecclesiae communione et fraterna societate, quam tu arroganter te superexaltans despicias, teque ab ea elationis tumore indignum faciens segregas. The conclusion is in the *Ann. Ful.* ad ann. 863: *scies nos non tuos esse, ut te jactas et extollis, Clericos, quos ut fratres et Coepiscopos recognoscere, si elatio permitteret, debueras.* Et haec tibi nostri ordinis non insciis, nimium tua improbitate compulsi respondemus, non quasi ad illatam nobis contumeliam provocati, sed contra tuam iniuriam Ecclesiastico zelo accensi, nec nostræ vilitatis personam attendentes, sed omnem nostri ordinis universitatem, cui vim inferre conaris, pra oculis habentes.

<sup>10</sup> *Capitula quæ Hlud. et Car. Reges in Tusiaco villa populo annuntiaverunt XI. Kal. Mart. 863, cap. 6 (Baluz. capit. T. II. p. 203).* *Ann. Bertin.* ad ann. 865. Nicholas was the first pope who enjoyed the triumph of protecting a king, *Ann. Bert.* I. c. Nicolaus P. Arsenius — cum epistolis ad Hludovicum et Carolum fratres, sed et ad Episcopos ac Primores regnum illorum, ea quæ Lotharius per fratrem petierat continentibus (namely, *Ann. Ful.*: ob pacem et concordiam inter Hlud. et Kar., necnon Hlotharium nepotem eorum, renovandam atque constituantam), non cum Apostolica mansuetudine, et solita honorabilitate, sicut Episcopi Romani reges consueverant in suis epistolis honorare, sed cum malitiosa intermissione transmittit. Pagi ad ann. 865, no. 8, is mistaken in supposing these letters to be still extant.

<sup>11</sup> See his letter to Nicholas, in *Baronius* ad ann. 866. *Bouquet T. VII.* p. 568.

<sup>12</sup> *Nic. epist. ad univ. Episcopos* A. D. 863 (*Mansi XV.* p. 649) begins: *Scelus, quod Lotharius rex, si tamen rex veraciter dici possit, qui nullo salubri regimine corporis appetitus refrænavit, sed lubrica enervatione magis ipsius illicitis motibus cedit, in duabus feminis, Theutberga scilicet et Waldrada, commisit omnibus manifestum est.* He wrote to Adventius, bishop of Metz, in reference to the Synod at that place (*Mansi XV.* p. 373); *Verumtamen videte, utrum reges isti*

At the same time Nicholas humbled the proud archbishop of Rheims, Hincmar, for his unjust treatement of Rothad, bishop of Soissons, whom, without sufficient reason, he had first suspended from his office,<sup>13</sup> and then, without regarding his appeal to the Pope, had deposed at a Synod held in Soissons in the year 863.<sup>14</sup> Nicholas called up the affair at Rome, and annulled the decision of the council at Soissons (A. D. 865), appealing for his justification in such a course (and it was the first instance of such an appeal) to the authority of the forged decretals;<sup>15</sup> an authority the more readily admitted that it seemed so favorable to the interests of the suffragan bishops.<sup>16</sup> On

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et principes, quibus vos subjectos esse dicitis, veraciter reges et principes sint. Videate, si primum se bene regunt, deinde subditum populum: nam qui sibi nequam est, cui alii bonus erit? Videate si jure principiantur: alioqui potius tyranni credendi sunt, quam reges habendi; quibus magis resistere, et ex adverso ascendere, quam subdi debemus. Alioquin si talibus subditi, et non prelati fuerimus nos, necesse est eorum vitios faveamus. *Nic. ep. L. ad Lothar. R.* (Mansi XV. p. 324): Igitur consilium nostrum accipe — praeceipe Waldrada pellicis tue et dudum a te repulitate communionem declinans. — Excommunicata est enim. — Quainobrem cavendum est, ne cum ea pari muerone pereellaris sententia, ac pro unius mulieris passione, et brevissimi temporis desiderio, vincetus et obligatus ad sulfureos factores et ad perenne traharis exitium. — Praecave — ne hoc ecclesiæ sancta dicamus, et, quod non optamus, de cetero fias ennetis sicut ethnici et publicantes. Such a course was, however, entirely consistent with the preceding means, comp. note 2. Thus even *Hincmar de divert.* *Hlot. et Theutb.* The query had been suggested to him: Dicunt quoque etiam aliqui sapientes, quia iste princeps Rex est, et nullorum legibus vel judiciis subjacet, nisi solius Dei, qui eum — Regem constituit: et sicut a suis Episcopis, quicquid egerit, non debet excommunicari, ita ab aliis Episcopis non potest judicari, quoniam, solius Dei principati debet subjici, etc. To this he answers: Haec vox non est Catholicæ Christiani, sed nimium blasphemæ, et spiritu diabolico pleni. — Quod dicitur, “quia Rex nullorum legibus, vel judiciis subjacet, nisi solius Dei,” verum dicitur, si Rex est, sicuti nominatur. Rex enim a regendo dicitur, et si scipsum secundum voluntatem Dei regit, et bonos in viam rectam dirigit, malos autem de via prava ad rectam corrigit, tunc Rex est, et nullorum legibus vel judiciis nisi solius Dei subjacet — “quia lex non est posita justo sed injustis, etc. (1 Tim. i. 9).” — Alioquin adulter, homicida, injustus, raptor, et aliorum vitiorum obnoxius quilibet, vel secrete vel publice, judicabitur a sacerdotibus, qui sunt throni Dei, etc.

<sup>13</sup> See *Ann. Berlin.* ad ann. 861.

<sup>14</sup> Both sides of this controversy may be found in *Hincmari Epist. ad Nicol.* I. A. D. 864 in Ejusd. Opp. ed. Sirmond T. II. p. 241 seq., and *Rothadi libellus proclamationis* in the Acts of the Synod at Rome A. D. 865 (Mansi XV. p. 681). As Hincmar had declared against the Lorrain bishops in the affair of Lothaire, they now took part against him, cf. *Epist. Synod. Episcoporum regni Loth. ad Episc. regni Ludovici* (Mansi XV. p. 645).

<sup>15</sup> *Sermo Nic. P. I.* in *Conec. Rom.* VII. A. D. 865 (Mansi XV. p. 686): Facto concilio generali, quod sine apostolice sedis pracepto nulli fas est vocandi, vocaverunt hunc [Rothadum] episcopi, etc. in conclusion: Quamquam, etsi nunquam provocasset, nunquam omnino præter scientiam nostram deponi debuerit: quia sacra statuta et veneranda decreta episcoporum causas, utspte majora negotia, nostræ definendas censuræ mandarunt. The same in the *Epist. ad univ. Episc. Gall.* see § 20, note 10.

<sup>16</sup> To this Nicholas himself adverts as early as A. D. 863 in *Epist. XXXII. ad Episc. Syn. Sylvanectensis* (Mansi XV. p. 305): Privilegia sedis apostolicae tegmina sunt, ut ita dicamus, totius ecclesiæ catholice, privilegia, inquam, hujus ecclesiæ minima sunt circa omnes impetus pravitatum. Nam quod Rothado hodie confitit, unde scitis, quod eras cuilibet non eveniat vestrum? — Quod si contigerit, — ad enjus, rogo, confugietis auxilium? Hence the Synod of Troyes A. D. 867 wrote, on another occasion, *Ep. Conec. Tricassini ad Nic. P. I.*

this occasion, also, Nicholas asserted the Pseudo-Isidorian principles, that obedience was due to all papal decrees as such,\* and sought to secure the adoption of this principle by demanding an oath to this effect from the Metropolitanans, at their investiture with the Pallium.†

That the success of these pretensions of the Pope was greatly owing to the accidental posture of political affairs was soon made evident, however, by the very different fate of his successor, Adrian II., who pursued the course that Nicholas had struck out, but by no means with the same success. After the death of Lothaire II. (A. D. 809), Charles the Bald having conquered Lorrain and divided it with Lewis of Germany (A. D. 870), the Pope sought to interfere in favor of the lawful heir, the emperor Lewis II.,<sup>17</sup> but was insultingly repulsed, especially by Hinemar (archbishop of Rheims).<sup>18</sup> And when after-

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(Mansi XV. p. 795) : Exoramus magnificam beatitudinem, ut — more b. prædecessorum vestrorum, quæ de statu sacri pontificalis ordinis ab eis statuta — sunt, ut immota de cetero maneat, muerone apostolico quoruncunque Metropolitanorum temeraria presumptione suppressa, quin etiam reliquorum episcoporum — audaci conniventia penitus summota, privilegia et decreta servari innovata constitutione decernatis: ita ut nec vestris nec futuris temporibus, præter consultum Rom. Pontificis de gradu suo quilibet episcoporum dejiciatur, sicut corundem ss. antecessorum multiplicibus decretis et numerosis privilegiis stabilitum modis mirificis extat.

\* Nicholas I. Ep. ad univ. Episc. Gall. A. D. 865 (see § 20, note 10): Decretales epistolaे Rom. Pontificum sunt recipienda, etiam si non sunt canonum codici compaginatae.

† The first case is that of Anschar. He had before received the Pallium as archbishop of Hamburg from Gregory IV. without any such condition annexed (St. Anschar by Kruse S. 277), but when Nicholas I. confirmed the junction of the two dioceses of Hamburg and Bremen, he accompanied the new Pallium which he sent to Anschar with the demand (Staphorst's Hamburg. Kirchengesch. Th. I. S. 41. Hartzheim Conc. German II. p. 172): Porro te pallio uti nonnisi more sedis consedimus Apostolicae, scil. ut successores tui per semetipsos, vel per legatos suos et scriptum, fidem nobiscum tenere, ac sanctas sex synodos recipere, atque decreta omnium Romanæ sedis Præsulum et epistolæ, quæ sibi delatae fuerint, venerabiliter observare atque perficere omnibus diebus suis, scripto se et juramento profiteantur.

<sup>17</sup> Hadr. Ep. 19, ad proceres regni Lotharii (Mansi XV. p. 838) : Quem ex vobis, — apostolicae sedis monitis in contemnum b. Petri Apostoli calestis regni clavigeri spretis, ad aliam se partem conferre cognoverimus, velut infidelem et ecclesiasticae paci ac saluti contrarium, a nostri apostolatus communione non solum alienum habebimus, sed etiam anathematis vinculo jure meritoque alligare omnino curabimus: et nos secundum apostolicae privilegiu dignitatis et potestatis ipsum — dominum Hludovicum — regni hujus provinciae — regem dominum et imperatorem, sicuti jam olin a Deo præordinatum esse constat, et ab antecessoribus nostris pontificibus statutum multis videtur indicis, habemus, et quoisque superfuerit ipse, eum habere studebimus. Quod sane regnum si tyrannus aliquis contra divinam et apostolicam voluntatem invadere præsumserit, apostolicae sine mora sustinebit ultionis censuram. So too the letters ad Proceres and ad Episcopos regni Car. Calvi, ad Hinemarum, ad Cur. Calv., ad Ludov. Reg. Ep. 20–28.

<sup>18</sup> Hincm. Ep. ad Hadr. A. D. 870 (Opp. ed. Sirm. T. II. p. 689 in Bouquet VII. p. 537). He puts the answers to the assumptions of the Pope in the mouth of others: Dieunt sacerdalem scripturam dicere, quia omne regnum saceruli hujus bellis queritur, victoriis propagatur, et non Apostolici vel Episcoporum excommunicationibus obtinetur, et Scripturam divinam proponunt dicere, quia Domini est regnum, per quem Reges regnant, et cui voluerit dat illud. — Et cum potestatem a Christo S. Petro primo Apostolorum, et in eo suis successoribus datam, sed et Apostolis, et in eis, Episcopis pontificium ligandi et solvendi collatum illis insinuare

wards he sought to interfere with the measures of Charles the Bald against his rebellious son Carlman,<sup>19</sup> his presumptuous letter remained unanswered and unregarded. And finally Hincmar, bishop of Laon, having been deprived of his bishoprick at the Synod of Duziacum (A. D. 871)<sup>20</sup> for disobedience to the King, and to his Metropolitan Hincmar, of Rheims,<sup>21</sup> the Pope, to whom he had appealed, undertook to interfere in his favor as Nicholas had done in the case of Rothad,<sup>22</sup>

volumus, respondent: “Et vos ergo solis orationibus vestris regnum contra Northmannos et alios impotentes defendite, et nostram defensionem nolite querere; et si vultis ad defensionem habere nostrum auxilium, sicut volumus de vestris orationibus habere adjutorium, nolite querere nostrum dispendium, et petite dominum Apostolicum, ut, quia Rex et Episcopus simul esse non potest, et sui antecessores ecclesiasticum ordinem, quod suum est, et non rem publicam, quod Regum est, disponerunt, non præcipiat nobis habere Regem, qui nos in sie longinquis partibus adjuvare non possit contra subitanos et frequentes paganorum impetus, et nos Francos non jubeat servire, cui nolumus servire: quia istud jugum sui antecessores nostris antecessoribus non imposuerunt, et nos illud portare non possumus, qui scriptum esse in sacris libris audimus, ut pro libertate et hereditate nostra usque ad mortem certare debeamus. Et si aliquis Episcopus aliquem Christianum contra legem excommunicat, sibi potestatem ligandi tollit; et nulli vitam aeternam potest tollere, si sua peccata illi eam non tollunt. Et non convenit ulli Episcopo dicere, ut Christianum, qui non est incorrigibilis, non propter propria crimina, sed pro terreno regno alicui tollendo vel acquirendo, nomine Christianitatis debeat privare, et eum cum Diabolo collocare. — Propterea si dominus Apostolicus vult pacem querere, si pacem querat, ut rixam non moveat; quia non nos concredemus, ut aliter ad regnum Dei pervenire non possumus, si illum, quem ipse commendat, terrenum Regem non habuerimus.”

<sup>19</sup> Concerning this affair see *Ann. Berl.*, ad ann. 870, 873, and Hincmari ep. ad Episc. Prov. Lugdun. A. D. 871 (Opp. T. II. p. 353, complete in *De la Lande* suppl. Concill. ant. Gall. Par. 1660, fol. p. 204). — *Hadr. Ep. XXIX.* ad *Carol. Calv.* A. D. 871 (Mansi XV. p. 850): Inter ea tera excessum tuorum, quibus aliena usurpando invasisse crederis, illud quoque nihilominus objicitur, quod etiam bestiarum feritate excedens, contra propria viscera, i. e. contra Carolomanum genitum tuum sevire minime verearis, etc. In the same tone *Ep. XXX. ad Proceres* and *Ep. XXXI. ad Episc. regni Car.*

<sup>20</sup> *Acta Cone. Duziacensis* prim. ed. Lud. Cellot. Par. 1658. 4to, in Mansi XVI. p. 569 seq. In the *Ep. synod ad Hadr. P.* (Mansi p. 680) we read: Et si forte, quod non putamus, vistum vobis necessario fuerit, ut secundum Sardicenses canones renovetis judicium, et detis judices, scribendo epi-copis, qui in finitimiis et viciniis provinciis sunt, ut et ipsi diligenter omnino requirant, et juxta fidem veritatis definiant: vel, si decreveritis mittere a latere vestro habentes auctoritatem restraint, qui cum episcopis judicent, *eo in gradu aliue non restituto*, sicut sacri Sardicenses canones præcipiunt; non abnuimus. Verumtamen quanta possumus devotionis humilitate depositimus, ut etiam in hac causa nobis canoniceam definitiōnem servetis. Videlicet ut si, quod non credimus, ea que regulariter definitivimus, — vobis præstantialiter non placuerit vestra sententia robore, non antea communionei sacerdotali, a qua separatus est, restitutur, antequam secundum regulas et leges in provincia, in qua cause gestæ et judicatae sunt, requirantur. Quia usque ad nostra tempora nulla patrum definitione hoc ecclesiis Gallicanis et Belgicis est derogatum; præsertim quia decreta Nicæna, sive inferioris gradus clericos, sive episcopos ipsos, ut Africanum scribit concilium, suis metropolitanis aptissime commiserunt. If we compare this with the *Ep. Conc. Tric.* see note 16, we shall see how circumstances threw the chief influence at the councils now into the hands of the metropolitan, and now into the hands of the suffragan bishops.

<sup>21</sup> Comp. *Ann. Berl.* ad ann. 868 et 869. The earlier letters on this subject in Hincm. Opp. T. II. p. 316—352, especially *Hincm. Rhem. Opusculum LV capitulorum adv. Hincm. Laudun.* A. D. 870. Opp. T. II. p. 377 seq.

<sup>22</sup> *Hadr. ep. XXXII. ad Episc. Syn. Duziacensis* (Mansi XV. p. 852) and

but was so sternly silenced,<sup>23</sup> that he found it expedient to make every effort in his power to pacify the enraged King.<sup>24</sup>

The next Pope, John VIII., was more fortunate. At the death of the emperor Louis II. (A. D. 875) he bestowed the imperial crown on Charles the Bald, notwithstanding the opposition of Lewis of Germany, and enjoyed the triumph of first openly declaring the right of the Pope

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*ep. XXXIII. ad Car. Calv.* (ib. 855). In the last he says: Jubemus ipsum Hincmar. Laud. Episc., vestra fretum potentia, ad limina SS. Apostolorum, nostramque venire präsentiam. Quo sane veniente, veniat pariter accusator idoneus, qui nulla possit auctoritate legitima respui. — Nos in depositione Hincmari, quādū vivimus, nullatenus consenfimus, nisi ad nostram ipso veniente präsentiam, causa ejus depositionis nostro fuerit examine diligenter inquisita atque finita. Quibus nimirū admōnit, aliter in præsenti de prædicto Hincmario, nisi eum Romanum veniendi, vobis mandare distulimus.

<sup>23</sup> *Car. C. ep. ad Hadr. II.*, written by Hincmar (in *Hincm. Opp. T. II.* p. 701 and in *Bouquet T. VII. p. 542*): Cogitis nos, indecentibus potestati regiae litteris vestris in honorum, inconvenientibus Episcopali modestiæ vestrae mandatis gravatum, contumelias et opprobriis de honestatum, aliter quam vellemus mente pacifica vobis describere: ut tandem animadvertis, quamquam perturbationibus humanis obnoxium, in imagine tamen Dei ambulantem esse nos hominem, habere sensum paterna et avita successione, Dei gratia, regio nomine ac culmine sublimatum, et quod his magis est, Christianum, Catholicum, fidei orthodoxæ cultorem. — Valde mirati sumus, ubi hoc dictator epistole — scriptum invenerit, esse Apostolica auctoritate præcipendum, ut Rex, corrector iniquorum, et districtor reorum, ac secundum leges Ecclesiasticas atque mundanas ultor erit in omnium, reum legaliter ac regulariter pro excessibus suis damnatum, sua fretum potentia, Romanum dirigat: maxime autem illum, qui et ante depositionem contra custodiā publicam et contra quietum moliri in tribus synodis exiit deprehensus — et post depositionem suam — a sua pervicacia non quievit. — Reges Francorum ex regio genere nati, non Episcoporum vicedomini, sed terra domini haec tenus fuius computati: et ut Leo ac Romana Synodus scripsit: “Reges et Imperatores, quos terris divina potentia præcepit præesse, jus distinguendorum negotiorum Episcopis sanctis juxta divaliam constituta permiscent;” non autem Episcoporum villici existerunt. — Et si revolveritis regesta decessorum ac prædecessorum vestrorum, talia mandata, sicut habentur in litteris ex nomine vestro nobis directis — decessores nostros a decessoribus vestris accepisse nullatenus inventi. — iterato scribimus — deprecantes vos — ut tales in honorationis nostræ epistolas, taliaque mandata, sicut haec tenus ex nomine vestro suscepimus, nobis et regni nostri Episcopis ac Primoribus de cætero non mandetis, et non compellatis nos mandata et epistolas vestras in honordandas contempnere, et missos vestros dehonorable, qui vobis in his, quæ ad vestrum ministerium pertinent (si tamen ministerium vestrum) cupimus obtemperare.

<sup>24</sup> *Hadr. Ep. XXXIV. ad Car. C.* (Mansi XV. p. 857): — Et quidem quia quasi tumores et lesiones vestras palpitare sensimus, has oleo consolationis per melos dulcissimæ caritatis, et sanctæ dilectionis unguentum fovere, lenire, et ad integratitudinem sanitatem perducere medicamento, quo valens, optamus. Prædicatur enim de te, et longe lateque diffunditur, quod sis sapiens et Deum timens, — quod sis justus, — quod sis amator, exaltator et illustrator specialis in orbe terrarum et per maximus ecclesiarum Dei, etc. — vobis confitemur devovendo, et notescimus affirmando, salva fidelitate Imperatoris nostri, quia, si superstes ei fuerit vestra nobilitas, vita nobis comite, si dederit nobis quislibet multorum modiorum auri cumulum, nunquam acquiescemus, exposcemos, aut sponte suscipiemus alium in regnum et imperium Romanum, nisi te ipsum. He even yielded the disputed point. Hincmar of Laon was still ordered, it is true, to come to Rome, in order to see if he persisted in his innocence: tunc electis judicibus, non tamen eo prius in gradu restituto, aut ex latere nostro directis legatis, cum auctoritate nostra refracentur, quæ gesta sunt, et negotia in qua orta sunt provincia canonice terminentur. Just as prescribed by the Synod, see note 21. But even this did not take place. *Johannes VIII. ep. 314, ad Hincm. Rhem.* (Mansi XVII. p. 226) A. D. 876 confirmed the sentence; agnovimus justum fuisse omnino judicium. Neque enim tantus princeps, nisi

to exercise this power.<sup>25</sup> The new emperor, too, proved his gratitude not only by appointing Ansegisus, archbishop of Sens, Primate\* of the whole Gallican and German church,<sup>26</sup> but by permitting various acts of Synods to be passed, the operation of which was to make the ecclesiastical independent of the civil power.<sup>27</sup> Still, he by no means con-

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veritate fultum quidquam poterat affirmare. Unde nefas esse duximus ejus relationi non præbere incunctanter auditum. Hinemar of Laon was kept in prison, and even barbarously abused, see *Reclamatio Hinem.* in Actis Conc. Tricassini A. D. 878 (Mansi XVII. p. 352), and at this council the Pope out of pity only permitted ut Hinem. cæcus, si vellet, missam cantaret, et partem de rebus episcopii Laudensis haberet. vid. *Ann. Bertin.* ad ann. 878.

<sup>25</sup> Joh. VIII. Epist. 315, ad Episc. regni Ludov. A. D. 876 (Mansi XVII. p. 227)—imperium, quod Carolo constat non humano collatum beneficio, licet per nostræ mediocritatis ministerium, sed divino. —[Deus] per apostolica sedis privilegium, cunctorum favoribus approbatum sceptris imperialibus sublimavit. He reproaches them with not having prevented Lewis from invading Charles' realm: ubi est, quæsumus, quod vicem Christi in ecclesia fungimur, si pro Christo contra insolentiam principum non luctamur; præsertim cum secundum Apostolum non sit nobis colluctatio adversus carnem et sanguinem, sed adversus principes et potestates (Eph. vi. 12!!). *Ejusd. epist.* 316, ad Comites in regno Ludov. (ibid. p. 230).—*Synodus apud Tieinum ad Carol. Imp.* A. D. 876 (ibid. p. 310): Jam quia divina pietas vos, b. Principum Apostolorum Petri et Pauli interventione, per vicarium ipsorum, dominum videlicet Joannem summum pontificem et universalem Papam, spiritalemque patrem vestrum—ad imperiale culmen s. Spiritus judicio proverxit: nos unanimiter vos protectorem, dominum ac defensorem omnium nostrum eligimus.

\* See p. 66, note 3.

<sup>26</sup> At the *Conc. Pontigonense* [876] *Capitul. Caroli Calvi* Tit. XLVIII. c. 7. *Hincmari tract. ad Episcopos de jure Metropolitanorum.* Cum de primatu Ansegisi ageretur (Opp. ed. Sirm. T. II. p. 719). Especially *Ann. Bertin.* ad ann 876 (copied in the continuation of Aimoini hist. Francorum lib. V. c. 33): The new primate was empowered, ut, quoties utilitas ecclesiastica dictaverit, sive in evocanda synodo, sive in aliis negotiis exercendis per Gallias et Germanias apostolica vice fruatur, et decreta sedis apostolica per ipsum episcopis manifesta efficiantur: et rursus qua gesta fuerint, ejus relatione, si necesse fuerit, apostolicæ sedi pandantur, et majora negotia ac difficultiora quæque suggestione ipsius a sede apostolica disponenda et enucleanda quæruntur (word for word from the Epist. Joh. P. ad Episc. Galliæ et Germ. in *Sirmondi Concil. Gall.* T. III. p. 422 *Bouquet* T. VII. p. 459). The only reservation made by the French bishops, ut servato singulis Metropolitanis jure privilegii secundum sacros canones—domini Joannis Papæ Apostolici iussionibus obedirent. Et cum Imp. et Legati Apostolici satagerent, ut absolute archiepiscopi responderent, se obeditiis de primatu Ansegisi, sicut Apostolicus scripsit, aliud, nisi quod predictum est, responsum ab eis extorquere non potuerunt. At the seventh session the matter was again brought forward: the bishops then declared: quod veluti sui antecessores illius [Johannis] antecessoribus regulariter obedierunt, ita ejus decretis vellent obedire. cf. *Marca de Conc. Sac. et Imp. lib. IV. c. 5, § 5.* Lib. VI. c. 29, § 5. *Ej. diss. de Primatis.* § 56.

<sup>27</sup> *Syn. Ravennensis* held by John VIII. A. D. 877, c. 4 (Mansi XVII. p. 337): Nulli Ducum licet quemlibet episcopum in præsentiam Romani præsulis introducere, vel census ab eo, sumptus publicos, et dona quælibet exigere: sed nec coram laicis episcopum objurgare concedimus. Clericos et sanctimoniales, pupillos et viduas sub tutela episcoporum esse decernimus, et eos ad sacularia trahi modis omnibus interdicimus. Quemlibet autem ducum vel alium contra hæc agentem excommunicandum esse decernimus, perseverantem vero anathematis vinculo innodandum. *Syn. Tricassina* A. D. 878 (Capit. Ludov. II. Tit. II. in Baluz. T. II. p. 273): Capitula statuta a Domino Johanne summo Pont. Rom. quæ s. Synodus recepit et confirmavit. *Cap. I.*: Ut Episcopi cum omni reverentia a

ceded the Pseudo-Isidorian principle of the subjection of all temporal power to that of the church.<sup>28</sup>

## § 22.

### PAPACY IN THE STORMY TIME TILL THE SYNOD OF SUTRI (A. D. 1046).

V. C. Læscher's *Historie des römischen Hurenregiments.* Leip. 1707. 4to.

By the deposition of Charles the Fat, the Italian nobles, whose power had been gradually increasing during the last reigns, became entirely independent, and there ensued a wild strife of parties in Italy, in which the Popes<sup>1</sup> unavoidably became involved.<sup>2</sup> The creatures of the reigning faction, they were compelled to give the sanction of religion to its proceedings, and thus were involved in its fate; their career often ending in a prison, or a violent death.

In the contest for the crown of Italy between Guy, duke of Spoleto, and Berenger, duke of Friuli, Stephen V.<sup>3</sup> decided in favor of the former, and crowned him emperor in the year 891. The succession of Guy's son, the emperor Lambert, was disputed by the next Pope Formosus, who summoned Arnulph, King of Germany, to his aid (A. D. 894).<sup>4</sup> As soon as Arnulph had withdrawn from Italy, however, Lambert was again acknowledged as emperor, and the conduct of

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cunctis mundi potestatibus debite honorentur, atque coram eis sedere nullatenus audeant, nisi illis præcipientibus. *Cap. III.* confirms the *Capitula Ravennæ statuta.*

<sup>28</sup> Caroli Calvi de presbyteris ex criminibus diffamatis ad Joanem P. ann. 878 (Hincmar Opp. II. p. 768, and in Goldasti collectio constit. ff. imperialium T. II. p. 34) cap. 2.

<sup>1</sup> Martin II. (properly Marinus) A. D. 882–884, Hadrian III. † 885, Stephen V. (VI.) † 891, Formosus, † 896, Boniface VI. only fifteen days Pope, Stephen VI. (VII.) strangled A. D. 897, Romanus, four months Pope, Theodore II. twenty days, John IX. † 900, Benedict IV. † 903, Leo V. expelled from Rome after a reign of one month, Christophorus, likewise expelled after a reign of seven months, Sergius III. from A. D. 904–911.

<sup>2</sup> *Martinus Polonus* [1277] ad ann. 884, says of Hadrian III.: *Hic constituit ut Imperator non intromitteret se de electione, and is followed in this by Ptolomeus Lucensis* [† 1321] in his hist. eccl., *Amalricus Augerii* [1362] in his Chron. Pontificale, and other later writers. With how little probability, see *Muratorii Annali d'Italia* T. V. p. 148.—But when *Sigoniuss de regno Ital.* lib. V. goes so far as to attribute to him an ordinance, *ut moriente rege Crasso sine filiis, regnum Itallicis principibus una cum titulo Imperii traderetur*; a suggestion so improbable deserves no farther notice.

<sup>3</sup> Remarkable ordinance *Stephani V.* in *Gratian.* P. I. Dist. XIX. c. 4: *Enim vero, quia in speculuni et exemplum s. Romana ecclesia, cui nos Christus præesse voluit, proposita est, ab omnibus, quiequid statuit, quicquid ordinat, perpetuo et irrefragabiliter observandum est.*

<sup>4</sup> Remarkable oath of allegiance taken by the Romans at the coronation of Arnulph, in the *Annal. Bertin.* and *Fuldens.* ad ann. 896: *Juro per hæc omnia Dei mysteria, quod salvo honore et lege mea atque fidelitate domini Formosi P. fidelis sum et ero omnibus diebus vita meæ Arnolfo imperatori, etc.*

**Formosus** condemned by his successor, Stephen VI.<sup>5</sup> After Lambert's death (A. D. 898) Berenger renewed his pretensions, and having defeated Lewis, King of Provence, whom the other party had put up in opposition to him, and whom Benedict IV. had already crowned (A. D. 901), was at length successful in making himself master of Italy (A. D. 905), and was crowned emperor by John X. in the year 915.

In the mean time a party, under Adelbert, margrave of Tuscany, and the infamous Theodora and her daughters Marozia and Theodora, were gradually gaining uncontested sway at Rome. The decided ascendancy of this party began with the elevation of the vile Sergius III. to the papal chair (A. D. 904) and after him all the Popes were of its creation.<sup>6</sup> John X., the paramour of Theodora, and by her raised to the papal dignity (A. D. 914),<sup>7</sup> was murdered as soon as he betrayed symptoms of a disposition to act for himself (A. D. 928).<sup>8</sup> Soon after this, Marozia's son, John XI. was made Pope<sup>9</sup> (A. D. 931), whilst her second son, Alberich, possessed himself of the chief power of Rome as Patricius and Senator<sup>10</sup> (A. D. 932 — 954). His son

<sup>5</sup> Concerning the Concil. Rom. held to condemn Formosus A. D. 897, see the contemporaries *Auxilius de ordinationibus Formosi P.* libb. II. (in Bibl. PP. Lugd. T. XVII. p. 1) and *super causa et negotio Form. P.* (in Mabillonii *Analectis* ed. II. p. 28). Further *Syn. Rom.* A. D. 904 (Mansi XVIII. p. 221), where John IX. condemned the decrees of the former council.

<sup>6</sup> Anastasius III. † 913, Landus † 914, John X. murdered in prison A. D. 928, Leo VI. † 929, Stephen VII. (VIII.) † 931, John XI. † 936, Leo VII. † 939, Stephen VIII. (IX.) † 942, Martin III. (Marinus II.) † 946, Agapetus II. † 956, John XII. deposed 963.

<sup>7</sup> *Luitprandi hist.* II. c. 13: Theodora seortum impudens, hujus Alberici, qui nuper hominem exxit, avia (quod dictum etiam fœdissimum est) Romanæ civitatis non inviriliter monarchiam obtinebat. Quæ diras habuit natas, Maroziam atque Theodoram, sibi non solum coœquales, verum etiam Veneris exortivo prontiores. Harum una Marozia ex Papa Sergio — Joannem, qui post Joannis Ravennatis obitum S. Rom. Ecclesiæ obtinuit dignitatem, nefario genuit adulterio: ex Alberto autem Marchione Albericum, qui nostro post tempore Romanæ urbis principatum usurpavit. — Petrus Ravennatis Sedis Archiepiscopus dum subjectionis officio debitæ Joannem Papam, qui sue minister ecclesie tunc temporis habebatur, Romanum saepius et iterum domino dirigeret Papæ: Theodora, *ut testatur vita ejus*, meretrix impudentissima, Veneris calore succensa, in hujus speciei decorum vehementer exarsit; secumque hunc seortari non solum voluit, verum etiam atque etiam post compulit. Haec dum impudenter aguntur, Bononiensis Episcopus moritur, et Joannes iste loco ejus eligitur. Paulo post ante hujus diem consecrationis nominatus Ravennas Archiepiscopus mortem obiit, locumque ejus Johannes Theodoræ instinctu — sibi usurpavit. Romanum quippe adveniens mox Ravennatis ecclesie ordinatur Episcopus. Modica vero temporis intercapidine, Deo vocante, qui eum injuste ordinaverat Papa, defunctus est. Theodoræ autem Glycerii mens perversa, ne amasii CC milliarium interpositione, quibus Ravenna sequestratur a Roma, rarissimo concubitu potiretur, Ravennatis hunc sedis Archiepiscopatum cogit descrere, Romanumque (proh nefas!) Summum Pontificium usurpare. On the credibility of this passage see Martini's (S. 119) Abhandl. S. 54 ff.

<sup>8</sup> *Luitpr. III. 12. Martini, S. 27.*

<sup>9</sup> According to Luitprand (note 7) the son of Marozia and Pope Sergius. Nor can this account be disproved by that of Leo of Ostia (about A. D. 1100), according to whom Albericus Rom. Consul was the father, since he confounds (as does Schlosser, Bd. 2, Th. 2, S. 201) John XI. with John XII. See Martini, S. 53.

<sup>10</sup> *Luitpr. III. 12. Martini, S. 27. Schlosser's Weltgesch.* Bd. 2, Th. 2, S. 164 ff.

Octavian, not content with succeeding to his father's power, assumed also the papal dignity under the name of John XII. (A. D. 956), which he disgraced by the most shameful excesses.<sup>11</sup> In an evil hour for himself he summoned Otho I., King of Germany, to assist him against the King of Italy, Berenger II. For, not long after, Otho (whom he had crowned emperor A. D. 962),<sup>12</sup> disgusted with his treachery, deposed him (A. D. 963),<sup>13</sup> and appointed Leo VIII., in his place,<sup>14</sup> whom he maintained in spite of all the efforts of John, and

<sup>11</sup> Concerning him, see Luitprand VI. 6–11 (Martini, p. 68, shows that there is no ground for questioning the authenticity of these chapters of Luitprand, as had been done on the strength of Baronius ad ann. 963, no. 2 seq.). His manners are described c. 6: Joannes P. his omnibus (moribus et legibus) adversatur. Non clam est populo, quod fatemur. Testis est Rainera, sui ipsius militis vidua, quam eæco captus igne, multis prefectam urbis, sacrosanctis b. Petri donavit aureis crucibus atque calicibus. Testis est Stephana ejus amica, qua in effusione, quod ex eo conceperat, recens hominem exivit. Quod si euneta taceant, Lateranense palatum, Sanctorum quandam hospitium, nunc prostibulum meretricum, non silebit amicam conjugem Stephanæ patris coenobinæ sororem. Testis omnium gentium, præterquam Romanorum, absentia mulierum, quæ SS. Apostolorum limina orandi gratia timent visere, quum nonnullas ante dies paucos hunc audierint conjugatas, viudas, virgines vi oppressisse. Testes sunt sanctæ Apostolorum ecclesiæ, quæ non stillatim pluviam, sed totum intrinsecus supra ipsa etiam sacro-sancta altaria imbreu admittunt.

<sup>12</sup> Schlosser, Bd. 2, Th. 2, S. 202 ff. *Luitpr.* VI. 6: Jusjurandum vero (Otto) ab eodem P. Joanne supra preciosissimum corpus Petri, atque omnibus civitatis proceribus, se minquam Berengario atque Adelberto auxiliaturum accepit. But *Gratian* P. I. Dist. LXIII. c. 33, has a juramentum Ottonis, before he was emperor: — quod si — Romam venero, s. Rom. ecclesiam, et te rectorem ipsius exaltabo secundum posse meum, et nunquam vitam, aut membra, et ipsum honorem, quem habes, mea voluntate — aut meo consensu — perdes: et in Romana urbe nullum placitum, aut ordinationem faciam de omnibus, quæ ad te aut ad Romanos pertinent, sine tuo consilio, et quicquid de terra s. Petri ad nostram potestatem pervenerit, tibi reddam, etc. The investiture of Otho (with the clause ut ea in illius [Pontificis] ditione ad utendum et fruendum atque disponendum firmiter valeant obtineri, salva in omnibus potestate nostra, et filii nostri, posterorumque nostrorum, secundum quod in pacto et constitutione ac promissioni firmitate Eugenii Pontifici, successorumque illius continetur), given by *Baronius* ad ann. 962, no. III, professedly from the original, which could not, however, be found in the controversy concerning Comaechio 1709, has been called in question, especially by *Corringius* de Germanorum Imp. Romano (1643 in *Ej. opp. T. I.* p. 76) cap. X. § 9, and *Muratori*. The fictitious investiture of Lewis I., however (see § 5, note 14), supposed to have been adopted into this of Otho, has been shown rather to have flowed from it. Comp. especially *Le Bret Gesch. v. Italien*, Th. 1, S. 476 ff.

<sup>13</sup> See the Acts of the Conc. Rom. in *Luitpr.* VI. 6–11. The older writers acknowledge the legitimacy of this council, even as late as Platina in the fifteenth, and Onuphrius Panvinius in the sixteenth century; not so, however, the later Catholic writers, who, since *Baronius* ad ann. 963, have, for the most part, declared it to be a Pseudo-synodus and Conciliabulum, and Leo VIII., who was there elected, a Pseudo-papa, see especially *Natal. Alex. hist. eccl. ad sœc. IX.* et X. diss. XVI.

<sup>14</sup> *Luitpr.* VI. 6: Cives vero Sanctum Imperatorem cum suis omnibus in urbe suscipiunt, fidelitatemque promittunt: haec addentes et firmiter jurantes, nunquam se Papam electuros aut ordinaturos præter consensum atque electionem domini Imperatoris Othonis. — *Constitutio Leonis* P. in *Gratian* P. I. Dist. LXIII. c. 23: In synodo congregata Roma in eccles. S. Salvatoris. Ad exemplum B. Hadriani — qui domino Carolo — patriciatus dignitatem ac ordinationem apostolicæ sedis, et investituram Episcoporum concessit: ego quoque Leo Episc. — cum toto

his successor, Benedict V. During the reign of Otho I. there was something like order at Rome,<sup>15</sup> but no sooner was he dead (A. D. 973) than the Tuscan party, under Crescentius, the son of the younger Theodora, regained their old ascendancy.<sup>16</sup> Otho II. († A. D. 983) maintained, in some measure, the imperial dignity; but, during the minority of Otho III. there was no check whatever on the proceedings of Crescentius.<sup>17</sup> The power of the Pope seems to have been little regarded any where. At the instance of Hugh Capet, a Synod at Rheims in the year 991<sup>18</sup> did not hesitate to depose Arnulf, bishop of

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clero ac Romano populo constituimus et confirmamus atque largimur dom. Ottoni primo, Regi Teutonicorum, ejusque successoribus hujus regni Italiae, in perpetuum facultatem eligendi successorem, atque summae sedis apostolicae Pontificem ordinandi, ac per hoc archiepiscopos s. episcopos, ut ipsi ab eo investituram accipi-ant, et consecrationem unde debent: exceptis his, quos Imperator Pontificibus et Archiepiscopis concessit: et ut nemo deinceps eujusque dignitatis vel religiositatis eligendii vel Patricium, vel Pontificem summae sedis Apostolicae, aut quemcumque episcopum ordinandi habeat facultatem, absque consensu ipsius Imperatoris (quod tamen fiat absque omni pecunia), et ut ipse sit Patricius et Rex. Quodsi a clero et populo quia eligatur episcopus, nisi a supradicto Rege laudetur et investiatur, non consecretur. Si quis contra hanc regulam et Apostolicam auctoritatem aliquid molietur, hunc excommunicationem subjacere decernimus: et nisi resipuerit, irre-vocabili exilio puniri, vel ultimis suppliciis affici. — *Baronius* ad ann. 964, no. 22 and 23, denies the genuineness of this document. But the expression to which he particularly objects: ut ipse sit Patricius, is justified by the passage of Petrus Damianus cited below (note 29). Comp. also *Chr. IV. F. Walchii* diss. de Ottone M. p. 46 seq. Le Bret Gesch. v. Italien, Th. 1 (Allg. Weltgesch. Th. 40), S. 486 ff.

<sup>15</sup> Popes: Leo IV. † 965. *Contin. Regin.* ad ann. 965: Tunc legati Romanorum — Imperatorem pro instituendo, quem vellet, Romano pontifice, in Saxoniam adeuntes, honorifice suscipiuntur et remittuntur. Et Otgerus, Spirensis Episc. et Linzo, Cremonensis Episc. cum eisdem Romam ab Imp. diriguntur. Tunc ab omni plebe Romana Joannes Narniensis ecclesiae Episc. eligitur. John XIII. † 972. Benedict VI.

<sup>16</sup> Benedict VI., murdered by the Tuscan party A. D. 974; Boniface VII., expelled by the populace 974; Domnus II., † 975; Benedict VII. † 983; John XIV., elected by the imperial influence.

<sup>17</sup> Immediately on the death of Otho II., Boniface VII. returned, and John XIV. died in prison 984, Boniface VII. (cf. *Arnulf. Aurel.* in note 19: horrendum monstrum Bonifacius, cunctos mortales nequitia superans, etiam prioris pontificis sanguine cruentus — fugatus — redit — virum Apostolicum — squalore carceris affectum perimit) † 985. John XV. † 996, Gregory V. owed his election to his relative Otho III. (vid. Schlosser, Bd. 2, Th. 2, S. 291).

<sup>18</sup> The Acts of this remarkable Synod have been preserved by Gerbert (Sylvester II.) He says in the preface: Accingar igitur, et suinmarum quidem genera causarum, in Remensi concilio exposita breviter attingam, ut et gestorum veritas innoscet, et quae a summis viris retracta sunt agnoscantur. — Triplici genere interpretationis utendum fore censeo, scilicet ut quedam ad verbum ex alia in aliam transferantur lingua: in quibusdam autem sententiarum gravitas et eloquii dignitas dicendi genere conformentur: porro in aliis una dictio occasionem faciat, et abdita investigari, et in lucem ipsos affectus manifeste proferri. — His modis doctissimorum hominum sententias conabor interpretari. Sed earum amplificationes, digressiones, et si qua eiusmodi sunt, quodam studio refringam, etc. It seems therefore from this that Gerbert had before him the protocol of the council in the common language of the day. These Acts were first published in the Magdeburg. Cent. X. cap. 9, p. 457 seq., then in Bongars Francof. 1600. 8vo. Baronius declared them to be spurious, and hence they are not found in the older collections. *Mansi T. XIX.* p. 107 seq. was the first to take them up, with the observation: censem vulgo omnes, Gerbertum reipsa et sincere recitasse acta Concilii vere habiti, etc.

Rheims, and appoint the celebrated Gerbert his successor, in a manner which showed their utter contempt for the papal authority.<sup>19</sup> John XV. declared the decrees of this Synod void, but, as it seems, without effect.<sup>20</sup> Hugh Capet's successor, however, Robert, deemed a recon-

<sup>19</sup> Arnulph was accused of having betrayed Rheims A. D. 989, to Charles, duke of Lorraine, who pretended to the crown. Hugh Capet at first applied to the Pope (see the letters in the Act. Syn. Rhei, cap. 25 and 26); but afterwards, having got Arnulph in his power, he held the council referred to in the text. An attempt was made at first, by certain monks, to prove from the *Pseudo-Isidoriana*, that Arnulph ought first of all to be restored to his bishopric, and that all negotia episcoporum belonged to the see of Rome (cap. 19–23). This was especially opposed by Arnulphus Ep. Aurelianensis (qui ordinis custos ac omnibus gerendorum interpres declaratus est, eo quod inter omnes Galliarum episcopos sapientia et eloquentia clarior haberetur, cap. 1). He said, cap. 28, etc.—*Nos—Rom. ecclesiam—semper honorandam decernimus—salva tamen auctoritate Nicæni concilii.—Si nova constitutio Rom. pontificis prouulgatis legibus canonum præjudicare potest, quid prosum leges conditæ, cum ad unius arbitrium omnia dirigantur?—O Ingenda Roma, que nostris majoribus clara patrum lumen protulisti, nostris temporibus monstruosa tenebras futuro saeculo famosas effudisti! Olim accepimus claros Leones, magnos Gregorios.—Eorum itaque dispositioni, qui vita merito et scientia cunctos mortales anteirent, recte universalis ecclesia credita est; quamvis et in hac ipsa felicitate hoc privilegium tibi ab Africanis episcopis contradictum sit (see vol. i. p. 203), has credo quas patimur miseras magis, quam typhum dominacionis formidantibus. Nam quid sub haec tempora non vidimus? Vidi enim Johanneum cognomento Octavianum, in voluntario libidinum versatum, etc. etc.—Num talibus monstris hominum ignominia plenis, scientia divinarum et humanarum rerum vacuis innueneros sacerdotes Dei per orbem terrarum, scientia et vita merito conspicuos subjici decretum est?—Quid hunc, Rev. Patres, in sublimi solio residentem, veste purpurea et aurea radiatorem, quid hunc, inquam, esse censetis? Nimirum si caritate destituitur, solaque scientia inflatur et extollitur, Antichristus est, in templo Dei sedens, et se ostendens tanquam sit Deus. Si autem nec caritate fundatur, nec scientia erigitur, in templo Dei tanquam statua, tanquam idolum est, a quo responsa petere, marmora consulere est. Quo ergo consultum ibimus?—Certe in Belgica et Germania—summos sacerdotes Dei, in religione admodum præstantes, inveniri, in hoc sacro conventu testes quidam sunt. Prinde, si regum dissidentium animositas non prohiberet, inde magis episcoporum judicium petendum fore videretur, quam ab ea urbe, quæ nunc entitoribus venalis exposita, ad nummorum quantitatem judicia tratinat. He then shows in answer to the Epist. *Pseudo-Damasi*, cited by the monks, that according to Gregory the Great, bishops and metropolitans could be condemned by the provincial synods. Further in opposition to the rule of *Pseudo-Damascus*, Synodus sine ejus Rom. Sedis auctoritate fieri, non est catholicum, he urges Nicænus canon bis in anno concilia debere fieri dicit, nihilque inde ad Rom. Episcopi auctoritatem spectare præscribit. Still, however, without any suspicion that the decree of *Damascus* was otherwise than genuine! At length Arnulph of Rheims acknowledged the offence, and voluntarily resigned his place. Comp. Gerbert's defence of the council *ad Wielderorum Episc.* *Argentinae* in Mansi XIX. p. 153 seq.*

<sup>20</sup> Comp. *Gerbert's* three letters in Mansi XIX. p. 173 seq. ad *Constantinum Miciacensem Abb.*:—Majus est, quod queritur, et quod appetitur, quam ego humili et parvus; verumque proverbium est: tua res agitur, paries cum proximus ardet. — Hoc enin concessio, dignitas vel potius gravitas confunditur sacerdotalis, status regni pericitatur, etc. — *Ad Siguinum Archiep. Senon.*: Quomodo ergo nostri æmuli dicunt, quod in Arnulfi dejectione, Romani episcopi judicium expectandum fuit? Poteruntne docere Romani episcopi judicium Dei majus esse? — Constanter dico, quod si ipse Romanus episcopus in fratrem peccaverit, sæpius que admonitus ecclesiam non audierit, hic, inquam, Rom. episc. præcepto Dei est habendum sicut ethnicus et publicanus. — Quod si propterea sua communione nos indignos ducit, quia contra evangelium sentiendi nullus nostrum consentit; non ideo a communione Christi nos separare poterit. — Non est ergo danda occasio

ciliation with the Pope desirable, and Gregory V.<sup>21</sup> had the triumph of seeing a new Synod at Rheims (A. D. 996) completely submissive to his authority, which extended even to commanding king Robert to put away his wife Bertha, on account of their too near consanguinity.<sup>22</sup>

Nearly at the same time Crescentius was driven from Rome, where he had so long held supreme sway, by Otho III. (A. D. 998);<sup>23</sup> who, on the death of Gregory, appointed his own teacher, Gerbert, to succeed him, under the name of Sylvester II.<sup>24</sup> But, after Otho's

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nostris amulis, ut sacerdotium, quod ubique unum est, sicut ecclesia catholica una est, ita uni subjici videatur, ut et pecunia, gratia, metu vel ignorantia corrupto nemo sacerdos esse possit, nisi quem sibi haec virtutes commendarint. Sit lex communis ecclesiae catholicae evangelium, apostoli, prophetae, canones spiritu Dei constituti, et totius mundi reverentia consecrati, decreta sedis apostolicae ab his non discordantia. — *Ad Adelaidem Imperatricem*: neque enim ecclesiam, quam episcoporum judicio regendam accepi, sine episcoporum judicio relinquere nolo.

<sup>21</sup> *Martinus Polonus* in chron. ad Ottoneum III. remarks: Licet tres Ottones per successionem generis regnaverunt, post tamen institutum fuit, ut per officiales imperii Imperator eligeretur, qui sunt septem, etc. In the work *de regimine Principum* (attributed to St. Thomas), lib. III. c. 19, this becomes: Otto imperium tenuit ad tertiam generationem, quorum quilibet vocatus est Otto. Et tunc, ut historici tradunt, per Gregorium V. genere similiter Teutonicum provisa est electio, ut videlicet per VII. principes Alemanniae fiat, etc. This passage has been copied by succeeding writers, and defended by *Baronius* ad ann. 996, no. 38 seq. and *Bellarminus* de translat. Rom. imp. lib. III. but now is universally abandoned, cf. *Natalis Alexander* hist. eccl. ad saec. IX. et X. diss. XVI.

<sup>22</sup> *Conc. Rom.* ann. 998, can. 1 (*Mansi XIX.* p. 225) ut rex Robertus consanguineam suam Bertam, quam contra leges in uxorem duxit, derelinquit et VII. annorum poenitentiam agat. — Quod si non fecerit anathema sit: idem de eadem Berta fieri præceptum est. The contemporary *Helgaldus Floriacensis Mon.* relates in vita Roberti R. c. 17 (*Bouquet T. X.* p. 107), only this: Abbonis Floriacensium Abbatis increpatio tam diu perstitti, donec Rex mitissimus reatum suum agnosceret, et quam male sibi copulaverat mulierem prorsus derelinqueret, et peccati maculam grata Deo satisfactione dilueret. The credulous Petrus Damiani († 1072) first tells us *Epist. lib. II. Ep. 15* (*Bouquet X.* p. 492): Robertus — propinquam sibi copulavit uxorem, ex qua suscepit filium, anserinum per omnia collum et caput habentem. Quos etiam, virum scilicet et uxorem, omnes fere Galliarum Episcopi communis simul excommunicavere sententia. Cujus sacerdotalis edicti tantus omnem undique populum terror iuvasit, ut ab ejus universi societate recederent, nec præter duos sibi servulos ad necessarii victus obsequium remanerent. Qui tamen et ipsi omnia vasa, in quibus rex edebat vel bibebat, percepto cibo, abominabilia judicantes, pabulum ignibus exhibebant. His tandem Rex coactus angustiis, ad sanum consilium rediens, divortit incestum, initique legale connubium.

<sup>23</sup> *Dithmari Chron.* lib. IV. ed. Leibnit. p. 354. *Schlosser's Weltgesch.* Bd. 2, Th. 2, S. 291 ff.

<sup>24</sup> Gregory V. † 999, Sylvester II. † 1003, John XVII. † 1003, John XVIII. † 1009, Sergius IV. † 1012, Benedict VIII. † 1024, John XIX. † 1033, Benedict IX. — *Ottonis III. diploma* A. D. 999 (ap. *Baronium* ad ann. 1191, no. 57, and affixed to *Gerberti Epist. ed. Pap. Masson. Paris. 1611*): — Roman caput nundi profitemur, Rom. Ecclesiam matrem omnium ecclesiarum esse testamur, sed incuria et inscientia Pontificum longe sue claritatis titulos obfuscasse. Nam non solum, quæ extra urbem esse videbantur vendiderunt — sed — si quid in hac nostra urbe regia habuerunt, ut majori licentia evagarentur, omnibus cum vindicante pecunia in commune dederunt, et S. Petrum et S. Paulum, ipsa quoque altaria spoliaverunt, et pro reparatione semper confusionem duxerunt. Confusis vero Papaticis legibus, et jam abjecta Ecclesia Rom. in tantum quidam Pontificum irruerunt, ut maximam partem Imperii nostri Apostolatui suo conjungerent (see § 23, note 5). — Hæc sunt enim commenta ab illis ipsis inventa, quibus Joannes

death (A. D. 1002), the Tuscan party were again triumphant, and from Benedict VIII. (A. D. 1012)<sup>25</sup> the papal dignity was for a long time hereditary in the family of the Counts of Tuscany. To Benedict succeeded his brother John XIX. (A. D. 1024), though yet a layman,<sup>26</sup> and to him, *a boy*, Benedict IX. (A. D. 1033), who afterwards proved one of the vilest wretches that ever disgraced humanity.<sup>27</sup>

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Diaconus, cognomento Digitorum mutius (mozzo, mutilus), præceptum aureis litteris scripsit, sub titulo magni Constantini longa mendacii temporainxit. Hæc sunt etiam commenta, quibus dicunt, quendam Carolum S. Petro nostra publica tribuisse. Sed ad hæc respondemus, ipsum Carolum nibil dare jure potuisse, utpote jam a Carolo meliore fugatum, jam imperio privatum, jam destitutum et annullatum. — Spretis ergo commentitiis præceptis, et imaginariis scriptis ex nostra liberalitate S. Petro donamus qua nostra sunt, non sibi qua sua sunt, veluti nostra conferimus. Sicut enim pro amore S. Petri dominum Sylvestrum magistrum nostrum Papam elegimus, et Deo volente ipsum serenissimum ordinavimus et creavimus: ita pro amore ipsius domini Sylvestri Papæ, S. Petro de publico nostro dona conferimus — octo comitatus — Pisaurum, Fanum, Senogalliam, Anconam, Fossabrunum, Callium, Esium et Ausimum. — This diploma was copied by order of the Pope A. D. 1339, from the archives at Assisi (the protocol in Baron. I. c.), is declared spurious by Baronius, Gretser, Pagi, &c., defended by Muratori in his controversial writings concerning Cominachio, and adopted without comment in the Hist. lit. de la France T. VI. p. 569.

<sup>25</sup> Benedict VIII. crowned Henry II. emperor A. D. 1014. The pretended Act of investiture by Henry (in Mansi N. X. p. 331 seq.) is precisely the same, with some few additions, with that of Otho (see note 12). Its spuriousness is proved by *Couring de Germ.* Imp. Rom. c. X. § 15, and especially by Muratori Ann. d'Italia T. VI. p. 46. Last defended by the Card. Borgia Breve Istoria del Domiuio temporale della sede Apostolica nelle due Sicilie. Roma. 1788. 4to. p. 269 seq. — *Glaber Radulphus* (monk in Clugny about A. D. 1045) *historiarum sui temporis lib.* I. c. 5: Illud nihilominus condecorans ac per honestum videntur, atque ad pacis tutelam optimum decretum, ut ne quisquam audacter Romani Imperii sceptrum præpopulus gestare Princeps appetat, seu Imperator dici aut esse valeat, nisi quem Papa Sedi Romanæ morum probitate delegeat aptum Reipublicæ, eique commiserit insigne imperiale. — Anno igitur Dominicæ incarnationis MXIV, licet insigne illud Imperiale diversis speciebus prius figuratum fuisse, a venerabili tamen P. Benedicto — fieri jussum est admodum intellectuali specie idem in-signe. Præcepit fabricari quasi aureum pomum, atque circumdari per quadrum preciosissimis quibusque gemnis, ac desuper auram crucem inseri. Erat autem instar hujus mundane molis — ut dum siquidem illud respiceret Princeps terreni imperii, foret ei documentum, non aliter debere imperare vel militare in mundo, quam ut dignus haberetur vivificæ Crucis tueri vexillo: in ipso etiam diversarum gemmarum decoramine videlicet Imperii culmen plurimarum virtutum speciebus exornari oportere. Cumque postmodum predictus Papa Imperatori videlicet Henrico — obviam — processisset — eique hujusmodi insigne scilicet Imperii — tradidisset; suscipiens illud hilariter circumspecto quo eo, ut erat vir sagacious, dixit: Optime Pater — istud facere decrevisti, etc.

<sup>26</sup> *Glaber Radulph.* IV. c. 1: Johannes iste cognomento Romanus, frater illius Benedicti, eui in Episcopatum successerat, largitione pecuniae repente ex laicali ordine neophytus constitutus est Praesul. Sed insolentia Romanorum adinvicit pallianda subdolositas ridiculum, scilicet ut, quemcunque pro suo libitu in præsentiarum ad Pontificatus officium delegerint, mutato nomine quod illi prius fuerat, aliquo magiorum Pontificum nomine illum appellari decernant: re vera quem si non meritum rei, saltem nonen extollat. The first pope who changed his name was John XII.

<sup>27</sup> *Desiderius Abb. Casinensis* (afterwards Pope Victor III. † 1086) *de miraculis a S. Benedicto aliisque monachis Casinensibus gestis dialogorum* (libb. IV. in Bibl. PP. Lugd. T. XVIII.) lib. III. init.: Dum per aliquot annos nonnulli solo nomine Pontificum Cathedram obtinerent; Benedictus quidam nomine, non tamen opere, cuiusdam Alberici Consulis filius, Magi potius Simonis, quam Simo-

Having been expelled from Rome in the year 1044, and Sylvester III. chosen in his place, he sold his right to the papal dignity to **Gregory VI.**<sup>28</sup> Such was the state of things when the emperor Henry III. appeared before Rome with a large army. Having called the Synod of Sutri in the year 1046, he deposed all three of the rival Popes, and appointed Suidger, bishop of Bamberg, in their stead, under the name of Clement II.<sup>29</sup>

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nis Petri vestigia sectatus, non parva a patre in populum profligata pecunia, sumnum sibi Sacerdotium vindieavit (and even according to *Glaber Rudulph.* IV. c. 5, as puer ferme decennis or duodecennis): eujs quidem post adeptum Sacerdotium vita quam turpis, quam foeda, quamque execranda extiterit, horresco referre.

<sup>28</sup> *Desiderius*, l. e. continues: Denique cum rapinas, cædes, aliaque nefanda in Romanum populum aliquanta per tempora sine ulla dilatione ageret (*Benedictus*), congregati in unum Populi, quia ejus nequitiam amplius ferre nequabant, cum a Pontificatus Cathedra exturbantes, urbe pellunt, alterumque in locum ejus, Joannem videlicet Sabinensem Episcopum (*Sylvestrum*), non tamen vacua manu, canonica parvipendentes decreta, substituunt. Qui tribus, non amplius, mensibus Romana usus est Cathedræ successione; Benedicto undique suis cum propinquis infestante urbem, quia ex consulibus terre ortus erat, et in eis maxima virtus; urbe cum dedecore pulsus suum ad Episcopatum reversus est. Benedictus igitur, quod amiserat, Sacerdotium recipit, pristinos vero mores minime mutavit. — Cumque se a Clero simul et Populo propter nequitias suas contemni consiperet, et fama suorum facinorum omnium aures impleri cerneret: tandem reperto consilio (quia voluptati deditus, ut Epieurus magis, quam ut Pontifex, vivere volebat) cuidam Joanni Archipresbytero, qui tunc in urbe religiosior easteris Clericis videbatur, non parva ab eo accepta pecunia, sumnum Sacerdotium relinquens, tradidit: ipse vero in propriis se Castellis recipiens, urbe cessit. Interea Joannes, cui *Gregorius* nomen inditum est, cum II annis et VII mensibus Sacerdotium administrasset, Henricus Rex — Romanam adiit urbem. Extracts from the work of this contemporary in *Ostiensis* (1101 Roman cardinal) chron. monasterii Casinensis lib. II. c. 79 (in *Muratori Rer. Ital. Scriptt.* T. IV. p. 395) and *Hermannus Contractus* ad ann. 1044 agrees with them, vid. *Muratori Excursus hist.* l. c. p. 396. — On the other hand, *Otto Frisingensis* VI. c. 32: Tribus ibi invasoribus (*Benedicto, Sylvestro et Johanne*) — sedem illam simul occupantibus, atque ad majoris miseriae cumulum divisum simul cum redditibus patriarchis, uno ad s. Petrum, altero ad s. Mariam majorem, tertio i. e. Benedicto in palatio Lateranensi sedente, flagitosam et turpem vitam, ut egomet in urbe Romanis tradentibus audivi, duxere. Hunc miserium statum ecclesiae religiosus quidam presbyter *Gratianus* nomine videns — prafatos viros adiit, eisque a se de s. ecclesia cedere pecunia persuasit, Benedicto redditibus Anglie, quia majoris videbatur auctoritatis esse, relietis. Ob ea eives prafatum presbyterum, tanquam ecclesia Dei liberatorem, in summum Pontificem elegerunt, eumque mutato nomine *Gregorium VI.* vocaverunt. This last account is confirmed by *Petrus Damianus*, lib. I. Epist. 1 (Baronius ad ann. 1044, no. 8) and *Glaber Radulphus*, who closes his history with these words, V. c. 5: Benedictus — ejactus est a sede, et in loco ejus subrogatus est vir religiosissimus ac sanctitate perspicuus *Gregorius*, — cuius videlicet bona fama, quiequid prior fedaverat, in melius reformativit. According to both narratives, therefore, Gregory VI. was the sole Pope at the time of Henry's return to Italy.

<sup>29</sup> *Desiderius*, l. e. continues: Sed antequam (Henricus) urbem ingredieretur, plurimorum Episcoporum, necnon Abbatum, Clericorum quoque ac religiosorum Monachorum in Sutrina urbe Concilio congregato, Joannem, qui *Gregorius* dictus est, missis ad eum Episcopis, ut de ecclesiasticis negotiis, maximeque de Romana Ecclesia, qua tres simul tunc Pontifices habere videbatur, ipso presidente, tractaretur, venire rogavit. Sed haec de industria agebantur: jam enim dudum regio animo insederat, ut tres illos, qui injuste Apostolicam Sedem invaserant, cum consilio et auctoritate totius Concilii, juste depelleret. Sutrium, ubi Synodus congregata erat, allectus spe, quod aliis duobus depositis, sibi soli Pontificatus

§ 23.

PAPACY UNDER THE INFLUENCE OF HILDEBRAND.

*Bonizonis liber ad amicum*, in *Efelii Scriptt. Rer. Boicarum*, T. II. p. 794 seq., and *Desiderii Abb. Casinensis de miraculis s. Benedicti dialogi* in the *Bibl. PP. Lugd. T. XVIII.* (both which works are also to be consulted for the history contained in the preceding §). *Leonis Ostiensis chronicon monast. Cassinensis libb. III.* in *Muratori Scriptt. Rer. Italiearum T. IV.*

*Planck l. c. Bd. 4. Absch. 1. S. 1 ff.* — *J. Voigt's Hildebrand als Papst Gregorius VII.* Weimar. 1815. S. 1—184. — *Schlosser's Weltgeschichte*, B. 2. Th. 2. S. 642 ff. — *Schmidt's Kirchengesch.* Th. 6. S. 1 ff.

[Hallam's Middle Ages, c. VII. — Tr.]

Despicable as had been many of the popes during this period, the papal power was by no means to be despised. On the contrary, these stormy times had been rather propitious to it, by hindering the too frequent discussion of the new principles contained in the Pseudo-Isidorian decretals, which every year of uncontested authority of course contributed to confirm. The more worthy popes,<sup>1</sup> now chosen under the imperial influence, directed their first efforts against the two great evils in the church, Simony and the immorality of the clergy;<sup>2</sup>

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confinaretur, grata ter perrexit. Sed postquam eo ventum est, et res agitari ac disenti a Synodo cœpta est; agnoscens, se non posse juste honorem tanti sacerdotii administrare, ex pontificali sella ex-siliens ac semetipsum Pontificalia indumenta exuens, postulata venia, summi Sacerdotii dignitatem depositus. Post hæc Rex, urbem ingressus, congregato in ecclesia b. Petri Apostoli Romano Clero et Populo una cum Episcopis, qui in prædictam convenerant Synodum, communī consilio Clementem Bambergensem Episc. elegerunt, quia in Romana Ecclesia non erat tunc talis reperta persona, quæ digne posset ad tanti honorem sufficere Sacerdotii. *Waltherus Numburgensis de investitura Episc.* A. D. 1109 (in M. Goldastii apologia pro Henrico IV. p. 232). *Sigebert. Gemblac.* and *Martinus Polonus* ad ann. 1046 add: ab eo rex Henricus in Imperatorem benedicitur, jurantibus Romanis, se sine ejus consensu nunquam Papam electuros. *Petrus Damiani* also, in his *Disceptatio synodalnis* (A. D. 1062) makes the defender of the Roman church admit the assertion of the Regius Advocatus: Tu hoc negare non potes, quod — Henricus Imperator factus est Patricius Romanorum, a quibus accepit in electione super ordinando Pontifice principatum (Baron. ad ann. 1062, no. 30).

<sup>1</sup> *Leo Ostiensis in chron. Monast. Casin.* II. c. 81: *Clemente* vero post IX menses ultra montes defuncto (*Clement II. † 1047*) præfatus Benedictus iterum in Pontificatum reversus per VIII circiter menses illum retinuit, donec ab Imperatore transmissus ex Germania *Damasus Brexenorum Episcopus* illi in Papatu successit. Quo etiam post XXIII dies apud Prænestine vita dececente (*Damascus II. † 1048*) Brunonem Tullensem Episcopum, Teutonicum natione, et stirpe regali progenitum, Romani ab ultramontanis partibus expetentes in suum Pontificem eligunt, eumque *Leonem P.* vocari decernunt. *Leo IX. † 1054*, *Victor II. † 1057*, *Stephen IX. † 1058*, *Nicholas II. † 1061*, *Alexander II. † 1073*.

<sup>2</sup> *Desiderii de miraculis s. Bened. dialog. lib. III. init.*: Dum igitur negligenter Sacerdotum, maximeque Romanorum Pontificum, Italia a recto religionis tramite paulatim devians, labefactaretur, in tantum mala consuetudo adolevit, ut sacræ legis auctoritate postpoita, divina humanaque omnia miserentur: adeo ut populus electionem, et Sacerdotes consecrationem donumque Spiritus Sancti, quod gratis accipere et dare divina auctoritate statutum fuerat, data acceptaque per

and supported as they were by the general feeling of the necessity of reform, they found no difficulty in asserting their entire supremacy, and even in confirming it by new encroachments on the rights of the bishops. These efforts for reform began under Leo IX.,<sup>3</sup> and were from the first so directed by HILDEBRAND, the soul of this, as well as the succeeding reigns, as not only to secure the independence of the Pope,<sup>4</sup> but even to exalt him above all earthly sovereigns.<sup>5</sup> During

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manus pecunia, ducti avaritia venderent, ita ut vix aliquanti invenirentur, qui non hujus simoniaca pestis contagione sedati — existerent. Itaque cum vulgus clericorum per viam effrenata licentiae, nemine prohibente, graderetur: cœperunt ipsi Presbyteri ac Diacones (qui tradita sibi sacramenta Dominicæ mundo corde castoque corpore tractare debebant) Laicorum more uxores ducere, suscepto-que filios hæredes testamento reliquere: nonnulli etiam Episcoporum, verecundia omni contemta, cum uxoribus domo simul in una habite: et haec pessima et execranda consuetudo intra urbem maxime pullulabat, unde olim religionis norma ab ipso Apostolo Petro ejusque successoribus ubique diffusa processerat. — In *Glaber Radulph.* V. 5, Henry II. thus reproaches the bishops: Omnes quippe gradus ecclesiastici a maximo Pontifice usque ad Ostiarium opprimentur per suæ damnationis premium, ac juxta vocem Dominicam in cunctis grassatur spiritale latrociniū. Glaber adds: non solnū in Gallicanis Episcopis hæc pessima pullulaverat nequitia, verum etiam multo amplius totam occupaverat Italianam: omnia quippe ministeria Ecclesiastica ita eo tempore habebantur venalia, quasi in foro secularia mercimonia.

<sup>3</sup> *Desiderius*, l. c.: Leo — qui, quemadmodum scriptum est, cœpit invocare nomen Domini — A quo omnia Ecclesiastica studia renovata ac restaurata: nova-que lux mundo visa est exoriri. — *Vita Leonis IX.* by his former archdeacon in Toul, Wibertus in two books, in the Act. SS. ad d. 19 Apr. and in Muratoriæ Rer. Ital. Scriptt. T. III. P. I. p. 278: and by Bruno, bishop of Segni about 1100, in Muratori. I. c. T. III. P. II. p. 316.

<sup>4</sup> *Wibert. in vit. Leonis IX.* lib. II. c. 2: Leo IX. was chosen at a Diet in Worms, and consented at length to accept the dignity, ea conditione, si audiret, totius Cleri ac Romani populi communem esse sine dubio consensum. He then journeyed back to Toul, and thence to Rome, pedes longinquo itinere nudis plantis incedit — adstanti Clero et Populo Romano imperialeum de se electionem — brevi sermunculo promulgat, eorum voluntatem, qualisunque erga se sit, pandere expostulat. Dicit electionem Cleri et Populi canonicali auctoritate aliorum dispositionem præire: affirmat se gratanti animo in patriam redditurum, nisi fiat electio ejus communii omnium laude. — *Bruno in vita Leonis IX.* makes him say this immediately on his election; adding, however, the following, which he very probably had heard from Hildebrand himself: Illis autem diebus erat ibi Monachus quidam Romanus, Hildebrandus nomine, nobilis indolis adolescens, clari ingeni, sanctæque religionis. Iverat autem illue, tum discendi gratia, tum etiam ut in aliquo religioso loco sub h. Benedicti regula militaret. Hunc igitur b. Episcopus vocavit ad se, cuius propositum, voluntatem et religionem mox ut cognovit, rogavit eum, ut simul cum eo Romanum rediret. Cui ille, “non facio” inquit. Respondit Episcopus: “Quare non?” At ille: “Quia non secundum canonicam institutionem, sed per secularem et regiam potestatem Romanam Ecclesiam arripare vadis.” Ille autem, ut erat natura simplex atque mitissimus, patienter ei satisfecit, reddita de omnibus, sicut ille voluerat, ratione. — Et tunc Episcopus Romanum veniens prædictum Monachum secum adduxit, multum in hoc ipso b. Petro Apostolo serviens, quod illum hominem secum reducebat, eujus consilio et sapientia Romana Ecclesia aliquando regenda et gubernanda erat. *Otto Frisingensis VI.* c. 33, makes the convent of Clugny the scene of this conversation; though probably he is mistaken. See *Mabillon Ann. Bened. Lib. LVIII.* no. 113.

<sup>5</sup> Now appeared the forged Act of Investiture of Constantine (which, in the Pseudo-Isidoriana, is inserted as supplementary. See Blasius in Gallandii sylloge ed. Mogont. T. II. p. 13) in *Leonis IX. Epist. ad Michael. Const. Patriarch.* A. D. 1054. c. 13 et 14 (Mansi XIX. p. 643). Constantine is made to say: s. Romanam ecclesiam decrevimus veneranter honorare, et amplius quam nostrum

the life of Henry III. the popes did no more than to combat those two great evils of the time, with an earnestness and freedom never before known; — Leo IX., at various Synods held for the purpose,<sup>6</sup> and Victor

imperium terrenumque thronum, sede in sacratissimam b. Petri gloriose exaltare: tribuentes ei potestatem et glorie dignitatem, atque vigorem et honorificentiam imperiale. He therefore bestows on him the palatum Lateranense and all the Imperial Insignia. Unde ut pontificis apex non vilescat, sed magis quam imperii dignitas et gloria et potentia decoretur, ecce tam palatum nostrum, ut prae datum est, quam *Romanam urbem, et omnes Italiae seu occidentalium regionum provincias, loca et civitates*, saepato beatissimo Pontifici et patri nostro Sylvestro, universali Papae, contiadentes atque relinquenter, etc. — Unde congruum pro pessimum, nostrum imperium et regni potestatem orientalibus transferri ac transmutari regionibus, et in Byzantia province optimo loco nomini nostro civitatem edificari, et nostrum illuc constitui imperium, quoniam ubi principatus sacerdotum et Christianae religionis caput ab imperatore caelesti constitutum est, justum non est, ut illuc terrenus imperator habeat potestatem.

<sup>6</sup> Concerning the first council at Rome A. D. 1049, see Wibert II. c. 4: Simoni ac hæresim damnavit — et in eodem concilio quosdam depositi Episcopos, quos prædicta hæresis nœvo sua nequitiae maculaverat: and *Petrus Damiani* opusc. VI. c. 35 (Baroniūs ad ann. 1049, no. 8): Cum omnes Simoniacorum ordinaciones synodalis vigoris autoritate cassasset, protinus a Romanorum sacerdotum multitudine magna seditionis tumultus exortus est: ita ut non solum ab ipsis, sed a plerisque diceretur episcopis, omnes pene ha-iliicas sacerdotalibus officiis destitutas, et præcipue missarum solemnia, ad subversionem Christianæ religionis et desperationem omnium circumquaque fidelium, funditus omittenda. Quid plura? Post longa sane disceptationum hinc inde volumina tandem suggestum est, reverenda memorie nuper ejusdem sedis episcopum Clementem decreuisse: ut qui cumque a Simoniacō consecratus esset, in ipso ordinacionis tempore non ignorans, simoniaeum esse cui se obulerit promovendum, XL nunc dierum pœnitentiam ageret, et sic in accepti ordinis officio ministraret. Quam nimurum sententiam protinus venerabilis Leo ratam percensuit, etc. (Berengarius informs us that Leo afterwards wavered between this and simple reordination, as demanded by Humbert. Lessings Bereng. Turon. in the vermischtten Schriften Th. 13. S. 121, 125). In 1049 he held councils for the same purpose at Rheims and Mainz, 1050 at Bercelli and Sipontum, 1051 at Rome, 1052 at Mantua. The most complete account extant is of the *Concil. Rhemense* (prim. ed. Baron. in Append. Tomi XI. ad ann. 1049 in Mansi XIX. p. 727): When the Pope came to France for the purpose of holding it, certain of the nobility, also of the bishops and abbots, went to the king and regi suggerunt, regni sui decus annihilarii, si in eo Romani pontificis autoritatem dominari permitteret; vel si eidem, ut decreverat, occurrens præsentie suæ favorem ad cogendum concilium exhiberet. Addunt etiam, quod nullus antecessorum ejus id reperiatur aliquando concessisse, ut ob similem causam in Franciæ urbes ingressus pateret alicui Pape. The Pope refusing to defer the council, the king summoned his bishops to accompany the army to quell certain insurrections, and hence only nineteen bishops presented themselves in Rheims. The object of the council was to treat (Mansi XIX. p. 737) de multis illicitis, quæ contra canonum instituta in Gallicis finibus exercebantur, i. e. de simonia hæresi, etc. — Post hæc ad episcopos sermone converso commonuit illos sub anathemate apostolice auctoritatis, ut si quis eorum ad sacros ordines per simoniacam hæresim pervenisset, vel præmio quenlibet ad eandem dignitatem promovisset, publica confessione patefaceret. — Finally edictum est sub anathemate auctoritatis apostolicae, ut si quis assidentium quenpiam universalis ecclesiæ primatæ, præter Romanæ Sedis antistitem esse assereret, ibideum publica satisfactione patefaceret. Cumque ad hæc universi reticerent, lectis sententiis super hac re olim promulgatis ab orthodoxis patribus, declaratum est, quod solus Romanæ sedis pontifex, universalis ecclesiæ primas esset et Apostolicus. After having deposed several of the bishops for simony, habitus est sermo de episcopis, qui invitati ad synodum venire noluerant. — pœna damnati sunt excommunicationi, cum omnibus illis, qui ipsius Papæ formidantes adventum, hæc de re profecti erant in expeditionem Regis. — Excommunicatus est etiam S. Jacobi Archiepiscopus Gallicensis, quia contra fas sibi vendicaret culmen Apostolici nominis.

II.,<sup>7</sup> by his legates.<sup>8</sup> But after Henry's death (A. D. 1056), Nicholas II.<sup>9</sup> excluded all possibility of imperial interference in the choice of the popes, by committing it entirely to the college of Cardinals (A. D. 1059),<sup>10</sup> whilst, at the same time, he gained the Norman Robert Guis-

<sup>7</sup> Concerning his election, see *Leo Ostiens. in Chron. Casinensi* II. c. 89: Defuncto præterea s. memoria P. Leone Hildebrandus, tunc Romanae ecclesiæ Subdiaconus, ad Imperatorem a Romanis transmissus est, ut, quoniam in Romana Ecclesia persona ad tantum officium idonea reperiri non poterat, de partibus illis, quem ipse, tamen vice Cleri Populique Romani, in Pontificem Romanum elegisset, adduceret. Quod cum Imperator assensu fuisse, et Gebhardum Aistettensem Episcopum — Hildebrandus ex industria et consilio Romanorum expetivisset, tristis super hoc valde Imperator effectus est: nimis enim illum carum habebat. Et cum eundem sibi omnino necessarium Imperator assereret, et alium atque alium huic officio magis idoneum judicaret; Hildebrando tamen, ut alterum recipere, persuaderi nullatenus potuit. Erat enim idem Episcopus, super id quod prudentia multa callebat, post Imperatorem potentior ac dicitur cunctis in Regno. Hunc ergo Hildebrandus, invito licet Imperatore, invito etiam ipso Episcopo, — Romanum secum adduxit, eique Victoris nomen imponens, Romanum Papam cunctorum assensu constituit; cum jam ferme a transitu P. Leonis annus elabetur. Qui, quoniam eidem prædecessori suo, ut supra diximus (cap. 84) impedimento maximo fuerat (undoubtedly the chief ground of Hildebrand's selection), quotiens a circumpositis molestiam aliquam patiebatur, dicere solitus erat: "Merito hæc patior." etc.

<sup>8</sup> Hildebrand held the Synod of Tours A. D. 1054 as the legate of Leo IX., then the Synod of Lyons 1055 as the legate of Victor; other legates were those at Licieux 1055, and Toulouse 1056.

<sup>9</sup> Concerning his election, see *Leo Ostiens. in Chron. Casin.* II. c. 100: Stephen IX. had ordered before his death, ut, si antequam Hildebrandus — ab Imperatrice, ad quam — mittebatur, rediret, se obire contingeret, nullus omnino eligere Papam præsuneret, sed usque ad illius redditum Apostolica Sedes intacta vacaret, ejus demum consilio ordinanda (this account is from *Petr. Damiani* Ep. in Baronius ad ann. 1058, no. 12). c. 101: The other party, with the count of Tusculum at its head, immediately elected Benedict X. Petrus Damiani — una cum Cardinalibus coepit obsistere, reclamare ac unathematizare; sed omnes hi tandem — per diversa coacti sunt latibula fugere. III. c. 13: Cum — Hildebrandus reversus ab Imperatrice — invasam a pessimi hominibus ecclesiam comperisset, Florentia substitit, suisque literis super hoc Romanorum meliores conveniens, eorumque ad omnia consensum recepiens, mox amittente Gotfrido Duce, Girardum Florentinum Episcopum in Romanum Papam elegit, simulque cum ipso et Duce Romanum mense iam Januario venit, ubi præfatus electus a Romano Clero et populo Apostolica Sede inthronizatus et Nicolai nomen indeptus est. According to Lambert v. Aschaffenburg ad ann. 1059, Nicholas had been nominated by the empress, and the cunning Hildebrand availed himself of this pretext. Benedict was obliged to submit at once.

<sup>10</sup> *Decretum de electione Rom. Pontificis*, passed at a Roman Synod in April, 1059, in *Gratian* P. I. Dist. XIII. c. 1 (different reading in *Chronicon Farfense* in Murator, Rer. Ital. Scriptt. T. II. P. II. p. 645): — Decernimus atque statuimus, ut obeiente bujus Romanae universalis ecclesia Pontifice in primis Cardinales Episcopi diligentissime simul de electione tractantes mox ipsi Clericos Cardinales aethibeant, sieque reliquis cleris et populus ad consensum novæ electionis accedat: nimirum præcaventes, ne venalitatis morbus aliqua occasione subrepatur. Et ideo religiosissimi viri prædices sint in promovenda Pontificis electione, reliqui autem sequaces. Certus vero atque legitimus electionis ordo perpenditur, si perspectis diversorum patrum regulis s. gestis etiam illa b. Leonis prædecessoris nostri sententia recolatur: "Nulla," inquit, "ratio sinit, ut inter episcopos habeantur, qui nec a clericis sunt electi, nec a plebis expeti, nec a comprovincialibus episcopis cum Metropolitani iudicio consecrati." Quia vero sedes Apostolica cunctis in orbe terrarum præfertur ecclesiis, atque ideo supra se Metropolitanum habere non potest: Cardinales Episcopi procul dubio Metropolitani vice funguntur,

card, who had established himself in the south of Italy, at once a vassal and a protector.<sup>11</sup> The new mode of election was indeed disputed at the succession of Alexander II., the emperor setting up the

qui videlicet electio in Episcopatu[m] ad Apostolicu[m] enuntiis apicem prouehant. Electio autem de ipsius ecclesie gremio, si reperitur idoneus; vel si de ipso non invenitur, ex alia assumatur: salvo debito honore et reverentia dilecti filii nostri Henrici, qui impreuentorum Rex habetur, et futurus Imperator Deo concedente speratur; sicut jam sibi concessimus, et successoribus illius, qui ab Apostolica Sede personaliter hoc ius impetraverint. Quod si pravorum atque iniquorum hominum ita perversitas invaluerit, ut pura, sincera atque gratuita fieri in urbe non possit electio: Cardinales Episcopi cum religiosis clericis, catholicisque laicis, licet paucis, ius potestatis obtineant eligere Apostolicam Sedis pontificem, ubi congruere viderint. Plane postquam electio fuerit facta, si bellica tempestas, vel qualiscumque hominum conatus, malignitatis studio restiterit, ut is qui electus est in Apostolica Sede iuxta consuetudinem inthronizari non valeat: electus tamen, sicut verus Papa obtineat auctoritatem regendi Romanam ecclesiam, et disponendi omnes facultates illius. Quod b. Gregorium ante suam consecrationem fecisse cognovimus. Quod si quis contra hoc nostrum decretum, synodali sententia promulgatum, per seditionem vel prasumptionem quolibet ingenio electus, aut etiam ordinatus s. inthronizatus fuerit: auctoritate divina et SS. Apostolorum Petri et Pauli perpetuo anathemate cum suis auctoribus, fautoribus et sequacibus a lumine sancte Dei ecclesie separatus, abiciatur sicut Antichristus, invasor, etc. — Cardinal *Deusdedit*, as early as A. D. 1059, was led by the mention of the emperor to maintain that this constitution had been corrupted by the party of Guibert (the rival of Clement III.), (Baron. ad ann. 1059, no. 31). *Anselmus Luce*, contra Guibertum Antipap. lib. II. (in Canis, leet, ant. ed. Basnage T. III. P. I. p. 383) has recourse to another expedient: patet prefatum decretum nullius momenti esse, nec unquam aliquid virium habuisse. Et haec dicens non prajudicio beatæ memoriae Papæ Nicolao, nec quidquam ejus honori derogo. — *Clericus Cardinalis* or *incardinatus* (expressions, which first occur in the writings of Gregory the Great) is Clericus primarius certo coetui addictus, Titularis, as opposed to the commendis, vicars and assistant clergy. Used in all churches (remarkable, however, *Leonis IX.* Ep. I. ad Michael. Patr. Const. c. 32, in Mansi XIX. p. 653: Unde clericis summa sedis cardinales dicuntur; cardini utique illi, quo cætera moventur, vicinius adhærentes), and continued in Ravenna till done away by Pius V. A. D. 1568. Comp. especially *Thomassini* vet. et nov. Ecclesiæ discipl. P. I. lib. II. cap. 113—116. *J. F. Buddens* de origine Cardinalitæ dignitatis. Jenæ. 1693. 12. *Muratori* Antiquit. Ital. med. avi T. V. p. 156.

<sup>11</sup> The two oaths in *Baronius* ad ann. 1059, no. 70 and 71, more complete in *Borgia's* breve Istoria del Dominio temporale, etc. Append. nr. III. p. 23: First oath: Ego Robertus Dei gratia et s. Petri Dux Apuliae et Calabriæ, et utroque subveniente futurus Siciliæ, ad confirmationem traditionis et ad recognitionem fidelitatis de omni terra, quam ego proprie sub dominio meo teneo, et quam adhuc ulli Ultramontanorum unquam concessi, ut teneat: promitto me annualiter pro unoquoque jugo boum pensionem, scilicet XII denarios Papiensis monetæ personaturum b. Petro, etc. Second oath: Ego Robertus, etc. ab hac hora et deinceps ero fidelis s. Romanæ Ecclesiæ, et tibi Domino meo Nicolao Papæ. In consilio vel in facto, unde vitam aut membrum perdas, aut captus sis mala captione, non ero. Consilium, quod mihi credideris, et contradices, ne illud manifestem, non manifestabo ad tuum damnum, me sciente. S. Romanæ Ecclesiæ ubique adjutor ero ad tenendum et ad acquirendum regalia s. Petri ejusque possessiones, pro meo posse, contra omnes homines; et adjuvabo te, ut securi et honorifice teneas Papatum Romanum, terramque s. Petri, et principatum: nec invadere, nec acquirere queram, nec etiam deprædar præsumam absque tua tuoru[m]que successorum — certa licentia. — Omnes quoque ecclesiæ, que in mea persistunt dominatione, cum earum possessionibus dimittam in tua potestate. Et defensor ero illarum ad fidelitatem s. Romanæ ecclesiæ. Et si tu, vel tui successores ante me ex hac vita migraveritis, secundum quod monitus fuero a melioribus Cardinalibus, Clericis Romanis et Laicis, adjuvabo ut Papa eligatur et ordinetur ad honorem s. Petri.

anti-pope Honorius II., but ineffectually.<sup>12</sup> After the death of Alexander (A. D. 1073), Hildebrand himself at length assumed the papal dignity, and, under the name of Gregory VII., began the great struggle with the imperial power for the mastery.<sup>13</sup>

<sup>12</sup> *Leo Ostiensis in chron. Casin.* III. c. 21: Defuncto apud Florentiam Apostolico — eum maxima seditio inter Romanos cœpisset de ordinando Pontifice exoriri: Hildebrandus Archidiaconus eum Cardinalibus nobilibusque Romanis consilio habito, ne dissensio convalesceret, Anselmum tandem Lucensem Episcopum post III circiter menses in Ronanum Pontificem eligunt, eumque Alexandrum vocari decernunt. — Quod eum ad aures Imperatricis ejusque filii pervenisset, indignatione nimia ducti, quod hæc sine illorum consensu et auctoritate gesta fuissent, et ipsi nihilominus Cadolam Parmensem Episcopum ultra montes — in Papam eligi faciunt, eumque Romam — eum valida manu militum et pecunia multa transmittunt. — The danger was over, however, after Hanno, archbishop of Cologne (A. D. 1062) had got the young emperor into his hands. He declared in favor of Alexander at the Synod of Osbor (probably Augsburg), for which Petr. Damiani wrote the disceptatio synodal is inter Regis Advocatum et Romanæ ecclesiæ defensorem (in Baron. ann. 1062, no. 22 seq. Mansi XIX. p. 1001), a good exposition of the relations and differing views of the day.

<sup>13</sup> How completely every thing was subject to Hildebrand's influence already, is seen from Petr. Damiani († 1072) epigrams de Papa et Hildebrando (in Baronius ann. 1061):

Papam rite colo, sed te prostratus adoro :  
Tu facis hunc dominum, te facit ipse Deum.

And : Vivere vis Romæ, clara deponito voce :  
Plus domino Papæ quam Domino pareo Papæ.

Comp. *Ejusd. Epist.* II. 8, ad Hildebrandum: tuis cœptis tuisque conatibus semper obtemperare contendi, et in omnibus tuis certaminibus atque victoriis ego me non commilitonem sive pedissequum, sed quasi fulmen injeci. Quod enim certamen unquam cœpisti, ubi protinus ego non essem et litigator et jñdex? Ubi scilicet non aliam auctoritatem Canonum, nisi solum tuae voluntatis sequebar arbitrium, et mera tua voluntas mihi Canonum erat auctoritas. Nec unquam judicavi, quod visum est mihi, sed quod placuit tibi. Peter's complaints against Hildebrand refer to the refusal of the latter to allow him to lay down his bishoprick of Ostia, and retire into the desert. Thus, for instance, the passage Ep. I. 16 (in Baron. ann. 1061, no. 37): Sed adhuc fortasse blandus ille tyrannus, qui mihi Neroniana semper pietate condoluit, qui me colaphisando demulxit, qui me certe aquilino (ut ita loquar) ungue palpavit, hanc querulus erumpit in vocem: Ecce latibulum petit, et sub colore pœnitentiae Romam subterfugere quaerit, accessum lucrari machinatur de inobedientia, et otium cæteris in bella ruentibus. Sed ego sancto Satanæ meo respondeo, quod filii Ruben et Gad Moysi duxi suo respondisse dicuntur: Nos, inquit, armati et accincti pergenimus ad prælium ante filios Israel, donec introducamus in loca sua, etc. (Num. xxxii. 17). Hoc itaque modo comitaturus quidem vos arma corripio, sed vobis, duce Christo, post bella victoribus, mox recedo.

II. HISTORY OF THE EPISCOPAL HIERARCHY.

§ 24.

RELATIONS TO THE SECULAR POWER.

Planck's Gesch. d. christl. kirchl. Gesellschaftsverfassung, Bd. 3. S. 411 ff. — K. D. Hüllmann's Gesch. des Ursprungs der Stände in Deutschland (drey Theile. 1806.) Th. 2. S. 1 ff. — E. Montag's Gesch. d. deutschen staatsbürgerl. Freiheit Bd. 2. S. 79 ff.

The secular power of the bishops had been gradually increasing during the confused reigns of the successors of Charlemagne,<sup>1</sup> till at length the kings of Germany, more especially since the time of Otho I., found it to their advantage to balance the overgrown power of their nobles by endowing the prelates with whole counties as fiefs.<sup>2</sup> The effect of this was to secure, of course, the dependence of the clergy on the kings, at least for the time. They were for the most part

<sup>1</sup> Comp. § 9, note 5. In multiplied instances they were invested with the Regalia, or peculiar rights of royalty. Lewis IV., the infant, who was especially profuse in his gifts to the clergy (see *Gatterer* comm. de Ludov. IV. Infante. Götting. 1759), first conferred on them the privileges of Counts; namely, on the abbot of Corvey (A. D. 900), the bishops of Triers (902) and of Tongern (908), and others (*Gatterer*, l. c. p. 53). Montag, l. c. Bd. 1. Th. 2. S. 41. Bd. 2. S. 86. Hüllmann's Gesch. des Ursprungs d. Regalien in Deutschland. Frankfurt. 1806.

<sup>2</sup> Otho I. invested his brother Bruno, archbishop of Cologne, with the dukedom of Lorrain, though without making it hereditary. Besides this he bestowed upon him the newly founded bishoprics of Magdeburg, Brandenburg, etc., with the privileges of a Count. Otho III. and Henry II. bestowed numerous counties on different churches. See *Thomassini* vet. et nov. eccl. discipl. p. III. Montag. Bd. 2. S. 90. Hüllmann's Gesch. d. Stände. Th. 2. S. 85. — Comp. the old German chronicle in *Leibnitii* introd. in Scriptt. Rer. Brunsiv. T. I. p. 13, from Otho I.'s time: Da begunten zuerst die Bischoffe weltliche Richte zu haben, das dauchte damals unbillig manchen Manne. By what means such endowments were sometimes obtained, may be learned from the *Vita Meinwerci Ep. Paderb.* c. 79 (Leibnit. Scriptt. Rer. Brunsiv. T. I. p. 554). Meinwerk beset the emperor Henry II. to give him the estate Ervete (curtis Ervete sita in pago Westfalon), and at length obtained it, accompanied with these words: "Tu odium Dei omniumque Sanctorum ejus habeas, qui me bonis concessis cum detimento regni spoliare non cessas." Episcopis autem privilegium cum manu in altum exaltans: "Beatus es," ait, "Henrice, et bene tibi erit, cui pro hac oblatione cœlum patebit, cuius anima cum Sanctis sempiterna possidebit gaudia. Vide te omnes populis, considerate fideles universi: talis oblatio peccatorum fit abolitio; hoc sacrificium Deo acceptabile animabus fit propitiabile. Hoe quique fideles pro posse suæ facultatis imitari studeant; ut pro temporalibus æterna, pro transitoris mansura obtinere valeant." In the same work various instances of his audacity are recounted, in wringing from the emperor the gift of a goblet, of an altar-cloth. c. 82: Episcopus autem quoddam Imperatoris tegmen egregium, præcipui decoris et mirifici operis pallium sæpen numero obtinere desiderans, effectu caruit; donec quadam die Imperatori pluribus intento illud fortuito rapuit. Imperator vero Episcopum de rapinæ incusans vitio talionem debitam suo se tempore redditum perhibuit: and afterwards revenged himself by privately altering the bishop's missal, so that he prayed pro mulis et mulibus, instead of pro famulis et famulibus.

appointed by the kings,<sup>3</sup> must be installed in office by them,<sup>4</sup> take the oath of allegiance,<sup>5</sup> follow them to the wars in times of exigency,<sup>6</sup> appear frequently at court,<sup>7</sup> and were not seldom punished by them, and even deposed.<sup>8</sup> On the other hand, their new possessions drew

<sup>3</sup> For the privilege of electing their own bishops, bestowed on many churches, was respected only so long as it pleased the royal will. Hüllmann, Th. 2. S. 10. Montag, Bd. 2. S. 119. Planck, Bd. 3. S. 406. Hence Sigismund, bishop of Halberstadt (A. D. 923), in his last sickness, advises his chaplain Bernhard, whom he wishes to succeed him (*Dithmari Chron.* lib. I. p. 15, ed. Wagner): *Vade ad curtem regiam, sumens ex mea parte, quæ tibi sint ad hanc necessaria, et acquire gratiam et auxilium ibi optime valentium, ut tibi liceat sine omni offensione mihi succedere.* Bernhard follows his advice, *et prædicti regis (Henrici I.) munere, quod postulat consequitur.*

<sup>4</sup> Even as early as Clovis in dipl. a. 508 (in Bouquet IV. p. 616): *Quicquid est fisci nostri — per annulum tradimus.* Of Clovis II. A. D. 623, it is said in the vita S. Romani Ep. Rothomag. baculum illi contulit pastoralem. It did not become the established custom *investire per baculum et annulum* till the tenth century. *Natal. Alex.* hist. eccl. sæc. XI. et XII. diss. IV. *Mosheim institut. hist. eccl.* p. 408, note r. Hüllmann, Th. 1. S. 164. Montag, Bd. 1. Th. 2. S. 186. Bd. 2. S. 127. Planck, B. 3. S. 402.

<sup>5</sup> This seems to have become customary under Charlemagne. True, the *Episcopi apud Carisiacum congregati* complain of it in the *epist. ad Ludov. Reg. Germ.* a. 858, cap. 15 (Baluzii Capitt. II. p. 119): *Et nos Episcopi Domino consecrati non sumus hujusmodi homines, ut sicut homines seculares in vassalatio-  
co debeamus nos cuilibet commendare, — aut jurationis sacramentum, quod nos  
evangelica et apostolica atque canonica auctoritas vetat, debeamus quoquo modo  
facere. Manus enim christiane sacro peruncta, quæ de pane et vino aqua mixto  
per orationem et crucis signum conficit corpus Christi et sanguinis sacramentum,  
abominabile est, quicquid ante ordinationem feceret, ut post ordinationem episco-  
patus seculare tangat ullo modo sacramentum.* Et lingua Episcopi, quæ facta est  
per Dei gratiam clavis cœli, nefarium est, ut, sicut saecularis quilibet, super sacra  
juret in nomine Domini et Sanctorum invocatione. — *Et si aliquando sacramenta  
ab Episcopis exacta aut facta fuerunt, contra Deum et ecclesiasticas regulas, quæ  
Spiritu S. dictatae et Christi sunt sanguine confirmatae, irrita s. scripturæ paginis  
declarantur, et exigentes atque facientes medicamento exinde salutaris pœnitentiæ  
indigent.* But Hincmar, probably the author of this letter, was nevertheless obliged to take this oath a second time, at the *Synodus Pontigonensis* A. D. 876 (Baluz. I. c. p. 250). In proportion as the endowments of the clergy were multiplied, however, they became less averse to the oath. *Thomassini* vet. et nov. eccl. discipl. p. II. lib. II. c. 48. Montag, Bd. 1. Th. 1. S. 180.

<sup>6</sup> They were even compelled to lead their troops in person. e. g. *Gerardus* in vita Udalrici Ep. August. (in Mabillon Act. SS. Ord. Bened. Sac. V. p. 415) cap. 3: *concessum est s. Udalrico Episcopo, ut Adalbero in ejus vice itinera ho-  
stilia cum militia episcopali in voluntatem Imperatoris perageret, et in curte Imper-  
atoris ejus vice assiduitate servitiæ moraretur.* Hence the prelates regularly accompanied the armies in the tenth and eleventh century. Hüllmann, Th. 1. S. 97. Th. 2. S. 54. Montag, Bd. 2. S. 111, 200. Planck, B. 3. S. 465. Nor was it unusual for them to take part in the battle. e. g. *Dithmari chron.* lib. II. p. 34 s. ed. Wagner. Michael, bishop of Ratisbonne, accompanies the Bavarian prince in an expedition against the Hungarians. The battle is lost. Episcopus autem abscisa suimet auricula, et cæteris sauciatius membris cum interfectis quasi mortuus latuit. A Hungarian is about to kill him. *Tunc iste confortatus in  
Domino post longum mutui agonis luctamen victor hostem prostravit, et inter  
multas itineris asperitates incolunis notos pervenit ad fines.* Inde gaudium gregi  
suo exoritur, et omni Christum cognoscendi. *Excepitur ab omnibus miles bonus  
in clero, et servatur optimus pastor in populo,* et tuit ejusdem mutilatio non ad  
dedecus, sed ad honorem magis.

<sup>7</sup> Hüllmann, Th. 1. S. 108. Th. 2. S. 59. Montag, Bd. 2. S. 115, 202.

<sup>8</sup> Planck, Bd. 3. S. 443, 467.

upon them the envy of the nobility;<sup>9</sup> they were often, particularly the abbots, defrauded by their bailiffs,<sup>10</sup> and were forced to bestow large portions of the church lands in feudal tenure, in order to obtain men for their military service.<sup>11</sup> The benefices were often bestowed by the king on his favorites,<sup>12</sup> and at last even sold;<sup>13</sup> and thus the highest places in the church filled by men, who sought them merely from mercenary motives.

In France, indeed, the bishops were deprived of most of their regalia under the Capet family, but still they continued to be as dependent as ever on the royal authority, in which alone they could find refuge from the attacks of the nobles;<sup>14</sup> so that the kings had little to fear from the open avowal of principles<sup>15</sup> which, in theory, made them dependent on the bishops.

<sup>9</sup> Hüllmann, Th. 2. S. 30. Montag, B. 2. S. 17, 79.

<sup>10</sup> Hüllmann, Th. 2. S. 62. Montag, B. 2. S. 222. Planck, Bd. 3. S. 611.

<sup>11</sup> Montag, Bd. 2. S. 109.

<sup>12</sup> Comp. Attonis Ep. Verecellensis (vid. § 27, note 2). Thus Count Heribert of Vermandois A. D. 925, forces the church at Rheims to take his five years old son Hugo, as their archbishop, causing him to be confirmed as such by Pope John X. Flodoardi hist. Ecl. Rhein. IV. c. 20.

<sup>13</sup> Hüllmann, Th. 2. S. 19. Especially during the minority of Henry IV. Lambert. Schafnab. a. 1063 (in Pistorius-Struve T. I. p. 330): *Hi duo (Adelbertus Bremensis Archiepisc. et Werenher comes) pro Rege imperitabant: ab his episcopatus et abbatiae, ab his quicquid ecclesiasticarum, quicquid secularium dignitatum est, emebatur: nec alia cuiquam, licet industrio atque egregio viro, spes adipiscendi honoris ullius erat, quam ut hos prius ingenti profusione pecuniarum suarum redemisset.* Et ab Episcopis quidem et Ducibus metu magis, quam religione temperabant. In Abbates vero, quod hi injuria obviam ire non poterant, tota libertate grassabantur, illud pra se ferentes, nihil minus Regem in hos juris ac potestatis habere, quam in villicos suos, vel in alios quoslibet regalis fisci dispensatores. Et primo quidem prædia monasteriorum fautoribus suis (prout libitum erat) distribuebant, et quod reliquum erat, crebra regalium servitiorum exactione usque ad fæces ultimas exhauebant. Deinde convalescente audacia, in ipsa monasteria impetum faciebant, atque ea inter se tanquam provincias partiebantur, Rege ad omnia, quæ jussus fuisset, puerili facilitate annuente, etc.

<sup>14</sup> Planck, Bd. 3. S. 189. Hence the royal influence in the election of bishops remained undiminished. Ibid. S. 405, 408. Striking examples of Simony vid. in Gallia christiana (opera Monach. congreg. S. Mansi T. XII. Paris. 1715—1770. fol.) T. I. Append. Docum. p. 5, 23, 37. T. II. p. 173, 179.

<sup>15</sup> The chief authority was the passage *Ep. Gelasii P. ad Anastasium Imp.* a. 494 (in Mansi VIII. p. 31): *Duo quippe sunt,—quibus principaliter mundus hic regitur, auctoritas sacra pontificum, et regalis potestas.* In quibus tanto gravius est pondus sacerdotum, quanto etiam pro ipsis regibus Domino in divino redditu sunt examine rationem. Comment of the *Conc. apud S. Macram* a. 881, cap. 1 (Mansi XVII. p. 538): *Sicut in sacris legitimis literis, duo sunt, quibus as above down to regia potestas.* Solus enim Dominus noster J. C. vere fieri potuit rex et sacerdos. Post incarnationem vero — ejus nec rex pontificis dignitatem, nec pontifex regiam potestate sibi usurpare præsumsit: sic actionibus propriis dignitatibusque ab eo distinctis, ut et Christiani reges pro æterna vita pontificibus indigerent, et pontifices pro temporalium rerum cursu regum dispositionibus uterentur. — Et tanto est dignitas pontificum major quam regum, quia reges in culmen regium sacrantur a pontificibus, pontifices autem a regibus consecrari non possunt: *et tanto gravius pondus as above down to rationem.* — *Conc. Troslejan.* a. 909, cap. 1 (Mansi XVIII. p. 267): *Sicut enim regalis potestas sacerdotali religioni se devote submitit: sic et sacerdotalis auctoritas cum omni pietatis officio se regali dignitati subdere debet sicut sanctus ostendit P. Gelasius ad Anastasium*

## § 25.

## SUPREMACY OF THE POPE.

Planck: Geschichte der christl. kirchl. Gesellschaftsverfassung, Bd. 3. Seite. 805.

The principles of church-government, inculcated in the Pseudo-Isidorian decretals,<sup>1</sup> had gradually pervaded the whole Western church, and the Metropolitans, wronged as they were, could offer but little resistance, inasmuch as all their own authority began to be traced to the investment with the Pallium by the Pope;<sup>2</sup> whilst this was bestowed only under the express condition of the most unqualified obedience to the papal decrees.<sup>3</sup> The decretals designated the Pope as the universal bishop of the church; — an idea as yet obscure and undefined, but on that very account the more dangerous, constantly stimulating the ambition of the popes, misleading the weak, and abused by the designing.<sup>4</sup> Still, however, the papal interference in the gov-

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scribens Imp. “*Duo sunt — rationem.*” Ergo quia et rex pro æterna vita indiget pontificibus, et pontifices pro temporalium rerum cursu regali indigent dispositione: a rege obediendum est pontificibus, recta, sancta et justa suadentibus; et vicissim a pontificibus obediendum est regi pietatis cultui religione, jure et solatio servienti. The source of the notion that the regal authority was conferred by the unction in § 9, note 9 — comp. Planck, B. 3. S. 477.

<sup>1</sup> See § 20, note 4.

<sup>2</sup> This had its source in the ancient custom of confirming the Metropolitans in their office sive per manus impositionem, sive per pallii dationem from the hands of the Patriarch (Conc. Constant. eccl. VIII. A. D. 869, can. 17). This Patriarchal relation was now transferred to all the Metropolitans of the West. Nicholas I. in *Respons. ad consulta Bulgorum*, c. 73 (Mansi XV. p. 426): first makes the express provision [Archiepiscopum] episcopi, qui ab obente archiepiscopo consecrati sunt, simul congregati constituant: sane interim in throno non sedentem, et præter corpus Christi non consecrarentem, priusquam pallium a sede Romana percipiat, sicuti Galliarum omnes, et Germaniæ, et aliarum regionum archiepiscopi agere comprobantur. So also Johannes VIII. in Ep. 94 ad Rostagnum Archiepisc. Arelat. A. D. 878 (Mansi XVI. p. 81) and in *Syn. Ravennensi* a. 877, can. 1: Quisquis metropolitanus intra tres menses consérationis suæ ad fidem suam exponendam, palliumque suscipiendum ab apostolica sede nulla inevitabili necessitate imminente non miserit, commissa sibi caret dignitate, etc. (Can. I. and II. of this Synod were soon ascribed to former Popes; by Petrus Damiani L. 7. Ep. 4, Burchard and others, to Damasus; by Ivo and Gratianus P. I. dist. C. can. 1, to Pelagius. It is remarkable that even Bohmer is deceived in this matter, vid. *Jod. le Plat* diss. de spiriis in Gratiano cann. P. III. Sect. II. c. 12, § 2). Concerning the cost of the Pallium, see *Conutii Regis Ep. ad Anglorum Proceres*, written from Rome A. D. 1027 (Mansi XIX. p. 499): Conquestus sum iterum coram domino Papa, et mihi valde displicere dixi, quod me archiepiscopi in tantum angariabant immensitate pecuniarum, quæ ab eis expetebantur, dum pro pallio accipiendo secundum morem apostolicam sedem expeterent: decretumque est ne id deinceps fiat. It was the custom to go in person to Rome to be invested with the Pallium, *Thomassini Ecel. dise.* P. I. lib. II. cap. 57, no. 4.

<sup>3</sup> See § 22, note \*.

<sup>4</sup> Comp. *Conc. Triburiense* under Hatto, archbishop of Mayence, A. D. 895, c. 30 (Mansi XVIII. p. 147): In memoriam b. Petri Apostoli honoremus S. Romanam et apostolicam sedem, ut quæ nobis sacerdotalis mater est dignitatis, esse

ernment of the dioceses was universally condemned,<sup>5</sup> and in some instances very unceremoniously repelled.<sup>6</sup> It was characteristic of the time to suppose that the Pope, as the highest of all the clergy, could give the most effectual absolution for sins.<sup>7</sup> The bishops, on the other hand, maintained that they alone could exercise this power in their own dioceses.<sup>8</sup>

debeat magistra ecclesiasticae rationis. Quare servanda est cum mansuetudine humilitas, ut licet vix ferendum ab illa s. sede imponatur jugum, conferamus, et pia devotione toleremus. Si vero, quod non deceat, quilibet, sive presbyter sive diaconus, aliquam perturbationem machinando, et nostro ministerio insidiando, redarguatur falsam ab Apostolico detulisse epistolam, vel aliud quid, quod inde non convenerit, salva fide et integra circa Apostolicum humilitate, penes episcopum sit potestas, utrum eum in carecere, aut in aliam detrudat custodiam, usquequo per epistolam, aut per idoneos sua partis legatos, apostolicam interpellat sublimitatem, ut potissimum sua sancta legatione dignetur decernere, quid de talibus justo ordine lex Romana statuat diffinire, ut et is corrigatur, et ceteris modus impo-natur.

<sup>5</sup> cf. *Glab. Rudolph.* II. c. 4 (Bouquet X. p. 15). A certain Count Fulco, a man of most abandoned character, having been refused by Hugo, archbishop of Tours, whom he had asked to consecrate a church for him to the honor of the Cherubim and Seraphim (about A. D. 1007) copiosa argenti et auri assunta pecunia Romani pergens Johanni P. causam sue profectionis exposuit: ae deinde reportans quod ab illo optaverat, plurima ei munera dona obtulit. Qui protinus misit cum eodem Fulcone ad predictam Basilicam sacramandam unum ex illis, quos — Cardinales voeant, nomine Petrum, cui etiam praecipit, veluti Romani Pontificis auctoritate assunta, quiequid agendum Fulconi videbatur, intrepidus expleret. Quod utique audientes Galliarum quicque Praesules — pariter detestantes, quoniam nimium indecens videbatur, ut is, qui Apostolicam regebat Sedem, Apostolicum primitus ac Canonicum transgrediebatur tenorem: cum insuper multiplici sit antiquitus auctoritate roboratum, ut non quispiam Episcoporum in alterius Diœcesi istud præsumat exercere, nisi Praesule, cuius fuerit, compellente seu permittente. — Lieet namque Pontifex Romanæ Ecclesie ob dignitatem Apostolica Sedis ceteris in orbe constitutis reverenter habeatur, non tamen ei licet transgredi in aliquo Canonici moderaminis tenore. Sicut enim unusquisque orthodoxæ ecclesiæ Pontifex, ac sponsus propriæ Sedis uniformiter speciem gerit Salvatoris, ita generaliter nulli convenit quippiam in alterius preaciter patrare Episcopi Diœcesi.

<sup>6</sup> *Chronicon Urspergense* ad ann. 1052: When Leo IX. was in Worms and attended mass where Leutbold, archbishop of Mayence officiated, the Diaconus sang the lesson in the German manner. The Pope commanded him to stop, quia Romano more non agebatur. The Diaconus took no notice of him, et lectionem usque ad finem perduxit. Qua finita Papa illum ad se vocavit, et quasi pro inobedientia contumacia degradavit. Archiepiscopus vero misit ad illum, ut suum sibi redderet ministrum. Quod ubi Papa abnuit, Pontifex, ut erat antiquæ disciplinæ, licet ægre, patienter tamen interim tacendo sustinuit. But instead of proceeding with the mass, in sede sua resedit, vere contestans, nec se, nec alium quempiam completurum illud officium, nisi recipere processionis sua ministrum. Quod ubi Apostolicus intellexit, Pontificie cessit, reindutumque ministrum continuo remisit. Quo recepto, debito se Praesul injunxit officio. Qua in re et Pontificis auctoritas, et Apostolici consideranda est humilitas: dum et ille officii sui dignitatem defendere contendebat, et iste, licet majoris dignitatis, Metropolitano tandem in sua diœcesi cedendum perpendebat.

<sup>7</sup> Even the archbishop of Mayence, Hatto, wrote to Pope John IX. A. D. 900 (Mansi XVIII. p. 203): *Vestræ clementiæ innotescimus, Seniorem nostrum Arnulphum Imp. de hujus vite exilio migrasse. Sed quod quamdiu in hoc mundo subsistimus, per incerta ferimus, nescientes ubi quorundam animæ post hanc lucem mansionem recipient; vestris quasi provoluti vestigis subnixe poscimus, ut animam ipsius vestræ auctoritatis potestate a vinculis peccatorum absolvatis, quia "quæcumque solveritis super terram, erunt soluta in cœlo."*

<sup>8</sup> *Conc. Saleginstadiense* (held A. D. 1022, Aribus, archbishop of Mayence

The pretensions of the popes were least willingly admitted by the Italian archbishops, and particularly the archbishop of Milan.<sup>9</sup> Still, even they were forced, at the close of this period, to acknowledge the papal supremacy.<sup>10</sup>

presiding) cap. 18 (Mansi XIX. p. 398): *Quia multi tanta mentis suæ falluntur stultitia, ut in aliquo capitali criminè inculpati pœnitentiam a sacerdotibus suis accipere nolint, in hoc maxime confisi, ut Romani eundem Apostolicus omnia sibi dimittat peccata: sancto visum est concilio, ut talis indulgentia illis non prosit, sed prius juxta modum delicti pœnitentiam sibi datam a suis sacerdotibus adimpleant, et tunc Romanum ire si velint, ab episcopo proprio licentiam et literas ad Apostolicum ex iisdem rebus deferendas accipient.* *Conec. Lemovicense a. 1031 Sessio II.* (Mansi XIX. p. 546): *Complaints against those qui ignorantibus episcopis suis a Romano Papa pœnitentiam et absolutionem accipiunt: — dum quos isti juste ligant, ille injuste absolvit.* Thus a certain Count Stephen, who had been excommunicated by his bishop Rome a domino Papa absolutionem accepit, ignorantia Papa eum excommunicatum. The bishop complaining of this, received for answer from the Pope: “*Quod nescienter egi, frater carissime, non mea, sed tua est culpa. Scis enim, quia quicunque de universa Dei ecclesia — ad me causa remediū recurrīt, impossibile est mili ejus causam negligere, dicente Domino ad b. specialiter Petrum: ‘Petre pase oves meas.’ — Debueras certe mihi — ejus causam tuis innotescere apicibus, et ego omnimodo abjecerem.* — *Profiteor quippe omnibus consacerdotibus — adjutorem me et consolatorem potius esse, quam contradictem.* — *Itaque illam pœnitentiam et absolutionem, quam tuo excommunicato ignoranter dederam, irritam facio et cassam.*” — Another excommunicated person went to Rome, Papæ Romano subripuit pœnitentia legem, and brought back letters, quibus episcopum rogabat Apostolicus, quatenus illi pœnitentiam, quam imposuerat, affirmaret. To them the bishop answered: *Versa vice, quod ego postulare debueram ab Apostolico, Apostolicus postulat a me.* Non credere possum hoc mandatum ab eo exortum: *hoc tibi nihil utile est: et donec aut a me, vel ab hujus sedis archidiacono, me jubente, accipias pœnitentiam, permane in excommunicatione.* Thereupon the Synod determines parochiano suo Episcopus si pœnitentiam imponit, eumque Papæ dirigit, ut judicet, utrum sit an non pœnitentia digna pro tali reatu; potest eam confirmare auctoritas Papæ, aut levigare, aut superadficere. *Judicium enim totius ecclesie maxime in Apostolica Romana sede constat.* Item si Episcopus parochianum suum cum testibus vel litteris Apostolico ad pœnitentiam accipienda direxerit, ut multoties pro gravissimiis fieri solet reatibus, in quibus Episcopi ad dignam hésitantem pœnitentiam imponendam: hic talis licenter a Papa remedium sumere potest. Nam inconsulto Episcopo suo, ab Apostolico pœnitentiam et absolutionem nemini accipere licet. Comp. Planck, Bd. 2. S. 684 ff.

<sup>9</sup> Schindler's Kirchengesch. Th. 5. S. 4 ff.

<sup>10</sup> The party forming in Milan from 1056 against the married priests, at the head of which stood Arialdus and Landulphus, were anxious, for their own ends, to make the Milanese church as dependent on the Romish, as possible. Comp. the contemporary works *Arnulphi mediol. rerum sui temporis libb. V.* (in Muratori Rer. Ital. Scriptt. T. IV. p. 11) and *Landulphi Senioris Mediolanensis historia libb. IV.* (ibid. p. 47 seq.) — cf. *Arnulph.* III. c. 11: *Romam proficisciatur Arialdus apologeticæ ferens literas.* Ubi quum Ambrosianum accusaret Clerum, affirmans omnes Nicolaitas et Simoniacos, ac prorsus inobedientes Romanae Ecclesiæ, se autem cum Landulpho devotum, et pro sola veritate certantem, Romanorum celeriter adeptus est gratiam. Qui quum principari appetant jure Apostolico, videntur velle dominari omnium, et cuncta sua subdere dictioni, quum Doctor Evangelicus suos doceat humilitatem Apostolos dicens: “*Reges gentium dominantur eorum — vos autem non sic; sed qui major est in volis, fiat sicut minor, etc. (Luc. xxii. 25, 26).*” The appearance of Petrus Damiani and Anselmus, bishop of Lucca, as papal legates A. D. 1059, had a great effect on public opinion. The complete account of all these transactions, in *Petri Dam. Ep. ad Hildebrandum* (Muratori, I. c. p. 25 seq. Mansi XIX. p. 887 seq.). As soon as they arrived, repente in populo murmur exoritur, non debere Ambrosianam ecclesiam Romanis legibus subjacere, nullumque judicandi vel disponendi jus Romano Pontifici in illa Sede competere. Nimis indignum, inquiunt, ut quæ sub progenitoribus

§ 26.

RELATIONS OF THE BISHOPS TO THE CLERGY OF THEIR DIOCESE.

As the bishops became more involved in secular business, they naturally neglected the spiritual care of their dioceses, and thus lost, by degrees, the almost monarchial sway they had once exercised. The chapters were now permitted to have the whole control of their own property (a right first granted to the chapter of Cologne in the year 852),<sup>1</sup> and gradually discontinued their canonical life.<sup>2</sup> Some of them,<sup>3</sup> as also the archdeacons,<sup>4</sup> acquired certain rights in the man-

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nostris semper extitit libera, ad nostræ confusionis opprobrium nunc alteri, quod absit, Ecclesiæ sit subjecta. Then ensued a great tumult, but the unhappy Guido submitted, and left the field to the legates. *Arnulph.* III. c. 13: O insensati Mediolanenses, quis vos fascinavit? Heri clamantis unus sellæ primatum. Hodie confunditis totius ecclesiæ statum, vere culicem liquantes et camelum glutientes. Nonne satius vester hoc procuraret Episcopus? Forte dicetis: Veneranda est Roma in Apostolo. Est utique; sed nec spermendum Mediolanum in Ambrosio. Certe certe non absque re scripta sunt hæc in Romanis annalibus. Dicitur enim in posterum subjectum Romæ Mediolanum. Ecce Metropolitanus vester præ solito Romanam vocatur ad Synodum, etc.

<sup>1</sup> See the confirmation of the *Ordinatio Guntharii Archiep. Colon.* on this subject, by king Lothaire A. D. 853 in *Mastiaux diss. exhibens historiam turni Ecclesiastarum Collegiat. Coloniens. Bonne.* 1786. The same ordinance is confirmed by the Concil. Colon. A. D. 873, held under archbishop Wilibert (*Mansi XVII.* p. 275): *Guntharius — Monasteris — ac canone in eis coimmorantibus sumtuum suorum necessaria habenda delegavit atque contradidit: quatenus deinceps videlicet — perpetualiter inde consistere quivissent absque alienjus sumtus indigentia. Præterea — illis concescit atque donavit, ultra licitum fore cum secura potestate et libero arbitrio inter se ordinare et facere tam de sua electione, quam de omnibus suis rebus absque ejus consultu et imperio: similiter — decrevit, ut præposito in sibi subjectis nullus nec prælatione nec potestate superponeretur, sed idem potius in ambobus super omnes præstantissimus haberetur, ac insuper eorumdem subjectorum res communes — ipse solus cum consilio prudentum benevolentiumque fratum gubernans — dispensaret. — Lege sancivit, ut nullus unquam pontifex sine illorum conscientia sive consensu de ipsa substantia minimam unquam præbendam alicui per potentiam tribueret, aut item — quidquam eis per potentiam sive per aliquam vim destrueret; — hoc illis quasi in jus hereditarium firmiter concedens, quatenus quisque illorum sive nobilis sive ignobilis esset usque in sempiternum liberum habetur arbitrium, suam mansionem cum ceteris quibuscumque rebus donare seu etiam tradere cuicunque suo confratri voluissest post obitum suum possidenda absque ullius episcopi consultu sive contradictione.* Planck, Bd. 3. S. 641 ff.

<sup>2</sup> *Ivo Episc. Carnotensis* (about A. D. 1092) Epist 215: Quod vero communis vita in omnibus Ecclesiis pene defecit, tam civilibus quam Diœcesanis, nec auctoritati, sed desuetudini et defectui adscribendum est, refrigerescente charitate, quæ omnia vult habere communia, et regnante cupiditate, quæ non querit ea, quæ Dei sunt et proximi, sed tantum quæ sunt propria. Towards the end of this period there were new attempts to introduce the canonie life, *Conc. Rom.* A. D. 1059 (*Mansi XIX.* p. 908) and *Conc. Rom.* a. 1063, cap. 4 (ib. p. 1025) etc. (cf. *Thomassini* vet. et nov. eccl. discipl. P. I. lib. III. c. 11. — P. III. lib. II. c. 23, no. 2) but only with temporary success.

<sup>3</sup> Planck, Bd. 3, S. 749 ff.

<sup>4</sup> *Thomassini* P. I. lib. II. c. 19 and 20. Planck, B. 3. S. 708 ff.

agement of the dioceses. The benefices of the smaller clergy were now fixed on a permanent basis.<sup>5</sup>

### III. STATE OF THEOLOGY AND MORALS.

#### § 27.

##### GENERAL VIEW.

Cramer's Fortsetzung von Bossuet. Th. 5. Bd. 2. S. 185.

The civil commotions, which ensued upon the partition of Charlemagne's empire, and the gradual disuse of the Latin language, had operated to suspend all advance in science, and to mark this tenth century as the very darkest of the dark ages.<sup>1</sup> The high dignitaries of the church vied with the nobles in rapacity and voluptuousness.<sup>2</sup> The most disgraceful ignorance upon all religious subjects, and, in consequence thereof, the grossest immorality, prevailed as well amongst the clergy<sup>3</sup> as the laity.<sup>4</sup> This was worst of all in Italy,<sup>5</sup> where Ra-

<sup>5</sup> Thomassini P. III. lib. II. c. 8, 18, 19, 24. Planck, Bd. 3, S. 650, 776.

<sup>1</sup> Baronius ad ann. 900, no. 1: Novum inchoatur saeculum, quod sui asperitate ac boni sterilitate ferreum, malique exundantis deformitate plumbeum, atque inopia scriptorum appellari consuevit obscurum. On the other hand, *Du Pin nouv. bibl. des aut. eccl. siècle 10. pr. p. 1.* *Leibnitius* in praef. ad cod. juris nat. et gentium diplom. and *Semler hist. eccl. sel. capita T. II. p. 526*, represent the third and fourth centuries as still worse. Comp. however, *Mabillon Act. SS. Ord. Ben. Sæc. V. praf. p. 2. Hist. lit. de la Fr. T. VI. p. 1 seq.* Cramer, I. c. Heeren's Gesch. d. class. Literatur im Mittelalter Th. I. (Histor. Werke Th. 4. Göttingen. 1822) S. 190 ff.

<sup>2</sup> Comp. § 24. Atto, bishop of Vercelli about 950, in his lib. de pressuris ecclesiasticis (d'Achery Spicileg. cd. nov. T. I. p. 427) thus describes the fate of the bishops: Irreligiose eliguntur, inaniter ordinantur, indifferenter accusantur, injuste opprimuntur, perfide dejiciuntur, crudeliter etiam aliquando et necantur. — *Ibid.* p. 423: Quidam autem adeo mente et corpore obsecrantur, ut ipsos etiam parvulos ad pastoralem promovere curam non dubitant, quos nec mente nec corpore idoneos esse constet. — Rident plurimi, alii quasi de infantis honore gaudentes, alii tamen clarum et manifestum præstigium deridentes. Ipse quoque parvulus de aliquibus interrogatus capitulis, quæ si preparare poterit memoriter reddet, vel in aliquo tremens leget pitatio, non episcopalem timens perdere gratiam, sed magistri incurere virgam, etc.

<sup>3</sup> e. g. *Ratherii Itinerarium* (in d'Achery Spicil. T. I. p. 381) Sciscitatus itaque de fide illorum (Clericorum Veronensium) inventi plurimos neque ipsum sapere symbolum, qui fuisse creditur Apostolorum. Hac occasione Synodican scribere omnibus Presbyteris sum compulsum, etc. In this *Synodica* (ib. p. 376 seq.) we read: Ipsam fidem — trifarie parare memoria festinetis h. e. secundum symbolum — Apostolorum — et illam quæ ad Missam canitur, et illam S. Athanasii, quæ ita incipit: "Quicumque vult salvus esse." Quicumque vult ergo Sacerdos in nostra parochia esse, aut fieri, aut permanere, illa, fratres, memoriter nobis recitet, cum proximo a nobis huc vocatus fuerit. Moneo et jam vos de die dominico ut cogitatis, aut si cogitare nescitis, interrogetis, quare ita vocetur. — ut unusquisque vestrum, si fieri potest, expositionem Symboli et orationis Dominicæ juxta traditionem Orthodoxorum penes se scriptam habeat, et eam pleniter intelligat, et inde, si novit, prædicando populum sibi commissum sedulo instruat; si non, saltem teneat vel credat. *Orationes Missæ et Canonem* bene intelligat, et si non,

therius, bishop of Verona († A. D. 974)<sup>6</sup> was forced to yield to the general corruption, after an ineffectual attempt at reform.

The religious ignorance of the times is well illustrated in the Anthropomorphism of the clergy of Vicenza, as attacked by Ratherius;<sup>7</sup>

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saltem memoriter ac distincte proferre valeat. Epistolam et Evangelium bene legere possit, et utinam saltem ad litteram ejus sensum posset manifestare, etc. cf. *Baluzii* not. ad *Reginonem*, p. 519. To what extent the morals of the clergy were corrupted, may be seen from the catalogue of crimes committed by Hugo, bishop of Langres, in Conc. Rhen. A. D. 1049 (*Mansi XIX.* p. 739).

<sup>4</sup> *Conc. Troslejan.* A. D. 909. *Prof.* (*Mansi XVIII.* p. 265) — iniquitates nostræ multiplicatae sunt super capit, et delicta nostra creverunt usque ad caelos. Fornicatio et adulterium, sacrilegium et homicidium inundarunt, et sanguis sanguinem tetigit. Sanguis quippe sanguinem tangit, cum peccator malis suis gravius aliquod malum adjungit — sed in pejus quotidie proficit — posthabito humanarum vel divinarum legum timore, contentis edictis episcopalibus, unusquisque quod vult agit: potentior viribus infirmorem opprimit, et sunt homines sicut pisces maris, qui ab invicem passim devorantur: ac calcata iniquitate abundat ae convalescit iniquitas. Hinc est quod videmus per totum mundum rapinas pauperum, depredaciones rerum ecclesiasticarum. Hinc sunt assidua lacrymæ, pupillorum luctus, etc. — Denique ne nobis parcere videamur, qui aliorum errata corrigerem debemus, episcopi dicimus, sed episcopale officium non implemus. Ministerium prædicationis relinquimus: eos, qui nobis commissi sunt, videmus Deum deserere, et in pravis actibus jacere, et tacemus, etc. — *Cap. XV.* (p. 305): heu, proh dolor! nostris nostrorumque communistrorum, et qui jam discesserunt, et qui adhuc supersunt, tam incuria quam inscientia perditū vitiis multi, et pene innumerabiles adhuc inveniuntur in plebe ecclesiastica, — qui ad usque sua tempora senectutis needum, ut debuerant, perceperere fidei notitiam simplicis, usque adeo ut nec ipsius symboli verba salutaris, nec saltem supplicationem dominicæ noverint orationis. — *Glaber Radulph.* IV. 5, describes a general penance, on account of a great famine A. D. 1033: tunc primitus cœpere — coadunari Conciliorum Conventus, ad quos etiam multa delata sunt corpora Sanctorum. — Quod etiam tota multitudine universæ plebis audiens, latanter adiere maximi, mediocres ac minimi, parati cuncti obedire, quicquid præceptum fuisset a Pastoribus Ecclesiarum. But with the extremity ceased also their penitence. Nam ipsi Primates utriusque ordinis in avaritiam versi, cœperunt exercere plurimas, ut olim fecerant, vel etiam eo amplius, rapinas cupiditatis: deinde mediocres ac minores exemplo majorum ad immannia sunt flagitia devoluti. Quis enim unquam antea tantos incestus, tanta adulteria audiverat, etc. — impletum est prophetæ vaticinium, quod ait: “Et erit sicut populus sic Sacerdos (*Es. xxiv. 2*),” etc.

<sup>5</sup> Comp. § 23, note 2. So *Ratherius* de *contenu* Cann. P. II. (d'Achery Spicil. T. I. p. 354): Quærat et aliquis, cur præ cæteris gentibus baptismo renatis, contemtores canonicae legis et vilipensores Clericorum sint magis Italici. — Quoniam quidem libidino-iores eos et pigmentorum Venerem nutrientium frequentior usus, et vini continua potatio, et negligentior disciplina facit doctorum: unde ad tantam consuetudo et majorum eos exempla jam olim impulerunt impudentiam, ut solummodo barbirasio, et verticis cum aliquantula vestium dissimilitudine nudo, et quod in Ecclesia cum negligentia agunt non parva, unde tamen affectant magis placere mundo quam Deo, a ritu distare eos videoe laico.

<sup>6</sup> His writings (the most distinguished *de contenu* Canonum, partes II.; *Apologia* sui ipsius; *De discordia* inter ipsum et clericos; *Liber apologeticus*; *Itinerarium* Ratherii Romam euntis; *Sermones*; *Epistolæ*) are collected in Lue. d'Achery Spicileg. ed. nov. T. I. p. 345 seq. To these add *Præloquiorum* libb. VI. in Martene et Durand ampl. coll. T. IX. p. 785 seq.

<sup>7</sup> *Ratherii serm I. de Quadragesima* (l. c. p. 388): Nudius enim tertius quidam nostratum retulit nobis, Presbyteros Vicentinæ Diœcesis, nostros utique vicinos, putare corporeum Deum esse: hac siquidem occasione inductos, quod in scripturis legatur: “Oculi domini super justos et aures ejus in preces eorum, etc. (*Ps. xxxiii. 16*, then *Hiob. x. 8*. *Genes. i. 26*). — Quod cum nos non modice permovisset, proh nefas! nobis commisso gregi eandem adeo comperimus perfidiam

whilst their consciousness of guilt betrays itself in the expectation universally prevalent, that the end of the world was at hand.<sup>8</sup>

The zealous efforts of Alfred the Great (A. D. 871—901)<sup>9</sup> for the revival of letters in England, had no lasting influence. There was more of literature in Germany than in any other country, of which the

inhæssisse, ut facto de periculo in populo sermone, et spiritum esse Deum — approbat, quidam, heu dolor! nostrorum murmurando dicerent etiam sacerdotum: Quid modo faciemus? Usque nunc aliiquid visum est nobis de Deo scire, modo videtur nobis, quod nihil omnino sit Deus, si caput non habet, oculos non habet, etc. — idola tibi in corde cœpisti stultissime fabricare, immensitatique Dei oblitus, magnum quandam quasi Regem in throno aureo videlicet sedentem depingere, militiam Angelorum quasi quosdam homines alatos, ut in parietibus soles videre, vestibus albis induitos ei assistere, etc. — Secunda, inquit, feria Michaël Archangelus Deo Missam celebrat. O caeca dementia, etc. And he was even compelled to defend himself for thus finding fault with them (*ibid.* p. 391): Non dicit Ratherius, quod Deus Dei filius, Dominus noster J. Ch. — non habeat caput, oculos, manus et pedes, etc. — Non dicit Ratherius, quod malum faciat, qui vadit ad Ecclesiam s. Michaëlis, aut audit Missam s. Michaëlis, sed dicit Ratherius, quod mentitur ille, qui dicit, quod conveniat alicui melius secunda feria ire ad ecclesiam s. Michaëlis vel Missam s. Michaëlis audire, quam in alio die, etc.

<sup>8</sup> As early as *Conc. Troslej.* A. D. 909 (*Mansi XVIII.* p. 266): Dum jam jamque adventus imminent illius in majestate terribili, ubi omnes cum gregibus suis venient pastores in conspectum pastoris aeterni, etc. — According to *Trithemii chrou. Hirsau.* ad ann. 960; Bernhard, a hermit from Thuringia, appeared in the Diet at Würzburg, and diem jamjam imminentem dicebat extremum, et mundum in brevi consummandum, idque sibi a Deo revelatum constanter affirmabat. In eius rei signum crucis Deum præmisso apparere in vestibus hominum asserebat, nec illas desituras, donec mundi consummatio fiat. — The *Gesta Episc. Leodiensium*, c. 21 (in Martene ampl. coll. T. IV. p. 860) written about A. D. 1050, describe the panic caused in the army of Otto, by an eclipse of the sun: Incredibili pavore perterriti, nihil aliud quam diem judicij putant imminentem. — Alii vasis vinarii, alii cistis, alii sub earris turpiter sese recondunt: quisque pro luero reputat, si quod pro hac inusitata nocte sibi reperiere queat latibulum. — *Abbo Abbas Floriacensis* in *Apologeticus ad Hugonem R.* (about A. D. 990, appended to *Fr. Pithoi cod. cann. eccl. Ron.* p. 401, and in *Gallandius T. XIV.* p. 141): De fine quoque mundi coram populo sermonem in ecclesia Parisiorum audiui, quod statim finito M annorum numero Antichristus adveniret, et non longo post tempore universale judicium succederet: cui prædicationi ex Evangelio ac Apocalypsi et libro Danielis qua potui virtute restitu. Denique et errorem, qui de fine mundi inolevit, Abbas meus b. memoriae Richardus sagaci animo propulit, postquam litteras a Lothariensisibus accepit, quibus me respondere jussit. Nam fama pene totum mundum impleverat, quod quando Annuntiatio Dominicana in Paracœne contigisset, absque ullo serupulo finis saeculi esset. In the year 1010 this panic revived: *Wilhelmi Godelli* (a monk in Limoges about 1150) *Chronica* (in *Bouquet T. X.* p. 262): Anno Dom. MX in multis locis per orbem tali rumore auditio (namely that Jerusalem had been taken by the Turks A. D. 1009) timor et mœror corda plurimorum occupavit, et suspiciati sunt multi, finem saeculi adesse. Hence the frequent endowments in the tenth century, beginning with Appropinquante mundi termino. — In connexion with this stands the passage *Glab. Radulph.* III. c. 4: infra millesimum tertio jam fere imminentem anno contigit in universo pene terrarum orbe, præcipue tamen in Italia et in Galliis, innovari Ecclesiasticas Basilicas, licet pleraque decenter locate minime indigneissent, etc. At this period were erected the vast cathedrals of Strasburg, Mayence, Trier, Speyer, Worms, Basel, Dijon, Toul, and many others.

<sup>9</sup> Some Anglo-Saxon poems of his, and translations of Æsop, Boëthius, Gregory the Great, and Beda, are still extant, cf. *Asserii Schireburnensis* (a contemporary) hist. de rebus gestis Alfredi regis (best ed. Franc. Wise. Oxon. 1722. 8vo.). *Ant. Wood* hist. et antiquit. Univers. Oxoniensis. Oxon. 1674. fol. lib. I. p. 13 s. *F. L. Graf zu Stolberg* Leben Alfred des Grossen. Münster. 1815. 8vo.

most remarkable specimens are the Latin poems of Roswitha, a nun of Gandersheim (about the year 980),<sup>10</sup> and the translations of Rotker Labeo, abbot of St. Gal († A. D. 1022).<sup>11</sup>

## § 28.

### REVIVAL OF LETTERS.

Whilst all learning was thus become extinct among the Christians, the Arabs, under the caliphs Haroun al Raschid (A. D. 786–808), and al Mamun (A. D. 808–833), had engaged with great ardor in the study of the sciences, which they had borrowed from the Greeks, especially mathematics, astronomy, and medicine.\* Not only were many celebrated schools established in the East (at Bagdad, Bassora, Damascus, etc.), but in Spain, under the Ommaiads, these studies were particularly patronized, and a college instituted at Cordova (by Haken in the year 980) for their encouragement.<sup>1</sup> The influence of this example on the Christians in the West, though often overestimated, cannot be denied. *Gerbert* astonished his countrymen by the mathematical learning he had acquired amongst the Arabs, and gave a new impulse to the school at Rheims.<sup>2</sup> The art of medicine, which had long looked for its improvement to the convents of Monte Cassino and Salerno, was enriched with several translations of Arabic works by *Constantine* (a monk of Monte Cassino († A. D. 1086)). This science, however, was still pursued in a manner too superstitious and empirical to exert any general influence on the age.<sup>3</sup>

But there are certain other causes which operated far more powerfully on the revival of letters in the West. These were the intercourse with the Greek church which had been resumed under Otho I. and his successors,<sup>4</sup> the reformation in the church, towards the end of the

<sup>10</sup> *Hroswitha* or Helena of Rossow. Concerning her, vid. Schröckh's Lebensbeschr. ber. Gelehrten Th. 1. S. 3 ff. Carmina (de gestis Ottonis I.—Comœdiae sacræ VI. etc.) ed. C. Celtes. Norimb. 1501. fol. H. L. Schurzfleisch. Vitemb. 1707. 4to.

<sup>11</sup> Comp. Doeën's Miscellan. B. 1. S. 26. We have of his a German translation of the Psalms, of the Symb. Apostol. and Athanas., of the Lord's prayer, &c. in Schilteri thesaur. antiquitt. teuton. ed. J. G. Scherz. T. I. Ulm. 1727.

\* *Jourdain* recherches critiques sur l'age et l'origine des traductions latines d'Aristote. Paris. 1819.

<sup>1</sup> *Gesenius* in Ersch's u. Grubers Encyclopädie Th. 5. S. 58 ff. Wachlers Gesch. d. Literatur Th. 2. (2te Umarbeit. 1823) S. 85 ff.

<sup>2</sup> Hist. lit. de la France T. VI. p. 559 seq.—His mathematical (Abacus, de Geometria, etc.) and astronomical writings have never been printed.—De corpore et sanguine Christi (prim. ed. Cellot. in hist. Gotteschalci, p. 541, though without the name of the author; hence called for a long time *Anonymus Gelliotianus*) and De rationali et ratione uti, both in B. Pezii thes. nov. Anecdot. T. I. P. II. p. 133 seq.—Epistolaæ ed. Pap. Masson. Paris. 1611. 4to. more complete in Du Chesne Scriptt. Frane. T. II. p. 787 seq.

<sup>3</sup> K. Spengel's Gesch. d. Arzneykunde Th. 2 (3d ed. Halle. 1823) S. 490.—Wachler, l. c. S. 53 f.

<sup>4</sup> Schlosser's Weltgeschichte Bd. 2. Th. 2. S. 256 ff.—On the revival of letters in the East, under the Macedonian emperors, vid. below ad § 43.

eleventh century, and more especially, the revival of the scientific study of the law in the cities of Lombardy,<sup>5</sup> and the renewed disputes with the Greek theologians in the middle of the same century. The want of logic led men to seek out in the libraries the mouldering translations of Aristotle.<sup>6</sup> Lanfranc (A. D. 1042 monk of Bec, 1062 abbot of Caen, 1070 archbishop of Canterbury, † 1089)<sup>7</sup> prepared for such a task by his previous legal studies, led the way in the scientific study of theology, the taste for which he spread far and wide by the school he had founded at Bec. In Berengar (A. D. 1031 Scholasticus at Tours, 1040 archdeacon of Angers, † 1088)<sup>8</sup> he found a powerful rival, and the first trial of the new science was in the controversy between them concerning transubstantiation.

### § 29.

#### CONTROVERSY WITH BERENGAR CONCERNING TRANSUBSTANTIATION.

The important authorities for the beginning of the controversy are: *Lanfranci de eucharistiae sacramento contra Berengarium lib.* (eum Philastrio prim. ed. Jo. Siehardus. Basil. 1528. 8vo. also in Bibl. PP. Colon. T. XI. p. 337 seq. and Lugg. T. XVIII. p. 763 seq.) and *Berengarii de sacra cœna adv.* *Lanfrancum lib.* Ms. in Wolfenbüttel 228 S. in 8vo. G. Ephr. Lessings Berengarius Turon. or Ankitndig. eines wichtigen Werks dess. Braunschweig. 1770. 4to. in his vermischten Schriften Th. 13. Berlin. 1793. S. 1 ff. (which edition is here cited.) — C. F. Stäudlin's Osterprogr. A. D. 1814: Annuntiatur editio libri Bereng. Tur. adv. Lanfrancum, simul omnino de scriptis ejus agitur. The same: Bereng. Tur. in his and Tzschriners Archiv. f. Kirehenges. Bd. 2. St. 1. Leipz. 1814. S. 1 ff.

For the later history of the controversy: *Acta Concilii Rom. sub. Gregorio P. VII. ab ipso Berengario conscripta*, prim. ed. Martene et Durand in Thesaur. nov. Anecdotorum T. IV. p. 99 seq. Mansi T. XIX. p. 761 (on the authenticity vid. Stäudlin im Archive, l. e. S. 81 ff.).

*Anonymous de Berengarii damnatione multiplici*,<sup>1</sup> written 1088 (complete in

<sup>5</sup> Vid. F. C. v. Savigny's Gesch. d. röm. Rechts im Mittelalter Bd. 3 (Heidelberg. 1822) S. 75 ff.

<sup>6</sup> The objections made by Heeren (Gesch. d. Stud. d. class. Literatur seit d. Wiederauflieben d. Wissensc. Bd. 1. Gött. 1737, or Heeren's hist. Werke. Th. 4. Gött. 1822. S. 225) to the received opinion that Aristotle's works were first introduced in the West by translations from the Arabic, are partly confirmed, and partly answered by Jourdain Recherches critiques sur l'âge et l'origine des traductions latines d'Aristote, &c. Paris. 1819. 8vo. (see Gött. gelehrte Anzeigen. 1819). The result of Jourdain's investigations is 1) that till the thirteenth century only the Organon of Aristotle was known in the West, and 2) that this was in the Latin translation of Boëthius.

<sup>7</sup> Hist. lit. de la France T. VIII. p. 260 seq. — *Opera* (comm. in epist. Pauli — de corpore et sang. Domini — Epistolæ, etc.) ed. Luc. d'Achery. Paris. 1648. fol. Prefixed to which is his life by his contemporary Milo Crispinus.

<sup>8</sup> Hist. lit. de la Fr. T. VIII. p. 197 seq.

<sup>1</sup> Shown in the *Monumenta res Allemanicas illustrantia* (ed. Ussermann. 1792) T. II. p. 427, to be by Bernaldus Constantiensis.

Matth. Rieberer, *Raccolta Ferrarese di opuscoli scientifici e letterati* T. 21. Venezia, 1789.) gives a view of the whole controversy. [See Murdock's *Mosheim*, I, 228 note.—Tr.]

Favored by the superstition and ignorance of the times, the doctrine of Paschasius (vid. § 15) had now become very general,<sup>2</sup> when Berengarius declared against it, and adopted that of John Scotus.<sup>3</sup> He addressed a letter on the subject to Lanfranc,<sup>4</sup> on the strength of which he was condemned without a hearing, first at Rome in the year 1050,<sup>5</sup> and soon after at Vercelli.<sup>6</sup> By this means public opinion

<sup>2</sup> Its most distinguished defenders were *Ratherius Epist.* VI. de corp. et sang. Domini (in d'Achery *Spicileg.* P. I. ed. nov. p. 375) and *Gerbert de corp. et sang. Christi* (see § 28, note 2). On the other hand Sigibert, *Gemblac. de scriptt. eccles. c. 137* (Fabricii *biblioth. eccles.* p. 109), writes of Heriger, abbot of Laudes († 1007): Congessit etiam contra Ratbertum multa catholicorum Patrum scripta de corpore et sanguine Domini. The theory of Radbertus was supported chiefly by miraculous accounts, such as are found in his own works (vid. § 15, note 3). Comp. the specimen in *Syn. Altrebatensi ann. 1025*, cap. 2 (Mansi XIX. p. 433 seq.).

<sup>3</sup> The first traces of this heresy of Berengarius in the two answers to him: *Adelmanni de veritate corp. et sang. Dom. ad Bereng. epist.* (of which many, though faulty editions, e. g. Bibl. PP. Colon. T. XI. p. 348. Lugdun. T. XVIII. p. 438, far more complete ex Ms. Guelpherb. ed. C. A. Schmidt. Brunsv. 1770. 8vo), written previously to A. D. 1049 (Hist. lit. de la Fr. T. VII. p. 542 seq.) and the noted (vid. § 27, note 3) *Hugonis Ep. Lingonensis lib. de corp. et sang. Dom.* (prim. ed. d'Achery in Opp. Lanfranci Append. p. 68 seq. Bibl. PP. Lugdun. T. XVIII. p. 417 seq.) also written previously to A. D. 1049 (Hist. lit. de la Fr. T. VII. p. 438 seq.). The first of these was answered by Berengarius, apparently after some delay, in his *Purgatoria epist. contra Adelmann.* (Fragm. in Martene et Durand thes. nov. anecdot. T. IV. p. 109 seq. and in Schmidt, l. c. p. 34 seq.).

<sup>4</sup> *Bereng. Epist. ad Lanfr.* (prim. ed. d'Achery in Opp. Lanfr. p. 22 in Mansi T. XIX. p. 768): Pervenit ad me, frater Lanfrance, quiddam auditum ab Ingelranno Carnotensi, in quo dissimulare non debui ammonere dilectionem tuam. Id autem est, displicere tibi, immo hæreticas habuisse sententias Joannis Scotti de Sacramento altaris, in quibus dissentit a suscepto tuo Paschasio. Hac ergo in re si ita est, Frater, indignum fecisti ingenio, quod tibi Deus non aspernabile contulit, præproperam ferendo sententiam. Nondum enim adeo sategisti in scriptura divina cum tuis diligentioribus. Et nunc ergo, Frater, quantumlibet rudis in illa scriptura vellem tantum audire de eo, si opportunum mibi fieret, adhibitis quibus velles, vel judicibus congruis, vel auditoribus. Quod quamdiu non fit, non aspernanter aspicias quod dico. Si hæreticum habes Joannem, cuius sententias de eucharistia probamus; habendus tibi est hæreticus Ambrosius, Hieronymus, Augustinus, ut de cæteris taceam. — *Guitmundus de corp. et sang. Chr.* (see ad note 12, below) relates, Postquam a Dom. Lanfranco in dialectica de re satis parva turpiter est confusus, cumque per ipsum D. Lanfrancum virum æque doctissimum liberales artes Deus recalescere atque optime reviviscere fecisset: desertum se iste a discipulis dolens, ad eructanda impudenter divinarum scripturarum Sacraenta — sese convertit.

<sup>5</sup> *Lanfranc. de euchar.* cap. 4: Tempore s. Leonis P. delata est hæresis tua ad Apostolicam sedem. Qui cum synodo præsideret — jussum est in omnium auditentia recitari, quas mihi de corpore et sanguine Domini literas transmisisti. Portitor quippe earum legatus tuus me in Normannia non reperto, tradidit eas quibusdam clericis. Quas cum legissent, et contra usitatissimam ecclesiæ fidem scriptas animadvertisserint: zelo Dei accensi, quibusdam ad legendum eas porrexerunt, plurimis earum sententias verbis exposuerunt. Itaque factum est, ut non deferior de te quam de me fuerit orta suspicio, ad quem videlicet tales literas destinaveris. — promulgata est in te damnationis sententia. — Posthæc præcepit Papa, ut ego

surgerem, pravi rumoris a me maculam abstergerem, fidem meam exponerem, expositam plus sacris anetoritatibus quam argumentis probarem. Itaque surrexi, quod sensi dixi, quod dixi probavi, quod probavi omnibus placuit, nulli displicuit. On the other hand *Berengarius de sacr. cena* Ms. p. 11: Sæpius me de falsitate tua scriptum tuum compellit, ut loquar; qua enim fronte scribere potuisti, suspicioneum contra te de meo ad te scripto potuisse ori? — nec sani ergo capitis fuit, aliquid contra te suspicari de scripto illo, in quo ego reprehenderam, quod omnes, ut seribis te esse, approbabant. — Quod promulgataam dicis in me damnationis sententiam, sacrilegæ sancto illi tuo Leoni notam præcipitationis affigis: injustum enim esse præseribunt tam humana jura, quam divina, inauditum aliquem condemnari. — Maxime cum me Leo ille accersisset, donec certum fieret, utrum præsentiam ejus adire suffugerem, suspendenda fuit sententia, ut revera cognosceret, quod falsissimum habet scriptum tuum, quamnam ego communis fidei adversus sentrem, — ut per me verbis audiatur aut scriptis, quæ ego in Joh. Scoto approbare, quæ in Paseasio Corbejensi monacho condemnarem. — *Milo Crispinus in vit. Lanfranci*, c. 3, says that he journeyed to Rome causa ejusdam clerici nomine Berengarii, qui de sacramento altaris alter dogmatizabat, quam ecclesia tenet. The Hist. lit. de la Fr. T. VIII. p. 263, attempts to account for the journey in a different way; refuted, however, by Lessing, l. c. S. 108 ff.

<sup>6</sup> Lanfranc proceeds: Dehinc declarata est synodus Vercellensis, quæ tunc proximo Septembri eodem presidente Pontifice est celebrata Vercellis, ad quam vocatus non venisti. Ego vero præcepto ac precibus præfati Pontificis usque ad ipsam synodum secum remansi. In qua in audiencia omnium — Joannis Scoti liber de eucharistia lectus est ac damnatus, sententia tua exposita ac damnata: fides s. ecclesie, quam ego teneo ac tenendam adstruo, audita, et concordi omnium assensu confirmata. Duo clericis, qui legatos tuos se esse dixerunt, volentes te defendere, in primo statim aditu defecerunt et capti sunt. — Comp. *Berengarius*, p. 16: Pervenerat ad me, præcepisse Leonem illum, ut ego Vercellensi illi conventui, in quo tamen nullum Papæ debebam obedientiam, non decessem. Dissuaserant secundum ecclesiastica jura, secundum quæ nullus extra provinciam ad judicium ire cogendus est, persona ecclesiastica, dissuaserant amici: ego ob reverentiam pontificatus multo Romam iter labore suscepseram, et, ut irem secutius, ad regem France, ecclesie, cuius eram clericus, Abbatem, accesseram, nihil a regia dignitate, nihil ab Abbatis paternitate sinistrum expectabam, — cum me carcerandum ac rebus omnibus expoliandum eidam dedit. Hoc Leo ille Vercellis audivit, non apostolica dignitate, non paterna miseratione, non humana motus est compassionem, — hæreticum me potius voce saerilega — in conventu illo Vercellensi pronunciavit. — p. 18: Quod sententiam meam scribis Vercellis in consessu illo expositam, dico de rei veritate et testimonio conscientiae meæ, nullum eo tempore sententiam meam exposuisse, quod nec mihi eo tempore tanta perspicuitate constabat, quod nondum tanta pro veritate eo tempore perpessus, nondum tam diligenter in scripturis consideratione safegeram. — Duos clericos meos Vercellis affuisse scripsisti, — Clerici illi mei revera non fuerunt, ne defendere minime suscepserunt. Alter Concanonicus mihi erat in ecclesia b. Martini, — hunc clerum ille b. Martini, cum me — Rex — carcerandum dedisset eidam adolescentulo, — consilio communis ad Leonem illum misit Vercellis, si forte, infortunio meo compatiens, christiano rigore aliquid pro me adoriretur. Huic, cum esset in conventu illo Vercellensi, et quidam interrogatus a Papa responderet ad interrogata, quod respondendum putavit, visum illi est, sicut mihi ipse narravit, dare illum sententiam, quod essem hæreticus; quo viso perturbatissimus, ad quem nesciebat, inclinavit, quantum potuit: “Per Deum omnipotentem mentiris!” Alter compatriota tuus nomine Stephanus, ei, quem ab ecclesia b. Martini missum dico, non ignotus, cum vidisset libellum Joh. Scoti ex nutu et libito tuo concepdi, nobili permotus zelo non tacuit, similiter posse consciendi librum aliquem præproperanter b. Augustini, non adhibita mora et lima, utrumque consciendens esset, sufficientis considerationis. Ita factum est, ut juberet Leo ille, utrumque teneri, non tamen, ut ipse postea exponebat, ut illis aliquid injuria fieret aut molestie, sed ne turba forte in illos illicitum adoriretur aliquid. Ita indignum eruditio tua scriptum continuit tantam falsitatem tuum: “duo clericis tui te volentes defendere primo aditu defecerunt,” etc.

was turned against him,<sup>7</sup> although he still had many friends.<sup>8</sup> Having succeeded, however, in convincing Hildebrand, then papal legate, of his orthodoxy,<sup>9</sup> and relying on his powerful aid, he ventured to

<sup>7</sup> On his way to Vercelli, Berengarius went to Paris to ask permission for the journey, taking a circuitous route through Normandy, with the purpose, probably, of making friends there. But he found the universal voice against him, particularly in the conference of Brione (Durandi Abb. Troarn. de corp. et sang. Chr. Pars. IX.). So also at Bee, as appears from his own letters ad Aseclinum Mon. Beeensem, and Aseclini ad Bereng. (prim. ed. d'Achery in Opp. Lanfr. not. ad vit. Lanfr. p. 24, in Mansi XIX. p. 775). The passage in his letter to Aseclinus, so often misunderstood: *Per vos igitur transiens disposueram omnino nihil agere cum quibuscumque de Eucharistia, priusquam sati-facerem in eo episopis, ad quos contendebam*, refers to the Council at Vercelli (vid. Stäudlin in Arch. S. 43). In the mean time King Henry I. had summoned a council at Paris to try Berengarius, but was opposed by Deoduinus (not Durandus), bishop of Lüttich. Vid. his Epist. ad Regem (first ed. complete in the Bibl. PP. Lugd. T. XVIII. p. 531. Mabillon Anal. ed. II. p. 416. Gallandii bibl. PP. T. XIV. p. 244): *Fama supremos Galliae fines prætergressa totam Germaniam pervasit, jamque omnium nostrum replevit aures, qualiter Bruno Andegavensis Episcopus, item Berengarius Turon. antiquas hæreses modernis temporibus introducendo, adstruant, Corpus Domini non tam corpus esse, quam umbram et figuram corporis Domini; legitima conjugia destruant, et quantum in ipsiis est, baptisimum parvolorum evertant. Quos ad revineendum ac publice confutandum — ajunt, vos Concilium advocasse. — Sed desperamus id fieri posse, cum Bruno existat Episcopus, Episcopum autem non oportet damnationis subire sententiam præter Apostolicam auctoritatem.* — And, at the close: *Quamobrem Brunoneum et Berengarium jam anathematizatos arbitramur. Quod si ita est, vere illis audientia Concilii deneganda est, et cum vestris, cumque nostris episcopis (si vobis ita videtur) cum amico vestro Imperatore, cum ipso Papa, quæ vindicta in illos statuatur deliberandum.* By these arguments Henry seems to have been induced to give up the council, and adopt the other course, described by Berengarius himself (see note 6). For that Durand's account of a council actually held at Paris is false, has been satisfactorily proved by Lessing. S. 148 ff., notwithstanding what Stäudlin says to the contrary. Durand's evidence for the journey of Berengarius into Normandy, however, is satisfactory, since he was himself an inhabitant of that country. Lessing's doubts on this head are sufficiently answered by the order of events given above. The letter of Deoduinus Lessing had no right to question, as it is mentioned as early as Guimundus de verit. euchar. lib. I. init.

<sup>8</sup> cf. *Berengarii epist. ad Richardum* (prim. ed. d'Achery in Spicil. T. III. p. 400 in Mansi XIX. p. 784) and the fragment in Mabillon. Act. SS. Ord. Bened. T. IX. pref. n. 22, in which he prays his intercession with the king, si forte — aliqua munificentia compensaret damnum, quod in Clerico ecclesiae suæ injustissime, ac Regia Majestate indignissime tantum intulit. — Further the very friendly *Epist. Frollanti Ep. Silvanectensis ad Bereng.* (prim. ed. d'Achery, l. c. p. 399 in Oudinus de scriptt. eccl. T. II. p. 629), concluding: *Illud volo Fraternitas tua noverit, quod multum firmiter acquisivi tibi gratiam Domini mei Regis. — Of his other friends, Bruno, bishop of Angers (cf. Deoduinus, note 7) and Paulinus, see note 16, below.*

<sup>9</sup> *Lanfranc.* l. c.: *Quæ sententia (Leonis IX.) non effugit successorem quoque suum felicis memoriae P. Vietorem. — Denique in concilio Turonensi, cui ipsius interfuerere ac præfure legati, data est tibi optio defendendi partem tuam. Quam cum defendendam suspicere non auderes, confessus coram omnibus communem Ecclesiæ fidem, jurasti te ab illa hora ita crediturum, sicut in Romano concilio (see note 10) te jurasse est superius comprehensum. — On the other hand *Berengarius*, p. 23: *Compellit me, velim nolua, longum facere continua scripti tui monachatu tuo indignissima falsitas. — Sed quia adhuc superest Hildebrandus, qui de veritate consultus tota dignitate est adhuc respondere idoneus — visum est, de concilio Turonensi, quod rei veritas habuit, neque tamen eo nisi paucissimis tempore innotuit, palam facere. — Tempore [non Victoris sed] Leonis ab ecclesia**

appear at the Synod of Rome in the year 1059. Here he was forced to subscribe to a creed<sup>10</sup> which he indignantly renounced as soon as

Romana Hildebrandus, vices in negotiis ecclesiasticis suppleturus apostolicas, Turoni adfuit. Huie contra calumniam in me insanorum, in quo adhuc, emisso me, audire cum potest, qui voluerit, de Propheta, de Apostolo, de Evangelista, de authenticis etiam scripturis satisfecit Ambrosii, Augustini, Hieronymi, Gregorii. — Hildebrandus veritatis perspicuitate cognita persuasit, ut ad Leonem P. intendere, cuius auctoritas superborum invidiam atque inceptorum tumultum compesceret. The books were to be given to the bishops, quos undecunque Hildebrandus ipse multos fecerat comportari, though in the mean time they had expressed themselves satisfied with Berengar's confession: "Panis atque vinum Altaris post consecrationem sunt corpus Christi et sanguis;" haec me, sicut ore proferrem juramento confirmavi corde tenere. Ita Hildebrandus — tumultu compescito, alia — est prosecutus negotia. In the mean time nunciatum illi est, P. Leonem rebus decessisse humanis, quo auditio a proposito eundi Romam itinere supersedi.

<sup>10</sup> *Lanfranc.* c. 5: Nicolaus P. — concessa tibi — respondendi licentia, cum non auderes pro tuae partis defensione aliiquid respondere: pietate motus ad preces tuas praecepit tradi scripturam tibi, quam superius posui. Namely c. 2: "Ego Berengarius — anathematizo omnem haeresim, principie eam, de qua hactenus infamatus sum, etc. — Consentio autem s. Rom. Ecclesie — scilicet panem et vinum, quae in altari ponuntur, post consecrationem non solum sacramentum, sed etiam verum corpus et sanguinem Domini nostri J. Chr. esse, et sensualiter non solum sacramento, sed in veritate manibus sacerdotum tractari, frangi et fidelium dentibus atteri, jurans per s. et homonsum Trinitatem, etc." Cum ergo venisses Romam, fretus iis, qui plus impensis a te beneficiis, quam ratione a te auditis opem tibi promiserant, non ausus defensare, quod ante senseras, postulasti Nicolaum Pont. ejusque concilium, quatenus fidem, quam teneri oporteret, verbis tibi traderet, scriptura firmaret. Injuncta est hujus rei cura Humberto Episcopo. Itaque verba irae superius comprehensa scripsit, — tu vero acquiescens accepisti, legisti, confessus es, te ita credere jurejurando confirmasti, tandem manu propria subserpisti. — Cur ergo scriptum hoc magis adscribis Humberto Ep. quam tibi, quam Nicolao Pont., quam ejus concilio, quam denique omnibus ecclesiis? — c. 1: Tu quoque inclinato corpore, sed non humiliato corde ignem accendisti, librosque perversi dogmatis in medio s. Concilli in eum conjecisti: jurans per id, quod rebus omnibus incomparabiliter majus est, fidem a Patribus, qui praesentes erant traditam, inviolabiliter te servaturum, veteremque doctrinam tuam de corp. et sang. Domini ab illa die aliis non predicaturum. — On the other hand *Berengarius*, p. 43: Ego longe verius te, quid cum Nicolao egerim, novi. Ego Nicolaum P. quanta potui objurgatione adortus, cur me quasi feris objecisset, immansuetis animis, qui nec audire poterant spirituale de Christi corpore relectionem, et ad vocem spiritualitatis aures potius obturabant; minime ad hoc adducere potui, ut me ipse mansuetudine christiana paternaque diligentia audiret, aut, si id minus liceret, minusve liberet, idoneos ad negotium, qui scripturas ex mora et lima intenderent eligeret. — Solum mihi, ut in Hildebrandum ista conjicerem, Papa respondit. Ita — nec mihi respondendi licentiam fecit, nec quia non auderem defendere partes meas, — sed quia comminatione mortis, et forensibus etiam litibus indignissima, mecum agebatur tumultuaria perturbatione, usquaque obmutui, nec ulla, quod mentitur scriptum tuum, ad Papam ego preces feci. Tantum cum obmutuisse, ne mecum christianismo suo indignum agerent, corde convolvens humi procubui. — in coequa meam tecum infelicitatem confiteor maximam, quia instantis timore mortis atque insanorum perturbatione dejectus a protestatione veritatis et defensione mea obmutui, non quod a percepta unquam veritate desciverim; quamquam nobilem quandam, milique in immensum superiorem de quodam forsitan non dissimili cui interfuisset, concilio dixisse non nesciam: "compresso indoctorum grege conticui, veritus, ne merito haberer insanus, si sapiens inter insanos videri contendarem." — p. 1: manu, quod mendaciter ad te pervenit, non subscrispi, nam ut de consensu pronunciarem meo, nullus exegit, tantum timore praesentis jam mortis scriptum illud, absque ulla conscientia mea jam factum, manibus accepi. — p. 35: — ab asserenda veritate instantis mortis timore conticui — prophethica, evangelica et apostolica scripta in ignes ad vulgi jussionem

he regained his liberty.<sup>11</sup> He became soon involved in an animated correspondence,<sup>12</sup> which afforded him an opportunity of developing his opinions more fully,<sup>13</sup> and defending them more systematically.<sup>14</sup> He

conceci. — p. 4: Solus Humbertus ille, inconvento et inaudito me sine mora et lima diligentioris secundum scripturas considerationis, quod voluit, scripsit, nimiaque levitate Nicolaus ille, de cuius incurdatione et morum indignitate facile mihi erat non insufficienter scribere, — quod dixerat Humbertus, approbavit. — p. 5: Expertus in Humberto ego sum non dei servum, sed Antichristi membrum. — p. 7: Quod de humilitate vita et doctrine Humberti confirmas, utinam non ex calunnia erga me tua, sed ex veritate firmaveris: quantum ad experientiam hominis deo meam, in negotio isto de mensa dominica, quoquo modo vixerit, non humiliiter, sed superbissime docuit, quia ad preferendum se mihi contra ipsam veritatem, corruptibile adhuc esse Christi corpus, dicere non exhorruit. — Si humilitas in illo christiana fuisset, non me inauditum quasi haereticum condemnasset; potius — revera me audiens, si veritatis invenisset inimicum — mecum sub congruis judicibus, non eum gladiis et fustibus, sed christiana mansuetudine constitisset.

<sup>11</sup> *Anonym. de Bereng. damnat. multipl.*: Sed Beringerius more suo ad proprium vomitum redire non timuit, et ultra omnes haereticos Romanos Pontifices et s. Rom. Ecclesiam verbis et scriptis blasphemare præsumxit. Nempe s. Leonem P. non pontificem sed pompificem et pulpificem appellavit, s. Rom. Ecclesiam vanitatis concilium et ecclesiam malignantium, Romanam sedem non apostolicam sed sedem Satanae dictis et scriptis non timuit appellare. — Unde venerabilis P. Alexander — litteris euni satis amice præmonuit, ut a secta sua cessaret, nec amplius s. Ecclesiam scandalizaret. Ille autem ab incepto desistere noluit, hocque ipsum eidem Apostolico litteris suis remandare non timuit.

<sup>12</sup> In answer to Berengar's first letter *ad Lanfrancum et Richardum* (said to exist in Ms. in the royal library at Paris, Hist. lit. de la Fr. T. VIII. p. 223. Known only in the fragments contained in Lanfranc's answer, collected in Städtlin's Osterprogr. v. 1814. p. 8 seq.) we have *Lanfrancus de euc. sacr.* (not written, as is supposed in the Hist. lit. de la Fr. T. VIII. p. 212 s. 279, in order to convert Berengar, in A. D. 1079, but between A. D. 1063–1069, see Lessing, S. 48–79). — Then *Berengarius de sacra cæna adv. Lanfr. — Durandi Abb. Troarnensis lib. de corp. et sang. Chr. contra Bereng.* in IX PP. (prim. ed. d'Achery in Opp. Lanfr. App. p. 71 seq. in Gallandius T. XIV. p. 245) was written A. D. 1059, and before Lanfranc's book, and *Guitmundi Archiep. Aversani de corp. et sang. Chr. reritate in eucharistia libb.* III. (in the Bibl. PP. Col. T. XI. p. 350. Lugd. T. XVIII. p. 440) between 1073 and 1077.

<sup>13</sup> *Berengarii* first work *adv. Lanfr.* (in Lanfr. c. 10): Sacrificium ecclesiae duobus constat, duobus conficitur, visibili et invisibili, sacramento et re sacramenti (i. e. Christi corpore). — *Ibid.* c. 9: Per consecrationem, altaris fiunt panis et vînum sacramentum religionis, non ut desinat esse, quæ erant, sed ut sint, quæ erant et in aliud commutentur, quod dicit b. Ambrosius in libro de sacramentis. — *De sacr. cæna* Ms. p. 39: Sunt enim sicut secundum religionem sacramenta, ita secundum aliud alimenta, sustentamenta. — p. 64: fit panis, quod nunquam ante consecrationem fuerat, de pane, scilicet de eo, quod ante fuerat commune quiddam, beatificum corpus Christi, sed non ut ipse panis per corruptionem esse desinat panis, sed non ut corpus Christi esse nunc incipiat per generationem sui, but, according to the illustrations of Ambrose, as the new man is created from the old, and from a filius perditionis becomes a filius fidelis. p. 65: panis consecratus in altari amisit vilitatem, amisit ineflicaciam, non amisit naturæ proprietatem. — p. 79: omne quod sacratur necessario in melius provelhitur, minime consumitur per corruptionem subjecti. — *Epist. ad Adelmann. fragm.* I.: Not the res sacramentorum, but the sacramenta are signa, figurae, similitudines, pignora, as also Augustin. de civ. Dei lib. X. sacramentum explains by the words *sacrum signum*; cum constet nihilominus verum Christi corpus in ipsa mensa proponi, sed spiritualiter interiori homini, verum in ea Christi corpus ab his dumtaxat, qui Christi membra sunt, incorruptum, intaminatum, in attrituque spiritualiter manducari. Hoc patres publice præconantur, aliudque esse corpus et sanguinem, aliud corporis et

sanguinis sacramenta non tacent; et utrumque a piis, visibiliter sacramentum, rem sacramenti invisibiliter, accipi: ab impilis autem tantum sacramenta, commendant. Nihilominus tamen sacramentum secundum quendam modum res ipsas esse, quarum sacramenta sunt, universaque ratio et universa auctoritas exigit. — Namely, *De sacra can.* Ms. p. 51: non minus tropica locutione dicitur: panis, qui ponitur in altari, post consecrationem est corpus Christi, et vinum sanguis; quam dicitur: Christus est leo, Christus est agnus, Christus est summus angularis lapis. — On the other hand Lanfranc's view *de Euchar.* c. 18: Credimus terrenas substantias, quae in mensa Dominicæ per sacerdotale ministerium divinitus sanctificantur, ineffabiliter, incomprehensibiliter, mirabiliter, operante superna potentia, converti in essentiam Domini corporis, reservatis ipsarum rerum speciebus, et quibusdam aliis qualitatibus, ne percipientes cruda et cruenta horrerent, et ut credentes fidei premia ampliora perciperent, ipso tamen Dominicæ corpore existente in cœlestibus ad dexteram patris immortalis, inviolato, integro, incontaminato, illæso; ut vere dici possit, et ipsum corpus, quod de virginè sumptum est, nos sumere, et tamen non ipsum: ipsum quidem, quantum ad essentiam, veræque naturæ proprietatem, atque naturam: non ipsum autem, si species panis vinique speciem, ceteraque superius comprehensa. How unsettled the notions of Berengarius' opponents on the subject must have been is seen in the *Epist. Ascelini ad Bereng.*, where we read first, panem et vinum vere carnem et sanguinem potentia alter creari, and then: hoc, quod in altari consecratur, unitur corpori illi, quod ex Maria virgine redemptor assumisit. — *Berengarius ad Adelm. fragm.* III. thus states the two different views: Mea vel potius scripturarum causa ita erat, panem et vinum mensa Dominicæ non sensualiter, sed intellectualiter; non per absumentem, sed per assumptionem; non in portiunculam carnis — sed in totum converti Christi corpus et sanguinem. That this portiuncula carnis is no misrepresentation (vid. St. a u d l i n i m Arch. S. 70 ff.), is proved, e. g. by the story of *Syn. Attrebatis ann. 1025* (*Mansi XIX.* p. 434), that the hostia once presented itself as parte digitii auricularis sanguine cruentatam.

<sup>14</sup> The distrust still felt of dialectics is betrayed by the demand of the Conc. Rom. on Lanfranc, ut plus sacris auctoritatibus, quam argumentis probaret (note 5). cf. *Lanfr. de euc.* c. 7: Relictis sacris auctoritatibus ad dialecticam confugium facis. Et quidem de mysterio fidei auditurus ac responsurus, quæ ad rem debeat pertinere, mallem audire ac respondere sacras auctoritates, quam dialecticas rationes. Verum contra haec quoque nostri erit studii respondere, ne ipsius artis inopia me putes in hac tibi parte deesse. Fortasse jactantia quibusdam videbitur, et ostentatione magis quam necessitatibus deputabitur. Sed testis mihi Deus est, et conscientia mea, quia in tractatu divinarum literarum nec proponere, nec ad proposita respondere cupeream dialecticas questiones vel earum solutiones. Et si quando materia disputandi talis est, ut hujus artis regulis valeat enucleatus explicari, in quantum possum per aquipollentias propositionum tego artem, ne videar magis arte quam veritate, sanctorumque Patrum auctoritate confidere. Quamvis b. Augustinus — hanc disciplinam amplissime laudet, et ad omnia, quæ in sacris literis vestigantur, plurimum valere confirmet, etc. — On the other hand *Berengarius* Ms. p. 67: He does not neglect the sacras auctoritates, where they are necessary; quanquam ratione agere in perceptione veritatis incomparabiliter superius esse, quia in evidenti res est, sine vecordia cœcitate nullus negaverit: in support of this he cites Augustinus: "rationi purgationis animæ, quæ ad perspicuum veritatem pervenit, auctoritas nullo modo humana proponitur." — Maximi pane cordis est, per omnia ad dialecticam confugere, quia confugere ad eam, ad rationem est confugere: quo qui non confugit, cum secundum rationem sit factus ad imaginem Dei, suum honorem reliquit, nec potest renovari de die in diem ad imaginem Dei. — Examples of their dialectics: In his first work Berengarius says (in *Lanfr. c. 5 — 8*), that in the proposition panis et vinum altaris solummodo sunt verum Christi corpus et sanguis, lies also the proposition, panem et vinum superesse, just as the proposition: Christus est angularis lapis supposes, of course, that Christ is still Christ. For, he proceeds: non constare poterit affirmatio omnis, parte subrata. On this Lanfranc remarks, c. 7, that instead of the particularis negativa, must be inserted the universalis: *nulla affirmatio constare poterit parte subrata*, otherwise there would be in the syllogism duas particulares præcedentes, from which it would be impossible to draw any regular conclusion.

had still many friends,<sup>15</sup> but from the nature of the case they were far less zealous<sup>16</sup> than the adherents of the more marvellous doctrine; and, as is usual in times of darkness and ignorance, the tri-

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To this *Berengar*. Ms. p. 74: *si quid secundum negligentiam dixi, non me multum paenituerit — circa rem ipsam nec transeunter agis.* — Another form of the same argument Ms. p. 50: *Omne, quod est aliud, est in eo, quod aliquid est, nec potest res ulla aliquid esse, si desinat ipsum esse.* If we say: *Socrates justus est, nullo modo Socrates justus erit, si Socrates esse non contingeret.*

<sup>15</sup> *Berengarius* Ms. p. 27: *Quod nomen ecclesiae totiens ineptorum multititudini tribuis, facis contra sensa majorum: — quod dicens, omnes tenere hanc fidem, — contra conscientiam tuam dicens, quam latere non potest, usque eo res ista agitata est, quam plurimos aut pene infinitos esse eujuscunq[ue] ordinis et dignitatis, qui tuum de sacrificio ecclesiae execerentur errorem, atque Pascasii Corbejensis Monachi.*

<sup>16</sup> *Guitmundi de corp. et sang. Chr. lib. I.*: Nam Berengariani omnes quidem in hoc conveniunt, quia panis et vinum essentialiter non mutantur, sed ut extorquere a quibusdam potui, multum in hoc differunt, quod alii nihil omnino de corpore et sanguine Domini sacramentis istis inesse, sed tantummodo umbras haec et figuræ esse dicunt. Alii vero rectis ecclesiæ rationibus cedentes, — dicunt ibi corpus et sanguinem Domini revera, sed latenter contineri, et ut sumi possint, quodammodo (ut ita dixerim) impanari. Et hanc ipsis Berengarii subtiliorem esse sententiam ajunt. Alii vero non quidem jam Berengariani, sed acerrime Berengario repugnantes, argumentis tamē ejus, et quibusdam verbis Domini paulisper offensi — solebant olim putare, quod panis et vinum ex parte mutantur, et ex parte remaneant. Alii vero — videbatur panem et vinum ex toto quidem mutari, sed cum indigni accedunt ad communicandum, carnem Domini et sanguinem iterum in panem et vinum reverti. This individual independence is expressed in the letters of two of his friends. *Epist. Paulini primicerii Metensis ad Bereng.* (in Martene et Durand thes. anecdot. T. I. p. 196): *quod in scriptis tuis de Eucharistia accepi, secundum eos, quos posuisti auctores, bene sentis et catholice sentis. Sed quod de tanta persona sacrilegium dixisti (see note 5) non puto approbandum. — Rogamus etiam, ut sobrie in Domino semper sapias, neque profunditatem scripturarum, quibus non oportet, margaritas scilicet porcis projicias.* See especially the excellent *Epist. Eusebii Brunonis Ep. Andegavensis ad Bereng.* (prim. ed. Claudi. Menardus in Augustini adv. Julian. libb. II. posteriores. Paris. 1616. 8vo. p. 499 seq.): *Fratri et sincerae dilectionis cultu amplectendo consacerdoti Ber. salutem. Scripsisti, ad vos pervenisse — Gaufridum — præconio publico ineptiae atque insaniae Lanfrancii suffragari, et quibusdam interpositis obtestati estis, ut vos et ipsum sub judice audiri faciam in libro b. Ambrosii de sacramentis. Super quod quid responsi — habeam, patienter æquanimiterque adverte. Veritatis asserenda, an famæ querenda gratia, nescio, Deus [scit], sit haec orta motaque quæstio, quæ postquam Romani orbis maximam pene partem peragravit, ad ultimum nos cum infami longinquorum ac vicinorum redargutione acerrime pulsavit. Contra quod — tale responsionis elegi temperamentum, quod a veritatis tramite nullo erroris diverticulo deviare, et universalis ecclesiæ sublimioribus, et dignitate et eruditione, personis — scandalum jure inutere minime deberet. — Relictis turbulentis disputationum rivulis de ipso veritatis fonte — necessarium dicimus haurire. — Quod est: “Dominus Jesus pridie quam pateretur, etc.” — Panem post consecrantis in haec verba sacerdotis sacrationem verum corpus Christi, et vinum eodem modo verum sanguinem esse credimus et confitemur. Quod si quis hoc qualiter fieri possit inquirat, non ei secundum naturæ ordinem, sed secundum Dei omnipotentiam respondens; — si vero aliquis, quid de hac re Patres Doctores nostri senserint, — a nobis requisierit, ad eorum libros — eum mittimus, ut quid ibi invenerit, diligenter legat — et quod accommodatus Evangelicæ veritati senserit, cum gratiarum actione et studio fraternæ concordiaæ sibi eligat. Porro, nos non Patrum scripta contemnentes, sed nec illa, ea securitate, quæ evangelium legentes, — eorum sententiis — in tantæ rei disceptatione abstinemus, ne si patrum sensa aut aliquo eventu depravata, aut a nobis non bene intellecta, aut non plene inquisita, inconvenienter protulerimus, etc.*

umph was to the most fanatical.<sup>17</sup> Even the all-powerful Hildebrand, who evidently leaned towards the opinions of Berengar, could not stem the tide of popular opinion. At a synod held in Rome in the year 1078, he attempts to afford Berengar an opportunity of sheltering himself under a confession of faith couched in general terms,<sup>18</sup> but was forced at another synod, in the year 1079, to demand of him a more express renunciation of his errors.<sup>19</sup> By this means he suc-

<sup>17</sup> Comp. the tumult at the council of Poitiers 1075, *Chron. s. Maxentii* or *Maliceancense* (written about 1140) in *Ph. Labbei Nov. Bibl. MSS. Codicum T. II.* p. 212: *Anno arata Christi. MLXXV pictavis fuit concilium, quod tenuit Giraudus legatus de corp. et sang. Domini, in quo Berengarius — ferme intererunt est.*

<sup>18</sup> *Berengar. Acta Conc. Rom.* (Mansi XIX. p. 761): *Juramentum Bereng. factum Romæ in ecclesia Lateran. de eucharistia temp. Gregorii P. VII.: "Pro- fiteor panem altaris post consecrationem esse verum corpus Christi, quod natum est de Virgine, quod passum est in cruce, quod sedet ad dexteram Patris; et vinum altaris, postquam consecratum est, esse verum sanguinem, qui manavit de latere Christi. Et sicut ore pronuncio, ita me corde habere confirmo, sie me adjuvet Deus et haec sacra."* Scriptum istud, cum Romæ apud Papam moram faeorem, in conventu Episcoporum, quem habuit in festivitate omnium Sanctorum, vociferatione multa omnibus pronuntiari fecit, dicens sufficere debere his, quibus lac potus dandus esset, non cibus. — Inclamans populo, me non esse hæreticum, ita me de scripturis, non de corde meo habere; omnibus testificans, in audiencia sua Petrum Damiani — non consensisse de sacrificio ecclesiæ dictis Lanfranni, — negligenda esse ea, quæ diceret Lanframus, potius quam ea, quæ diceret Petrus Damiani, Romanæ ecclesiæ filius. — Ita Papa ille, cum quo moras pene per annum feceram, compescitam putare visus est et compositam recordiam turbæ turbatae, etc. Still the other party were not satisfied: *Cum tamen urgerent Papam illum quam maxime pestilentes et scripturarum perversores, ut exigeret a me moras adhuc Romæ facere usque ad conventum, qui futurus erat apud eum in Quadragesima Episcoporum — sperantes tunc frequentiorem adfuturam turbam, et aliquid ulterius contra veritatem valitum tumultum ineptorum, etc. — Et ita circa quædam per Papæ inconstantiam, quoad sperabat turba, rei exitus habuit.* Yet Gregory assures Berengar only a few days before the second council, p. 766: *Ego plane te de Christi sacrificio secundum scripturas bene sentire non dubito, tamen quia consuetudinis mibi est, ad b. Mariam de his, quæ me movent, recur- rere, ante aliquot dies imposui religioso eidam amico — jejunii et orationibus operam dare, atque ita a b. Maria obtinere, ut per eum mibi non taceret — quor- sum me de negotio, quod in manibus habebam de Christi sacrificio reciprem, in quo immotus persistem. Religiosus vir — a b. Maria audivit, — nihil de sacri- ficio Christi cogitandum, nihil esse teneendum, nisi quod haberent authenticæ scripturæ, contra quas Berengarius nihil habebat. Hoe tibi manifestare volui, ut securiorem ad nos fiduciam et alacriorem spem habeas. Ita erraticis consensum meum, ne secundum opinionem eorum quod legeram interpretarer, negavi.* — Also *Beno de vita Hildebrandi*, lib. I. (in Goldasti Apologiae pro Henrico IV. Hanoviae. 1611. p. 3): *jejunium indixit Cardinalibus, ut Deus ostenderet, quis rectius sentiret de corpore Domini, Romanave ecclesia an Berengarius, sinec the dubius in fide, infidelis est.*

<sup>19</sup> *Berengarii Acta*, l. c. p. 761: *Papa, qui in conuento illo in festivitate omni- um Sanctorum, scriptum suprapositum multa vociferatione fidei sufficere debere, omnibus pronunciari fecerat, nihil scripto demi, nihil a calumniatoribus addi per- miscerat, usque eo dejectus est importunitate Paduani scurræ, non Episcopi, et Pisani non Episcopi, sed antichristi; — ut permitteret calumniatoribus veritatis in posteriori quadragesimali concilio scriptum, a se firmatum in priori festivitate OO. SS., Episcoporum concessu, scripto mutari hujusmodi: "Corde credo et ore confi- teor, panem et vinum, quæ ponuntur in altari, per mysterium sacrae orationis et verba nostri Redemptoris substantialiter converti in veram et propriam et vivifie- tricem carnem et sanguinem Jesu Christi Domini nostri, et post consecrationem esse verum Christi corpus, quod natum est de Virgine, et quod pro salute mundi oblatum in cruce pendit, et quod sedet ad dexteram Patris, et verum sangu-*

ceeded, however, in protecting him from further molestation;<sup>20</sup> for, though Berengar immediately took back his forced confession, he was allowed to remain quietly in retirement on the island of St. Côme, near Tours, till his death in the year 1088.<sup>21</sup>

#### IV. HISTORY OF CHURCH DISCIPLINE.

**CONTEMPORARY CHRONICLES:** *Reginonis*, abbot of Prüm *de disciplinis ecclesiasticis et religione Christi*, libb. II, written A. D. 906 – 908 (in Harzhemii Concill. Germ. T. II, p. 438. cf. Ballerini de antiquis collect. canonum P. IV. c. II.). — *Abbonis*, abbot of Fleury († 1001) *canones excerpti de aliis canonibus* written 937 (in Mabillonii Analect. ed. II, p. 133). — *Burckhardi*, bishop of Worms († 1025) *conlectarium canonum*, or *decretorum volumen*, written 1012 – 1023 (cf. Ballerini. P. IV.).

#### § 30.

##### STATE OF DISCIPLINE AMONGST THE CLERGY.

Die Einführung der erzwungenen Ehelosigkeit bey den christl. Geistlichen u. ihre Folgen. by Dr. F. A. Theiner. 2. Bde. Altenb. 1828.

nem Christi, qui de latere ejus effusus est, non tantum per signum et virtutem Sacramenti, sed in proprietate nature, et veritate substantia;" — Ego charta correpta — perpendi ad sanum intellectum uteunque posse reduci et "substantialiter" et cetera verba, quae in scripto erratici posuissent suo, respondi, quia ita placeret domino Papæ, me "substantialiter" additurum. — Namely substantialiter might be understood salva sua substantia, therefore: panis sacrae in altari salva sua substantia est corpus Christi, i. e. non amittens quod erat, sed assumens quod non erat. — Quod in scripto suo erratici addiderunt "per mysterium orationis," revera contra se scripserunt, quia nihil per mysterium agi poterit, nisi aliud expositum aliud latens habuerit, et quod expositum in hoc negotio *Sacramentum*, et quod latet *res Sacramenti* accipitur. After he had done, however, ad interpretationem meam, non ad ipsorum me legere inelamaverunt: ut etiam hoc jumento firmarem, nec (*leg. me*) secundum eorum sensa scriptum, quod tenebam, deinceps interpretaturum. But he escaped with the evasion me ea, quae ante paucos dies meeum inde Papa egerat, sola tenere. See note 18.

<sup>20</sup> Vid. *Literæ commendatitiae Gregorii VII. datae Beringario* (in d'Achery Spieileg. ed. 2. T. III. p. 413). — Omnibus b. Petro fidelibus — Notum vobis omnibus facinus, nos anathema fecisse — omnibus, qui injuriam aliquam facere præsumserint Berengario, Romanæ ecclesie filio — vel qui eum vocabit hereticum; quem post multas, quas apud nos, quantas voluimus, fecit moras, domum suam remittimus, et cum eo fidele nostrum Fulconem nomine.

<sup>21</sup> The respect in which the memory of Berengarius was held at Tours (comp. especially *Hildeberti* epitaphium in Bereng. in Baron. ad ann. 1088 — also the yearly festival at his grave, Mabillon Act. SS. Bened. T. IX. pr. n. 68), very early led some to maintain that he was at least convinced of his error. Hist. lit. de la Fr. T. VIII. p. 213. See on the other hand Mosheim instit. hist. eccl. p. 431, note x. Lessing, S. 44 ff. — Of Berengarius' doctrine we find uniformly very incomplete views, Sacramentum non esse revera corpus Christi et sanguinem, sed veri corp. et s. figuram (*Trithem. Chron. Hirs.* T. I. p. 194, etc.). Hence he is considered a heretic by Luther (Bekennt. v. Abendm. Christi. 1528), and all the earlier Lutherans, but praised by the Calvinists. As long ago as Mabillon, however, who had access to new sources (pref. ad Act. SS. Bened. Sæc. VI. T. II. n. 34 seq.), and Martene and Durand (Thes. nov. Aneid. T. IV. p. 99), it was shown that Berengar denied only transubstantiation, but conceded the præsencia realis. Lessing, S. 14 ff.

The consequences of the forced celibacy of the clergy, long a constant subject of legislation at the synods, were now seen in the most unnatural crimes.<sup>1</sup> The bishops led the way, and the inferior clergy followed with the less restraint that they had become so much more independent by the permanent establishment of their benefices. Their office seemed to be considered the license for the most scandalous excesses.<sup>2</sup> Many of them married, and, in defiance of the laws, lived openly in wedlock.<sup>3</sup> The violent measures of Dunstan, archbishop of Canterbury († 990) in England, had only a temporary effect.<sup>4</sup> Still it was easily to be foreseen that on account of the danger to the church estates, the hierarchy would not relax in their efforts to repress these disorders,<sup>5</sup> and we find the last popes of this

<sup>1</sup> Under the Carlovingians, the celibacy of the clergy seems to have been rather a matter of propriety than of law. *Capitularium lib. VII. c. 452*: — *Castimoniam inviolati corporis perpetuo censervare studeant (Clerici), aut certe unius matrimonii vinculo foderentur. Conc. Moguntiac. ann. 888, can. 10* (Mansi XVIII. p. 67): *Ut clericis interdicatur, mulieres in domo sua habere, omnimodis decernimus. Quamvis enim sacri canones quasdam personas feminarum simul cum clericis in una domo habitare permittant: tamen, quod multum dolendum est, saepè audivimus, per illam concessionem plurima scelera esse commissa, ita ut quidam sacerdotum cum propriis sororibus concubentes, filios ex eis generassent. So too Conc. Metense ann. 888, can. 5. Riculf Ep. *Suessionum Constit.* ann. 889, c. 14. Conc. Namnetense ann. inc. c. 3* (Mansi XVIII. p. 167).

<sup>2</sup> Comp. e. g. *Conc. Aenhamense* ann. 1009, c. 1 (Wilkins Conc. Magn. Brit. vol. I. p. 286. Mansi XIX. p. 299): *Omnes Dei ministros, et in primis sacerdotes rogamus et docemus, ut Deo obedient et castitatem diligent, et caveant sibi ipsis ab ira Dei. Certissime norint, quod non debeant habere ob aliquam coitus causam uxoris consortium: ast pejus est, quod aliqui habeant duas vel plures: et quidam licet dimiserit eam, quam nuper habuit, ipsa vivente tamen aliam ducit, etc. — Benedictus P. VIII. in Conc. Ticinensi (between 1014 and 1024) Mansi XIX. p. 345*: — *sacerdotes Dei, ut equi emissarii in feminas insaniunt: — toto vitæ suæ tempore sumnum bonum, ut Epicurus philosophorum porcus, voluptatem adjudicant. Neque id caute faciunt incauti: cum publice et pompatice lascivientes, obstinatus etiam quam excusores laici meretrigari non erubescant* (cf. note 5). A revolting description of the licentiousness of the clergy by *Petrus Damiani* in his liber *Gomorrhianus* or *Gomorrhæus Opus.* VII. (cf. Baron. ad ann. 1049, no. 10).

<sup>3</sup> cf. § 23, note 2.

<sup>4</sup> *Vita S. Oswaldi* (Surius T. V. d. 15 Oct.): *Per idem tempus (ann. 969) Dunstanus Archiep. coacto generali concilio statuit et decreto firmavit, ut canonici omnes, presbyteri, diaconi, subdiaconi aut caste viverent, aut ecclesias, quas tenebant, dimitterent. — Hujus decreti executio Oswaldo Wigorniensi et Ethelwaldo Wintoniensi Episc. commissa est. Beatus ergo Oswaldus VII. monasteria in sua dioecesi ejectis clericis insolenter viventibus construxit, et monachos introduxit et abbates eis præfecit. — In aliis etiam Angliae locis insignes ecclesias b. Oswaldus ob eandem causam, ejctis clericis, monasticae institutionis viris tradidit. Comp. especially Conc. *Wintoniense* ann. 975 (Wilkins I. p. 261. Mansi XIX. p. 61). During the Danish invasions the old corruptions revived (see Conc. Aenham. in note 2). — Staudlin's Kirchengesch. von Grosbrit. Th. I. S. 92 ff. See Theines.*

<sup>5</sup> *Bonifacius P. VIII. in Conc. Ticinensi (between 1014 and 1024) Mansi XIX. p. 343*: *Omnes ecclesiam pertransentes diripiunt, et hi maxime, qui videntur esse rectores, modis omnibus quibus possunt, conculeant et paupertant. Prædia enim et possessiones aut tollunt, aut minuant, aut quibusdam titulis et scriptis colludio fabricatis, a nomine et a jure ecclesiæ alienant; servos libertant, licet non possint; filii congerones in frontati omnia congerunt. Ipsi quoque clerci, qui*

period engaged in a zealous attack<sup>6</sup> upon the great abuses of the time, Simony,<sup>7</sup> the incontinence and the marrying of the clergy, the two last of which were known as the “Nicolaitan heresies.”<sup>8</sup> On the other hand the marrying of the clergy began now to be openly defended,<sup>9</sup> particularly in Milan, where it had become quite customary.<sup>10</sup>

sunt de familia ecclesiæ — ex liberis mulieribus filios procreant; ancillas ecclesiæ hac sola fraude fugientes, ut matrem liberam filii quasi liberi prosequantur. Ampla itaque prædia, ampla patrimonia, et quæcumque bona possunt, de bonis ecclesiæ, neque enim aliunde habent, infames patres infamibus filiis adquirunt. — Sic ecclesia utrumque et servos perdit et conquista. Sic ecclesia olim ditissima — pauperrima nostris est effecta temporibus. — haec fraude omnes filii servorum ecclesiæ ad clericatum aspirant, non ut Deo serviant, sed ut scortati cum liberis mulieribus, filii eorum de familiâ ecclesiæ cum omnibus bonis ecclesiæ raptis quasi liberi exeat. The synod therefore decrees, can. 3: Filii et filiae omnium clericorum, omniumque gradum de familia ecclesiæ, ex quacunque libera muliere, quocecumque modo sibi conjuncta fuerit, geniti, cum omnibus bonis — servi proprii suæ erunt ecclesiæ nec unquam ab ecclesiæ servitute exibunt, which was confirmed by the emperor Henry I.

<sup>6</sup> This too was begun by Leo IX.: the Conc. Rom. ann. 1059, refers to his constitutum de castitate clericorum as the law on which a new order of things was founded. At this council it was decreed by Pope Nicholas II. (Mansi XIX. p. 907): ut nullus missam audiat Presbyteri, quam scit concubinam indubitanter habere, aut subintroductam mulierem. Still in this matter they were not yet so zealous as in regard to Simony. *Petr. Dam. Epist. ad Nicol.* P. II. (Baron. ann. 1059, no. 39): Nostris quidem temporibus gemina quodammodo Romanae ecclesiæ consuetudo servatur, ut de cæteris quidem ecclesiasticae disciplinae studiis examen (prout dignum est) moveat; de clericorum vero libidine, propter insulationem secularium dispensative conticescat. — Si malum hoc esset occultum, fuerat fortassis utecumque ferendum. Sed (oh scelus) omni pudore postposito pestis hæc in tantam prorumpit audaciam, ut per ora populi volitent loca scortantium, nomina concubinarum, etc.

<sup>7</sup> Comp. § 23, note 2. § 24, notes 12 and 13. cf. *Gerberti Phil.* sermo de informatione Episcoporum § 8 (Mabillon analect. vet. ed. nov. p. 105, and in Galland. XIV. p. 135). — *Abbonis Abb.* Floriac. Apologeticus § 9. [about 1000] in Galland. XIV. p. 139: Nihil pene ad ecclesiam — pertinere videtur, quod ad pretium non largiatur, scilicet episcopatus, presbyteratus, diaconatus, et reliqui minores gradus, archidiaconatus quoque, decania, præpositura, thesauri custodia, baptisterium, sepultura, et si qua sunt similia. Et hujusmodi negotiatores subdola responsione solent astruere, non se einere benedictionem, qua percipitur gratia Spiritus S. sed res ecclesiæ, vel possessiones episcopi, etc. — The expression *Simoniaca heresis* first used by Gregory the Great.

<sup>8</sup> So first in *Humberti responsio adv. Nicetam Pectoratum* (ann. 1054) in Baron. T. XI. p. 1010: arbitramur ab inferis emersisse principem hujus heresis nefandum Diaconum Nicolaum, de quo Epiphanius vester sic scripsit (though this a corruption rather of Augustini hær. 5): “Quarta Nicolitarum a Nicolao heresis est adinventa. — Iste — docere cœpit indifferenter debere uti conjugibus non solum laicos, sed etiam qui sacerdos fungerentur officio.” *Petrus Damiani Epist. ad Hildebrand.* ann. 1059 (Mansi XIX. p. 887): Nicolitæ autem dicuntur clerici, qui contra castitatis ecclesiasticae regulam feminis admisceantur.

<sup>9</sup> To this period belong probably the *Epist. Udalrici Ep. Augustani ad Nicolaum P. pro conjugio clericorum* (prim. ed. Matth. Flacius. Magdeb. 1550. Svo. and in the Catal. test. verit. no. 77, G. Calixtus de conjung. cleric. ed. Henke, p. 547, etc.), first mentioned by *Bertoldus Constant.* [1100] in hist. rerum sui temporis ad ann. 1079 (in Urstisii script. hist. gerim. T. I. p. 349): In hac synodo Papa — scriptum quod dicitur s. Udalrici ad Papam Nicolaum de nuptiis Presbyterorum, atque capitulum Paphnutii de eadem re, immo omnia sacris canonibus adversa damnavit. Then adopted in *Udalrici Babeberg. Codex Epistolaris* (collected about 1125, in Eccardi corp. historicum mediæ ævi T. II. p. 23 seq.) — The first

Ulrich whom we find in the see of Augsburg, is Ulrich, count of Dillingen, A. D. 923 — 973. In a Codex in Hannover, the writer subscribes the initial G.; whence Eeccard (l. c. pref. p. 3) supposes it to have been written by Günther, bishop of Bamberg, to Nicholas 11. — In it we have this passage : *Quoniam tua, o Pater et Domine, decreta super clericorum continentia nuper mihi transmissa a discretione invenirem aliena, timor quidem turbavit me cum tristia. — Non parum quippe a discretione deviasti, dum clericos, quos ad continentiam consiliis monere debebas, ad hanc imperiosa quadam violentia cogi volebas. Dominus quidem in veteri lege sacerdoti conjugium constituit, quod illi postmodum interdixisse non legitur. Sed in Evangelio loquitur : "Sunt eumuchi," etc. — sed non omnes hoc verbum capiunt : "qui potest capere, capiat" (Matth. xix. 11, 12). Quapropter Apostolus ait : "De virginibus preceptum Domini non habeo, consilium autem do" (1 Cor. vii. 25).* Quod etiam juxta predictum Domini, consilium non omnes capere posse considerans, sed multos ejusdem consilii assentatores hominibus, non Deo, pro falsa specie continentiae placere volentes, graviora pravidens committere, fratrum scilicet uxores subagitat, masculorum ac peculum amplexus non abhorrente, ne morbi hujus aspersione adusque pestilentiam convalescente nimium status labefactetur ecclesie totius : "Propter fornicationem," dixit, "unusquisque suam uxorem habeat" (1 Cor. vii. 2). Quod specialiter ad laicos pertinere, iidem mentiuntur hypocrite; qui, licet in quovis sanctissimo ordine constituti, alienis revera uxoribus non dubitant abutiri. — Huid Apostolicum "unusquisque suam habeat uxorem" nullum excipit vere, nisi professorem continentiae, vel eum, qui de continuanda in Domino virginitate prefixit. Then follow citations from 1 Tim. iii. 2. Isidor. de eccl. off. II. c. 1, Can. Apost. 5 (Bd. I. S. 234, note 11), Tripartita hist. eccl. lib. II. (Paphnutius see Bd. I. S. 372) tradition concerning Gregory the Great. — Quid vero per homines fieri potest stolidus, quid divinæ maledictioni obligatus, quam quoniam aliqui, vel Episcopi videlicet, vel Archidiaconi, ita præcipites sint in libidinem, ut neque adulteria, neque incestus, neque masculorum (proh pudor!) turpissimos amplexus sciant abhorrente, quod casta clericorum conjugia sibi dicant fœtore; et ab eis non vera justitia compassione clericos, ut conservos, rogent vel moneant continere, sed, ut servos, jubeant ac cogant abstinere? Ad cuius imperii — tam fatuam tamque turpem addunt suggestionem, ut dicant: honestius est pluribus occulte implicari, quam aperto in hominum vultu et conscientia cum una ligari. The passage "vñ vobis Pharisæis, etc." (Math. xxiii. 5) applied to them. — Hi sunt homines qui prius deberent nobis persuadere, ut in conspectu ejus, cui omnia nuda et aperta sunt, erubescamus peccatores esse, quam in conspectu hominum studeamus mundi esse. In conclusion 1 Tim. iv. 2, is interpreted of them, accompanied by the hope that the Pope will root out this Pharisæicæ doctrinam ab ovili Dei.

<sup>10</sup> Chron. Ms. *Flosflorum* relates even of the archbishop Heribert (A. D. 1019 — 1046): *Hic Archiepisc. habituit Uixeriam, nobilem mulierem, uxorem: quæ donavit dotem suam Monasterio S. Dionysii, quæ usque hodie Uixeria dicitur* (cited in Murat. Scriptt. Rer. Ital. T. IV. p. 122). At the same time the Milanese clergy stood in high repute. It had become a proverb: Mediolanum in Clericis, Papia in deliciis, Roma in ædificiis, Ravenna in ecclesiis (Landulphi hist. Mediol. III. c. 1). Even Anselm, bishop of Lucca (afterwards Pope Alexander II.), the author of the persecution of married priests, confessed (*ibid. c. 4*): *Certe nisi feminas haberent omnes hujus urbis sacerdotes et Levitæ, in prædicione et in aliis bonis moribus satis congrue valerent: and the papal legate, Petrus Damiani testatus est ad verum, nusquam se talē vidisse Clerum* (Arnulphi hist. Med. III. c. 12). — Concerning the persecution, comp. § 25, note 9. The archbishop at first put off the authors of the trouble, Landulphus and Arialdus, with the evasion (Landulph. III. c. 6): *Vos dicitis, quia Sacerdotes impossibile est adulterare et sacrificare, et verum dicitis; sed nostri Sacerdotes, Deo gratias, nec sunt nec nominati sunt adulteri; sed curiose observant Apostolicum preceptum, ut sint unius mulieris viri.* cf. *id. III. c. 25*: *Dixisti: Sacerdos, qui duxerit uxorem, sui ordinis periculo subjaceat: sin autem in Sacerdotio unius uxoris virum invenieris, quid separas, quod non licet?* (comp. Bd. I. S. 233). Those who followed the example of Rome were now called *Patarini* (Arnulph. III. c. 11. IV. c. 11. Muratori ad this last passage and Antiqu. Ital. med. av. T. V. p. 83. Mosheim institut. p. 406, note 12). — Disputation between the two parties (Land-

## § 31.

## SYSTEM OF PENANCE.

The pernicious abuses in the system of penance, which were rejected by the French synods in the beginning of this century (§ 19) came to be almost universal towards the end of it.<sup>1</sup> The libri penitentiales contained directions for substituting something more convenient for the canonical punishments,<sup>2</sup> and this soon ended in a

dulph. III. c. 21 – 25) : Quum diu per Apostoli Pauli et Canonum (effata) alterarentur, Arialdus et Landulphus proclamare coeperunt dicentes: vetera transierunt, et facta sunt omnia nova. Quod olim in primitiva Ecclesia a Patribus sanctis concessum est, modo indubitanter prohibetur. Tantum b. Magister et Doctor Ambrosius cuius ordinem tenemus vos damnet aut affirmet (c. 21). The married priests then defended themselves with the declarations of Ambrose himself (Landulph. I. c. 11) : Vivente b. Ambrosio gravissima dissensio inter Sacerdotes Monogamos et alios sub virginitate aut castitate degentes in Synodo coram Apostolico orta est. — Apostolico imperante, et multis Catholicis Episcopis exhortantibus in iudicio b. Patroni nostri Ambrosii a partibus ambabus datum est, affirmando, quidquid ipse diceret, tenerent et firmum atque sanctum haberent. At b. Ambrosius videns atque cognoscens sensus humanos, et sancta consilia, et omnes pronus ad peccandum, maxime propter incontinentiam, sciens aliquem neque virginitatem, neque castitatem, nisi a Deo. posse habere, os suum aperiens, quod in libro jam dictaverat de officiis, ait: “de Monogamia Sacerdotum quid loquar? quin una tantum permittitur copula, et non repetita, et haec lex est non iterare conjugium, etc.” — Itaque Graci Sacerdotes Ambrosianam sententiam, usque hodie, etc. (The passage referred to is *De officiis*, I. c. 50, where, however, the word *sacerdotum* is not found.) But even the miracles which happened in favor of the married priests (Landulph. III. c. 27), were ineffectual. — The older Milanese historians have often repeated this tradition about Ambrose, e. g. *Galvaneus Flamma* (about 1340) in the Manipulus Florum, c. 40 (Murat. SS. Rer. Ital. T. XI. p. 579) : Clericis omnibus benedicens b. Ambrosius una uxore posse uti concessit, qua defuncta et ipsi vidui in æternum permanerent. Quæ consuetudo duravit annis 700 usque ad tempora Alexandri Papæ. Also *Petrus Azarius* (about 1360) and *Bernardinus Corius* (about 1500), hence exp. by the Congreg. Indicis A. D. 1621. — To prevent mischief from these passages, Muratori has accompanied them (*Script. Rer. Ital. T. IV. p. 121*) with *J. P. Puricelli* diss. utrum S. Ambrosius Clero suo Mediolanensi permiserit, ut virgini nubere semel posset (from his Dissertt. de Martyr. Arialdo, Alciato et Herlembaldo. Mediol. 1657. fol.).

<sup>1</sup> Introduced from the liber penitentialis Romanus (cf. § 19, note 3) by Regino de discipl. eccl. [see title as prefixed to § 30.] Then by Burchardus in his *Decretorum volumen* [see title above].

<sup>2</sup> *Regino de disc. eccl. lib. II. c. 433. De redēmptionis pretio*: Si quis forte non potuerit jejunare, et habuerit, unde possit redimere: si dives fuerit, pro VII hebdomadis, det solidos XX: si non habuerit tantum, unde dare possit, det solidos X. — Sed attendat unusquisque, cui dare debeat, sive pro redēmptione captivorum, sive supra s. Altare, sive Dei servis, seu pauperibus in eleemosyna. — c. 439: Pro uno mense, quod in pane et in aqua pōnitore debet aliquis, Psalmos decanter MCC genu flexo, et si non genu flexo, MDCLXXX. — c. 441: Qui vero Psalmos non novit, et jejunare non potest, pro uno anno, quod jejunare debet in pane et aqua, det in eleemosyna XXVI solidos, etc. — c. 446: — cantatio unius Missæ potest redimere XII dies, X Missæ IV menses, etc. In like manner in the *Cann. editis sub Edgardo rege ann. 960* (Wilkins Cone. Magn. Brit. T. I. p. 237, Mansi XVIII. p. 525), also in *Morinus de discipl. Penit.*, *Edm. Martene de ant. eccl. rit. T. II.* and *Muratori ant. Ital. med. av. T. V. p. 719*. This alms-giving was considered partly as in itself a good work, and partly as a mode of buying off

kind of barter, by which the church was not a little enriched.<sup>3</sup> Another resource for sinners was in the frequent indulgences granted by the popes and bishops.<sup>4</sup> Hence the custom of imposing penance for a term of years exceeding the ordinary length of human life.<sup>5</sup> Sometimes, it is true, pilgrimages to Palestine<sup>6</sup> were imposed, and

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penance. Comp. *Penitentiale ap. Murat.* I. c. p. 726: *Et qui hoc facere non potest, quod superius dictum est, eligat sacerdotem justum vel monachum, qui verus monachus sit, et secundum regulam vivat, qui pro se hoc adimplat, et de suo justo pretio hoc redimat.* — Vid. *Muratori de redentione peccatorum diss.* I. c. p. 710 seq.

<sup>3</sup> Planek, Bd. 3. S. 678 ff. seems to take rather too favorable a view of these practices. *Concil. Rotomag.* ann. 1050, c. 18: *Ut pénitentes occasione avaritiæ gravare aut levare nemo præsumat; sed juxta modum culpa vel possibilitatem naturæ moderentur pénitentiæ.* The connexion in which they stood with the numerous endowments bestowed on churches and convents, illustrated by *Petrus Damiani* in epist. ad V. Episc. ap. *Baronium* ann. 1055, no. 6: *Non ignoras, quia cum a pénitentibus terras, possessiones agrorum videlicet, accipimus, juxta mensuram innumeris eis de quantitate pénitentiae relaxamus;* sicut scriptum est: “*Divitiae hominis redemptio ejus.*” Vid. *Muratori*, I. c. See especially the *Donatio facta Cenobio Casauriensi*, ann. 1032 (in *Muratori Scriptt. Rer. Ital. T. II. P. II.* p. 994): *Cum quadam die cogitare coperimus, qualiter impii et peccatores, qui peccata sua redimere negligunt, in illa poena perpetua cum diabolo damnabuntur;* — *cuna tremore et astuatione cordis cœpiimus anxiæ querere consilium a sacerdotibus et religiosis viris, qualiter peccata nostra redimere, et iram aeterni judicis evadere possemus.* Et consilio accepto, quod nil sit melius aliud inter elemosynarum virtutes, quam si de propriis rebus et substantiis nostris in monasterio dederimus, etc.

<sup>4</sup> e. g. the indulgence bestowed by Pontius, archbishop of Arles A. D. 1016, on a new church, in *Mabillon. Annal. Bened.* lib. LIV. no. 26: *ad jam dictam ecclesiam si venerit, in die videlicet dedicationis ejus, aut semel in anno, cum sua vigilia, et adjutorium dederit ad opera ecclesiæ s. Mariae — sit absolutus ab ipso die, quo suam vigiliam fecerit, de tertia parte majorum peccatorum, unde pénitentiam habet acceptam, usque ad ipsam diem revertentis anni.* — Denique illos, qui de minoribus peccatis sunt confessi, et habent acceptam pénitentiam — *absolvimus de una medietate acceptæ pénitentiæ, etc.* In the eleventh century the Popes began also occasionally to bestow plenary indulgences. The infamous Benedict IX. (Mabillon. *Act. SS. Ord. Bened. Sac. V. Pref.* no. 109) bestowed on the church of St. Victor in Marseilles the privilege, that whoever should enter it omnium criminum squalloribus absolutus libere ad propria latus redeat, eo scilicet tenore, ut transacta peccata sacerdotibus confiteatur, et de reliquo emendetur. See also *Chron. Casin.* III. c. 31 in *Muratori Rer. Ital. Script. T. IV.* p. 449. Also *Eus. Amort. de origine, progressu, valore, ac fructu indulgentiarum.* Aug. *Vind.* 1735. fol.

<sup>5</sup> Thus the penance imposed by Petr. Damiani on Guido, archbishop of Milan (cf. § 25, note 9) *Petri Dam. Ep. ad Hildebr.* (ap. *Mansi XIX.* p. 893): *Centum itaque annorum sibi pénitentiam indidi, redemptionemque ejus taxatam per unumquemque annum pecunia quantitate præfixi.*

<sup>6</sup> See *Du Fresne Glossar.* s. h. v. — *Glab. Radulph.* IV. c. 6: *Per idem tempus [about 1033] ex universo orbe tam innumeralis multitudo cœpit confluere ad sepulchrum Salvatoris Hierosolymis, quantam nullus hominum prius sperare poterat.* Primitus enim ordo inferioris plebis; deinde vero mediocres; posthac per maximis quique Reges et Comites, Marchiones ac Præsules: ad ultimum vero, quod nunquam contigerat, mulieres multæ nobiles cum pauperioribus illuc perrexere. Pluribus enim erat mentis desiderium mori, priusquam ad propria revertentur. — multi ob vanitatem proficiuntur, ut solummodo mirabiles habeantur. — From the ninth century the curious were drawn thither by the lumen seu ignis sancti sepulchri (first mentioned by *Bernardus Monachus* 870 in *Willelmi Malmesbur. de gestis Reg. Angl.* IV. c. 2; and the monk *Gallus Anonymus* in his *Itinerarium in Mabillon Act. SS. Ord. Ben. Sac. III. P. II.* p. 523 seq.) cf.

flagellations,<sup>7</sup> which, though more painful, were little more favorable to morality.

The authority of the church to grant, or refuse, forgiveness of sins, was looked upon with the more awe, inasmuch as it was now supposed to extend even to the dead.<sup>8</sup> For more powerful sinners the INTERDICT was invented.<sup>9</sup>

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*Mosheim de lumine s. Sepulchri* (Ejusd. Dissertt. ad hist. eccl. pertin. vol. II. p. 211 seq.).

<sup>7</sup> As early as *Regino de discipl. eccl.* II. c. 442 seq., they are mentioned as proposed by individuals (Quidam dixerunt, quidam judicaverunt, etc.), e. g. for one day XII plague or percussions. But they did not become general till Petr. Damianus brought them forward. His tariff in *epist. ad Alexandr. P.* (Baron. ann. 1055, no. 11): ut tria scoparum millia unum poenitentiae annum explerent cum modulatione Psalmorum: X Psalmorum modulatio M scopas admittit: cumque Psalterium constet ex CL Psalmis, in suoque Psalterio V annorum poenitentia expletur: sieque XX Psalteria cum disciplina cantata C annorum poenitentiam explet. Peter's scholar, Dominicus Loricatus, distinguished himself by his voluntary exploits in this kind of penance († A. D. 1062). Concerning him *Petr. Dam. ep. ad Blancaem Comitissam*: Hujus s. sensis exemplo facienda disciplinæ mos in nostris partibus inolevit, ut non modo viri, sed et nobiles mulieres hoc purgatorii genus inhiant arriperent. Thus a woman of rank had told him, per prætensam hujus disciplinæ regulam C annorum poenitentiam se peregisse. cf. *Mabillon. Ann. Benedict.* lib. LX. no. 83 seq.

<sup>8</sup> At the Cone. Lemovicense II. ann. 1031, Jordan, bishop of Limoges, defended this authority at great length, Sess. II. (Mansi XI. p. 539) especially citing Gregorii M. Dial. lib. II.: Tantam ecclesie sua Christus largitus est virtutem, ut etiam, qui in hac carne vivunt, jam carne solutos absolvere valeant, quos vivos ligaverant. Examples: *Hattonis Ep. ad Joh. P.* IX. (§ 25, note 6). — The deceased count Erlebald was absolved by the archbishop of Rheims, at the council of Trosley A. D. 921 (Flodoard hist. eccl. Rhem. IV. c. 16).

<sup>9</sup> Established first as a regular ecclesiastical punishment at the Conc. Lemovicense II. A. D. 1031 (Mansi IX. p. 541) at the instance of Odolricus, abbot of St. Martial, and fixed as the punishment of those who should disturb the peace of the country: Nisi (principes militiae Lemovicensis) de pace acquieverint, ligate omnem terram Lemovicensem publica excommunicatione: eo videlicet modo, ut nemo, nisi clericus, aut pauper mendicans, aut peregrinus adveniens, aut infans a bimatu et infra, in toto Lemovicino sepeliatur, nec in alium episcopatum ad sepe liendum portetur. Divinum officium per omnes ecclesias latenter agatur, et baptismus petentibus tribuatur. Circa horam tertiam signa sonent in ecclesiis omnibus, et omnes proni in faciem preces pro tribulatione et pace fundant. Poenitentia et viaticum in exitu mortis tribuatur. Altaria per omnes ecclesias, sicut in parasceue, nudentur: et cruces et ornamenta abscondantur, quia signum luctus et tristitia omnibus est. Ad missas tantum, quas unusquisque sacerdotum januis ecclesiarum obseratis fecerit, altaria induantur, et iterum post missas nudentur. Nemo in ipsa excommunicatione uxorem ducat: Nemo altari osculum det. Nemo clericorum aut laicorum, vel habitantium, vel transeuntium, in toto Lemovicino carnem comedat, neque alias cibos, quam illos, quibus in quadragesima vesci licitum est. Nemo laicorum aut clericorum tondeatur, neque radatur, quoisque districti principes, capita populorum, per omnia sancto obedient concilio. Comp. Planck, Bd. 3. S. 516 ff.

## § 32.

## INFLUENCE OF THE CHURCH IN THE PRESERVATION OF PUBLIC ORDER.

From the middle of the ninth century the clergy, taking advantage of the rude notions of the time, had assumed the superintendence of the ancient trial by ORDEAL,<sup>1</sup> which heretofore they had either disregarded or directly discountenanced;<sup>2</sup> and were by this means no doubt enabled to rescue many an unhappy victim of superstition. Of like utility in this rude and fierce age was the TRUCE OF GOD (treuga Dei),<sup>3</sup> first established in Aquitania in the year 1041, but soon adopted also in the neighbouring countries.<sup>4</sup>

<sup>1</sup> First defended by *Hincmar de divert. Loth. et Theutb.* (vid. § 21, note 5) citing especially Num. v. 11 seq., and in his *Epist. 39 ad Hildegarum Ep. Meldensem*. — *Cone. Wormat.* ann. 868, can. 15. (Mansi XV. p. 872) decrees that in cases of theft in convents, the suspected monks pro expurgatione sua corpus et sanguinem Domini nostri J. Chr. percipient. *Cone. Tribur.* ann. 895, can. 21: presbyter vice juramenti per s. consecrationem interrogetur: whilst if the person suspected be a layman, can. 22; aut episcopo vel suo missis discutiente, per ignem candenti ferro caute examinetur. — The ordeal by duel remained, however, still forbidden, *Cone. Valent.* ann. 855, c. 12. — Directions for the application of the duel in *Æthelstani R. Angl. constitut.* ann. 928, c. 5 (Wilkins cone. M. Brit. T. I. p. 206. Mansi XVIII. p. 353). — Ordo diffusor probandi homines de crimine suspectos per ignitos vomeres, candens ferrum, aquam ferventem s. frigidam in *B. Pez. thes. anecdoot.* II. p. 2. Comp. F. Maier Gesch. d. Ordalien. Jena. 1795. 8vo. Zwickler Uber d. Ordale. Gött. 1818. 8vo. especially M. Gerbert Monum. veteris liturg. Allemann. P. II. p. 553.

<sup>2</sup> Comp. Agobard (§ 11, note 7). It is worthy of remark that Pope Eugene II. prescribed the ritus probationis per aquam frigidam (in Mabillon. *Analect. ed. II.* p. 161) and that soon after Lewis the Debonaire *Capit. Wormat.* ann. 829, Tit. II. c. 12. (Baluz. I. p. 668) decreed ut examen aquæ frigidæ, quod haec tenus faciebant, a Missis nostris omnibus interdicatur ne ulterius fiat. So also Pope Stephen V. *epist. ad Leutbertum* (not Heribertum according to Baron. ann. 890, no. 7) *Ep. Moguntin.* about A. D. 888 (Mansi XVIII. p. 25): ferri carentis vel aquæ ferventis examinatione confessionem extorqueri a qualibet, sacri non censem canonem; et quod ss. Patrum documento sanctum non est, superstitione ad inventione non est presumendum. Still later instances of papal disapprobation in *d'Achery nota ad Guiberti Abb. Opp. Paris. 1651.* fol. p. 661.

<sup>3</sup> Even before this the bishops had attempted to put an end to private feuds. Thus A. D. 994, in time of a pestilence, pactum pacis et justitia a Duce et Principibus vicissim federata est at Limoges (*Chron. Ademari* written A. D. 1029, Bouquet. T. X. p. 147). — Thus in 1016, King Robert proposed a council at Orleans de pace componenda (Fulberti Carnot. ep. 21, ad Robert. ibid. p. 454). — Comp. further Bouquet X. p. 172, 221, 379. — Furthermore the bishops of Burgundy had made a decree, nt tam sese, quam omnes homines sub sacramento constringerent, pacem videlicet et justitiam servaturos (*Balderici Chron. Camerac. et Atrebat.* Bouq. XI. p. 122: Istiusmodi decretum a Franciæ Episcopis datum est servari subjectis sibi populis. Unus eorum ea latus sibi delatas dixit esse literas, quæ pacem monerent renovandam in terra. — Arma quisquam non ferret, direpta non repeteret; sui sanguinis vel eujuslibet proximi ultor minime existens,

pereussoribus cogeretur indulgere, etc.). The object in all these attempts was entirely to do away with private feuds, and hence this pax must not be confounded with the treuga or truce, afterwards established. *Gerardus Abb.* (Miracul. S. Adalhardi lib. I., written about 1050, Bouq. X. p. 379) thus describes one of these earlier compacts, A. D. 1021: Ambianenses et Corbeienses cum suis Patronis (remains of patron-saints) convenient, *integrā pacem*, i. e. *totius hebdomadæ* (in contradistinction to the treuga) decernunt, — ut si qui disceptarent inter se aliquo dissidio, non se vindicarent præda aut incendio, donec statuta die ante ecclasiæ coram Pontifice et Comite fieret pacificis declamatio. As this could not be carried into effect, the treuga Dei was substituted.

<sup>4</sup> *Glaber Radulph.* V. c. 1 [Bouq. X. p. 59]: Anno MXLI contigit, inspirante divina gratia, primitus in partibus Aquitanicis, deinceps paulatim per universum Galliarum territoriorum, firmari pactum propter timorem Dei pariter et amorem; taliter ut nemo mortalius a fœria quartæ vesperi usque ad secundam feriam incipiente hinc, ausu temerari præsumeret quippiam alium hominum per vim auferre, neque ultionis vindictam a quoquaque inimico exigere, nec etiam a fidejussore vadimonium sumere: quod si ab aliquo contigisset contra hoc deeretur publicum, aut de vita componeret, aut a Christianorum consortio expulsus patria pelleretur. Hoc insuper placuit universis, veluti vulgo dicitur, ut *Treuga Domini* vocaretur: quæ videlicet non solum humanis fulta præsidis, verum etiam multotiens divinis suffragata terroribus. — Contigit enim, ut dum pene — per totas Gallias hoc statutum firmiter custodiretur, Neustria gens illud suscipere recusaret. — Deinde quoque oeculo Dei judicio caput desavire in ipso-orum plebiis divina ultio: consumit enim mortifer ardor multus, etc. *Hugo Flaviniacensis* in the Chron. Virdunense (written 1102) Bouquet T. XI. p. 145, relates the same more briefly, ad ann. 1041, and then adds: Superest adhuc dominus Eduensis Episc. — qui et referre solitus est, quia cum a S. Odilone et ceteris ipsa pax divinis revelationibus instituta, *Treva Dei* appellata, et ab Austrasiis suscepta fuisset, — negotium hoc strenuitati hujus patris nostri Gratiae-Dei ab omnibus impositum est, ut ejus studio et industria pax eadem in Neustria servaretur, etc. — The oldest document on the subject is the *Sermo et confirmatio SS. Patrum* A. D. 1041, by Raginbaldus Arclat. Archiep., Benedictus Avenionensis, Nitardus Nicensis, Abb. Odilo, and all the Gallic clergy, to the clergy of Italy, recommending the treuga Dei (prim. ed. Martene et Durand Aneidot. T. I. p. 161 seq. Mansi XIX. p. 593): — Quicumque hanc pacem et treuvam Dei observaverint, ac firmiter tenerint, sint absoluti a Deo Patre omnipotente, et Filio ejus J. Chr. et Spiritu S., de S. Maria cum choris virginum, et de S. Michaele eum choris angelorum, et de S. Petro — cum omnibus sanctis. — Qui vero treuvam prouissam habuerint, et se sciente infringere voluerint, sint excommunicati a Deo Patre, etc. maledicti et detestati hic et in perpetuum, et sint damnati sicut Dathan et Abiron, et sicut Judas, qui tradidit Dominum, et sint demersi in profundum inferni, sicut Pharaon in medio maris, si ad emendationem non venerint. Afterwards adopted by William, duke of Normandy, 1042 (Mansi XIX. p. 597) *Constitut. Pacis et Treugæ in vico Ausonensi* (Marca Hispan. illustr. a P. de Marca App. p. 1140, and in Bouq. XI. p. 512), *Excerpta Concilii ap. S. Egidium habitæ 1042* (de Marca de conc. Sac. et Imp. affixed to lib. IV. c. 14. ed. Boehmer, p. 416 in Bouq. XI. p. 513) *Concil. Tulagineuse* (Tuluges near Perpignan about 1045, in de Marca, l. c. p. 409, and in Bouq. XI. p. 510). *Synod. Helenensis* (Perpignan) sub Oliba Ep. Ausonensi A. D. 1047 (de Marca, p. 411. Bouq. p. 511), where the time of the truce was changed ab hora sabbati nona usque in die Lunis hora prima. *Cone. Narbonense* A. D. 1054 (de Marca, p. 412. Bouq. p. 514. Mansi XIX, p. 827). Often renewed.

## V. HISTORY OF MONACHISM.

*Jo. Mabillonii Annales Ord. S. Benedicti lib. XXXV — LXII. — Ejusd. Acta SS. Ord. S. Bened. Sæc. V et VI.*

## § 33.

## CORRUPTION OF THE CONVENTS.

These rude times were fatal to the convents. The abuse of bestowing them upon laymen as fiefs, reached its height.<sup>1</sup> From all sides rapacious hands were stretched out towards the lands of the church. Those who bore the title of abbots were ambitious only of worldly honor and influence.<sup>2</sup> All discipline was neglected, and the monks and nuns given up to every kind of irregularity and excess.<sup>3</sup>

<sup>1</sup> Comp. § 7, note 7. *Epist. Episc. e Syn. apud Carisiacum missa ad Ludov. Reg. Germ.* A. D. 858 (in Caroli Calvi Capitul. Tit. XXVII. in Baluz. T. II. p. 101) cap. 8, that Charles the Bald partim juventute, partim fragilitate, partim aliorum callida suggestione, etiam et minorum necessitate, quia dicebant petidores, nisi eis illa loca sacra donaret, ab eo deficerent, had bestowed convents on the laity. Afterwards they were considered hereditary property, without distinction of sex. See the document of Rudolph, king of Burgundy A. D. 888 in Mabillon. Annal. App. ad lib. 39 no. 36, in which he bestows upon his sister Adelaide abbatiam Romanis in comitatu Waldense, ut haberet post discessum suum potestatem relinquendi euicemque voluerit hæredum suorum. To another Adelaide, daughter of Rudolph II., king of Overburg, three abbeys were set off as a dower A. D. 938 (Mabill. Ann. lib. XLIII. no. 95). The bishops followed this example, and Hatto, archbishop of Mayence (A. D. 891 — 912), is said to have been the proprietor of no less than twelve abbeys.

<sup>2</sup> Comp. § 24.

<sup>3</sup> *Cone. Troslejan.* ann. 909, cap. 3: De monasteriorum vero non statu, sed lapsu quid dicere vel agere debeamus, jam pene ambigimus. Dum enim, mole criminis exigente, — quadam a Paganis succensa vel destructa, quadam rebus spoliata, et ad nihilum prope sint redacta, si tamen quorundam adhuc videntur superesse vestigia, nulla in eis regularis formæ servantur vestigia. Sive namque monachorum, seu canonicorum, seu sint sanctimonialium, propriis et sibi competentibus carent rectoribus, et dum contra omnem ecclesie auctoritatem prælatis utuntur extraneis, in eis degentes partim indigentia, partim malevolentia, maximeque inhabiliū sibi prepositorum faciente inconvenientia, moribus vivunt incompositis: et qui sanctitat̄ religionique cælesti intenti esse debuerant, sui velut propositi immemores, terrenis negotiis vacant: quidam etiam, necessitate cogente, monasteriorum septa derelinquent, et volentes nolentesque sacerdotalibus juncti sacerdotalia exercent. — Nunc autem in monasteriis Deo dicatis monachorum, canonicorum et sanctimonialium, Abbates laici cum suis uxoribus, filiis et filiabus, cum militibus morantur et canibus. — Auditur, quod (monachi) spreta humilitate et abjectione monastica, ornamenti, et his etiam, quæ bonis laicis indecentia et turpia sunt, operam impendant; et nequaquam contenti communibus rebus, propriis, et lucris turpibus inserviant, etc. Thus *Odo Abb.* in Collationibus reproaches the monks who had property of their own, e. g. lib. II. c. 34, 36, and those qui ad sæculum relabuntur lib. IIII. c. 17 seq. He relates of two nuns IIII. c. 21: Ad hoc autem egredi permisae sunt, ut de rebus parentum, qui forte nuper obierant, aliquid monasterio reportarent. Sed hac occasione sæculum pergstantes oblite sunt Deum. — Campo, abbot of Farsa (about A. D. 930), and his assistant Hildebrand concubinis, quas prius habuerant occulte, postmodum palam abuti cœperunt non solum ipsi, sed et cuncti illorum Monachi hoc seclus non verebantur

## § 34.

## REFORMATION OF MONACHISM.

This began with the restoration of the rules of Benedict in the convent of Clugny, founded by William, duke of Aquitania, under the abbot Bruno (A. D. 910).<sup>1</sup> But it was under the second abbot, Odo (A. D. 927 – 941),<sup>2</sup> who added new restrictions of his own,<sup>3</sup> that the fame of this convent reached its height. He and his successors (Aymardus to A. D. 948, Mayolus to 994, and Odilo to 1048),<sup>4</sup> were honored almost as saints,<sup>5</sup> and were constantly summoned to found new convents, or reform old ones.<sup>6</sup> Thus originated in the order of Benedictines the first congregation, or association of several convents under one head, the abbot of Clugny (*congregatio, or ordo Cluniacensis*).<sup>7</sup> From this time forward lay-abbots became less common in France, till at last they were no more known.

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patrare : sed nupcialiter unusquisque suam duebat scortam. Campo VII filias et III filios habuit, quos et quas cunatos dotavit de rebus Monasterii, et alios parentes plurimos (vid. *Hugo de destructione Monast. Farfensis*, written about A. D. 1004 in Muratorii Antiqu. Ital. med. ævi T. VI. p. 279).

<sup>1</sup> Planck, Bd. 3. S. 697 ff. *Bernonis vita* in Mabill. Act. SS. Ord. Bened. Sæc. V. p. 66 seq. The original document (testamentum) ibid. p. 78. At the close: *Sintque ipsi monachi cum omnibus predictis rebus sub potestate Bernonis Abbatis: post ejus dece-sum monachi facultatem habeant alterius Abbatis eligendi, quemcumque sui ordinis voluerint, secundum placitum Dei et regulam s. Benedicti, ita ut nullius potestatis contradictione haec electio impediatur; sitque hic locus subjectus soli Romane ecclesiæ, cui per singula quinquennia X. solidi ad luminaria Apostolorum persolvantur.*

<sup>2</sup> *Odonis vita* in III libb. by his pupil John in Surius ad XVIII Nov. and in Mabill. Act. SS. T. VII. p. 150 seq. Comp. Hist. lit. de la Fr. T. VI. p. 229 seq. — His ascetic writings (*Collationum libb. III.* — and *Moralium* in *Job. libb. XXXV.* extracted from Gregory the Great) in Bibl. PP. Colon. T. X. p. 215 seq. Lugdun. T. XVII. p. 232 seq.

<sup>3</sup> cf. *Antiquiores consuetudines Cluniacensis monasterii* in III libb. by Ulrich, a monk of Clugny, compiled for William, Abbot of Hirschau, A. D. 1970 (in d'Archery Specileg. T. I. p. 641 seq.). Particularly remarkable lib. II. c. 3, the unbroken silence enjoined in Ecclesia, dormitorio, refectorio et coquina. Hence the novice opus habet, ut signa diligenter addiscat, quibus tacens quodammodo loquatur, cap. 4. these signa loquendi are described.

<sup>4</sup> *Odilonis vita* by his pupil Lotsaldus and by Petrus Damiani, both in the Act. SS. ad 1 Januar.

<sup>5</sup> Amongst the various sources of riches to the convent of Clugny the most remarkable the *Donati* and *Donatæ*, qui per renuntiationem sacerduli et habitus commutationem se suaque Deo tradiderunt. The first instance in A. D. 948 Mabillon. Ann. lib. XLV. no. 4.

<sup>6</sup> In doing which they often met with serious resistance from the corrupt monks. This was the case with Odo, see Fleury 930. Mabillon. Ann. lib. XLIII. no. 17. — Out of France also, several convents assumed gradually the consuetudines Cluniacensis. Thus Farfa near Rome 998. Mabill. lib. LII. no. 72.

<sup>7</sup> The smaller convents called *celle* and *obedientia* were governed by coabbates or proabbates. Mabill. lib. L. no. 19. Clugny was called the Archimonasterium, and its abbots Archiabbates.

In Italy the reformation of the monks was begun somewhat later by Romualdus, who founded the hermit order of Camaldolensians (about the year 1018 († A. D. 1027) in the Appennines at Camaldoli, near Arezzo),<sup>8</sup> and John Gualbert, from whose hermitage in Vallombrosa (also in the Apennines not far from Florence), originated the Cœnobites of Vallombrosa<sup>9</sup> about the year 1038.

In Germany, the attempts to bring about a similar reformation proved for a long time fruitless, partly from the obstinate attachment of the monks to a free mode of life,<sup>10</sup> and partly from the political situation of the convents. At last, however, William, abbot of Hirschau, succeeded in establishing the congregation of Hirschau (Congreg. Hirsaugiensis A. D. 1069) on the model of Clugny.<sup>11</sup>

<sup>8</sup> Vid. Romualdi vita by Petrus Damiani in Surius ad 19 Junii and in Mabill. Act. SS. O. S. B. Sac. VI. P. I. p. 247 seq. The rules of the Camaldolensians in L. Holstenii cod. regularum Monast. T. II. p. 192 seq.

<sup>9</sup> Vid. Jo. Gualberti vita in Mabillonii Act. SS. Sac. VI. P. II. p. 273. Comp. Jo. Lamii deliciae eruditior. T. II. p. 238, 272. T. III. p. 177, 212, &c.

<sup>10</sup> Comp. the characteristic narrative of Wittekind, a monk in Corbay, [about 968], in his Annal. lib. II. in fine (in Meibomii Rerum Germ. T. I. p. 650): Gravis persecutio monachis oritur in diebus illis [about 940], affirmantibus quibusdam Pontificibus, melius arbitrari paucos vita claros, quam plures negligentes inesse monasteriis oportere: oblitii, nisi fallor, sententia patrisfamilia: prohibentis servos zizania colligere, sed utraque crescere oportere zizania et tritium usque ad messem. Quo factum est, ut plures propriæ infirmitatis conseui, deposito habitu, et relictis monasteriis, grave onus sacerdotum devitarent. Fuerunt autem quidam, qui sumum Pontificem Fridericum (Archiep. Mogunt.) hoc non pure, sed fete fecisse arbitrati sunt, quatenus venerabilem virum regique fidelissimum Abbatem Hadumarum quoquomodo posset dehonestaret. Erluin, abbot of Gemblours, attempting to reform the abbey Laubes in the diocese Cambrai, was nearly killed by the monks, (A. D. 956), and Fulcuin (from A. D. 965 abbot of Laubes) de gestis Abbatum Lobiensis c. 26. (in d'Achery Spicileg. T. II. p. 739) seems to throw all the blame on Erluin, for which he is sharply reproved in the Anonym. Genblacensis (about 1110). (Ibid. p. 761 s.) — Abbot Godehard, about 1005, wishing to reform the monks in Hersfeld, primitus eis juxta regulare praeceptum duriora et aspera mandata proposuit, et licentiam eis ad preces Metropolitani, aut secum hæc celebrandi aut quo vellent discedendi contribuit. Qui statim unanimiter conspirati simul omnes, paucis tantum senioribus vel puerulis remanentibus, egressi per diversa loca varie sunt dispersi. Afterwards, however, they one by one returned, probably from necessity, vita Godehardi cap. II. in Leibnitii Scriptt. Rer. Brunsvic. T. I. p. 486.

<sup>11</sup> Jo. Trithemii († 1516) Annales Hirsaugenses (ed. in Monast. S. Galli. 1690. T. II. fol.) T. I. p. 225: Hic est Witelminus Abbas — qui Ordinem D. P. nostri Benedicti suo tempore pene collapsum in Germania, et deformatum insolentia monachorum, instaurare et reformare studuit, et plus quam C Monasteria, tam per se quam suos, ad pristinam regularis disciplinae observantiam revocavit, etc. He adopted many things from Clugny, (see note 3.) One excellent provision was (Ann. Hirsaug. I. p. 227): XII e Monachis suis scriptores optimos instituit, quibus ut divinae auctoritatis libros, et SS. Patrum tractatus rescriberent, demandavit. Erant præter hos et alii scriptores sine certo numero, qui pari diligentia seribendis voluminibus operam impeudebant. Et his omnibus praecrat Monachus unus in omni genere scientiarum doctissimus, qui unicuique rescribendum opus aliquod bonum injungeret, mendaque negligentius seribentium emendaret.

## § 35.

## INDEPENDENCE OF THE CONVENTS.

*L. Thomassini* *vetus et nova eccl. discipl.* P. I. ib. III. cap. 36 seq. — *Planck,*  
Bd. 3. S. 724 ff.

The privileges granted to the convents during this period, went no further than to secure them in the observance of the rules of their order.<sup>1</sup> Even the monastery of Clugny, which was especially under the care of the Pope,<sup>2</sup> was not considered as thereby exempt from the ordinary subjection to its proper bishop. The monks themselves were not slow, however, in claiming such exemption,<sup>3</sup> and towards the close of the period, not only this, but several other convents succeeded in freeing themselves from all immediate supervision.<sup>4</sup>

<sup>1</sup> Thus the superintendence of the morals and the visitation of the convents was made the duty of bishops by the *Council. Tullense apud Saponarias* ann. 859 can. 9. (*Mansi XV.* p. 539), *Rotomag.* ann. 878 can. 10. (*in Harduin. Act. Cone. T. VI.* P. I. p. 296), *Augustanum* ann. 952 can. 6. (*Mansi XVIII.* p. 438).

<sup>2</sup> Comp. § 34. note 1.

<sup>3</sup> *Cone. Ansani* ann. 1025 (*Mansi XIX.* p. 423); Gauslenus, bishop of Maçon, complains of Burchard, archbishop of Vienna, qui sine licentia et assensu suo contra canonum instituta ordinationes de monachis fecerat in Episcopatu suo, scil. in Cluniacensi cœnobio. In defence, Abbot Odilo ostendit privilegium, quod habebant a Romana ecclesia, quod eis talem libertatem tribuebat, ut nulli, in eius territorio degebant, nec alicui aliquatenus subjacerent Episcopo: sed quemcunque vellent, vel de qualibet regione, adducerent, qui faceret ordinationes vel consecrations in eorum monasterio. The assembled fathers, however, relegentes s. Chaledonensis, et plurimorum authentieorum conciliorum sententias (Comp. B. I. S. 454 note 2), quibus præcipitur, qualiter per unamquamque regionem Abbates et Monachi proprio subesse debeant Episcopo, et ne Episcopus in paroquia alterius audeat ordinationes vel consecrations, absque licentia ipsius Episcopi facere: decreverunt, chartam non esse ratam, quæ canonice, non solum non concordaret, sed etiam contrariet sententiis. Thus the archbishop was Ratione convictus, petens veniam a Gausleno Episcopo, etc.

<sup>4</sup> A new dispute having arisen at the Synod of Chalons (A. D. 1063) between the bishop of Maçon and the abbot of Clugny, it was decided by the papal legate Petrus Damiani in favor of the latter (*Mansi XIX.* p. 1025); on which occasion Alexander P. II. ep. ad *Hugonem Abb. Cluniae.* (l. c. p. 973) thus expresses himself: Sub divini iudicij promulgatione, et confirmatione, et anathematis interdictione corroborantes decreverimus, ut nullus Episcopus, seu quilibet sacerdotum in eodem veniat cœnobio, pro aliqua ordinatione, s. consecratione ecclesie, presbyterorum, vel diaconorum, missarum celebratione, nisi ab Abbe ejusdem loci invitatus fuerit, venire ad agendum præsumat. Sed lieeat monachis ipsius loci, cuiuscumque voluerint ordinantis gradum suscipere, ubique tibi tuisque successoribus placuerit. Interdiem autem sub simili anathematis promulgatione, ut idem locus sub nullius ejusunque Episcopi vel sacerdotis deprimatur interdictionis titulo, s. excommunicationis vel anathematis vinculo (the date which is wanting is thus filled out by Mabill. Ann. Ben. lib. LXII. no. 12: Data in s. Lateranensi palatio VI idus Maji — anno MLXIII, indictione I).

## VI. PUBLIC WORSHIP.

## § 36.

All worship of God was merged in the worship of the saints, and the character of this was such as was to be expected from an uncultivated, immoral, and superstitious age. Great numbers of old saints were discovered,<sup>1</sup> and new ones made.<sup>2</sup> The world was full of relics<sup>3</sup> and miracles,<sup>4</sup> the fruits of pious fraud<sup>5</sup> and pious folly.<sup>6</sup> This was

<sup>1</sup> Comp. for instance the *Passio deeem milium* (al. MCCCC) *Martyrum, apud Alexandriam in Monte Ararath crucifixorum under Hadrian and Antonine* (Act. SS. Junii T. IV. p. 182), supposed to have been translated from the Greek by Anastasius Biblioth. Papebroch brings it as far down even as the thirteenth century. (*ibid.* p. 179).

<sup>2</sup> Thus Ulrich, bishop of Augsburg, was made a saint by John XV. A. D. 993. (*Cone. Roman. ann. 993, Mansi XIX. p. 169*) the first instance of the kind. (Mabill. *Praef. ad Acta SS. Ord. Ben. Sac. V. no. 99 seq.*) Still the right of the bishops to make saints for their own diocese was not yet denied. (F. *Pagi breviarium Pontif. Rom. T. II. p. 260. T. III. p. 30. Mabillon l. c.*)

<sup>3</sup> Amongst the most considerable were the s. *Lacryma Christi in Vendome* in the 11th century. (*J. B. Thiers diss. sur la sainte lame de Vendôme*. Paris 1699. 12mo. *Mabillon* lettre à l'évêque de Blois. Paris 1700. 8vo. and in his *Oeuvres posthumes T. II. p. 361 seq.*): Blood of Christ in Reichenau (Hermann. Contract. ad ann. 923: *Sanguis Domini in Augiam Insulam a quadam matrona defertur, sicuti literis inibi manifestatur*), and in Mantua (according to Regino discovered A. D. 804): the s. *lancea* (hallowed by nails from the cross of Christ, and brought to Germany about A. D. 935 by the Emperor Henry I. Luitp. IV. e. 12. It was among the crown jewels.) The custom of proving the reliques by fire (Comp. Bd. 1. S. 456, note c) described in *Mabillon de probatione Reliquiarum per ignem, annexed to his lib. de euolu SS. ignotorum* (also in his *Analect. ed. II. p. 568 seq.*)

<sup>4</sup> St. Benedict was most distinguished for his miracles; the account of which is given by three different writers of that age. *Aimoinus Floriae*, about 1000 (in *Mabillon. Act. SS. Sac. IV. P. II. p. 356 seq.*), *Desiderius Abb. Casinensis*, afterwards Pope Victor III. (*ib. p. 425 seq.*) and *Rodulfus Tortarius Mon. Floriacens*, about 1100 (*ib. p. 390*). — In some instances the saints were prayed to forbear their miracles. Thus the abbot Stephen in Liege, A. D. 1021, prays St. Wolbodo per divinum nomen, quo temperaret a miraeulis, quibus tantæ fratribus fiebant per occasionem infirmorum noctu et interdiu molestiae (Mabill. Ann. lib. LIV. no. 101). Comp. § 18, note 6.

<sup>5</sup> Take a graphic picture by an eye-witness: *Glab. Radulph. IV. e. 3. A. D. 1027*: *Homo plebejus mangonum callidissimus, who had a different name in each different place, — effodiens e tumulis clancule ossa evellens a cineribus nuperim defunctorum hominum; sieque imposita in diversis apophoretis venditabat apud plurimos pro ss. Martyrum seu Confessorum reliquiis. Hie vero post immumeras hujuscem illusiones in Galliis patratas perfuga venit ad loca Alpium. — Illic ergo more solito noctu colligens a loco abjectissimo ignoti ossa hominis, quæ posuit in cassella et feretro, diebat sibi Angelica ostensione revelatum fuisse, quem tingebat esse s. Martyrem nomine Justum. Mox quoque vulgus, ut se in talibus habere solet, ignavum, quiequid rusticana plebis fuit, totum ad hanc famam conthuit; penitit insuper, si non est sibi morbus, quo curari depositat. Tunc ducit debiles, confortat munuscula, per vigil tenet excubias, praestolans repentina fore miracula, quæ, ut diximus, aliquotiens permittuntur fieri a malignis spiritibus tentatorie, peccatis hominum precedentiibus; quod tunc proculdubio evidentissime claruit. Multinodus quippe membrorum reformationes ibidem risæ sunt exstisitæ, ac insignia pendere oscillorum multiformia; nec tamen — Præsules — diligenter hujus inquirende rei adhibuerunt; qui potius conciliabula statuentes, in aliquibus nihil aliud nisi inepti lucri quæsitum a plebe, simul et favorem fallacia exigeant.*

the age of the Legend as well as the Romance,<sup>7</sup> and pious monks could adorn the saints whom they celebrated with whatever adventures and miracles they saw fit;<sup>8</sup> since the old records were for the most part lost.<sup>9</sup> Very characteristic of the time were the disputes

The Margrave Manfred bought the body to deposit it in a church just erected at Suze. At the dedication, the impostor appeared, and spondebat, se multa preciosiora SS. pignora in proximo revelaturum, quorum scilicet gesta et nomina, atque passionum certamina, ut cetera, fallaciter configebat. Glaber happening to be there, entered into conversation with the fellow, and soon discovered the imposture. Still the pontiffs, without any regard to this, went on, rite peragentes, ob quam venerant, Ecclesie consecrationem, intromiscerunt cum ceteris reliquiarum pignoribus ossa illius profani; the elegantiores virorum personæ were convinced by Glaber, and the populace injusti nomen pro Justo venerans in suo permanxit errore!

<sup>6</sup> Especially since so many churches were built, and relies in proportion requisite (Comp. § 27. note 8 at the end). *Glab. Rad.* II. c. 6; Candidato, ut diximus, innovatis Ecclesiarum Basilicis universo mundo, subsequenti tempore, i. e. anno MVIII, revelata sunt diversorum argumentorum indicis, quossum diu latuerant, plurimorum Sanctorum pignora. This began in Sens, where even a part of *Moses'* rod was found.

<sup>7</sup> Comp. Hist. lit. de la Fr. T. VI. p. 12 seq.

<sup>8</sup> *Letaldus* Mon. Miciacensis (about 980) in Epist. dedicatoria ad Avesgaundum Episc. Cenoman, prefixed to his vita Juliani Episc. (in Act. SS. Januar. T. II. p. 1152): — cum magna reverentia gravitate dicenda et scribenda sunt, quae in conspectu veritatis recitari debent, ne, unde Deus placari creditur, inde amplius ad iracundiam provocetur; nihil enim ei placet, nisi quod verum est. Sunt autem nonnulli, qui dum attollere Sauctorum facta appetunt, in lucem veritatis offendunt, quasi Sanctorum gloria mendacio erigi valeat, qui, si mendacii sectatores fuissent, ad sanctitatis cuhnem nequaquam ascendere potuissent. — Cum ergo tam mira et speciosa de actibus hujus præcellentissimi Patris recito (*leg. reticeo*), non de meritis ejus diffido, nec de potentia Christi ambigo: sed cum haec eadem in aliis invenio, cui potius credendum sit, non perspicue video. — Multa enim in actibus supradicti Patris conscripta sunt, quæ et in bb. Clementis et Dionysii Martyrum et s. Furcæ Confessoris eodem sensu et pene iisdem verbis inventiuntur. Thus he seems to put St. Denys and his company, amongst whom Julian, first bishop of Mans, was at that time reckoned on the authority of Gregory, Tur. (Bd. I. § 56, note 1), in the time of Decius. Quod vero s. Julianus dicitur a b. Clemente destinatus, neque ratio temporum, neque veterum consensit auctoritas. Comp. *Herigerus Abb. Laubiensis* about 990 in his *Gestis Pontiff. Tungrenium, Trajectens. et Leodiensem* c. 23 (in Jo. Chapeavilli gest. Pontiff. Tungr. Traj. et Leod. scriptores. Leod. 1612. 4to. T. I. p. 28): St. Servatius, he says, is supposed to have been descended from the family of Jesus Christ. But not being able to discover any thing certain on the subject, idcirco nec faciles ad credendum esse possumus, nec tanta opinio, quæ fortasse ex pietate ingeritur, judicamus omnino derogandum, cum juxta Tullium non debeat pudere nos fateri nescire, que nescimus, et hujus opinionis assertoribus conveniat ignorantiam potius verecunde fateri, quam irreverenter pro pietate mentiri. — Thus it happens that not only single actions of one saint are related in that of another, but whole legends are repeated with only a change of the name. In this way the legend of St. Rietrudis is repeated as that of St. Eusebia (Hist. lit. de la Fr. T. VI. p. 259), the legend of St. Ebrulfus for St. Albert (Ibid. p. 557), also for St. Ebrenund (Ibid. p. 514). Other examples, (Ibid. p. 90. T. VII. p. 193, 194.)

<sup>9</sup> A striking instance: The Normans laid waste Liege, Cologne, and the neighbouring towns, in 882 Triers (Regino ad h. a), and all the old records were thereby lost. Comp. *Auct. anonym. vita S. Felicis* (Act. SS. Mart. T. III. p. 622): In hujus autem ter felicis Sancti mentione, sicut in omnium fere Trevirenium Sanctorum recordatione repetitanæ saepius hujus urbis vastationem cogimur plorare, per quam constat, ingentia ss. Patrum nostrorum vitae volumina ita penitus esse consumta; quod, nisi ex paucissimis, ut ita dixerim, tanti pelagi guttis, in vetustissimis

<sup>8</sup> concerning the apostleship of St. Martial,<sup>10</sup> and concerning the true place of deposit of the bodies of St. Denys<sup>11</sup> and St. Benedict.<sup>12</sup>

The Virgin Mary was honored above all saints; <sup>13</sup> Saturday was devoted to her, and an officium, or daily service, instituted in her praise.<sup>14</sup> The first traces of the use of the *rosary* are found in Eng-

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aliorum locorum schedulis, vel etiam in plumbeis ac marmoreis tabulis, terra penitus infossis, aliquatenus reformata fuissent, organa nostra, velut super flumina Babylonis nostre suspensa, jam dudum in horum laude Sanctorum continebissent (Similar complaints in the legends of the bishops Modoaldus Aet. SS. Maj. T. III. p. 52, and Mariminus Maj. T. VII. p. 32). What was the character of this reformatio vitarum may be seen in the promotion of the three first bishops of Triers Eucharius, Valerius, and Maternus to the dignity of Apostle pupils (Comp. Vol. I. § 56, note 3.) Before this time nothing was said of them in the martyrologies, but ad 29 Januar. Treviris depositio Valerii Episcopi. Then first by Ado (archbishop of Vienna † 875. Martyrologium written about 858 ed. Herib. Rosweydis annexed to Baronii Martyrol. Rom. Antverp. 1613 fol.), and after him by Uuardus (monk of St. Germain about 876. S. Martyrol. castigatus ed. J. B. Sollerius. Antverp. 1714 fol.) and Notker balbulus (monk in St. Gallen. S. Martyrol. written between 892 and 895 ed. in Canisii lectt. ant. ed. Basnage T. II. p. III. p. 89. Gallandius T. XIII. p. 753 seq.): Treviris depositio b. Valerii Episcopi *discipuli s. Petri Apostoli* (concerning this addition, see Act. SS. Sept. T. IV. p. 362, probably in the same way as Boniface is sometimes called Missus s. Petri). This was undoubtedly the foundation of the legend, first found in the *vita SS. Eucharii, Valerii, Materni* (Act. SS. Januar. T. II. p. 918, not written however by Goldscher, a monk in Triers, about 1012, but probably) by Eberhardus, a monk in Triers † 909, (Act. SS. Sept. T. IV. p. 358), then in the *Historia Trevirensis* (d'Achery Speil. T. II. p. 208) in *Herigera gesta Pontiff. Tungr. etc.* (see note 8) and at last copied into all the chronicles of the middle ages. See Act. SS. Sept. T. IV. p. 364 seq.

<sup>10</sup> Not satisfied with placing him in the Apostolic age, (see above, p. 60), his protegees, the monks of St. Martial in Limoges wanted to exalt him to the rank of Apostle. The clergy of Limoges, however, would only allow him the title of Confessor. Controversy on the subject at the *Syn. Pietav.* ann. 1023 (Mansi XIX. p. 413), *Syn. Paris.* ann. 1024 (ib. p. 421). Jordannis, bishop of Limoges, Epist. ad Benedictum P. VIII. (Gallia Christiana. T. II. App. Docum. p. 162) declared against the new Apostle; but *Johannes P. XIX.* (Epist. ad Jordanum Ep. Mansi XIX. p. 417) and after him *Conec. Lemovicense* ann. 1028 (not 1029 see Mabillon. Ann. Ben. lib. LVI. no. 49) decided in his favor; *Ademarus Mon. Cabanensis* defended him (see Epist. A. D. 1028 in Mabill. Ann. Append. ad Tom. IV. no. 46), and the matter was at length settled by the *Conec. Bituricense* can. I. (Mansi XIX. p. 503) and the *Conec. Lemovicense*, both A. D. 1031. Comp. especially the copious Acta of this last (ibid. p. 507 seq.), e. g. p. 512: *Plane si Apostolus nullus est exceptis duodecim, sicut Ebionite haeretici prædicant, — ergo Paulus et Barnabas non sunt Apostoli, etc.* — p. 525: *Nos non sumus Ebionitæ, qui non recipiunt præter XII Apostolos, et Paulum quasi transgressorum legis repudiant, etc.*

<sup>11</sup> Concerning this controversy between the monks of St. Emmeran in Ratisbonne and St. Denys in Paris, see Mabill. Ann. Ben. lib. LX. nos. 21 and 34.

<sup>12</sup> The convent Fleury near Orleans claimed the honor of possessing them from the middle of the seventh century; on the other hand, Monte Cassino claimed to have both the grave and the body. Leon. Ostiens. Chronic. Casin. lib. II. c. 43, 44, 47. Mabill. Ann. passim.

<sup>13</sup> Comp. especially *Fulberti Ep. Carnotensis* [† 1029] Sermones (Opp. ed. Car. de Villiers. Paris 1608. 8vo. Bibl. PP. Colon. T. XI. p. 1. Lugd. T. XVII. p. 1) and *Petri Damiani Sermones* (Opp. T. II. p. 1 seq.) This last, *Sermo I. de nativit. Marie*, goes so far as to say: *Data est tibi omnis potestas in cœlo et in terra, et nihil tibi impossibile est.* Comp. also *Sermo X. de annuntiat.* and *Serm. XL. de assumptione B. M.* Vid. Schrockh Th. 22. S. 543 ff.

<sup>14</sup> Both these practices began in the convents. The origin of the Officium may be traced in the hymns in praise of the Virgin, introduced by Ulrich, bishop of

land.<sup>15</sup> The festival of “All Souls,” first celebrated in Clugny (A. D. 998), soon became universal.<sup>16</sup>

VII. SPREAD OF CHRISTIANITY.

§ 37.

IN THE NORTH OF EUROPE.

The chief authority is: *Adami Bremensis* (about the year 1080) hist. eccles. præsertim Bremensis libb. IV. and *Ejusd.* lib. de situ Daniae et reliquarum, quæ trans Daniam sunt, regionum natura, moribus et religione (ed. Erpold. Lindenbrog. Lugd. Bat. 1595. fto.)

In *Denmark*, where Christianity had been introduced by Anschar (vid. § 10) in the year 826, its proselytes were subjected to various persecutions until about the year 934, when Henry I., King of Ger-

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Augsburg, A. D. 924. (Mabill. Ann. Ben. lib. LXII. no. 71). According to Petr. Dam. opusc. XXXIII. c. 3. Saturday was sacred to the Virgin as early as A. D. 1000. Petrus Damiani was very zealous in introducing the Officium into the Italian convents. Though at first he met with some opposition: Satis superque sufficere, quod sanctus præcepit Benedictus, nec nova adinventionis pondus debere superponi, nec nos esse antiquis Patribus sanctiores, qui videlicet hæc superstitiosa et supervacua judicantes, psallendi nobis metam, omnemque vivendi regulam præfixerunt (cf. *Ejusd.* lib. VI. epist. 32.), which however was miraculously punished, cf. *Baronius* ann. 1056 no. 4 seq. Mabill. Annal. lib. LVIII. no. 15. lib. LX. no. 81.

<sup>15</sup> Rosarium or Corona b. Virginis. Mabill. Annal. lib. LVIII. nos. 69 and 70 ad ann. 1044.

<sup>16</sup> *Vita S. Odilonis* by Petrus Damiani (Act. SS. Januar. T. I. p. 74) cap. 10: Religiosus quidam vir, oriundus de pago Rotenensi, revertetur ab Hierosolymis, qui dum mare transiret, quod a Sicilia versus Thessalonicanam — protenditur, eumque cum multis aliis furentium ventorum horror impelleret; applicerunt ad insulam quandam sive rupem, ubi sanctus quidam servus Dei manebat inclusus. From him they learned: Sunt vicina nobis loca, ex quibus gravissima flammarum furentium evomuntur incendia, in quibus etiam locis animæ reproborum diversa luunt pro meritorum qualitate tornienta. Ad quorum semper exaggeranda supplicia innumerabiles sunt dæmones deputati, qui intolerabiles eorum pœnas quotidie renovant, et eos ad rediviva supplicia indesinenter instaurant. Quos tamen ego frequenter audivi querulis lamentationibus ejulantes et lacrymabilis vociferatione deflentes, quod orationibus et eleemosynis quorundam adversus eos inföderabiliter concertantium, frequenter ex eorum manibus eriperentur animæ damnatorum. Inter cætera de Cluniacensium cœtu permaximam et eorum Abbatte querimoniam faciunt, quia quam sæpe per eos sui juris vernaculaos perdunt. Quanobrem terribile Dei nonen obtestor, ut sanctis fratribus illie hæc, quæ tibi dixi, fideliter, referas, et ex nostra quoque illis parte denunties, ut eleemosynis et orationibus magis ac magis insistant, etc. The pilgrim on his return delivered the message. Tunc venerabilis Pater Odilo per omnia monasteria sua constitut generale decretum, ut sicut primo die mensis Novembri, juxta universalis Ecclesiæ regulam, omnium Sanctorum solemnitas agitur, ita sequenti die in psalmis et eleemosynis, et præcipue Missarum solemnis, omnium in Christo quiescentium memoria celebretur. The *generale decretum* is in Mabill. Act. SS. Sac. VI. P. I. p. 584. Comp. Antiquiores consuetud. Cluniac. (§ 34. note c) lib. I. c. 42. — This legend is repeated by *Sigebert. Gemblae.* ad ann. 998, the scene being transferred to the spot called by the inhabi-tants *Olla Vulcani*.

many, interfered in their behalf. Under Harald Blatand (A. D. 941 — 991) the numbers of the Christians were very much increased, especially in Jutland. This was in a great measure owing to the intercourse with the Normans, who had been converted in England and France. On the other hand it was checked by the apparent connexion of Christianity with German influence, particularly after Harald had been compelled to embrace it by the emperor Otho I. (A. D. 972). Sweyn, the heir to the throne, was in early life vehemently opposed to Christianity; but, after his succession to the throne, and whilst engaged in the conquest of England (A. D. 991 — 1014), he tolerated and even favored its spread. His son, Canute the Great, completed the work by sending English missionaries to Denmark.<sup>1</sup>

In *Norway*, Christianity had first been introduced from England, and had in the beginning to struggle with much opposition, until Olaf Trygvesen (A. D. 995 — 1000) undertook the conversion of his countrymen by force, which undertaking was carried on to its completion by Olaf, called the Saint (A. D. 1019 — 1033), by the same means.<sup>2</sup> From Norway Christianity was carried by Olaf Trygvesen into *Iceland*,<sup>3</sup> the *Faro* and *Shetland Islands*,<sup>4</sup> and even to *Greenland*.<sup>5</sup>

In *Sweden*, the progress of Christianity had been more peaceful, though its converts did not always abandon entirely their Pagan practices. From Olaf Skautkomung (baptized about the year 1008) all the kings were Christians. At length the worship of idols was strictly forbidden by king Inge (A. D. 1075), who, after a severe contest with the rebellious Heathen of his kingdom, at length established Christianity as the national religion.<sup>6</sup>

## § 38.

### CONVERSION OF THE MORAVIANS AND BOHEMIANS.

The conversion of the Sclavonia nations east of Bavaria, was looked upon as their official duty, both by the archbishop of Sabzburg, to whom it had been entrusted by Charlemagne, and the bishop of

<sup>1</sup> *Annales Ecclesiæ Danicae diplomatici* compiled by *Erich Pontoppidan*. (Th. 1 — Th. 4. Bd. 1. Kopenh. 1741 — 1753. 4to.) Th. 1. — F. Münster's *Kirchengeschichte von Danemark u. Norwegen*. Th. 1. (Leipz. 1823. 8vo.) S. 322 ff.

<sup>2</sup> Chief authority Snorro Sturleson's [† 1241] *Heimskringla* (History of the Norwegian Kings) ed. G. Schüning. Hafn. 1777. 3 voll. fol. especially Olaf Trygvesens Saga and Saga af Olafi hin Helga. — Munter. I. c. S. 429 ff.

<sup>3</sup> See the *Kristni-Saga* s. hist. religionis Christ. in Islandiam introductæ. Hafn. 1773. 8vo. — *Finni Johannis* (Finnur Jensen, bishop of Iceland) hist. eccles. Islandiae. Hafn. 1772 — 75. 3 T. 4to. (comp. Gottinger Gel. Anzeigen A. D. 1777. S. 273 ff.) — Munter I. c. S. 517 ff.

<sup>4</sup> Munter I. c. S. 548 ff.

<sup>5</sup> Munter I. c. S. 555 ff.

<sup>6</sup> *Claudii Erichjalmi historiae Sueonum Gothorumque Ecclesiasticae libb. IV.* priores. Stockholm. 1689. 4to.

Passau, who laid claim to the metropolitan rights of the ancient archbishopric of Lorch. But from their entire ignorance of the language of these nations, little progress was made, and the state of Christianity amongst them depended always upon the state of German influence.<sup>1</sup> Very different, however, was the success of the two Greek monks, Constantine and Methodius,<sup>2</sup> who, on their return from their missionary labors in Bulgaria, came into Great Moravia in the year 863,<sup>3</sup> preaching in the language of the country, and bringing with

<sup>1</sup> An account of the bishop of Salzburg's efforts given by *Anonymus* (a priest in Salzburg about 873), *de conversione Bojariovirum et Carentanorum* (in Marquard Freheri Rer. Bohemicarum Scriptt. Hanov. 1602 fol. p. 15, Marcii Hansizii German. saera August. Vind. 1727 fol. T. II. p. 103.) The Salzburg bishops from the time of Arno maintained an Episcop. regionarium for the Sclavonians up to the year 865 under Adelwin. The bishop of Passau even went so far as to appoint four Suffragan bishops, and have them confirmed by Eugenius II. (*Eugen. II.* bull. in Goldast, comm. de Regn. Bohem. Juribus ed. Schminck T. I. Append. p. 1, Mansi T. XIV. accompanied by a commentary in Hageki Ann. Bohem. ed. Dobner P. II. p. 486 seq.): his object in this, however, seems to have been only to keep up the show of being the successor to the old archbishopric of Lorch. We hear little of the efforts of the bishops of Passau to spread the gospel even among their neighbours.

<sup>2</sup> Sources: I. Latin: 1) *Vita Constant. cum translatione s. Clementis* (Act. SS. ad d. 9 Mart. T. II. p. 19 seq., perhaps by Gaudericus, bishop of Velitrae; a contemporary ib. p. 15; in Dobrowsky: *the Italian legend*). 2) *Presbyteri Dioceletis* [about 1161] *regium Slavorum* c. 8. seq. (in Jo. Lucii de regno Dalmat. et Croat. Ainstet. 1666 fol. p. 288 seq., in J. G. Schwandtneri Scriptt. Rer. Hungar. T. III. Vindob. 1748 fol. p. 479 seq. and in Schlözer's Nestor Th. 3. S. 153 ff.) 3) Bohemian Legends: a) *vita s. Ludmilla*; the mention of St. Adalbert proves this to have been written after 997 (Dobner in d. Abhandl. d. Böhmi. Ges. d. Miss. auf. 1786 S. 417. Dobrowsky krit. Versuche Th. 1. S. 70). b) *Vita s. Ludmilla et s. Wenceslai aut. Christiano de Scala Mon.* (partly in the Act. SS. ad d. 16 Sept. T. V. p. 354 seq. and partly ad d. 28 Sept. T. VII. p. 825 seq. Also, Mart. T. II. p. 24 seq. The author addresses the preface to bishop Adalbert (about 985), and claims to be a descendant of St. Ludmilla, but cannot be older than the twelfth century. Dobner ad Hageki ann. P. IV. p. 328 seq.). c) *Vita SS. Cyrilli et Methodii* (Act. SS. Mart. T. II. p. 22 seq. and in Schröder's Nestor Th. 3. S. 154 ff. The first half is from the Italian legend, the rest from Christiani. Written in Moravia, and hence called the Moravian Legend). II. Greek. Remarkable silence of all contemporaries. Greek Biography of Clement, archbishop of Bulgaria. † 916. (Fragment in Leon. Allatii in R. Creyghtoni apparatus ad hist. Conc. Florentini exercitationum P. I. Rom. 1665. 4to. p. 259 seq. ed. by Ambros. Pampercus. Wien 1802. The author represents himself as a confidant of Clement, but, according to Dobrowsky, lived long after the eleventh century.) III. Russian: e: 1) Nestor's Annalen Cap. 10. in Schröder's Ausg. Th. 3. Götting. 1805. S. 149 ff. according to Dobrowsky inserted in the fourteenth century.) 2) Legends in the Russian Menologium (Schlözer l. c. S. 233 ff. of little value.) — Works: Amongst the older ones the most conspicuous is J. G. Stredowsky sacra Moraviae hist. s. vita SS. Cyrilli et Methodi. Solisbaci 1710. 4to. — Critical Works: J. S. Assemani calendaria ecclesiae univ. (Romæ 1750—1755. T. VI. 4to.) Tom. III. Gelasii a s. Catharina [Gel. Dobner] Hageki Annales Bohem. illustrati (Pragæ 1761—1777. PP. V. 4to.) Pars III. Schröder's Comm. zu Nestor's 10ten Cap. l. c. Jos. Dobrowsky Cyrill. u. Methodi der Slawen Apostel Prag 1823. Svo. (Comp. Blumbergers Rec. in d. Wiener Jahrb. Apr., May, Jun. 1824. S. 211 ff.)

<sup>3</sup> Italian Legend § 7: audiens Rastilaus, Princeps Moraviae, quod factum fuerat a Philosopho in provincia Cazarorum; ipse quoque genit. suæ consulens ad prædictum Imperatorem (Michaëlem) nuntiavit, nuntiavit hoc, quod populus suus ab idolorum quidem cultura recesserat, et Christianam legem observare desiderabat; verum Doctorem talem non habent, qui ad legendum eos et ad perfectam legem ipsam edoceat: rogare se, ut talem hominem ad partes illas dirigat. — Cujus preci-

them a translation of the Scriptures.<sup>4</sup> In the year 868 Constantine died, on a journey to Rome, and Methodius returned alone, having been invested by the Pope with the dignity of bishop.<sup>5</sup> Driven from Great Moravia, probably by the wars with which that country was distracted,<sup>6</sup> he now began to preach with equal success in the territory of the Moravian prince Chozil. By this great success, however,<sup>7</sup> he drew upon himself the hatred of the clergy of Salzburg, who accused him at Rome as a heretic, and succeeded in making the Pope (John VIII.) suspicious of the use of the Sclavonic language in public worship.<sup>8</sup> But Methodius appeared at Rome, and

bus annuens Imperator eundem supernominatum Philosophum ad se venire rogavit; eumque illuc — simul cum Methodio germano transmisit.

<sup>4</sup> L. e.: Cœperunt itaque, ad id quod venerant peragendum studiose insistere, et parvulos eorum litteras edocere, officia ecclesiastica instruere, et ad correptionem diversorum errorum, quos in populo illo repererant, falsem eloquiorum suorum inducere. — Manserunt ergo in Moravia per annos quatuor et dimidium, et direxerunt populum illius in fide Catholica, et scripta ibi reliquerunt omnia, quæ ad ecclesia ministerium videbantur esse necessaria. Concerning the invention of the Sclavonic alphabet, called Kiuriliza, see Dobrowsky l. e. S. 38 ff.

<sup>5</sup> According to the *Italian Legend* they were invited to Rome by Nicolas, but on their arrival found that he had already been succeeded by Hadrian II. Constantine delighted the Romans by producing the body of St. Clement, and he and his companion were consecrated bishops. Of the use of the Sclavonic language in public worship we as yet hear nothing.

<sup>6</sup> Dobner ad Hageki annales P. III. p. 118 seq.

<sup>7</sup> Anonym. de convers. Bojoar. et Carent. (about 873) in fine: As late as 865 Adelwin, archbishop of Salzburg, dedicated several churches in Chozil's dominions, and the Salzburg priest Richpald remained usque dum quidam Græcus, Methodius nomine, noviter inventis Slavinis litteris, linguam Latinam doctrinamque Romanam atque literas auctorabiles Latinas philosophice superducens, vilescere fecit cuncto populo ex parte Missas et Evangelia, ecclesiasticumque officium illorum, qui hoc latine celebraverunt. Quod ille (Richpaldus) ferre non valens, sedem repetivit Juvaviensem. — The papal view of the subject in Joh. VIII. epist. ad Ludov. R. about 874 (in Sam. Timon imago ant. Hungariae lib. II. e. 16): multis ac variis manifestisque prudentia tua poterit indicis reprehendere, Pannonicam diœcesin ab olim apostolica sedis privilegiis deputatam. ad Carolomann. (ibid.): reddito et restituto nobis Pannoniensem episcopatu, liceat predicto fratri nostro Methodio, qui illuc a sede apostolica ordinatus est, secundum priscam consuetudinem libere, quæ sunt episcopi, gerere (Comp. the instructions given by John VIII. to the legate Paul in Mansi XVII. p. 264: Non enim solum intra Italiam ac ceteras Hesperiae provincias, verum etiam intra totius Illyrici fines consecrationes, ordinationes et dispositiones Apostolica sedes antiquitus patrare consuevit, and so also in Epist. 190 ad Salonianos Clericos he invited this province to unite itself again to Rome.) Probably in reference to the complaints of the Salzburg clergy.

<sup>8</sup> Johannis VIII. epist. 195 ad Method. Archiep. Paunoniensem A. D. 879 (Mansi XVII. p. 133): audivimus, quod non ea, quæ s. Romana ecclesia ab ipso Apostolorum principe didicit, et quotidie prædicat, tu docendo doceas, et ipsum populum in errorem mittas. Unde his Apostolatus nostri literis tibi jubemus, ut omni occasione postposita, ad nos de presenti venire procureas, ut ex ore tuo audiamus et cognoscamus, utrum sic tenicas, et sic prædictes, sicut verbis et literis te s. Romanae ecclesia credere promisti, aut non; ut veraciter cognoscamus doctrinam tuam. Audimus etiam, quod missas cantes in barbara h. e. in Slavina lingua; unde jam literis nostris per Paulum Ep. Anconitanum tibi directis prohibutum, ne in ea lingua sacra missarum solemnia celebrares; sed vel in Latina, vel in Graeca lingua, sicut ecclesia Dei toto terrarum orbe diffusa, et in omnibus gentibus dilatata cantat. Prædicare vero, aut sermonem in populo facere tibi licet, quoniam Psalmista omnes admonet Dominum gentes laudare (Ps. 117), et Apostolus: "omnis," inquit, "lingua confiteatur, quia Dominus Jesus in gloria est Dei Patris" (Phil.

having cleared himself of all the charges brought against him, the celebration of public worship in this language was expressly approved by the Pope (A. D. 880).<sup>9</sup> In the mean time, however, Swatopluk, king of Great Moravia, had gradually become estranged from Methodius; a German, *Wiching*, who had been appointed bishop of Neutra (A. D. 880), was allowed to disobey him,<sup>10</sup> and after his death even

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2, 11). In the same strain the *Epist. 194 ad Tarentarum de Marauna*. The most important point of suspicion seen *Joh. VIII. epist. 190 ad Salomonianos Clericos*: — si aliquid de parte Graecorum vel Slavorum super vestra ad nos reversione, vel consecratione aut de pallii perceptione dubitatis, etc. — Consequently Methodius was then Archiepiscopus, and had under him Episcopos regionarios (cf. *Epist. ad Tuvent.*) So probably the Gorasdos vid. Dobrowsky S. 121. Whence the legend of the seven Suffragans, vid. Dobrowsky S. 105.

<sup>9</sup> *Johannis VIII. epist. 247 ad Scentopulerum comitem* A. D. 880: — Methodium venerabilem Archiepiscopum vestrum interrogavimus, — si orthodoxæ fidei symbolum ita crederet, — sicut s. Romanam ecclesiæ tenere — constat. — Nos autem illum in omnibus ecclesiasticis doctrinis et utilitatibus orthodoxum et proficuum esse reperientes; vobis iterum ad regendam commissam sibi ecclesiam Dei remisimus, quem veluti pastorem proprium ut digno honore et reverentia laetaque mente recipiat jubemus — ipsum quoque presbyterum nomine Wichinum, quem nobis direxisti, electum Episcopum consecravimus s. ecclesia Nitrensis, quem suo Archiepiscopo in omnibus obedientem, sicuti ss. canones docent, esse jubemus. — Presbyteros vero, Diaconos, s. ejusdemcunque ordinis clericos, sive Slavos, sive cuiuslibet gentis, qui intra provincie tuae fines consistunt, præcipimus esse subjectos et obedientes in omnibus jam dicto confratris nostro, Archiepiscopo vestro, ut nihil præter ejus conscientiam agant. Quodsi contumaces et inobedientes existentes, scandalum aliquod aut schisma facere presumserint, — præcipimus esse procul abjiciendos secundum auctoritatem capitulorum, quæ illi dedimus, et vobis direximus. Literas denique Slavonicas a Constantino quodam [quondam?] philosopho repertas, quibus Deo laudes debite resonent, jure laudamus; et in eadem lingua Christi Domini nostri praeconia et opera ut enarrentur, jubemus. Neque enim tribus tantum, sed omnibus linguis Dominum laudare auctoritate sacra monemur (Reference to Ps. 117. Act. 2. Phil. 2, 11. 1 Cor. 14.) Nec sana fidei vel doctrinae aliiquid obstat, sive missas in eadem Slavonica lingua canere, sive sacrum evangelium, vel lectiones divinas novi et veteris testamenti bene translatas et interpretatas legere, aut alia horarum officia omnia psallere: quoniam qui fecit tres linguis principales, Hebream scilicet, Graecam et Latinam, ipse creavit et alias omnes ad laudem et gloriam suam. Jubemus tamen, ut in omnibus ecclesiis terra vestrae propter maiorem honorificentiam evangelium latine legatur, et postmodum Slavonica lingua translatum in auribus populi latina verba non intelligentis, annuncietur; sicut in quibusdam ecclesiis fieri videtur. Et si tibi et judicibus tuis placet missas latina lingua magis audire, præcipimus, ut latine missarum tibi solemnia celebrentur.

<sup>10</sup> *Joh. VIII. ep. 268 ad Methodium Archiepisc.* A. D. 881. Worthy of note the assurance neque aliae literæ nostræ (those in note 9 for instance), ad Scentopulerum ad eum directe sunt, neque Episcopo illi palam vel secreto aliud faciendum injunximus, et aliud a te peragendum decrevimus: quanto minus credendum est, ut sacramentum ab eodem Episcopo exegerimus, quem saltem levè sermone super hoc negotio allocuti non fuimus. (It is probable, therefore, that Wiching pretended to have immediate correspondence with the Pope, and to be entirely independent of M.) Ideoque cessen ista dubietas, etc. — Ceterum de aliis tentationibus, quas diverso modo perpessus es, noli tristari. — Cum Deo duce reversus fueris, quidquid enormiter adversum te est commissum, quidquid jam dictus Episcopus contra suum ministerium in te exercuit — legitimo fini trademus, et illius pertinaciam judicii nostri sententia corripere non omittemus. Blumberger's (*Wiener Jahrb.* B. 26. S. 232.), doubts of the genuineness of these letters of Pope John VIII. (see notes 8 and 9) originating in the letters of the German bishops (note 11) lose their force, when we consider that Methodius was Archiep. regionarius. — This letter is the last intelligence we have of Methodius. The old Latin legends say nothing of his death. More modern authorities suppose him to have died at home,

went so far as to expel the Greek-Slavonic clergy from the kingdom.<sup>11</sup> When Moimār, the son of Swatopluk, attempted, with the Pope's assistance, to erect his kingdom into a separate diocese, he was vehemently opposed by the German bishops (A. D. 900).<sup>12</sup> Soon after, however, Moravia was divided between Bohemia and Hungary (A. D. 908), and the fate of Christianity now depended on the conquerors.

From Moravia Christianity was carried into Bohemia, where duke Borziwoi is said to have been baptized by Methodius, in the year 894. (?)<sup>13</sup> Notwithstanding his example, however, as well as that of his consort, the holy Ludmilla, and the zeal of his grandson, Wenceslaus (A. D. 928—938), the triumph of Christianity was first secured by the severe measures of their successor, Boleslaus the Good, about the year 967.<sup>14</sup>

The strong attachment of all these nations to their Slavonic ritual, only made the German clergy more anxious to abolish it. In Bohemia the use of the Latin ritual was made one of the conditions by John XIII., when he founded the bishopric of Prague.<sup>15</sup> Notwith-

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but waver between the year 881 and 910. The Greek biographer of Clement states that he died in Great Moravia, after having been 24 years Archibishop. Dobrowsky S. 115, 122 ff.

<sup>11</sup> See the biography of Clement. Dobrowsky S. 115 ff.

<sup>12</sup> Comp. the two letters *Hattois Arch. Mog. ejusque Suffraganeorum* and *Theotmari Arch. Juvar. et Suffrag. ad Johannem IX.* A. D. 900 (Goldast I. c. p. 5 seq. Dobner I. e. P. III. p. 343 seq. Mansi T. XVIII. p. 203 seq.). In the last: *Nequaquam ereditus, quod coacti quotidie audimus, ut de illa s. et apostolica sede, qua nobis sacerdotalis mater est dignitatis, et origo Christianae religionis, profluxerit quippiam perversitatis, sed doctrina et auctoritas ecclesiastica rationis.* — *Sed venerunt, ut ipsi promulgaverunt, de latere vestro tres episcopi, videlicet Johannes Archiepiscopus, Benedictus et Daniel Episcopi in terram Slavorum, qui Maravi dicuntur, quas regibus nostris et populo nostro, nobis quoque cum habitatoribus suis subiecta fuerat, tam in cultu Christianae religionis, quam in tributo substantie saecularis, quia exinde primum imbuti, et ex paganis Christiani sunt facti.* — *Nunc vero, quod grave nobis videtur et incredibile, in augmentum injuria: jactant se magnitudine pecunia id egisse, qualia de illa apostolica sede nunquam audivimus exisse.* — *Est enim unus episcopatus [Pataviensis] in quinque divisus. Intrantes enim praedicti Episcopi in nomine vestro, ut ipsi dixerunt, ordinaverunt in uno codenique episcopatum unum Archiepiscopum et tres suffraganeos ejus episcopos.* — *Antecessor vester, Zwentibaldo duce imperante, Wichingum consecravit Episcopum, et nequaquam in illum antiquum Pataviensem episcopatum eum transmisit, sed in quandam neophytam gentem, quam ipse dux domuit bello, et ex paganis Christianos esse patravit.* No mention is made of Methodius and his assistants, because as Episcop. region. they did not interfere with the rights of the German bishops.

<sup>13</sup> So first *Cosmas Pragensis* (about 1100) in Chron. Bohemorum (libb. III. best in Menckenii Scriptt. Rer. Germ. T. I. p. 1967 seq. cf. T. III. p. 1771 seq.) lib. I.: then the Bohemian legends note 2. Defended by Dobner (Abhandl. d. Böhm. Gesellsch. auf. 1786. S. 395 ff.). On the other side Dobrowsky S. 106.

<sup>14</sup> Dobner ad Hageki Annal. P. III. et IV.

<sup>15</sup> Joh. XIII. *Ep. ad Boleslaum* A. D. 967 (in Cosmae Chron. lib. I. in Dobneri Annal. Hageki P. IV. p. 164): — *Unde apostolica auctoritate et S. Petri Principis Apostolorum potestate — annuinus et collaudanus atque incanonizamus, quo ad eccliam SS. Viti et Wenceslai Martyrum fiat sedes Episcopalis.* — *Veruntamen non secundum ritus aut sectas Bulgariae gentis, vel Russiae, aut slavoniarum lingue; sed, magis sequens instituta et decreta apostolica, unum potiorem totius eccliae ad placitum eligas in hoc opus Clericum, latinis apprime literis eruditum, etc.*

standing the strong opposition, however, the Slavonic seems still to have been here and there used.<sup>16</sup>

In the other Slavonic countries also, like efforts were made to substitute the Latin ritual for that of the country;<sup>17</sup> the latter, however, has continued to be much used down to the latest times.<sup>18</sup>

<sup>16</sup> See the narrative appended to the Cod. Dresd. *Cosmæ. Chron.*, lib. I., by a monk of Sasawa (in Menckenii Scriptt. Rer. Germ. T. III. p. 1782 seq.). The convent Sasawa, founded by abbot Procopius about 1035 according to the Slavonic ritual, was evil reported to the duke (aures Principis favorabiliter compositis mendaciis obscurantes, eos multifariis vituperiis publicabant, scilicet dicentes, per Selavonicas literas hæresis secta, hypocrisique esse aperte irretitos ac omnino perversos; quamobrem ejectis eis in loco eorum Latinae auctoritatis Abbatem et fratres constituere omnino esse honestum), who, in the year 1058, introduced these Italian monks. Duke Wratislaw, however, A. D. 1063, restored the Selavonian monks, and applied to the Pope for a general sanction of the Selavonic ritual. The answer of Gregory VII. A. D. 1080, was as follows (Lib. VII. Ep. 11. ad Vratisl. Bohem. Reg. Mansi XX. p. 296): *Quia vero Nobilitas tua postulavit, quo secundum Selavonicam linguam apud vos divinum celebrari annueremus officium, scias nos huic petitioni tua nequaquam posse favere. Ex hoc nempe saepè volventibus liquet, non immerit sacram scripturam omnipotenti Deo placuisse quibusdam locis esse occultam, ne, si ad liquidum cunctis pateret, forte vilesceret et subjaceret despectui, aut brave intellecta a mediocribus in errorem induceret. Neque enim ad excusationem juvat, quod quidam religiosi viri hoc, quod simpleiter populus querit, patienter tulerint, seu incorrectum dimiserunt; cum primitiva ecclesia multa dissimulaverit, quæ a ss. patribus, postmodum firmata Christianitatè, et religione crescente, subtili examinatione correcta sunt. Unde ne id fiat, quod a vestris imprudenter exposcit, auctoritate b. Petri inhibemus, teque ad honorem omnipotentis Dei huic vanæ temeritati viribus totis resistere præcipimus.* In 1097 these Selavonic monks were finally expelled, et libri linguae eorum deleti omnino et disperdi, nequaquam ulterius in eodem loco recitabuntur. *Mon. Sazaviensis* l. c. p. 1788. Still, however, the Selavonic ritual was here and there retained (Dobner Abhandl. d. Böhm. Gesellsch. d. Wiss. auf. 1786. S. 433); in the convent Einmaus, built by Charles IV. A. D. 1347, in the suburbs of Prague, it is retained to this day.

<sup>17</sup> In the most southern part, near the metropolis Dioclea, the ritual of the country was permitted by Pope Alexander II., probably on account of the nearness of the Greek church: cf. *Alex. II. epist. IV. ad Petrum Dalmatiæ et Slavon. Archiepisc.* A. D. 1062 (Mansi XIX. p. 943): *Monasteria quoque tam Latinorum, quam Græcorum sive Slavorum cures: ut scias et hæc omnia unam ecclesiam esse. In the more western province of Salona, on the other hand, it was to be extirpated, cf. Thomæ Archidiac. Spalatens. († 1268) hist. *Salonitanorum Episc. atque Spalatensium* cap. 16. (Lucius de regno Dalmat. p. 310 seq; and Schwandtneri Scriptt. Rer. Hung. T. III. p. 552 seq.): During Alexander's reign, a synod was held at Salona by his legate Maynard, at which, among other things, it was decreed: "Ut nullus de cætero in lingua Selavonica præsumeret divina mysteria celebrare, nisi tantum in latina et græca, nec aliquis ejusdem lingua promoveretur ad sacros ordines." Dicebant enim, Gothicas literas a quodam Methodio hæretico fuisse repertas, qui multa contra Catholicea fidei normam in eadem Selavonica lingua mentiendo conscripsit: quamobrem divino iudicio repentina dicitur morte fuisse damnatus. (The Selavonians were then often called Goths, vid. Dobner in d. Abhandl. d. Böhm. Gesch. d. Wiss. auf. 1785 S. 109, and thus these enlightened fathers confounded Methodius with Ulphilas!) The Selavonians having made application to the Pope for the repeal of this decree, received the following answer: *Scitote filii, quia hæc, quæ petere Gotbi student, sæpem numero audisse me recolo, sed propter Arianos, inventores litteratura hujusmodi, dare eis licentiam in sua lingua tractare divina, sicut prædecessores mei, sic et ego nullatenus audeo, etc.**

<sup>18</sup> In later times even protected by the popes, see Dobner in d. Abhandl. der Böhm. Geschichte der Wissenschaften auf. 1785 S. 174 f.

## § 39.

## CONVERSION OF THE WENDS.

SOURCES: *Witichindi* [about the year 970] Corbej. de rebus Saxonum gestis libb. III. (in Meibomii Rer. Germ. T. I. p. 621 seq.). *Ditmarus* [p. 119]. — *Adamus Bremensis* [p. 245]. *Helmodi* [1170] chronicon Slavorum ed. H. Bangert. Lübek. 1659. 4to, and in Leibnit. Scriptt. Brunsv. T. II. p. 537.

It was not to be expected that Christianity would meet with a very friendly reception amongst the Wends, forced upon them, as it was, by a foreign power and in a foreign language. Their country having been conquered and politically divided by the emperor, Henry I., about the year 931, his successor, Otho I., busied himself in their conversion. The most lasting fruits of his efforts were in Misnia and Lusatia, about the year 968, where he founded the bishopricks of Meissen, Merseburg, Zeiz (A. D. 1029 removed to Naumburg), and the archbishoprick of Magdeburg.<sup>1</sup> He had still earlier established the bishopricks of Havelburg (A. D. 946) and Brandenburg (A. D. 948), and also that of Oldenburg,<sup>2</sup> but here the conversion was confined to the immediate neighbourhood of the Saxon garrisons. The general insurrection of the Wends under Mistewoi (A. D. 983) was as much against Christianity as against the German yoke.<sup>3</sup> Mistewoi's grandson, Gottschalk, fell a victim to his efforts in its favor (A. D. 1066),<sup>4</sup> and after his death every vestige of the hated religion was effaced.<sup>5</sup>

<sup>1</sup> The old annals of these bishopricks have much to tell of endowments, but little of conversions. The religious condition of the country may be illustrated by an anecdote of Boso, one of the most zealous of their bishops, and first bishop of Merseburg (*Ditmar.* lib. II. p. 339, ed. Leibnit.). *Hic ut sibi commissos eo facilius instrueret, Selavonica scriperat verba, et eos Kirieleison cantare rogavit, exponens eis hujus utilitatem. Qui vecordes hoc in malum irrisorie mutabant "Kyrkjolsa," quod nostra lingua dicitur: Äleri stat in fructeto; dicentes: sic locutus est Boso.* Comp. *Chron. Episc. Merseburg.* in J. P. a Ludewig Reliquiae MSS. omnis avi diplomatum T. IV. p. 379) of bishop Werner A. D. 1073 — 1101: *Quem tantus divini verbi seminandi fervor accenderat, ut studio prædicationis episcopalia plerunque negotia postponeret, et fuerandis animabus omni virtute quasi providus pastor intenderet. Verum quia Schlawonicae linguae admodum ignarus erat, et eum cura pastoralis Schlavorum genti, quorum multitudinem copiosam error adhuc idolatriæ detinebat, verbum salutis credere cogebat; libros Schlawonicae linguae sibi fieri jussit, ut latinae linguae charactere idiomata linguae Schlavorum exprimeret, et quod non intelligeret, verbis stridentibus intelligendum aliis infunderet.*

<sup>2</sup> Removed to Lubec about A. D. 1150.

<sup>3</sup> *Ditmar.* lib. III. p. 345. *Helmod I. c. 16.*

<sup>4</sup> Of Gottschalk's zeal *Helmod I. c. 20:* *Sane magnæ devotionis vir dicitur tanto religionis divine exarsisse studio, ut sermonem exhortationis ad populum frequenter in ecclesia ipse fecerit, ea scilicet, quæ ab Episcopis vel Presbyteris mystice dicebantur, cupiens Slavicis verbis reddere planiora.*

<sup>5</sup> *Adam Brem.* IV. c. 11: — *Helmod. I. c. 25:* *Slavi servitutis jugum armata manu subinoverunt, tantaque animi obstinatio libertatem defendere nisi sunt, ut prius maluerint mori, quam Christianitatis titulum resumere, aut tributa solvere Saxonum Principibus. Hanc sane contumeliam sibimet parturivit infelix Saxonum avaritia, qui — Slavorum gentes, quas bellis aut pactionibus subegerant,*

## § 40.

## CONVERSION OF THE POLES AND HUNGARIANS.

In *Poland*, Christianity prevailed from the time of duke Mieislaus, who, out of love to his duchess Dambrowka, a Bohemian princess, embraced her religion (A. D. 966) and founded the bishoprick of Posen.<sup>1</sup> Among the *Prussians*, on the contrary, nothing but martyrdom had ever yet been gained by the Christian missionaries.<sup>2</sup> The conversion of the *Hungarians* proceeded but slowly, till the reign of duke Geysa A. D. 972 – 997.<sup>3</sup> Under Stephen, the first king, it was made the national religion by a royal decree.<sup>4</sup> Such a mode of conversion, however, was little calculated to wean the people from their attachment to Paganism.<sup>5</sup>

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tantis vectigalium pensionibus gravaverunt, ut divinis legibus et Principum servi-  
tui refragari amara necessitate cogerentur (cap. 21 : Saxones — semper prioniores  
sunt tributis augmentandis, quam animabus Domino conquirendis. Deorum enim  
Christianitatis, Sacerdotum instantia, jamdudum in Slavia convaluisse, si Saxonum  
avaritia non praepeditset.).

<sup>1</sup> The authority of *Ditmar*, lib. IV. p. 359 ed. Leibn. is much to be preferred to that of *Joh. Dlugossius* (bishop of Lemberg, † 1480. Hist. Poloniae libb. XIIII. ed. H. de Huysen. Lips. 1711. fol.) lib. II. p. 91, who supposes the two archbishopricks of Cracow and Gnesen, with seven bishopricks to have been established all at once. See *Chr. G. v. Friese Kirchengesch. d. Königreichs Polen* (2 Th. Bresl. 1786. 8vo.) Th. I. — As the conversion of the Poles was achieved mostly by Moravian priests, many peculiarities of the Selavonian ritual were transplanted into Poland, and have long continued there. Vid. *Friese*, Th. I. S. 61 ff. Still the Polish church connected itself immediately with that of Rome. As early as Mieislaus, the son of Boleslaus (*Ditmar*, lib. VI. p. 397), we find him complaining ut non liceret sibi propter latentes regis (Henry II.) insidias promissum principi Apostolorum Petro persolvere censum.

<sup>2</sup> Adalbert, bishop of Prague, murdered 997, cf. *Vita Adalberti* in *Canis. Leett. Ant. ed. Basn. T. IIII. P. I.* p. 41. Bruno slain 1009, see *Ditmar*, lib. VI. p. 398.

<sup>3</sup> The baptism of the Hungarian prince Bolosudes A. D. 948, and afterwards of Cylas at Constantinople (*Cedrenus*, p. 636. *Zonaras*, lib. XVI. Tom. II. p. 194) was without effect. — *Ditmar*, lib. VIII. p. 420, says of the religion of this last: Hie Deo omnipotenti variisque Deorum illusionibus inmolans eum ab antistite suo ob hoc accusaretur, divitem se et ad haec facienda satis potentem affirmavit.

<sup>4</sup> The political character of this conversion shown in *Schlosser's Weltgesch.* Bd. 2. Th. 2. S. 557 ff. — That the crown of Hungary was bestowed by Pope Sylvester II. first related by *Chartritius* (in the thirteenth century) vita S. Stephani in Act. SS. ad d. II. Sept. and in *Schwandtneri Script. Rer. Hung.* T. I. p. 417. Comp. *Schröckh*, Th. 21. S. 535. — The papal Breve issued on the occasion, in which the king is appointed apostoliens and papal legate, was supposed to have been discovered in 1550, and was sent by the Franciscan R. Levakovicz in Rome to the Jesuit Inchoser, and first published in the *Ann. Ecclesiasticis Regni Hungariae*, of this last A. D. 1664. From Levakovicz's own letters it was afterwards shown to have been a forgery, cf. *A. F. Kollar de originibus et usu perpetuo potestatis legislatoriae circa sacra Apostolicorum regum Hungariae*. Vindob. 1764. 8vo. cap. 24.

<sup>5</sup> Reaction seen in the disturbances that followed Stephen's death. *Schröckh*, Th. 21. S. 550. *Schlosser*, Bd. 2. Th. 2. S. 578 ff. 665 ff.

## CHAPTER SECOND.

## HISTORY OF THE GREEK CHURCH.

## I. RELATIONS OF THE GREEK CHURCH TO THE LATIN.

Partial, but still useful for consultation, are : *Leo Allatius de eccl. occid. et orient.* perp. consens. Colon. Agripp. 1648. 4to. lib. II. c. IV. seq. *L. Maimbourg* hist. du schisme des Grecs. Paris. 1677. 4to. — *J. Gf. Hermann* hist. concerationum de pane azymo et fermentato in cœna Domini. Lips. 1737. 8vo.

## § 41.

## PHOTIUS' CONTROVERSY WITH THE POPES.

SOURCES: Besides the Acts cited in the notes below, the following works by contemporaries : *Greek writers*: Vita S. Ignatii by *N. David Paphlago* (in the Acts of the Conc. VIII. œcum. vid. Mansi XVI. p. 209), *Metrophanis Ep. Smyrn.* epist. ad Manuelem Patric. in the year 870, *Styliani Mapæ Ep. Neocæs.* epist. I. ad Stephanum P. V. in the year 886 (vid. Mansi XVI. p. 425 seq.); *Latin writers*: *Anastasii Bibl. præf. ad Conc. VIII œc.* (Mansi XVI. p. 1), *Ejusdem*, vit. CVII Nicolai I. et CVIII Hadriani II. — all unfair to Photius. — *Later Historians* in Hist. Byzant. scriptores post Theophanem ed. Frane. Combetius. Par. 1685, particularly *Constantini Porphyri*. continuator lib. IV. c. 30. *Const. Porphyri. historia de vita Basillii* (both about the year 920), *Symeonis Magistri et Logothetæ* (about the year 967) annales c. 28 seq.

THE old jealousy between the hierarchs of Rome and Constantinople broke forth afresh on occasion of the disgrace of Ignatius, patriarch of Constantinople, by the emperor Michael III., and the appointment of Photius in his place (A. D. 858). For, the Pope having been invited to adjust the schism thus created in the Greek church,<sup>1</sup> instead of appearing as a mediator, assumed at once the character of a supreme judge.<sup>2</sup> The legates, whom he sent to Constantinople

<sup>1</sup> The letter of the emperor is lost. Nicholas relates (Epist. I. ad univ. Cathol. Mansi XV. p. 160) : Imp. Michael — ad Apostolatum nostrum legatis cum epistolis destinatis, accusationes quasdam adversus Ignatium deferentibus, petiit, ut a sede apostolica missos daremus, qui scandala illa sedarent et schismata dissiparent. The same words Ep. IX. ad Michael. Imp. p. 218, and Ep. X. ad Cler. Constant. p. 241.

<sup>2</sup> *Nic. ep. II. ad Michael. Imp.* and *ep. III. ad Photium.* In the first, reproaches that Ignatius should have been deposed without the knowledge of the Pope, for a patribus et deliberatum ac observatum existit, qualiter absque Romanæ sedis, Romaniæ pontificis consensu, nullius, insurgentis deliberationis terminus daretur. Then that Photius, a layman, should have been made bishop. So too *ad Photium*, p. 168 : Sed rectum vos ordinem minime continuisse dolemus, eo quod non per gradus ecclesia ductus ad tantum honorem de laici habitu vos prosluistis. — Nam Sardicense concilium per omnia tanta temeritatis presumptionem vetuit, pariter et ss. Pontificium Romanae sedis, Celestini — Leonis seu Gelasii doctrina. — Quapropter vestrae consecrationi consentire modo non possumus, donec nostri, qui a nobis Constantinopolim sunt directi, revertantur, qualiter per eos cognoscamus vestrae observationis actus, et ecclesiasticae utilitatis constantiam, etc.

were indeed won over to declare for Photius (A. D. 861),<sup>3</sup> but he annulled all that they had done at a Synod held at Rome (A. D. 863), and decided in favor of Ignatius.<sup>4</sup> The threats of the emperor<sup>5</sup> had of course but little influence upon him, as Rome had now long been entirely independent of the Greek emperors.<sup>6</sup>

Photius answers (Baron. ann. 861, no. 34 seq.) — At Canones, inquit, violati sunt, quod ad pontificatus fastigium e laicorum ordine adscendisti. — Quales autem Canones hi, quorum asseritur prævaricatio? quos ad hunc diem Constantinopolitanorum Ecclesias non accepit. — Multi Cauones alii traditi sunt, aliis ne noti quidem sunt. Qui accipit et violat, dignus, qui in judicium inducatur: qui vero non novit, nec recipit, quomodo obnoxius est? — Legitimis nuptiis presbyter Romæ uxori conjunctus non invenitur: nos vero eos, qui unico conjugio vitae moderati sunt, edocti sumus in presbyteri gradum efferre, eosque, qui hoc in discriminine ponunt, ac se secernunt, ne ab his Domini corporis participationem capiant, undique excludimus, eodem loco duecentes eos, qui legem aut fornicationis sanciunt aut nupcialium tollunt. — Quedam vero ne ab iis quidem, qui delinquent (quod quidem sciam), quod fiant, laudantur ob summam fortasse absurditatem. — quis enim sabbatisse, qui in Christianis censeatur, etiam si millies his succumbat, non ejuret? Quis se conjugium exercari legitimum, nisi quis impiorum ac sine Deo hominum sententiam opifici proponat? — quis autem Dominicorum, et paternorum, et synodalium decretorum (ne sigillatum dicam) non reveretur confiteri, se moliri contemnunt? — testes apud nos et reguli nostris ad tres numeramus, qui si ceteroqui vitio careant, satis sunt ad fidem veritati faciendam, quamvis in Episcopi crimen adsciscantur: apud alios vero nisi testium numerus superet septuaginta quasi populum, qui accusatur, quantumvis in re ipsa fuerit reprehensus, omni crimine liber absolvitur. Remarkable as a reference to the Pseudo-Isidore (Zephyr. ep. above, S. 122, note 2). Altogether, the bitter irony of this letter must not be overlooked in forming a right judgment of the after conduct of Nicolas towards Photius. For instance, the close: Canonum custodia a quovis bono debetur: magis vero ab iis qui divinae providentiae dignatione alias regunt; omnium sane maxime, quibus in horum numero primatus obtigit. — Quare vestra debet amabilis beatitudo, Ecclesiasticam disciplinam ac modestiam in omnibus eurae habens, et canonican tenens rectitudinem, eos qui sine commendatissimis literis ad Romanam Ecclesiam hinc proficiscuntur (followers of Ignatius namely), non temere ac fortuito recipere, nec sinere hospitalitatis specie odii fraternali semina, etc.

<sup>3</sup> Concerning the *Syn. Const.* A. D. 861, see Nicol. ep. IX. ad Mich. Imp. (Mansi XV. p. 219 seq.) ep. X. ad Clerum Const. (ib. p. 241 seq.) Nicetas David (Mansi XVI. p. 237).

<sup>4</sup> *Acta Syn. Rom.* ann. 863 in Nicol. epist. VII. ad Michael.

<sup>5</sup> The emperor's letter is no longer extant, but its contents may be gathered from Nicholas' answer. *Nic. ep. VIII.* (Mansi XV. p. 189): Dixistis, quod nullus antecessorum nostrorum a sexta synodo meruerit a vobis, quod nos meruisse dignoscimur — quasi nostrum fuerit opprobrium, eo quod sedem Apostolicam in nullo querere antecessores vestri dignati fuerint, eum magis eorum fuerit dedecus. — p. 192: dicitis, non ideo ad nos misisse vos, ut secundum judicium Ignatius sustineret, p. 206: noluisse vos, ut a missis nostris Ignatius judicaretur, eo quod fuerit jam judicatus et condeinnatus, p. 203: non eguisse vos in causa pietatis Romanæ ecclesie. — p. 204: si vestra fuerint verba, que in despectum b. Petri Apostolorum principis, immo Dei, cuius ordinationi resistitis, scripta, et quasi detrahentia privilegiis hujus saeratissimæ ecclesie missa sunt, etc. *Ep. IX.* p. 235: epistola sub nomine vestro conscripta — tantis erat verbis contumeliosis, immo blasphemis respersa, ut scriptor ejus non nisi in gutture colubri calamum tinuisse putetur, et dictatoris labia pro dictionibus venena fudisse videantur.

<sup>6</sup> *Nicol. ep. VIII. et IX. ad Michael.* — *ep. X. ad Clerum Constant.* — *ep. XI. ad Photium.* — *ep. XII. ad Bardam Cœs.* — *ep. XIII. ad Ignatium.* — *ep. XIV. ad Theodoram Augustam.* — *ep. XV. ad Eudoxiam Aug.* — *ep. XVI. ad Senatores Constant.* All containing vindications of the privileges of the Eccl. Rom. (though without reference to the Pseudoisidoriana, which yet he

This controversy was followed by one much more bitter concerning church jurisdiction.<sup>7</sup> The Byzantines had succeeded, after many fruitless attempts, in persuading Bogoris, king of Bulgaria, to be baptized (about A. D. 861).<sup>8</sup> In order to escape from the influence of

was at the same time defending against the Frank bishops. For instance, that the judgment against Ignatius was null, because no one (*Ep. VIII. p. 200*) qui minoris auctoritatis est, eum, qui majoris potestatis est, judicis suis addicere potest. Hence aut nunquam omnino, aut certe vix Constantiopolitanorum præsumum aliquis sine consensu Romani pontificis reperitur ejectus. — Remarkable that he even cites in his own favor the long rejected *Can. Chalced. IX.* (*Ep. VIII. p. 201*): nunc Chaledonensis concilii sanctiones ad memoriam reducamus, quæ ita decernunt: “Si clericus habet causam adversus episcopum proprium, vel adversus alterum, apud synodus provinciae judicetur: quod si adversus ejusdem provinciae metropolitanum episcopus vel clericus habet querelam, petat primatum diœcесeos, aut sedem regiæ urbis Constantinopolitane.” — Cum dixisset: “petat primatum diœcесeos,” præceptum posuit eadem s. synodus, regulamque constituit. Cum vero disjunctiva conjunctione addidisset: “aut sedem regiæ urbis Constant.” liquet profecto, quia hoc secundum permissionem indulxit. — Quem autem primatum diœcесeos s. synodus dixerit, præter Apostoli primi vicarium, nullus penitus intelligitur. Ipse est enim primas, qui et primus habetur et summus. — Ne vero moveat, quia singulari numero diœcесeos dictum est, quia tantumdem valet dixisse primatum diœcесeos, quantum si perhibuissest diœcесeon, etc. !! — *Ep. IX. p. 236* [866] he threatens: scitote, quoniam, postquam in hac vos pertinacia persistere fine tenus velle competerimus, prinum quidem congregatis cunctarum occidentaliū regionum ven, sacerdotibus dictatores et dispositores atque præceptores tantæ fallacie, etc. — diris anathematis vineulis innodabimus. — Deinde vero — ipsam epistolam in stipite evidenter cunctis suspensam vasto supposito foco ad vituperium vestrum coram omnibus nationibus, quæ penes memoriam s. Petri multiplices inveniuntur, extremæ perditioni donabimus, etc. Concerning these controversies see Nicholas' own account in the *Epist. LX. ad Hincmarum et ceteros Episc. in regno Caroli constitutos* A. D. 867, where he also mentions the claims of the Greek church (*Mansi XV. p. 358*): gloriantur atque perhibent, quando de Romana urbe Imperatores Constantinopolim sunt translati, tunc et primatum Romanae sedis ad Constantinopolitanam ecclesiam transmigrasse, et cum dignitatibus regiis etiam ecclesiæ Romane privilegia translata fuisse; just as in the ancient Greek church.

<sup>7</sup> In the beginning of the controversy Nicholas had referred to the subject: *Ep. II. ad Mich. Imp.* (*Mansi XV. p. 167*): Oportet vestrum imperiale decus, — ut antiquum morem, quem nostra ecclesia habuit, vestris temporibus restaurare dignemini, quatenus vicem, quam nostra sedes per episcopos vestris in partibus constitutis habuit, videlicet Thessalonicensem, qui Romanae sedis vicem habuit per Epirum veterem, Epirumque novam, atque Hyrcium, Macedoniam, Thessaliā, Achajā, Daciam ripensem, Daciamque mediterraneam, Mœsiā, Dardaniam, Prævalim, b. Petro Apostolorum principi contradicere nullus præsumat. — Præterea Calabritanum patrimonium et Siculum — vestris concessionibus reddantur. — Inter ista et superius dicta volumus, ut consecratio Syracusano Archiepiscopo nostra a sede impendatur.

<sup>8</sup> Of the preliminary steps taken by help of the sister of Bogoris, see *Constantini Porphyri continuator IV. c. 13 — 15*. The final conversion is dated by the contemporary *Nicetas David* (*Mansi XVI. p. 245*) at about the time of the return of Nicholas' legates to Rome: Βούλγαροι δὲ τότε προνοίαις Θεοῦ, βασικὴ κατατάκιντες λιμῷ, ἄμα δὲ καὶ τοῖς δώροις τοῦ αὐτοκράτορος θελχθίντες τὰ δύπλα καταδίμινοι τῷ ἀγίῳ προσήσουν βαπτίσματι. On the other hand, *Syntagma Mag. c. 25* (followed by *Leo Gramm. A. D. 1013. ed. Paris. p. 462*): relates that Michael, having undertaken an expedition with Pardas against the Bulgarians: τοῦτο μαθόντες οἱ Βούλγαροι, ἄμα δὲ καὶ λιμῷ τηλέμενοι — Χριστιανοὶ γενίσθαι τῷ βασιλεῖ Ρωμαῖον ἤπιστον. ὃ δὲ βασιλεὺς τούτους ἐν τῇ πόλει ἀγαγὼν, ἰβάπτισε πάντας, καὶ τὸν “Ἄρχοντα αὐτῶν Μιχαὴλ ἵστωμασεν. So too Photius in his letter ad Michaelem *Bulgarorum Regem* (in *Eliott's epist. ed. Rich. Montague*, Londini. 1651. fol. Epist. I. also in *H. Canisii lection. an. ed. Basnage T. II. p. 11. p. 379 seq.*) calls the king

such near neighbours, however, this prince sought to put himself under the authority of the Pope, and teachers were forthwith sent him from Rome.<sup>9</sup> Enraged at this, Photius summoned a Synod at Constantinople, by an Encyclica (or circular)<sup>10</sup> in the highest degree offensive to the church of Rome, and at the Synod (867) condemned the Pope in form.<sup>11</sup> This Encyclica was answered with the same bitterness,<sup>12</sup>

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**καλὸν ἄγαλμα τῶν ἡμῶν στόνων** (Basn. p. 38 t) and **τῶν ἡμῶν πνευματικῶν ὀδίνων εὐχέρες καὶ γνήσιον γένημα** (p. 418). Comp. Schlosser's *Weltgesch.* Bd. 2. Th. 1. S. 519 ff.

<sup>9</sup> *Anastasius* in vita CVII Nicolai I. and in *Præf.* ad Conc. oecum. VIII (Mansi XVI. p. 10), *Annales Bertiniani* and *Fuldenses* ad ann. 866. At the same time Bogoris sent by his ambassadors a series of questions to be laid before the pope on ecclesiastical subjects, which called forth the *Responsa Nicolai P. I. ad consulta Bulgarorum* (Mansi XV. p. 401 seq.).

<sup>10</sup> *Encyclica ad Patriarch. Orientales* (latin in Baronius ann. 863. no. 31 seq. greci in edit. Montacutii Ep. II. p. 47 seq.): that messengers of darkness had come to the newly converted Bulgarians, qua-i tonitru quoddam, vel terre motus, vel granulini impetus, vel potius, ut magis proprie loquuntur, singularis ferns (*ἄγρος μυῖς*, Ps. lxxx. 13), irruentes, vineam Domini dilectam et nuper plantatam, pedibus ac dentibus, conversationis videlicet prava malis moribus et dogmatis corruptela — depravantes depasti sunt. — Et primum quidem ad Sabbatorum jejunium ipsos impie transtulerunt. Solet autem vel qualibet parva traditionum prævaricatio ad universi dogmatis contumeliam et contentum converti. Primam præterea Quadragesimæ hebdomadem ab alio Quadragesimæ jejunio intercedentes, in lacti potationem et casei comedionem et aliarum rerum hujusmodi ingluviem protraxerunt. — Sacerdotes etiam legitimis nuptiis honestatos, isti quidem, qui multas virginis absque viris mulieres ostendunt, et matres filios alentes, quorum patres videre non licet, hi inquam efficerunt, ut Dei veri Sacerdotes odio halerentur et vitarentur. — Quin etiam illos, qui a presbyteris chrismate uneti fuerant, iterum chrismare ipsi non horruerunt, Episcopos se ipsos jactantes, et presbyterorum Chrisma inutile esse, et frustra ab illis confici portentose docentes. — Sed neque hoc tantum impie agendum illi decreverunt, verum etiam, si que est malorum summa et apex, ad hunc deducti sunt. Prater enim absurditates, quas supra recensimus, sacram etiam et sanctum symbolum — adulterare non dubitarunt. O mali daemonis artes! Spiritum sanctum non ex Patre solum, sed etiam ex Filio procedere noviter docentes, etc. — Ex partibus Italiae synodica quadam epistola ad nos allata est, sexenta continens mala et delicta, quæ adversus proprium ipsorum Episcopum illi, qui Italiani incolunt, conqueruntur, sexcentas etiam obtestationes cum magna ira Dei comminatione nobis adhibent, ne ipsos prætermittamus ita misere perditos, et tanta et adeo gravi tyrannie oppressos: sacerdotales præterea leges et omnes ecclesiasticas regulas conculeatas narrant. Quæ jam diu quidem e monachis et presbyteris inde aufugientibus ad omnium aures devenerunt, etc.

<sup>11</sup> Comp. *Metrophanis epist. ad Manuelem*, and *Anastasii præf. ad Conc. oec. VIII.*

<sup>12</sup> The emperors Michael and Basilius sent to the king of Bulgaria a letter of much the same import with that of Photius. This Bogoris forwarded to the Pope, who gives an extract therefrom in Epist. LXX. ad Hinemar. et cæteros Episc. in regno Caroli constitutos 867 (Mansi XV. p. 355) and exhorts the Frank bishops, who were still considered the most learned, to the defence of the church. Amongst the reproaches cast on them by the Greeks, he enumerates the following: Mentiuntur quoque, nos, sicuti per alia ipsorum conscripta indicatur, agnum in pascha, more Iudeorum, super altare pariter cum dominico corpore benedicere et offerre. Quin et reprehendere satagunt, quia penes nos clerici barbas radere suas non abnuunt, et quia diaconus non suscepto presbyteratus officio apud nos episcopus ordinatur. Hinemar called on Odo, bishop of Beauvais, to defend the church (epist. ad Odon. Belvæc. in edit. Sirmond. T. II. p. 809). The call was obeyed, but Odo's work is no longer extant (Floordi hist. eccl. Rhein. III. c. 23). Probably, too, the best work of Ado, archbishop of Vienna, was on the same subject

and from that time forward presented an insurmountable obstacle to the reconciliation of the two churches.

But no sooner had Basil the Macedonian ascended the throne, than Photius was compelled to give way to Ignatius (A. D. 867), and the Pope was invited to give a new decision.<sup>13</sup> Photius was condemned at a Synod held in Rome (A. D. 868),<sup>14</sup> and then in Constantinople (œcum. VIII. A. D. 869);<sup>15</sup> but as Ignatius, supported by the decision of the other Patriarchs, and favored by the revival of the imperial influence in Bulgaria, persisted in claiming the ecclesiastical jurisdiction over that country,<sup>16</sup> the controversy between the two churches still continued.<sup>17</sup>

(Hist. lit. de la France T. V. p. 473). Still extant are *Ratramni* Corbej. Mon. contra Græcorum opposita libb. IV. (in d'Achery Spicileg. ed. 2. T. I. p. 63 seq.) and *Æneæ Episc. Parisiensis* liber adv. Graecos (ibid. p. 113 seq.).

<sup>13</sup> *Basili Imp. epist. ad Nicolaum P.* in the Acts of the eighth œcum. synod Actio III. (Mansi XVI. p. 46 and 324).

<sup>14</sup> The Acts of this synod are contained in the vita Hadriani II. by Anastasius, and in the Acts of the eighth œcum. synod Actio VII. (Mansi XVI. p. 122 seq. and 371 seq.).

<sup>15</sup> The Acts of this council are in a Latin translation by *Anastasius Bibl.* (Mansi XVI. p. 1) and in a shorter Greek collection (prim. ed. Matth. Raderus. Ingolst. 1604. 4to. Mansi XVI. p. 209 seq.). The predominance of Rome was so evident at this council, that soon after a complaint was made by certain Greek bishops to the emperor and the patriarch, non bene factum fuisse, quod ecclesiam Constantinopolitanam tanta subjectione Romanæ subdi ecclesiæ permiserint, ita ut hanc ei tamquam dominæ ancillam tradiderint, whereon some of the Acts are said to have been privately stolen from the papal legate, *Anastasii annotatio ad Act. I.* (Mansi XVI. p. 29). At any rate the Greek collection seems to be quite a different thing from the other. The difference is most striking in the Cann. contained in Act X., of which Anastasius, l. c. p. 160 seq., in the Greek collection, p. 397, there are only fourteen. Almost all of them are directed against Photius. So, for instance, can. lat. XI. græc. X. the opinion is condemned, δύο Ψυχὰς ἵκειν τὸν ἄνθρωπον (comp. Bd. I. S. 279, note x), because it is supposed to have been held by Photius, cf. Anastasii praf. ad Conc. p. 6 (overlooked by Schröckh, Th. 24, S. 171). Two canons in particular contained in the Latin codex only, are remarkable for the evident attempt to accommodate the Pseudoisidorian principles to the East: *Can. XVII.* : Patriarchæ — Motropolitanorum — habeant protestatem, videlicet ad convocandum eos, urgente necessitate, ad synodalem conventum, vel etiam ad coërcendum illos et corrigendum, etc. — Consueverunt autem Metropolitanani bis in anno synodos facere, ideoque, sicut dicunt, ad patriarchale penitus non posse concurrere caput. Sed sancta hæc et universalis synodus, nec concilia quæ a Metropolitanis fiunt interdicens, multo magis illa novit rationabiliora esse ac utiliora Metropolitanorum conciliis, quæ a patriarchali sede congregantur; et icicre hæc fieri exigit, etc. *Can. XXVI.* : — nullo modo quisquam Metropolitanorum vel Episcoporum a vicinis Metropolitis vel Episcopis provincie sua judicetur, licet quædam incurrisse crimina perhibeatur, sed a solo Patriarcha proprio judicetur. — It has already been remarked, p. 6, note 29, that decrees were passed at this council against the opposers of picture-worship, who began to be once more active, cf. can. III. and VII. Remarkable observation of the *Continuator Aimoini hist. Francorum* lib. V. (in Duchesne Scriptt. Rer. Franc. T. III.) concerning this synod: In qua synodo de imaginibus adorandis aliter, quam orthodoxy doctores ante definierant, statuerunt; quædam etiam pro favore Romani Pontificis, qui eorum votis de imaginibus adorandis annuit, et quædam contra antiquos canones, et contra ipsam synodum constituerunt, sicut qui eandem synodum legerit, patenter inveniet. cf. *Richerii hist. concill. generall.* T. I. p. 717 seq. 740 seq.

<sup>16</sup> *Anastasius in vita CVIII. Hadriani II.* At the close of the council, the papal legates, the vicarii of the patriarchs, Ignatius, and certain others were sum-

After the death of Ignatius (A. D. 878), Photius once more assumed the patriarchal dignity at Constantinople, and John VIII., in the hope of regaining, in this way, the ecclesiastical jurisdiction over Bulgaria, was induced to acknowledge him,<sup>18</sup> and to appoint a second conc. ecumen. VIII. at Constantinople (A. D. 879–880),<sup>19</sup> at which

moned to the presence of the emperor. Then appeared the Bulgarian ambassadors, asking: *Usque hodie pagani fuimus, et nuper ad gratiam Christianitatis accessimus. Ideoque ne in aliquo errare videamur, cui Ecclesiae subdi debeamus, a vobis, qui vices sumorum Patriarcharum geritis, nosse desideramus.* — The vicarii of the oriental patriarchs inquire: *quando vos illam patriam cepistis, cuius potestati subdita erat, et utrum Latinos, an Græcos Sacerdotes habuerit, dicite.* Reply: *Nos illam patriam a Graecorum potestate armis evicimus, in qua non Latinos sed Græcos Sacerdotes reperimus.* To this the vicarii: *Si Græcos Sacerdotes ibi reperistis, manifestum est, quia ex ordinatione Constantinopoleos illa patria fuit.* In opposition to which the Roman legates state: *Sedes Apostolica — utramque Epirum, novam videlicet veteremque, totamque Thessalam, atque Dardaniam — cuius nunc patria ab his Bulgariis Bulgaria nuncupatur, antiquitus canonice ordinavit et obtinuit.* Ac per hoc, etc. Secondly: *Bulgares — sedis Apostolicae semet — patrocinio — specialiter committentes nobis debent, nec immerto, subjici, quos ultronea voluntate magistros elegere.* Thirdly: *eodem Bulgares S. Sedes Apostolica — a diversis erroribus ad Catholicæ fidei veritatem multo sudore — transferens — ultra triennium tenuit, tenet, ordinat ac disponit.* In fine: *S. Sedes Apostolica vos, quia revera inferiores estis, super sua causa judices nec eligit, nec per nos elegit, utpote quæ de omni Ecclesia sola specialiter fas habeat judicandi.* To this, however, the vicarii reply: *Satis indecens est, ut vos, qui Graecorum Imperium detrectantes, Francorum fœderibus inhæretis, in Regno nostri Principis ordinandi jura servetis.* Quapropter Bulgariani patriam ex Graecorum potestate dudum fuisse, et Græcos Sacerdotes habuisse comperimus, S. Ecclesiae Constantinopolitanæ, a qua quia per paganum recesserat, nunc per Christianismum restitujiudicamus. And thus it was decided: *Bulgares — Græcos Sacerdotes — suscipientes, nostros ejiciunt.*

<sup>17</sup> The claims of Rome to the ecclesiastical jurisdiction in Bulgaria, still maintained in *Hadriani II. epist. ad Basilium* (in Append. ad Conc. VIII. Mansi XVI. p. 206), *Johannis VIII. epist. 75, 77, 174, 189, 192*, ad Michaelem Regem Bulgar. 76 ad Petrum Comitem. 78 ad Ignatium Patr. 79 ad Episc. et Clericos Græcos, all in Mansi XVII. p. 62 seq.

<sup>18</sup> *Joh. VIII. epist. 199 ad Basiliūm et Alexandru Imp. 200 ad Clericos Constantinop. 201 ad Photium Patr. 202 ad Constantinopolitanos*, all dated Aug. 16, 879. To Photius he writes: *Quod dicitur autem, s. Constantinopolitanam ecclesiam in te convenire, teque privatam sedem recipere, — de adunatione omnium Deo gratias agimus.* — *Verum super receptione private sedis nos debuimus ante consuli.* Tamen quia obeunte fratre et coëpiscopo nostro Ignatio, te Constantinopolitano throno præsidere audivimus: *tantum ut pax augeatur, et jurgia cesserent, multimodas Deo gratias agimus.* — *Et cum non sit reprehensibilis erga correctum quantacumque miseratio, si satisfaciens coram synodo misericordiam secundum consuetudinem postulaveris, ac si evidenti correctione utaris, et peritiae non oblivisciens nullius damna moliaris,* — *et si — omnes uno voto — in tua restitutione convenerint: veniant pro pace s. Constantinopolitanæ ecclesiae tibi concedimus, etc.* — *Præterea sicut vestra pars suum velle conatur [et :] vires accipere, ita et diœcesim nostram Bulgariam, quam — P. Nicolai certamine sedes apostolica recepit, ac Hadriani — tempore possederat, summa nobis celeritate restitui volumus, etc.*

<sup>19</sup> Afterwards called by the Latins *Pseudosynodus Photiana*. The Acts thereof in Mansi XVII. p. 373 seq. The Greeks succeeded in gaining their ends by flattery and artful management; the letters of the Pope to Basil and Photius were laid before the council in a Greek translation, in which all their rudeness was carefully sunk. The passage given in the last note, for instance, from the letter to Photius, is thus translated: "Ἐγράψας ἡμῖν, ὅτι ἡ ἀγιωτάτη τοῦ Σεοῦ Κωνσταντινουπόλιτῶν ἐκκλησία ἦν σοι συνφέρωντος — καὶ ὅτι τὸν Θρόνον, ὃν ἴστησθεν, ἀπίλαβες,

the decrees of the first, in the year 869, were reversed. But he soon found himself deceived, and no resource was left him but to retract every thing, and condemn Photius.<sup>20</sup> Photius was once more deposed by the emperor Leo the Wise (A. D. 886), though with less reference than before to the coöperation of the church of Rome.<sup>21</sup>

### § 42.

#### LATER CONTROVERSIES TO THE FINAL SEPARATION OF THE TWO CHURCHES.

*Michaelis Cerular. Epistt. II. ad Petrum Patriarch. Antioch. (in J. B. Cotelerii Ecclesiæ Græc. Monum. T. II. p. 135 seq., and p. 162 seq.)*

Ever since the Encyclica of Photius, the Greeks had been growing more and more distrustful of the orthodoxy of the Latin church. On the other hand, the persevering attempts of the popes to get the juris-

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δε οὐκ ἕδιός σου· ὑπὲρ τούτων, λέγω δὲ τῆς ἐκκλησίας καὶ τῆς ἀποκαταστάσιάς σου — θεῷ τὴν εὐχαριστίαν ἐξ ὅλης ψυχῆς καὶ δυνάμεως ἀνεπέμψιμην. — Ἀλλ' αὐτὸς τῇ ἐνούσῃ σοι σοφίᾳ καὶ συνέσει — πάντας μετέχοντας οἰκουμένης πρὸς σὲ, κ. τ. λ. — Διὸ καὶ τὴν σὴν ἀδελφότητα ἀξένουμεν — μὴ ἀπεξώσαις ἐπὶ τῇ συνέδρῳ κηρύξαι τὸ εἰς σὲ τοῦ Θεοῦ ἔλεος, καὶ τὴν βοήθειαν, καὶ τὴν ἀγιωτάτην τῶν Ῥωμαίων ἐκκλησίας τὸν ὑπερευσπομόν, κ. τ. λ. Concerning Bulgaria not a word, but instead thereof interpolated: Τὴν δὲ γενομένην κατὰ τῆς σῆς ἐνλαβείας σύνοδον ἐπὶ τοῖς αὐτοῖς ἡκυρώσουμεν καὶ ἐξωτερικούμενον παντελῶς, καὶ ἀπειβαλόμεθα, διά τε τὰ ἄλλα, καὶ ὅτι ὁ πρὸς ἡμᾶν μακάριος πάπας Ἀδριανὸς οὐχ ἀπέγαψεν εἰς αὐτῆς. — Concerning the demands of the papal legates as to the jurisdiction of Bulgaria: ὁ προὶ ἐνοριαζόντος λόγος τῆς παρούσης διέστηκεν ὑποδίστασις, καὶ καιρὸν ἕδιον ἐπιζητεῖ. Whatever the emperor may decide on the subject, στέγομεν καὶ συνευδοκοῦμεν καὶ ἡμεῖς (p. 420, 434). *Baronius ad ann. 879. no. 73, and Bellarminus de Concil. lib. I. c. 5.* suggest that the whole synod is a fiction of Photius; which suggestion *Leo Allatius de octava synodo Photiana. Rom. 1662. 4to.* and *de Eccles. Occid. et Orient. perpetua consensione. p. 591.* adopts as an undoubted fact. This, however, is refuted by *Johannis VIII. Epist. 250 ad Photium*: Ea, quae pro causa tuae restitutionis synodali decreto Constantinopoli misericorditer acta sunt, recipimus. Et si fortasse nostri legati in eadem synodo contra apostolicam preceptionem egerunt, nos nec recipimus, nec judicamus alicuius existere firmatatis. In like manner *Epist. 251 ad Imperatores* dated Idibus Aug. Indict. XIII. (880).

<sup>20</sup> In an old work on the various condemnations of Photius, Mansi XVI. p. 449: *Iωάννης — ἀνεθμάτισε Φώτιον, ὅτι ἀπετάλαντος τοὺς πειρὶ Εὐγένους διὰ τὴν Βουλγαρίαν ἐλθόντας. Λαζῶν γὰρ τὸ εὐαγγέλιον καὶ ἀνελθὼν ἐν τῷ ἀμβωνὶ, πάντων ἀκούοντων ἔφη· ὃ μὴ ἔχω τὸν Θεοχάριτον ἀναθματιζέντα Φώτιον, ὡς ἀφῆκαν αὐτὸν Νικίλαος καὶ Ἀδριανὸς οἱ ἀγιωτάτοι πάπαι, οἱ προκατόχοι μου, ἵστω ἀνάθεμα.* The Latins continued to count the council of 869 as the oecum. VIII., but the Greeks, for the most part, reckon that of 879 instead. — Of the measures of the later popes against Photius, we have extant only *Stephani V. epist. ad Basiliūm Imp. A. D. 885* (Mansi XVIII. p. 11).

<sup>21</sup> It is true that the emperor and the bishop of Neocæsarea, Stylianus, applied this time too to the Pope (*Epist. ad Stephan. Mansi XVI. p. 425, and XVIII. p. 14*); see *Stephanus epist. ad Episc. Orient. (ib. XVIII. p. 18)*. But after Styliani *Epist. II. ad Steph. A. D. 889* (*ib. XVI. p. 437*), answered by Formosus (*ib. XVI. p. 440, XVIII. p. 101*), and a third letter of his, the answer to which by John IX., is given by *Baronius ad ann. 905, no. 9*, the correspondence was dropped without having had any effect.

diction over Bulgaria, contributed to estrange the two churches; and they would long since have broken off all connexion with each other, but for the efforts of the Greek emperors to prevent such a crisis.—The little communication between them had long been of an entirely hostile character,<sup>1</sup> when, at length, an open warfare was brought on by a letter of Michael Cerularius, patriarch of Constantinople, to John, bishop of Trani in Apulia<sup>2</sup> (A. D. 1053), filled with invectives

<sup>1</sup> e. g. The fourth marriage of the emperor Leo Phil. having been condemned by the patriarch Nicolas Mysticus, it was sanctioned by Pope Sergius III. (904) (cf. Nic. epist. ad Anastasium P. A. D. 912, and ad Joannem X. A. D. 920, Mansi XVIII. p. 243 seq.): Hence arose a division in the Greek church: the *Synod Constant.* of A. D. 920 decided, however, against the Pope (see the Acts Mansi XVIII. p. 331 seq.) cf. *Incerti Continuator.* Leo no. 20, 23 (Scriptt. post Theophanem ed. Combef. p. 228 seq.). *Symeon Logoth.* in Leone no. 12, 17 seq. (ib. 464 seq.) Schlosser's Weltgesch. Bd. 2. Th. 2. S. 226 ff. — Another remarkable passage between the two patriarchs related by *Glaber Radulph.* IV. c. 1: Circa annum igitur Domini MXXIV Constantinopolitanus Praesul cum suo Princepe Basilio, aliquie nonnulli Graecorum consilium inire, quatenus cum consensu Romani Pontificis licet Eccleiam Constantinopolitanam in suo orbe, sicuti Roma in universo, universalem dici et haberi. Qui statim miserunt, qui deferent multa ac diversa donorum xenia Romam, tam Pontifici, quam ceteris. — Ac licet pro tempore philargyria mundi regina queat appellari, in Romanis tamen inexpleble cubile locavit. Mox namque ut videre, Graecorum sibi deferri fulgidas opes, versum est cor illorum ad fraudulentiae diverticula, pertantantes an forte claneulo concedere quiverant, quod petebatur: sed nequaquam. — Dum ergo adhuc leni sub murinure hujuscē machinatores in conciliū sese putarent talia tractavisse, velox fama de ip̄is per universam Italiam deueurrit. Sed qualis tune tumultus, quam vehemens commotio per enotos exstitit, qui audierunt, dici non valet. *Willenlus Abbas Divisionensis S. Benigni* wrote a severe letter of warning to the Pope, closing thus: De cetero quoque optamus, uti universalem deeeet Antistitem, vos aerius in correctione ac disciplina sanctae et Apostolicæ Ecclesie vigere. So also *Hugonis Flarinac. Chron. Viridunense* ad ann. 1024 (Bouquet X. p. 209). — Other, not altogether authentie, accounts of similar correspondence may be found in *Allatii de eccl. occid. et orient. perpet. consens. lib. II. cap. 8.* p. 606 seq. The assertion that from the time of Christophorus the names of the popes were erased from the Diptycha, which we there find, is not quite correct, since as late as John X. at least, it was not the case (Petri Patr. Ant. ep. ad Michael. Cerul. in Cotelerii monum. Eccl. Gr. T. II. p. 148). In the time of Mich. Cerul., however, it had long been so, for he even supposes that it had been done ever since the sixth œcum. council, on account of the behaviour of Vigilius (!) (Ep. ad Petr. Ant. I. c. p. 140), a mistake which Peter corrects in this very passage.

<sup>2</sup> Only extant in Humbert's Latin translation (*Baroniū ad ann. 1053*, no. 22, and *Canis. lecti. ant. ed. Basnage T. III. P. I. p. 281*): Michael universalis Patriarcha novæ Romæ et Leo Archiepiscopus Achridæ Metropolis Bulgarorum dileeto fratri Joanni Tranensi Episc. Dei magna dilectio et jucunda compositionis viscera flexere nos scribere ad tuam Sanetitatem, et per te ad universos principes Sacerdotum et sacerdos Franeorum, et Monachos et populos, et ad ipsum reverendissimum Papam, et memorari de azymis et sabbatis, quæ mystice indecenter custoditis, et communicatis Iudeis. Etenim azyma et sablata ipsi custodire a Moyse jussi sunt; nostrum vero Pascha Christus est. Reference to Matth. xxvi. 17, 18, 29, 26 – 28. — “hic est sanguis meus novi Testamenti.” Dicendo enim “novi” ostendit, quonodo ea, quæ veteris fuerunt Testimenti, cessavere. Aspicite quomodo panem corpus suum sub novo Testamento vocavit. Vos quidem panem, nos ἀρτού dicimus. “Arto” autem interpretatur elevatus et sursum portatus a fermento et sale, calore et elevationem habens. Azymæ autem nihil distant a lapide sine anima, et luto lateris deorsum conjuncte terræ et siccō luto comparatae. — Aut non audistis Jesum dicentem discipulis suis: “Quia vos estis sal terra?” (Matth. v. 13) et “quoniam simile est regnum cœlorum fermento quod accipiens

against the errors of the church of Rome. The emperor Constantine Monomachus used every means in his power to prevent an entire rupture, and succeeded in persuading Pope Leo IX. to enter on the preliminaries of a reconciliation.<sup>3</sup> All his efforts were frustrated, however, by the unreasonable demands of the legates who were sent to Constantinople,\* and the bitterness with which Humbert answered the offensive letter of the patriarch,<sup>4</sup> as well as that of Nicetas Pec-

mulier abscondit in farinae satis tribus," etc. (*Matth. xiii. 33.*) *Mulicrem sanctam Ecclesiam vocat. Satis vero tribus [s.] modiis repletis, Patrem et Filium et Spiritum Sanctum: quorum nequaquam lutulentæ azymæ sunt particeps.* — *Sabbata vero quomodo in Quadragesima Judaice observatis?* Reference to *Math. xii. 1 seq.* *Mare. ii. 27. Joh. ix. 16. Lue. xiii. 15.* — *Et ideo hi, qui Sabbathum cum Azymis custodiunt, neque Judæi neque Christiani sunt, sed similes sunt Leopardi, sicut dicit magnus Basilius, cujus capilli nec nigri sunt, nec albi omnino.* *Quomodo autem et suffocata hi tales comedunt, in quibus sanguis tenetur?* An nescitis, ut omnis animalis sanguis anima ipsius sit, et qui comedenter sanguinem, animam comedit? — *Item Alleluja in Quadragesima non psaltilis, sed semel in Pascha tantummodo, etc.* — *Cur tantam deceptionem horum talium non aspicitis, nec intelligitis, neque corrigitis populos et vosmetipos, sicut qui debent judicari ex his a Deo?* Non derelinquitis quod dicitur, quod hoc Petrus, et Benedictus, et Paulus et cæteri docuerunt? *Decipitis vos ipsos et populum in istis.* Quæ vero scripsi, ea sunt, quæ Petrus et Paulus et cæteri Apostoli et Christus docuit: et sancta Ecclesia Catholica suscepit et custodit religiose. Quæ et vos correcti custodite. *Azymas vero et custodias Sabbatorum projicie misericordia Judæis: similiter et suffocata barbaris gentibus, ut fiamus puri in recta et immaculata fide, et unus grex unius pastoris Christi.* Cujus in cruce divino sanguine inebriati laudamus puri pure Patrem et Filium et Spiritum Sanctum, universa Mosaica legis et ab eo custodita derelinquentes sine Deo Judæis, qui velut cæci perquirentes Christum lumen amiserunt, permanentes in umbra, sicut insipientes perpetuo. Hæc autem homo Dei et multotiens ipse cum populo agnoscens docuisti esse, et correctus scripsisti multis similem consuetudinem habentibus. Et ut habeas salutem animæ tuæ, mitte principibus sacerdotum et sacerdotibus, et adjura, ut per hæc seipso corrigan et Dei populum, ut Dei mercedem in istis habeas. Et si hoc feceris, propono et per secundam scriptiōnem majora et perfectiora his tibi scribere, fidei vera ostensione et firmamento animarum, pro quibus Christus posuit animam suam. A large work of Michael against the Latin church exists in MSS. in the imperial library at Vienna (Lambec. comm. de bibl. Vindob. lib. III. p. 160).

<sup>3</sup> cf. *Leonis IX. Epist. I. et VI. ad Michaelem Constantinop. Patr. Epist. VII. ad Constant. Imp. (Mansi XIX. p. 635 seq.).*

\* Their names in note 6, below.

<sup>4</sup> *Humberti responsio instar dialogi ab ipso latine conscripta — et jussu Imp. Constant. gracie edita sub nominibus Constantinopolitani et Romani (prim. ed. Baronius in Append. T. XI. in *Canisii* lect. ant. ed. Basn. T. III. P. I. p. 283 seq.).* The Constantinopolitan is made to give piece by piece the *Epist.* of *Michael ad Joannem Tranensem*, and is then refuted by the Roman. e. g. in the beginning: *Ex hac vestra præfatione, sicut protimini, erederemus, vos salutem totius Latinae seu Occidentalis ecclesie pro sola magna Dei dilectione querere: si sciremus, vos vestram vestrorumque non negligere.* Cum vero vos ipsos et vobis commissos negligatis, ut nefandos Jacobitas, imo Theopaschitas, seu alias hereticorum pestes, inter vos et penes vos habeatis, neque corum consortia, neque colloquia, neque convivia seu pariter orare devitatis: quomodo saltem suspicabimur, vos aliqua dilectione Dei aut proximi præmonitos compati nostræ perditioni, sicut putatis? etc. — *Ast vos, quasi omnia munda immunda sint vobis, oculis contra vos et vestra elansis, s. Romanam et omnem Occidentalem ecclesiam pollutam hæresi et Judaismo proclamatis, et velut quandam abominationem devitatis.* Ex qua tam cæca et haec tenus inaudita audacia ad hoc prorupistis, ut cunctorum hereticorum, quos adhuc reprehendere valuius, temeritatem transcendatis. *Quamvis omnino singulæ hæreses suis adinventionibus aliqua ecclesiæ membra fatigaverint: nulla tamen adhuc ad tantam vesaniam erupit, ut opinionem suam primæ et Apostolicæ*

toratus, who had also attacked the errors of the Roman church,<sup>5</sup> and been publicly disgraced by the emperor.<sup>6</sup> Michael, supported by the

sedi ingerere præsumisset cum interpositione anathematis. Recensete si placet ab initio Christianitatis usque ad nostra tempora cunctarum hæreseon molimina, et videbitis, an aliqua earum præsumiserit talia. Et cum non inveneritis, saltem tunc resipisci, ne, quod absit, permanecatis viciniores præcursores illius Antichristi, qui adversatur et extollitur supra omne, quod dicitur Deus aut quod colitur. It concludes: Hæc sunt illa majora et perfectiora, ut tanta oblatio imponatur altari, quanta nequeat a ministris, vel a populo sumi, et idecirco debeat subterrari, aut in puteum ad hoc preparatum projici: Hæcne quoque sunt illa majora et perfectiora, ut novus maritus, et recenti carnis voluptate resolutus, et totus marcidus Christi ministret altaribus, et ab ejus immaculato corpore sanctificatas manus confessient ad mulieribus transferat amplexus? Hæcne sunt illa perfectiora, ut mulieribus Christianis in partu vel in menstruo periclitantibus communio denegetur? aut paganis baptismus interdicatur? et parvulus moriturus ante octo dies regeneratio per aquam et Spiritum Sanctum subtrahatur? In quo utique crudeliores Herode, non tantum in corpore, sed et in anima quotidie trucidatis parvolorum innumerabilem populum, et destinatis ad ignem æternum. Numquid etiam inde est, quod homini morituri imaginem affigit crucifixæ imaginis Christi, ita ut quidam Antichristus in cruce Christi sedeat, ostendens se adorandum tamquam sit Deus? Numquid et illud inde est, quod pejus sit, Monachos femoralibus indui et carnis vesici, quam forniciari? Ideone clauditis ecclesiæ Latinorum, et dirigitis scripta per totum orbem, ut ad haec majora et perfectiora pertrahatis omnem Christianum populum? Non sunt haec talia ostensio veræ fiduciæ, sed adiumentum Diaboli. Nec sunt firmamentum, sed destruetio animarum. Pro quibus omnibus et aliis, quos longum est scripto prosequi, erroribus, nisi resipueritis, et digne satisfeceritis, irrevocabile anathema hic et in futuro eritis a Deo et ab omnibus Catholicis, pro quibus Christus animam suam posuit.

<sup>5</sup> *Nicetæ Presb. et Monarchi Monasterii Studii lib. contra Latinos* (Baron. l. c. and *Canis*. l. c. p. 308). This letter refers also to other peculiarities of the Latin church. Quis ille est, qui tradidit vobis, prohibere et abscondere nuptias Sacerdotum? Quis ex doctoribus Ecclesie hanc vobis tradidit pravitatem? Referring to Can. Apost. 5. (Bd. t. S. 234, note 11) and Cone. Sext. can. 13. (Bd. 1. S. 486, note 3.) — Unde igitur volis, et ex quibus hæc horribiles infirmitates superveniunt, o viri Romanorum sapientissimi, et omnium aliarum gentium nobilissimi? Aestimo, quod quidam ex Judæis in tempore Apostolorum credentes, vana luera cupientes, et pecuniarum amatores reperti, volentes multos fidelium abstrahere ex Evangelio — in hoc et Christianitas et Judaismus corrupta sunt. See *Humberti Responsio contra Nicetam* (l. c.) e. g. in the commencement: — Væ tibi, Sarabaita, qui nulla conobitali examinatus disciplina, voluntate atque voluptate ductus propria, contra sanctam et Romanam et Apostolicam Ecclesiam et omnium SS. Patrum concilia horribiliter latrasti, stultior asino, frontem Leonis et murum adamantium frangere tentasti. In quo utique conatu non es victor erroris, sed victus errore: — puer centum annorum maledictus, potius dicendus Epicurus, quam Monachus: nec credendus es degere in monasterio Studii, sed in Amphitheatro aut Lupanari, etc.

<sup>6</sup> *Brevis commemoratione eorum, quæ gesserunt Apocrisarii S. Rom. Sedis in regia urbe* written by Humbert Baron. ann. 1054, no. 19, *Canis*, l. c. p. 325): Anno XI imperii Constantini Monomachi, Ind. VII. ipso die nativitatis b. Joannis Baptiste, advenientibus a Domino Papa Leone IX Apocrisariis s. Romanæ sedis, *Humberto* scilicet Cardinali Episcopo Sylvæ Candidæ, et *Petro* Amalphitanorum Archiepiscopo, *Frederico* quoque Diacono et Cancellario, ad monasterium Studii intra urbem Constantiopolitanam: Niceta Monachus, qui et Pectoratus, ante presentiam præfati Imperatoris et procerum ejus, insistentibus ipsis Nuntiis Romanis, anathematizavit quoddam scriptum sub suo nomine contra sedem Apostolicam et omnem Latinam ecclesiam editum, et prætitulatum: *De azymo, de Sabbatho, de nuptiis Sacerdotum*. Insuper anathematizavit cunctos, qui ipsam s. Ecclesiam Romanam negarent primam omnium Ecclesiarum esse, et qui illius fidem semper orthodoxam præsuinerent in aliquo reprehendere. Post hæc statim in conspectu omnium, ad suggestionem eorundem Nuntiorum Romanorum, jussit idem ortho-

populace and the clergy, would not yield, and on the 16th July, 1054, the legates laid upon the altar of St. Sophia<sup>7</sup> an act of excommuni-

doxus Imperator præfatum incendi scriptum, sieque fuit discessum. Sequenti autem die prædictus Niceta urbe est egressus, ulti adiit legatos ipsos intra palatium Pigi. A quibus accepis perfectam suarum propositionum solutionem, iterum sponte anathematizavit omnia dicta et facta vel tentata adversus primam et Apo-tolicam sedem. Sic ab eis in communionem receptus, effectus est eorum familiaris amicus. Porro dicta vel scripta eorundem Nuntiorum adversus diversas columnas Gracorum, et maxime contra scripta Michaëlis Constantinopolitani Episcopi, et Leonis Aceridani Metropolitani Episcopi, et saepedicti Nicetæ Monachi, iussu Imperatoris in Græcum fuere translatæ, et in eadem urbe haec tenus conservata.

<sup>7</sup> The *Brevi communia*, continues: Tandem Michael præsentiam eorundem et colloquio devitante atque in stultitia sua perseverante, præfati nuntii XVII Cal. Aug. adierunt Ecclesiam s. Sophiae, et super obstinatione illius conquesti, Clero ex more ad Missas præparato, jam hora tertia, die Sabbathi, chartam excommunicationis super principale Altare posuerunt sub oculis Cleri et Populi. Inde mox egressi, etiam pulvrem pedum suorum excusserunt in testimonium illis, dictum Evangelii proclamantes: “Videat Deus et judicet.” (*Michael epist. I. ad Petr. Ant.* concedes, after much complaint of the presumption of the legates: ἡμεῖς μὲν τὴν αὐτῶν συντυχίαν παρηπούμεθα καὶ τὴν ἔπειταν· διά τε τὸ ἀμετάδετως ἔχειν αὐτὸὺς τῆς δυσσεβίας πεπίσθαι· καὶ ὅτι ἄνευ τῆς σῆς μακαρούπτους καὶ τῶν ἄλλων ἀγωνιστῶν πατριαρχῶν, περὶ τοιούτων λόγους πρὸς τοὺς ποτοπηροτὰς τῆς Πάμφιλου ἀνακινεῖν, καὶ ἀνάξιον ὄντας, καὶ τῇ κατὰ τοὺς ἄνω χρέοντος ἐν τοῖς τοιούτοις κραυγασθησαντίον καὶ ἀκατάλληλον ἴνεργοντα.) Hinc ordinatis Ecclesiis Latinorum intra ipsam Constantinopolim, et anathemate dato cunctis, qui deinceps communicarent ex manu Graci Romanum sacrificium vituperantis, in osculo pacis accepta Orthodoxi Imperatoris licentia domisque Imperialibus s. Petro et sibi, alaeres cœpere reverti XV Cal. Augusti; sed nimia instantia precum Michaëlis, spondentis tunc demum, se conflicturum cum eis, imperator compulsa a Solembria litteris suis eos revocavit XIII Cal. Augusti. Quo etiam die festinantes regressi devenerunt ad palatum Pigi. Quos præfatus Michaël Haresiarcha comperiens redisse, quasi ad Concilium conabatur adducere in ecclesiam s. Sophiae, sequenti die, ut ostensa charta, quam omnino corruperat transferendo, obrerentur ibidem a populo. Quod prudens Imperator præcavens noluit haberi aliquod Concilium, nisi et ipse adasset præsens. Cumque hoc ei omnimodis Michaël contradiceret, jussit Augustus ipsos nuntios confessim arripere iter. Quod et factum est. (On the other hand *Michael*, I. c. says that there was no intention of punishing their boldness, but nevertheless: τοὺς τὴν ἀσβήτη κατὰ τῶν ὁρθοδόξων ἐκδεμένους γραφῖν, προστάξει βασιλικῆ, ἐν τῷ μηγάλῳ σκηνέτῳ ὑπεβάλλομεν ἀναδέμαται· πολλὰ μὲν μετὰ τὴν τῆς γραφῆς ταῦτας ὑπόθεσιν, περὶ τοῦ εἰς ὅψιν ἥμιν ἐλθεῖν, καὶ τοῖς τε ἀλλοις τῶν ἐν αὐτῇ, καὶ τῇ διασποροφῇ τοῦ ἀγίου συμβόλου ἀποτέλλεσθαι παρανίσσαντες· ὡς δὲ οὖς ἡνείχοντο, ἀλλὰ καὶ διαχειρίσθαι ἵαντον, εἰ μὴ παύσονται περὶ τούτου ὄχλοιςμενοι, διπείγουν, εἰς τὸ κατὰ τῆς αὐτῶν βλασφημίας συνειδόμενοι χωρίσσαι ἀναθέματα.) Porro vesanus Michaël dolens suas non procedere insidias, concitat Imperator vulgi seditiōnē maximā, velut Nuntii coöperare fuerit ejus voluntas. Unde Imperator coactus, interpres Latinorum, Paulum ac filium ejus Simaragdum, caesos et detonsos Michaëli tradidit: sieque tumultus ille conquevit. Verum Imperator post Nuntios Romanos directis suis, exemplar excommunicationis verissimum a civitate Russorum remissum sibi aeccepit, civibusque exhibuit, ae tandem Michaëlem falsasse chartam legatorum comperit atque convieit. Itaque commotus amicos et affines ipsius honoribus privatos a palatos eliminavit, contraquæ ipsum usque nunc graves iras retinuit. Denique *exemplar chartæ excommunicatoriæ* est tale: *Humbertus, — Petrus, — Fridesericus — omnibus Catholicae Ecclesie filiis: Sancta Romana prima et Apostolica sedes — nos Apocrisarios suos facere dignata est, ut juxta quod scriptum est, descenderemus et videremus, utrum opere completus sit clamor; qui sine intermissione ex tanta urbe consecedit ad ejus aures.* — Quantum ad columnas Imperii, et honoratos ejus, atque cives sapientes, christianissima et orthodoxa est civitas. Quantum autem ad Michaëlem abusive dictum Patriarcham, et ejus stultitiae fautores, nimia zizania hæreseon quotidie seminantur in medio ejus. Quia siue

cation against him, which was immediately answered by the patriarch.<sup>8</sup> The other patriarchs of the Eastern church joined with the patriarch of Constantinople,<sup>9</sup> and the two churches were thus finally separated.<sup>10</sup>

Simoniaci donum Dei vendunt: sicut Valesii hospites suos castrant, et non solum ad Clericatam sed insuper ad Episcopatum promovent: sicut Arriani rebaptizant in nomine s. Trinitatis baptizatos, et maxime Latinos: sicut Donatista affirmant, excepta Gracorum ecclesia, ecclesiam Christi et verum sacrificium atque baptismum ex toto mundo peritisse: sicut Nicolaita carnales nuptias concedunt et defendant sacri Altaris ministris: sicut Severiani maledictam dicunt legem Mosis: sicut Pneumatomachi vel Theomachi absciderunt a symbolo Spiritus sancti processio nem a Filio: sicut Manichaei inter alia quodlibet fermentatum fatentur animatum esse: sicut Nazareni carnalem Judaeorum munditiam adeo servant, ut parvulos morientes ante octavum a nativitate diem baptizari contradicant, et mulieres in menstruo vel in partu periclitantes communicari, vel si paganae fuerint, baptizari prohibeant, et capillos capitum ac barba nutrientes, eos qui comant tendent, et secundum institutionem Rom. Ecclesia barbas radunt, in communione non recipiant. — Therefore: Michael — et Leo Acrianus Episcopus dictus, et saecularius ipsius Michaelis Constantinus, qui Latinorum sacrificium profanis conculeavit pedibus, et omnes sequaces eorum in prefatis erroribus et præsumptionibus, sint Anathema Maranatha, cum Simoniaci, Valesiis, etc. et cum omnibus haereticis, immo eum Diabolo et Angelis ejus, nisi forte resipuerint. Amen, amen, amen.

<sup>8</sup> At a synod summoned by Michael in the same month of July, 1054, (see in Allatii de libris ecclesiasticis Graecorum diss. II. Paris. 1645. 4to. p. 161. Instead of *μηνὶ Ιουνίῳ Ἰδούτ.* ζ. it should be *Ιουλίῳ* as on p. 170). The edict declares that those legates were *ταῖς παρὰ τοῦ Ἀργυροῦ* (a Greek duke in Lower Italy) *δολερᾶς ὑποθήκαις καὶ συμβολᾶς*, *αὐτῷ τε ἀφ' ἵσταν ἀφικόμενοι, καὶ μήτε παρὰ τοῦ Πάπα ἀποσταλέντες.* ἀλλὰ καὶ τὰ γεάμματα, ἢ ἡς ἀπ' ἱερίου δῆθεν ἐπιφέροντο, *πλασμάτευον.* This was proved, namely, by the false seal. Having departed immediately after their daring act, the emperor, at the instance of the patriarchs, had sent to bring them back, but οὐ βούλενται δὲ τῇ ἡμέρᾳ μετριόττη προσελθεῖν, ἢ τῇ ιερῇ καὶ μεγάλῃ συνόδῳ εἰς ὄψιν ἐλθεῖν, καὶ ἀπόχρονι τινα δούναι, περὶ ᾧ ἀσεβῶν ἀπηρεύεντο — αἰσθοῦται δὲ θανεῖν μᾶλλον, ἢ εἰς ὄψιν ἡμῶν καὶ τῇ συνόδῳ ἐλθεῖν. According to a letter of the emperor here inserted, he was entirely on the side of the patriarchs, and only withheld from violent measures against the legates διὰ τὸ δοκοῦν περιεῖσθαι τούτους τῆς προσβείας ὄφελον. The conclusion is that on the 24th July ἐπ' ἀκροδοτεῖ ποὺ πλήθους ἀναθεματισθένται τὸ αὐτὸν ἀστεῖος καὶ αὐτίς ἔγγραφον. πρὸς δὲ καὶ τοὺς τοῦτο ἐκθεμένους καὶ γράψαντας, καὶ συναίνεσιν τινα, ἢ βούλην εἰς τὴν τούτου ποίου διδωκότας, τὸ δὲ πρωτότυπον τοῦ ῥίψεως παρὰ τῶν δυστεῖων ἀνοσίου ἔγγραφον καὶ μισαζοῦ [οὐ] κατεκαΐδη, ἀλλ᾽ ἐν τῷ εὐαγγεῖ τοῦ χαρτοφύλακος ἀπετίη σκερέτη εἰς ἔλυγχον δινεκτὴ τῶν τηλικαῦτα τοῦ Θεοῦ ἡμῶν βλασφημούσαντα.

<sup>9</sup> cf. Michaelis Epist. I. ad Petrum Antioch. in which is an account of the whole affair, and also of the errors of the Latin church. To those already recounted the following are now added: εἰν τῇ λειτουργίᾳ κατὰ τὸν καιρὸν τῆς μεταλήψεως εἰς τῶν λειτουργούντων ἰσθίων τὰ ἄλυμα τοὺς λοιποὺς ἀσπαζόταις (see above, S. 107, note 7), καὶ δακτυλίους φορεῦντες εἰν ταῖς χερσὶν οἱ ἐπίσκοποι, ἡς δῆθεν γυναικας τὰς ἐκκλησίας λαμβάνοντες, τὸν ἀρραβώνα φορεῖν λίγους (see § 18, note 7). καὶ εἰς πολέμους δὲ ἔριντες, ἀλμασοὶ τὰς ἵσταντας χεῖρας κεράνονται (see § 24, note 6) — ἡς δὲ τινες ἡμᾶς κιεβεβαιώσαντο, καὶ τὸ θεῖον βαπτισματικότελοντες, τοὺς βαπτιζομένους βαπτίζουσι εἰς μίαν κατάδυσιν (this was in fact customary in Spain. See Gregor. Magni lib. t. epist. 41. Cone. Tolet. IV. ann. 633, can. 6, condemned by Alcuin, epist. 70, defended by Walafrid Strabo de reb. eccl. c. 26) — ἀλλὰ καὶ ἀλλατος πρὸς τοῦτο τὰ τῶν βαπτιζομένων πληροῦσι στόματα. — 1 Cor. v. 6. Gal. v. 9, instead of *Μικρὰ ζύμη ὅλον τὸ φύραμα ζυμοῖ* they read φθείρει (Vulg. has corrupit) in order to defend their use of unleavened bread. Ἀλλ' οὐδὲ τὰ λείφαντα τῶν ἀγίων ἀνέχονται προσκυνεῖν τινὲς δὲ αὐτῶν οὐδὲ τὰς ἀγίας εἰκόνας (see above, S. 68 ff.). οὐτε μὴν τῶν ἀγίων καὶ μεγάλους πατέρας ἡμῶν — τὸν τε Θεολόγον φημι Γενγόριον καὶ τὸν μίγαν Βασίλειον καὶ τὸν Θεον Χρυσόστομον τοῖς λοιποῖς συναριθμοῦσιν ἀγίοις, ἢ ὅλως τὴν διδαχὴν αὐτῶν καταδίχονται.

## II. INTERNAL RELATIONS OF THE GREEK CHURCH.

## § 43.

The Greek church still continued (see § 2) to be hindered from all true inward development by its dependence upon the cabals and changes of the court.<sup>1</sup> As to learning, some valuable theological compilations were made under the emperors Basil (A. D. 867 — 886), Leo philosophus († A. D. 912), Alexander († A. D. 913), and Con-

The judgment of Peter, patriarch of Antioch, concerning this controversy, in his answer to Michael (Cotelerius, l. c. p. 145 seq.) is much more sensible and rational : p. 149 : ὅσα δι σοι καὶ ἀποφέμεναι Ρωμαῖκα ἐλαττώμενα μετάλθομεν καὶ τὰ μὲν τούτων ἔδεις ἀπινεκτίαν καὶ φυκτά, τὰ δὲ λαϊσμα, τὰ δὲ παροράστων ἔξια. τι γὰρ πρὸς ἡμᾶς τὸ ἔντασθαι τοῦ ἀρχιερεῖς τοὺς πάγωνας, καὶ δακτυλοφορῖν αὐτούς, κ. τ. λ. — p. 152 : κακὸν δὲ καὶ κακῶν κάπιστον, ἢ ἐν τῷ ἀγίῳ συμβόλῳ προσθέκη. p. 153 : ἀλλ᾽ ὡς ἔοικεν ἀστάλεσσον Ρωμαῖοι τὰ ἀντίγραφα τῆς Νικαία πρώτης συνέδου, σια τῆς Ρώμης ἐπὶ πολὺ τοῦ τῶν Οἰναδάλων ἔθνους κυριερχήσαντος· παρ᾽ ἄν ἵσται καὶ ἔμαδον ἀρμενίζειν, καὶ εἰς μίαν κατάδουσιν, εἰ τοῦτο ἀληθές, ὡς ἔοιλατας, τῷ βάπτισμα ἐπιτελεῖν. p. 154 : Καλὸν γὰρ πρὸς τὸ καλοθεὶλες ὄρωντας ἡμᾶς, καὶ μᾶλλον ἔνθα μὴ θίος ἡ πίστις τὸ κινδυνεύμενον, νεύειν δὲ πρὸς τὸ εἰρηνικὸν τε καὶ φιλάδελφον. ἀδελφοὶ γὰρ καὶ ἡμῶν οὗτοι, καὶ τῇ ἀγροκίας ἡ ἀμαδίας συμβιαίη τούτους πολλάκις ἐπίτεται τοῦ εἰκότος, τῷ ἰστατῶ στοιχεῖντας Θελήματι· καὶ μὴ ποταύτην ἀνορίζειν ἐπιζητεῖν ἐν βαρβάροις ἔθνοις, ἢ αὐτοὶ περὶ λόγους ἀνατρεφόμενοι ἀπιτούμεθα. p. 155 : Περὶ γὰρ τῆς ἐν τῷ ἀγίῳ συμβόλῳ προσθέκης, καὶ τοῦ μὴ κοινωνεῖν αὐτούς τῶν ἀγιασμάτων ἀπὸ γεγαμηκητῶν ἱερέων, καλῶς καὶ θεοφιλῶς ἡ ἀγιώσιν τοῦ ἑνοταταί· καὶ μὴ πανύστοι ποτε περὶ τούτου ἑνοταμένην καὶ πειθόσα — μίχης ἀν αὐτῶν ἔξις συντιθεμένους τῇ ἀληθείᾳ· — τὰ δὲ ἄλλα περιφροντία μη εἶναι δοκεῖ, τοῦ τῆς ἀληθείας λόγου μηδὲν ἐξ αὐτῶν καταβλαπτομένου.

<sup>10</sup> The views of the Greeks of the highest rank in the hierarchy may be seen from Petri Antioch. epist. ad Dominicum Archiep. Gradensem (in Cotelerii mon. Ecol. Gr. T. II. p. 114) : σύντετον ὅτι τῷ πόσῳ ωρᾷ ὅπο τῆς θείας ἀκονομήθη χάροτος εἶναι πατριάρχας — ἀλλ᾽ οὐδὲ τούτῳ ἐκαστος κυρίως πατριάρχης καλεῖται· καταχρηστικῶς δέ. ἀνακηρύγτονται δὲ, δὲ μὲν ἀρχιερεῖς τῆς Ἄρμης Πάπας, δὲ δὲ Κανταντινοπόλεως, Ἀρχιεπίσκοπος ὃ δὲ Αλεξανδρεῖς Πάπας, καὶ δὲ τῶν Ιεροσολύμων Ἀρχιεπίσκοπος· μόνος δὲ ὁ Αντιοχείας ἰδιαίτερος ἐκληρούτης Πατριαρχής ἀκούειν καὶ λέγεται. — τὸ σῶμα τοῦ ἀνθρώπου ὅπο μίας ἀγεταί κεφαλῆς, ἣν αὐτῷ δὲ μίαν πολλάκις πάντα ὅπο πέντε μόνον οἰκονομεῖται αἰσθήσεων — καὶ τὸ σῶμα δὲ πάλιν τοῦ Χριστοῦ, ἡ τῶν πιστῶν λέγων ἐκκλησία — ὅπο πέντε αἰσθήσεων οἰκονομούμενον, τῶν τεμημένων μεγάλων θρόνων, ὅπο μίας ἀγεταί κεφαλῆς, αὐτοῦ φημὲ τοῦ Χριστοῦ. The same comparison is made use of by Nilus Doxopatrinus in his τάξις τῶν Πατριαρχικῶν θρόνων written in the year 1143 (in Steph. le Moyne varia Saera ed. 2. Lugd. Bat. 1694. T. I. p. 211 seq.). Afterwards, p. 242: Ορᾶς δύτως ἀπὸ τοῦ παρόντος κανόνος (Can. Chalced. 28. see Bd. I. S. 340) προφανῶς ἐλέγχονται ληροῦντες οἱ λέγοντες προτιμηθῆναι την Τάμην διὰ τὸν ἄγιον Πάπερον. Ἰδού γὰρ, προφανῶς ὁ κανὼν αὐτούς — φησι “διὰ τὸ εἶναι την Τάμην βασιλείαν, ἔχειν τὴν προτιμην.” — ἐπεὶ δὲ ἐπιστοθή τὸ εἶναι βασίλισσου — ἐκπεισοῦσα τὴν βασιλείας ἐκείνης, ἐπίπτει καὶ τῶν πρωτείων. p. 245: διὸ καὶ δὲ Πατριάρχης Κανταντινοπόλεως ὑπογράφει Ἀρχιεπίσκοπος Νέας Ρώμης καὶ οἰκουμενικὸς Πατριάρχης· ἐπεὶ γὰρ ἔλαβε τὰ πρεσβεῖα καὶ τὰ πρενόμια τῆς Τάμης· βασιλίσσα γὰρ ἡ Τάμην ἢ τῆς οἰκουμένης πρότερον, εἴτα πάλιν ὕστερον ἡ Κανταντινούπολις (cf. Nicol. I. Ep. LX. ad Hinemir. above, § 41, note 6). This is also the view of the modern Greek church, see M. Hanke de Byzantinar. rerum scriptt. Graecis, P. I. e. IS. p. 298.

<sup>1</sup> The new civil law of Basil and Leo (βασιλικὰ διατάξεις or βασιλικὰ in sixty books), comprised, like the former one, the ecclesiastical relations. So too the 113 novelle constitutiones or ἐπανορθωτικαὶ καθάρσεις of Leo (see Corpus juris civilis ed. Spangenberg T. II. p. 673 seq.) and the διατάξεις of his successors (ibid. p. 773 seq.).

stantine Porphyrogenitus († A. D. 959),<sup>2</sup> but nothing original produced. The most learned theologian of the time was *Photius* († about the year 891).<sup>3</sup> *Simon Metaphrastes* (about the year 900)<sup>4</sup> devoted himself to the history of the Saints, *Eutychius*, patriarch of Alexandria († A. D. 940),<sup>5</sup> to general history, *Ecumenius*, bishop of Tricca (about the year 990),<sup>6</sup> *Theophylact*, archbishop of Achrida (about the year 1078),<sup>7</sup> and *Euthymius Zigabenus* († after the year 1118),<sup>8</sup> to critical studies.

## III. SPREAD OF CHRISTIANITY.

## § 44.

Besides the Chazari<sup>1</sup> and the Bulgarians,<sup>2</sup> converted by the Greek monks, Constantine and Methodius, the Russians also were converted by agents of the church of Constantinople. The grand duchess Olga was baptized in the year 955,<sup>3</sup> though it was not till the conversion of her grandson Vladimir (A. D. 988), that Christianity

<sup>2</sup> Hereen's Gesch. d. class. Literatur im Mittelalter Th. I. (Histor. Werke Th. 4.) S. 138 ff.

<sup>3</sup> His works are *Μυριόβιβλον* s. Bibliotheca (prim. græc. ed. *Dav. Hæschelius*. August. Vind. 1601. fol. gr. et lat. *Indr. Schott* Genev. 1613, and Rothom. 1653. fol. ex rec. *Inn. Bekkeri*. Berol. 1824. T. II. 4to.) — *Νομοκανὼν* in Titt. XIV. (eum comm. Theod. Balsamonis in *H. Justelli* biblioth. juris. can. vet. T. II. p. 785 seq.). — *Διάγνωσις περὶ τῶν νοφάντων Μανιχαίων ἀναβλαστήσις* libb. IV. (see p. 12). — Epitola ed. *Rich. Montacutius* Lond. 1651. fol. — Theol. essays. — Of his critical writings, none of which are published, the most remarkable are the commentarius in Pauli Epist. (Ms. in Cambridge) and *τὰ Αμφιλόχια* (Ms. in the Vatican, at Munich, and elsewhere).

<sup>4</sup> He has left 122 vita sanctorum. Many more are spuriously ascribed to him (see Leo Allatii diatr. de Simeonum scriptis, p. 121). Latin in *Surius*, Greek and Latin in the *Actis SS. Antwerp.* Only a part printed.

<sup>5</sup> By him we have the *contextio Gemmarum s. Annales ab orbe cond. ad annum usque 940.* An extract therefrom *Origines Alexandrinæ* ed. *J. Seldenus*. Lond. 1642. 4to. The whole ed. *E. Porockins*. Oxon. 1659. 4to.

<sup>6</sup> Comm. in *Acta Apost. Epist. Pauli* et *Epist. catholicae* ed. *Frid. Morellus*. Paris. 1631. T. II. fol. cf. *Rich. Simon hist. crit. des principaux Commentateurs du N. T. c. 32*, p. 460.

<sup>7</sup> Comm. in *XII minores Proph.* in *IV Evang.* in *Acta Apost. et Epist. Pauli*. — *Epistolæ* — *Argumenta adv. Latinos* and *Allocutio de iis, in quibus Latini incusantur, etc.* *Opp. edd. Finetti, de Rubcis et al.* Venet. 1755 seq. voll. IV. fol. (comp. *Ernesti theol. Bibl. Bd. 5. S. 771 ff.*)

<sup>8</sup> Comm. in *Psalmos* (in *Theophyl. opp. ed.* Venet.) — Comm. in *IV. Evang.* ed. *Ch. F. Matthæi*. Lips. 1792. T. III. Svo. — *Panoplia* adv. omnes hæreses (lat. *Lugd. 1556. 8vo.* and græc. *Tergovista in Walachia. 1710. fol.*, Appendix *Victoria de Massalianorum secta* (in *Tollii insignia itin.* Ital. p. 106, and in *Gallandius XIV. p. 293*).

<sup>1</sup> Converted by Constantine (Cyril) see § 38, note 3.

<sup>2</sup> See § 41.

<sup>3</sup> Nestor in Schlözer's transl. Th. 5. S. 58 ff. (see especially Schlözer's comm. thereon) *Zonaras* lib. XVI. c. 21. ed. Paris. p. 194. *Cedrenus*, p. 636, where she is called *Ελγε*. Karamsin's Gesch. des Russ. Reichs, translated into German by F. v. Hauenschild (Riga. 1820 ff. 5 Bde.) Bd. I. S. 136 ff.

was widely spread in the nation.<sup>4</sup> Under his successors, Jaroslaus (A. D. 1019—1054),<sup>5</sup> and Isæslaus (A. D. 1054—1077) it was fairly established as the religion of the land. During the reign of this last the celebrated convent of Kiev was founded by Antony,<sup>6</sup> soon after the residence of the first Russian annalist Nestor.<sup>7</sup>

## CHAPTER THIRD.

### HISTORY OF HERESIES.

#### § 45.

##### PAULICIANS IN THE EAST (COMP. § 3).

The Paulicians, after having long been the terror of the Roman border provinces, were at length humbled by Basil the Macedonian, who destroyed their city Tephrike (A. D. 871),<sup>1</sup> but could not wholly subdue them. At last a great part of them were removed by John Tzimisces to the neighbourhood of Philippolis in Thrace, on the borders of the empire (A. D. 970), where they were allowed entire religious freedom,<sup>2</sup> and no doubt gained many converts.<sup>3</sup>

<sup>4</sup> According to Nestor's account. See Karamsin, l. c. S. 168 seq. Strahl in Drey, Herbst, &c. theol. Quartalschrift. Jahrg. 1823. Heft. 3. S. 420 ff.

<sup>5</sup> Karamsin, Bd. 2. S. 21, 28.

<sup>6</sup> Karamsin, Bd. 2. S. 71.

<sup>7</sup> Vid. Nestor's Annalen mit Uebers. u. Ann. v. A. L. v. Schröder. Göttingen. 1802—1809. 5 Th. Svo. (This ed. reaches, unfortunately, only to the beginning of Vladimir's reign.) Concerning Nestor, see Schröder, Th. 1. S. 3 ff., of his Annals ibid. S. 19. Th. 5. S. 4 Ann. They reach to the year 1110. Schröder, Th. 1. S. 15. Karamsin, Bd. 2. Ann. S. 61.

<sup>1</sup> cf. Jos. *Genesii* [about 940] chronicon p. 67 seq. ed. Venet. Constant. *Porphyrog.* in vita Basil. p. 166 seq. ed. Paris.

<sup>2</sup> *Zonaras* lib. XVII. p. 209, ed. Paris. A full account of this by *Anna Comnena* [1148] in Alexiade lib. XIV. p. 450 seq. ed. Paris, especially p. 450: 'Ο δὲ Τζιμισκῆς Ἰωάννης τοὺς ἐκ Μανιχαῖος αἰρέσεως ἀντιμάχους ἡμῖν ποιησάμενος συμμάχους, κατά γε τὰ ὅπλα, ἀγνομάχους δυνάμεις τοῖς νομάσι τούτοις Σκύβαις ἀντίστοις, καὶ τὸ ἵντεῦθεν ἀπὸ τῶν πλειόνων καταδρομῶν ἀνετνευσε τὰ τῶν πόλεων. Οἱ μέντοι Μανιχαῖοι φύσει ὄντες ἐλεύθεροι καὶ ἀνυπότατοι, τὸ εἰωθός ἐποιουν, καὶ εἰς τὴν φύσιν ἀνίκαμπτον. Πᾶσα γὰρ ἡ Φιλιππούπολις, πλὴν ὀλίγων, ὄπτων Μανιχαίου, τῶν τε ἀντότι Χριστιανῶν ἴτυράννουν, καὶ τὰ τούτων διηγπάζον, μικρὰ φροντίζοντες ἢ οὐδὲν τῶν ἀποστελλομένων παρὰ βασιλέως. Ήδέναν τοίνυν, καὶ τὰ κύκλῳ Φιλιππούπολεως πάρτα ἥσαν αἰρετικοί. Συνιεσθαλεῖ δὲ καὶ τούτοις ἔτρος ποταμὸς δ τῶν Ἀγριεών ἀλμυρός, καὶ ἀλλος ἀπὸ τῶν θολεφωτάτων πηγῶν Ἰακώουν, καὶ ἦν, ὡς οὕτω γε φάναι, κακῶν ἀπάντων μυσγάγκεια. Καὶ τὰ μὲν δόγματα διεφάνουν, συνεφάνουν δὲ ταῖς ἀποστολίαις οἱ ἄλλοι τοῖς Μανιχαίοις.

<sup>3</sup> That they were not backward in their efforts so to do, is made evident in *Petri Siculi* dedication of his history (see above, § 3.) to the Archb. of Bulgaria: *Tribucie igitur legationis obeunda causa apud Paulicianos diu moratus (A. D. 870)—ab ipsiis meti impii et delirantibus cognovi, quod e suo conciliabulo missuri essent, qui in Bulgaria quoscunque possent a Catholica religione ad suam exsecrataam et nefariam sectam avtererent.—Amant enim hoc impii sapennumero factitare, ut omnem moveant fumem, nullumque recusent periculum, quo damnatarum opinacionum suarum pestem, quibuscumque possint, infundant.*

## § 46.

## MANICHÆANS IN THE WEST.

H. Schmid der Mysticismus des Mittelalters in seiner Entstehungs-periode dargestellt, Jena. 1824. 8vo. S. 387 ff.

Connected, perhaps, with these Paulicians, were the heretics, who, originating in Italy, had from the beginning of the eleventh century been spreading themselves through the West,<sup>1</sup> differing indeed from each other in some particulars, but alike in their general characteristics, and especially in their contempt for the reigning powers in the church. By their contemporaries they were called Manicheans.<sup>2</sup> Though occasionally outbreaks of a similar spirit may be traced in earlier years,<sup>3</sup> the first Manicheans were discovered in

<sup>1</sup> The most common view of the origin of these Western sects is that given by *Muratori Antiquit. medii avi T. V.* p. 83 seq., and adopted by Mosheim, *Instit. hist. eccl.* p. 463. Gibbon, *Decline and Fall of the Roman Empire*, which supposes them to have sprung from the sect of the Paulicians; though Neander may perhaps have gone a little too far in supposing (*Denkwürdigkeiten Bd. 3. Heft. 2.*) that the heretics opposed by Boniface were remnants of the Gnostics or Paulicians. The origin of the new Manicheans from the Paulicians seems to be confirmed by *Evervini, Epist. ad Bernardum A. D. 1146.* (See below, Div. 2. § 85. note 9.) “*Illi vero, qui combusisti sunt, dixerunt nobis in defensione sua, hanc hæresin usque ad hæc tempora occultatam fuisse a temporibus martyrum, et permansisse in Gracia et quibusdam aliis terris.*” So also *Reincrius* (†1259) *Summa de Catharis et Leonistis in Martene thesaur.* Aneidot. T. V. p. 1767. Further it is to be observed, that in the 13th century the common name of these heretics was Bulgari, Bulgri, Begri, in French, Bougres. Vid. *Monachus Antissidorus, Albeucus, and Matthæus Paris.* Still it is to be observed that at the first appearance of this sect, it was supposed to come from Italy, and not till long afterwards from Greece and Bulgaria. It is very easy to imagine that through the crusades, the Western Manicheans became acquainted with the Paulicians, and on account of the similarity of opinion, became almost one with them. It is very plain that the new Manicheans differed in several important points from the Paulicians, and more nearly resembled the old Manicheans. At the same time there were important points of difference between them and the old Manicheans. Comp. *Ekberti adv. Catharos. sermo. I.* in fine (A. D. 1163, see below, Div. 2. § 85 note 10): *Produnt autem semetipsos quod sint de errore Manichæi, in eo, quod dicere solent, quod b. Angustinus prodiderit secreta eorum.*

<sup>2</sup> First by Ademar, see note 4.

<sup>3</sup> *Glab. Radulph. lib. II. c. 11,* relates of a certain Lentardus, in a village called Vertus in pago Catalaunico, A. D. 1000: Moved by a dream he had in the field, he came home dimittens uxorem, quasi ex præcepto Evangelico fecit divortium: egressus autem velut oratus intrans Ecclesiam, arripiensque crucem et Salvatoris imaginem contrivit. Those who saw him thought him insane, but he maintained, universa hæc patrare ex mirabili Dei revelatione. He taught, decimas dare esse omnimodis superfluum et inane, — Prophetas ex parte narrasse utilia, ex parte non credenda. In opposing a bishop however ceperit — de Scripturis sacris testimonia sibi assumere. — In brevi ad se traxit partem non modicam vulgi. At last semet putoe peritrus immersit. — Cap. 12. History of a certain Grammaticus Bilgardus, who cœpit multa turgide docere fidei sacræ contraria, dictaque Poetarum per omnia credenda esse asserebat. He was executed. Plures etiam per Italiani tunc hujus pestiferi dogmatis sunt reperti, qui et ipsi aut gladiis aut incendiis perierunt. Ex Sardinia quoque insula, *quaæ his plurimum abundare solet*, ipso tempore aliqui egressi, partem populi in Hispania corruptentes, et ipsi a viris Catholicis exterminati sunt. In Sardinia paganismi sustained itself till very late. (Vol. I. § 86.)

the year 1022 in Aquitain and Orleans,<sup>4</sup> in Arras (A. D. 1025),<sup>5</sup> in

<sup>4</sup> Three accounts by contemporaries: *Ademuri* (Monk in Angouleme about 1029) *Chronie*. (ed. Ph. Labbeus in *nova bibl. Manuscriptt. T. II.*, p. 176 and in *Bouquet X.* p. 154 seq.) he alone relates *Pauco post tempore (after 1018) per Aquitaniam exorti sunt Manichaei, seduceentes plebem, negantes baptismum sanctum et crucis virtutem, et quidquid sanae doctrinae est: abstinentes a cibis quasi Monachi, et castitatem simulantes, sed inter scipos luxuriam omnem exercentes.* Then p. 159 the discovery and burning of ten canonici in Orleans, A. D. 1022, not 1017 (see A. Pagi ad ann. 1017, no. 1), concerning which see also *Glaber Rad. III. c. 8.* (*Bouq. X.* p. 35) and *Gesta Syn. Aurelianensis a. 1017* (1022 in *d'Achery Spicil. T. I.* p. 604 seq. *Mansi XIX.* p. 376). — *Glaber Rad.*: Fertur a muliere quadam ex Italia procedente hæc insanissima hæresis (he says of it before: diutius occulte germinata) in Galliis habuisse exordium, quæ — seducebat quosecumque volebat, non solum idiotas et simplices, verum etiam plerosque, qui videbantur doctiores in Clericorum ordine. *Ademarus*: those Canonici, qui videbantur aliis religiosiores, were decepti a quodam Rustico Petragoriensi. Their doctrines are probably least misrepresented in the account given of them in the *Gesta Syn. Aur.*, though even this is only from the testimony of a learner, named Arefastus. He was taught by the two heads of the sect, Stephanus and Lisius: Christum de virgine Maria non esse natum, neque pro hominibus passum, nec vere in sepulcro positum, nec a mortuis resurrexisse, — in baptismo nullam esse scelerum ablutionem: neque sacramentum corporis et sanguinis Christi [effici] in consecratione sacerdotis. Sanetos Martyres atque confessores implorare pro nihilo duebant. They thus addressed him: Tractandus es a nobis ut arbor silvestris, quæ translata in viridario, tamdui aquis perfunditur, donec humo radicetur, dehinc spinis et rebus superfluis emundatur, ut postmodum terra tenuis truncata sareculo, meliori inseratur ramusculo, quæ postmodum fertilis sit mellifluo ponio. Itaque tu simili modo translatus de iniquo sareculo in nostro sancto collegio, aquis perfunderis sapientiæ, donee informeris, et gladio verbi Dei vitiorum spinis carere valeas, ac insulta doctrina tui pectoris ab antro exclusa, nostram doctrinam a s. Spiritu traditam, mentis puritate possis excipere. Then: Procul dubio, frater, in charybdi falsa opinione haec tenus cum indocti jacuisti. — Pandemus tibi salutis ostium, quo ingressus per impositionem videlicet manuum nostrarum, ab omni peccati labe mundaberis, atque sancti Spiritus dono repleberis, qui scripturarum omnium profunditatem, ac veram dignitatem absque serupulo te docebit. Deinde ealesti cibo pastus, interna satietate recreatus, videbis persæpe nobiscum visiones angelicas, quarum solatio fultus cum eis quovis locorum sine mora vel difficultate, cum volueris, ire poteris: nihilque tibi deerit, quia Deus omnium tibi comes nunquam deerit, in quo sapientiæ thesauri atque divitiarum consistunt. At the council these two men say, concerning the birth of Christ from a virgin, and the resurrection: Nos neque interfuiimus, neque hæc vera esse credere possumus, — Qnod natura denegat, semper a creatione discrepat. Quibus præsul respondit, dicens: Antequam quicquam fieret per naturam, non creditis per filium Deum patrem fecisse omnia ex nihilo? Cui alienati a fide dixerunt: Ista illis narrare potes, qui terrena sapimus, atque credunt figura carnalium hominum scripta in membranis animalium: nobis autem, qui legem scriptam habemus in interiori homine a Spiritu sancto, et nihil aliud sapimus, nisi quod a Deo omnium conditore didicimus, incassum superflua et a divinitate devia profers: idecirco verbis finem impone, et de nobis quidquid velis facio. Jam regem nostrum in cœlestibus regnante videmus, qui ad immortales triumphos dexter sua nos sublevat, dans superna gaudia. The account of *Glaber Rudolph. I. c.* seems to be somewhat exaggerated: Dicebant deliramenta esse, quiequid in veteri ac novo Canone certis signis ac prodigiis veteribusque testatoribus de trina unaque Deitate beata confirmat auctoritas: cœlum pariter ac terram, ut conspicuntur, absque auctore initii semper exsistisse asserebant. Et cum universarum hæresum insinuentes canum more latrantes deterriunt, in hoc tantum Epieureis erant hereticis similes; quoniam voluptatum flagitiis credebant non recompensari ultiois vindictam: omne Christianorum opus, pietatis dumtaxat et justitia, quod aestimatur pretium remunerationis aeterna, labore superfluum judicabant esse. The popular prejudices against the Manicheans and their league with the devil were soon transferred to these people. Hence the story, given in the *Gestis*, of the manner of preparing the cibus cœlestis. See especially *Ademar I. c. Rusticus* —

Monteforte near Turin (A. D. 1030),<sup>6</sup> and in Goslar (A. D. 1052).<sup>7</sup>

pulverem ex mortuis pueris secum deferebat, de quo si quem posset communicare, mox Manicheum faciebat; adorabant Diabolum, qui primo eis in *Ethiopis*, deinde Angeli lucis figurazione apparebat etc. Schmid I. c. 8. 392 ff.

<sup>6</sup> The only authority here is the *Acta Syn. Ittrebatensis* ann. 1025 (in d'Achery Spicil. T. I. p. 607 seq. Mansi XIX. p. 423 seq.). Those thus accused answered at the council, se esse auditores Gundulfi ejusdam ab Italiam partibus viri, et ab eo evangelicis mandatis et apostolicis informatos, nullamque præter hanc scripturam se recipere, sed hanc verbo et opere tenere. The bishops had been told, illos sacri baptismatis mysterium penitus abhorrente, dominici corporis et sanguinis sacramentum respire, negare lapsis penitentiam post professionem proficere, ecclesiam annullare, legitima communia exercari, nullum in ss. Confessoribus donum virtutis spectare, præter Apostolos et Martyres neminem debere venerari. Which in the Praefatio is thus expressed: dicebant, baptismatis mysterium et dominici corporis et sanguinis sacramentum nullum esse, et idcirco rejiciendum, nisi simulationis causa non intrare [leg. ministraretur]: penitentiam nihil ad salutem proficere: conjugatos nequaquam ad regnum pertinere (hence the charge brought against them, Mansi XIX. p. 449: De communibꝫ vero, quæ vos contra evangelica et apostolica de cœta sacrilega mente abominanda judicatis, dicentes conjugatos in sortem fidelium nequaquam computandos etc.). Their answer to the bishops on the charge concerning baptism (I. c. p. 425): Lex et disciplina nostra, quam a Magistro accepimus, nec evangelicis decretis, nec apostolicis sanctionibus contrarie videbitur, si quis eam diligenter velit intueri. Hæc namque hujusmodi est, mundum relinquere, carnem a concupiscentiis fraudare, de laboribus manuum suarum vicium parare, nulli laensioni querere, charitatem cunctis, quos zelus hujus nostri propositi teneat, exhibere. Servata igitur hæc justitia, nullum opus esse baptismi: prævaricata ista, baptismum ad nullam prolicere salutem. Hæc est nostræ justificationis summa, ad quam nihil est, quod baptismi usus superaddere possit, cum omnis apostolica et evangelica institutio hujusmodi fine claudatur (hence the charge against them I. c. p. 457: falsæ justitiae doctrinam introducere tentatis, quam divinae gratiae adeo preponitis, ut omnia propriis meritis adscribatis). Si quis autem in baptisme aliquod dicat latere sacramentum, hoc tribus ex causis evanescatur. Una, quia vita reprobra ministrorum baptizandis nullum potest præbere salutis remedium. Altera, quia quidquid vitiorum in fonte renunciatur, postmodum in vita repetitur. Tertia, quia ad parvulum non volentem neque currentem, fidei nescium, suæque salutis atque utilitatis ignorantum, in quem nulla regenerationis petitio, nulla fidei potest inesse confessio, aliena voluntas, aliena fides, aliena confessio nequaquam pertinere videtur. Unfortunately no opportunity was given them to answer to the other charges. Very remarkable the charges that they taught (Mansi XIX. p. 436): in templo dei nihil esse, quod sit aliquo cultu religionis dignum magis, quam proprii domiciliū cubiculum, — mensam Domini — nullum in se aliud præter acervum lapidum retinere sacramentum, p. 453: ex errore hominum venisse, quod venerantur crucem, cum nullam magis in se virtutem contineat, quam cætera ligna sylvarum etc. They returned to their allegiance to the church. Schmid S. 415 ff.

<sup>7</sup> The only authority *Landulph. Sen. Mediol. histor.* lib. II. c. 27. (Murat. Scriptt. Rer. Ital. T. IV. p. 88.) One of them, Girardus, in presence of Herbert, Archbishop of Milan, made the following statements: Deo omnipotenti, Patri, et Filio, et Spiritui Sancto gratias refero immensas, quod tam studiose me inquirere satagit. Et qui vos ab initio in lumbis Adæ cognovit, annuat, ut sibi vivatis, sibique moriamini, et cum ipso per sæculorum sæcula regnantes gloriemini. Vitam meam, et meorum fratrum fidem, qualicunque animo ea seiscitatis, vobis edicam: Virginitatem præ cæteris laudamus, uxores habentes. — Nemo nostrum uxore carnaliter utitur, sed quasi matrem aut sororem diligens tenet (Afterwards: si universum genus humanum sese conjungeret, ut corruptionem non sentiret, sicut apes sine coitu genus humanum gigneretur). Carnibus numquam vescimur, jejunia continua et orationes indesinenter fundimus; semper die ac nocte nostri *majores* vicissim orant, quatenus hora oratione vacua non prætereat: omnem nostram possessionem cum omnibus hominibus communem habemus. Nemo nostrum sine tormentis vitam finit, ut æterna tormenta evadere possimus (Afterwards: si nos ad mortem natura perducit, proximus noster, antequam animam damus, quoquomodo

They were universally punished with death, notwithstanding the wise and humane remonstrances of Wazon, bishop of Luttich († A. D. 1048).<sup>8</sup>

interficit nos). Patrem et Filium et Spiritum Sanctum credimus et confitemur (namely Pater deus est aeternus — Filius animus est hominis a Deo dilectus et Jesus Chr. animus sensualiter natus ex Maria Virgine, videlicet natus est ex S. Scriptura — Spiritus Sanctus divinarum Scientiarum intellectus, a quo cuncta discrete reguntur). Ab illis vero, qui potestate habent ligandi et solvendi, ligari ac solvi credimus. (To the question whether he meant the pope, the bishop, or the priest, he replies: Pontificem habemus non illum Romanum, sed alium, qui quotidie per orbem terrarum fratres nostros visitat dispersos, et quando Deus illum nobis ministrat, tunc peccatorum nostrorum venia summa cum devotione donatur. This could hardly have been a human pope, as is observed by Schmid S. 444). Vetus ac novum Testamentum ac ss. Canones quotidie legentes tenemus.

<sup>7</sup> *Hermannii Contr. Chron.* ad ann. 1052 (Pistorius-Struve I. p. 293): Imperator Natalem Domini Goslare egit, ibique quosdam haereticos inter alia pravi erroris dogmata, Manichaea secta, omnis esum animalis execrantes — in patibulis suspensi jussit.

<sup>8</sup> *Gesta Episcopp. Leodiensium* c. 59. (in Martene et Durand ampliss. collectio T. IV. p. 898 seq.): Roger, Bishop of Chalons, wrote to Wazon between A. D. 1043 and 1048: in quadam parte diocesis sue quosdam rusticos esse, qui perversum Manichaeorum dogma sectantes, furtiva sibi frequentarent convicula, nescio quæ obscœna et dictu turpia quadam sua solemnitate actantes, et per sacrilegam manuum impositionem dari Spiritum sanctum mentientes, quem ad adstruendam errori suo fidem non alias a Deo missum, quam in haeresiarcha suo Mani (quasi nihil aliud sit Manes nisi Spiritus sanctus) falsissime dogmatizarent: incidentes in illam blasphemiam, quam juxta veritatis vocem et hie et in futuro impossibile est remitti. Hi tales, ut dicebat, cogebant quos possent in suam concedere turbam, nuptias abominantes, esum carnium non modo devitantes, sed et quodcumque animal occidere profanum dicentes; tutelam errori suo assumere præsumentes, sententiam Domini in veteri lege occidere prohibentis. Si qnos vero idiotas et infacundos hujus erroris sectatoribus adjungi contingeret, statim eruditissimis etiam catholicis facundiores fieri asseverabat, ita ut sincera sane sapientium eloquentia pene eorum loquacitate superari posse videretur. Addidit etiam plus de quotidiana perversione sese aliorum dolere, quam de ipsorum perditione. Quid bis talibus præstet agendum anxius præsus, certum sapientiae consulvit secretarium, an terrena potestatis gladio in eos sit animadvertisendum necne: modico fermento, nisi exterminentur, totam massam posse corrupti. Wazon's answer, c. 60: — Hæc licet Christiana abhorreat religio, — tamen imitata Salvatorem suum — jubetur interim tales quodammodo tolerare. Cites Matth. 13, 24 seq. especially v. 29 and 30. Quid his verbis nisi patientiam suam Dominus ostendit, quam prædicatores suos erga errantes proximos exhibere desiderat? Maxime cum hos, qui hodie zizania sunt, possibile sit, eras converti et esse triticum. — Cesset ergo iudicium pulvris, audita sententia condemnatoris; nec eos queramus per sæcularis potentiae gladium huic vitæ subtrahere, quibus vult idem creator et redemptor Deus, sicut novit, parcere: ut resipiscant a diaboli laqueis etc. Meminisse debemus, quod nos qui episcopi dicimur, gladium in ordinatione — non accipimus; ideoque non ad mortificandum, sed potius ad vivificantum auctore Deo inungimur. — The historian adds: Hæc tantopere vir Dei exemplo b. Martini (B. 1. § 70) studebat inculcare, ut præcipitem Francigenarum rabiem caedes anhelare solitam a credulitate quodammodo refranaret. Audierat enim, eos solo pallore notare haereticos, quasi quos pallere constaret, haereticos esse certum esset (Bd. 1. § 71, note 6); siveque per errorem simulque furorem eorum, plerosque vere catholicorum fuisse aliquando inferentos. Then of the executions in Goslar: cap. 61. Wazonem nostrum, si hæc tempora configisset, huic sententiæ assensum nequaquam præbiturum, exemplo b. Martini etc. Hæc dicimus, non quia errorem haereticorum tutari velimus; sed quia hoc in divinis legibus misquam sanctum, [nos] non approbare monstremus. Concerning Wazon, see Hist. lit. de la France, T. VII. p. 588 seq.

## THIRD DIVISION.

FROM GREGORY VII. TO THE REMOVAL OF THE PAPAL RESIDENCE TO AVIGNON.

A. D. 1073 — 1305.

### CHIEF SOURCES.

I. LATIN WRITERS: *Marianus Scotus*, *Lambertus Schafnab.*, *Sigebertus Gemblac.* (vid. authorities prefixed to Div. II.) *Otto*, bishop of Freysingen († A. D. 1158. *Chron. rerum ab init. mundi usque ad annum 1146 gestarum libb.* VIII. continued in libb. II. *de gestis Frid.* I. to A. D. 1156, and still farther by *Radevicus*, *Canon in Freysingen* to A. D. 1160, and an *Anonymous* to A. D. 1170. Another good continuation from A. D. 1146 — 1209, by *Otto de S. Blasio*. All contained in *Chr. Urstisii historic.* Germ. T. I. p. I. seq. The Libb. II. *de gest. Frid.* with Radewich's continuations, more correct in *Muratori Scriptt. Rer. Ital.* T. VI. p. 633 seq.; and Otto de S. Blasio is best edited in *Monumentis Res. Allemann.* illustrant. ed. Ussermann. T. II. p. 449 seq.). — *Chronica regia S. Pantaleonis* (written in the convent of St. Pantaleon in Cologne at three different times, namely, A. D. 1000, 1106, and 1162; to be found in *Eccardi corpus Historic.* med. ævi T. I. p. 683 seq. continued to A. D. 1237 by *Godefridus Mon. Pantal.* in *Freheri Scriptt. Rer. Germ.* ed Struve T. I. p. 335 seq.). *Annalista Saxo* (from A. D. 741 to 1139. in *Eccard*, l. c. T. I. p. 133. On the sources of this work see *Stenzel im Archiv f. deutsche Gesch.* Bd. 5. S. 737 ff.). *Chronicon Uspergense* (first part to A. D. 1126, continued by the two abbots of Auersberg, Burcard to A. D. 1126, and Conrad of Lichtenau to 1229. The whole usually under the name of the last. Ed. Strasburg, 1537, 1540, and 1609. fol. cf. *Observatt. sel.* T. II. Halæ. 1700. obs. XX.). — *Albericus*, a monk of Dräbeck (trium fontium) in the province of Lüttich (chron. ab orbe cond. usque ad ann. 1241, from A. D. 1106 separate, ed. *Guil. Leibnitius in Accessionibus histor.* T. II. Hanov. 1698. 4to. Corrected in *B. Menckenii Scriptt. Rer. Germ.* T. I. p. 37 seq.). — *Vincentius Belloracensis*, a Dominican in Royemont († A. D. 1264. *Speculum historiale libb.* XXXII. Argentor. 1473. 4 voll. fol. Aug. Vindel. 1474. 3 voll. fol.). — *Albertus Staden-sis* (a Benedictine abbot in Stade, from A. D. 1240 a Franciscan. Chron. ab orbe cond. usque ad ann. 1256. ed. *Reinerus Reineccius Helmst.* 1587. 4to. a reprint. Witteberg. 1608. 4to. also in *Schilteri Scriptt. Rer. Germ.* p. 123 seq.). — *Matthæus Paris*, a Benedictine monk of St. Albans († A. D. 1259. *Historia major*<sup>1</sup>) ab ann. 1066 — 1259, continued to A. D. 1273. ed. *Guil. Wats.* Lond.

<sup>1</sup> Opinion of *Baroniūs* ad ann. 996. no. 63: *Matthæus Paris* quam fuerit animo infensissimo in Apostolicam Sedem quivis facile poterit intelligere (nisi probra illa fuerint additamenta potius ejus qui edidit Novatoris, hæretici hominis, cum peculiare sit illis, libros quos potuerint depravare). — Cum liber iste indignus luce a

1640, fol.). — *Martinus Polonus*, archbishop of Gnesen († A. D. 1278. Chronicon to A. D. 1277, ed. Herold. Basil. 1559, and J. Fabricius Cæsar. Colon. 1616, fol. Continued to 1343 in J. G. Eccardi corp. Scriptt. medii ævi T. I. p. 1413 seq.).

For Ecclesiastical History in particular, *Odericus Vitalis*, Benedictine in St. Evroul († after A. D. 1142. Histor. eccles. libb. XIII. to A. D. 1142, in A. Du Chesne Scriptt. Normann. Paris. 1619. fol. p. 319 seq.). — *Ptolomæus de Fiadonibus* of Lucca, Dominican, bishop of Torcello († A. D. 1327. Hist. eccles. libb. XXIV. to A. D. 1316 in Muratorii Scriptt. Rer. Ital. T. XI. p. 741 seq.).

**II. GREEK:** *Joh. Zonaras* (see Div. I. p. 1), continued in *Nicetas Acominatos* (from A. D. 1117 to 1206), *Georgius Acropolita* (from A. D. 1204 to 1261), *Georgius Pachymeres* (from A. D. 1258 to 1308).

## CHAPTER FIRST.

### HISTORY OF PAPACY.

**SOURCES:** Biographies of individuals, collection of lives of the Popes, by *Pandulphus Pisanus* Card. (about A. D. 1184, from Gregory VII. to Alex. III.), *Bernardus Guido*, a French Dominican, at last bishop of Lodeve († A. D. 1331, from Victor III. to John XXII.), and *Nicolaus Rosselius*, Arragonius Card. (about A. D. 1356, taken from *Cencii Camerarii*, i. e. Honorii III. liber censuum camerae apost. see Pertz im Archive d. Gesellsch. für deutsche Geschichtsk. Bd. 5. S. 97), all contained in Muratorii Scriptt. Rer. Ital. T. III. P. I. p. 273 seq. Then by *Amalricus Augerii*, a French Augustine monk (about A. D. 1363, Actus Pontiff. Roman. from Peter to John XXII. or A. D. 1321, important from the time of Innocent III. in Eccardi corp. historic. med. æv. T. II. p. 1641 seq., and Muratorii, l. c. T. III. P. II.).

Best works on the subject. Planck, Bd. 4. Abschn. I. S. 93 ff. Schmidt's Kirchengesch. Thl. 6. S. 36 ff.

[Bowers' Lives of the Popes. — Tr.]

#### I. PROGRESS OF THE POLITICAL POWER OF THE POPE.

##### § 47.

##### GREGORY VII. (A. D. 1073 — 1085).

**SOURCES:** I. *Original Documents: Gregorii VII. Registri s. Epistolarum*

majoribus judicatus, occultatus lateret in angulo; his ipsis temporibus nostris, magno praeconio tanquam prævia faœ, emersit in lucem anno MDLXXI. A quo libro si quis demat columnas, inventivas, dicacitas et blasphemias in Apostolicam Sedem frequenter iteratas, aureum sane dixerit commentarium, utpote quod ex publicis monumentis, totidem verbis redditis (ut dictum est) egregie contextum et coagmentatum inveniatur. The suspicion contained in the parenthesis, and repeated by Bellarmine, and still more confidently by J. B. Sollerius (Act. SS. August. T. p. 451), was satisfactorily refuted by Casaubonus in prolegg. ad Exercitata, and of course has disappeared since the discovery of other Codices.

libb. XI. (the tenth book is wanting) contained in Mansi XX. p. 60 seq. Many of these are found in *Udalrici Babenbergensis Codex epistolaris* (collected about A. D. 1125 — contained in Eccardi corpus historicum medii aevi T. II. p. 1 seq.). — II. *Contemporary works:* 1) *Hostile to Gregory: Benno*<sup>1</sup> (Cardinal of the rival Pope Clement III.) de vita et gestis Hildebrandi P. libb. II., *Obertus* (bishop of Lüttich about A. D. 1106) de vita et obitu Henrici IV., contained together with other works of the same character in *Apologiae pro Imp. Henrico IV.* studio M. Goldasti. Hanoviae. 1611. 4to. 2) *For Gregory: Paulus Bernriedensis* (a Canon at Ratisbonne, and afterwards in the convent of Bernried) de vita Greg. VII., best ed. in Mabillon Act. SS. ord. Bened. Sæc. VII. p. II. p. 403 seq., and in Muratori Scriptt. Rer. It. T. III. P. I. p. 314 seq. Together with other writings in defence of Gregory in J. Gretserii opp. T. VI. Also *Bruno* (a Saxon monk) hist. bellii Saxonici from A. D. 1073 — 1082 in M. Freheri Scriptt. Rer. Germ. T. I. p. 99 (ed. Struve p. 441 seq.), and *Bernaldus* (called also Bertholdus and Bernoldus), Presb. Constantiensis hist. sui temporis from A. D. 1054 — 1100, or Contin. of Hermann. Contract. — best ed. in Monument. res Allemannicas illustr. T. II. (St. Blasii. 1792. 4to.) p. 1 seq.

WORKS: Jan. Schmidt Gesch. d. Deutschen, Thl. 2. S. 265 ff. — Joh. Voigt Hildebrand als Gregor VII. und sein Zeitalter. 1815. 8vo. J. M. Söltl Heinrich der Vierte. München. 1823. 8vo. Schlosser's Weltgesch. Bd. 2. Th. 2. S. 694 ff.

UNDER this Pope, the notions hitherto but partially developed, of the supremacy of the Pope over the church,<sup>2</sup> and of the church over the state,<sup>3</sup> were first reduced to a matured system, as contained in

<sup>1</sup> Schröckh, Th. 25, S. 531, gives this name *Bruno*, which he takes from the Chron. Ursperg. ad ann. 1079, where, without doubt, it is a mere verbal error.

<sup>2</sup> On this head see particularly Anonymi Apologeticus *Couc. Roman.* ann. 1074, cap. XXI. (Mansi XX. p. 428): — Apostolica sedes ex divina concessione hunc semper obtinuit et obtinebit primatum, ut totius mundi ecclesias non solum antiquis institutis, sed etiam novis disponat, prout diversorum necessitas temporum postulat. Cap. XXIII.: — Quilibet Episcoporum nec super gregem sibi commissum tantam potestatem habet, quantam Praesul Apostolicus: qui, licet curam suam in singulos Episcopos diviserit, nullo modo tamen se ipsum sua universali et principali potestate privavit: sicut nec rex suum regalem potentiam diminuit, licet regnum suum in diversos duces, comites sive judices diviserit. Cum igitur Dominus Apostolicus in omni ecclesia tam principalem potestatem habeat, ut etiam invito Episcopo eiuslibet ecclesia quidquam in ea juxta canonicas sanctiones possit disponere, quis denegare poterit, quin ubique gentium tam subditos Episcoporum, quam ipsos Episcopos apostolicae institutionis contemtores damnare possit. Cap. XXIV.: His autem rationibus et hoc declaratur, quod cuiusvis Episcopi parochianus potius Domino Apostolico, quam proprio Episcopo obedire debet, etc.

<sup>3</sup> See especially *Gregor lib. IV. Epist. 2 ad Herimannum Episc. Metensem* A. D. 1076: Ubi Deus b. Petro principaliter dedit potestatem ligandi et solvendi in celo et in terra (Math. xvi. 19), nullum exceptit, nihil ab ejus potestate subtraxit. Nam qui se negat, non posse ecclesiæ vinculo alligari, restat, ut neget non posse ab ejus potestate absolviri. Et qui hoc impudenter negat, se a Christo omnino sequestrat. Quod si s. sedes apostolica divinitus sibi collata principali potestate spiritualia decernens dijudicat, cur non et sæcularia? etc. — *lib. VIII. Epist. 21, ad eundem* A. D. 1081: Itane dignitas (regalis) a sæcularibus etiam Deum ignorantibus inventa non subjicietur ei dignitati (sacerdotali), quam omnipotens Dei providentia ad honorem suum invenit, mundoque misericorditer traxit? cuius Filius, sicut Deus et homo indubitanter creditur, ita summus sacerdos

the so-called *Dictatus* of Gregory VII.<sup>4</sup> When we consider the

caput omnium sacerdotum ad dexteram Patris sedens, et pro nobis semper interpellans habet : qui seculare regnum, unde saeculi filii tument, despexit, et ad sacerdotium crucis spontaneus venit. Quis nesciat, reges et duces ab iis habuisse principium, qui Deum ignorantes, superbia, rapinis, perfidia, homicidiis, postremo universi pene sceleribus, mundi principe diabolo videlicet agitante, super pares, scilicet homines, dominari ea-ca cupiditate et intolerabili præsumptione affectaverunt ? — Quis dubitet, sacerdotes Christi regum et principum omniumque fidelium patres et magistros censer ? Nonne miserabilis insaniam esse cognoscitur, si filius patrem, discipulus magistrum sibi conetur subjugare : et inquis obligationibus illum potestati sue subiecere, a quo credit non solum in terra, sed etiam in caelis se ligari posse et solvi ? Refers then to Gregory the Great and Gelasius (Div. I. § 24, note 14). — Talibus ergo institutis, talibusque fulti auctoritatibus plerique Pontificum alii reges, alii imperatores excommunicaverunt. Innocent, for instance, Areadius, qui consensit, ut s. Joannes Chrysostomus a sede pelleretur (vol. i. § 83, note 10). Alius item Romanus Pontifex, Zacharias videlicet, regem Francorum non tam pro suis iniquitatibus, quam eo quod tanta potestati non erat utilis, a regno depositum, et Pippinum — in ejus loco substituit, omnesque Francigenas a juramento fidelitatis, quod illi fecerant, absolvit (Abth. I. § 5, note 8). Then to Ambrose (vol. i. § 89, note 10), see an examination of the passages and examples here appealed to by Gregory, by *D. Blondellus de formulæ Regnante Christo in veterum monumentis usu*. Amstelod. 1646. 4to. p. 155 seq. The contempt of the temporal powers here expressed may be said to have been born with papacy. See Div. I. § 21, note 25. — *Gregor. lib. VII. Epist. 25, ad Guilelm. Reg. Angl. A. D. 1080* : Credimus prudentiam vestram non latere, omnibus aliis excellentiores apostolicam et regiam dignitates huic mundo ad ejus regimina omnipotentem Deum distribuisse. Sicut enim ad mundi pulchritudinem oculis carneis diversis temporibus representandam Solem et Lunam omnibus aliis eminentiora dispositi luminaria ; sic, ne creatura, quam sui benignitas ad imaginem suam in hoc mundo creaverat, in erronea et mortifera traheretur pericula, providit in apostolica et regia dignitate per diversa regeretur officia. Qua (*leg. Quas*) tamen majoritatis et minoritatis distantia religio sic se movet (*leg. senovet*) Christiana, ut cura et dispensatione apostolice dignitatis post Deum gubernet regia.

<sup>4</sup> *Dictatus Papæ* affixed to *lib. II. Epist. 55*: 1. Quod Romana ecclesia a solo Domino sit fundata. — 2. Quod solus Romanus Pontifex jure dicatur universalis. — 3. Quod ille solus possit deponere Episcopos vel reconciliare. — 4. Quod legatus ejus omnibus Episcopis praesit in concilio, etiam inferioris gradus, et adversus eos sententiam depositionis possit dare. — 5. Quod absentes Papa possit deponere. — 6. Quod cum excommunicatis ab illo, inter cetera, nec in eadem domo debeamus manere. — 7. Quod illi soli licet pro temporis necessitate novas leges condere, novas plebes congregare, de canonica abbatiam facere, et e contra divitem episcopatum dividere, et inopes unire. — 8. Quod solus possit uti imperialibus insigniis. — 9. Quod solius Papæ pedes omnes principes deosculentur. — 10. Quod illius solius nomen in ecclesiis recitetur. — 11. Quod unicum est nomen in mundo. — 12. Quod illi liceat Imperatores deponere. — 13. Quod illi liceat de sede ad sedem necessitate cogente Episcopos transmutare. — 14. Quod de omni ecclesia, quamcumque voluerit, clericum valeat ordinare. — 15. Quod ab illo ordinatus alii ecclesie praesesse potest, sed non militare, et quod ab aliquo Episcopo non debet superiore gradum accipere. — 16. Quod nulla synodus absque præcepto ejus debet generalis vocari. — 17. Quod nullum capitulum, nullusque liber canonicus habeatur absque illius auctoritate. — 18. Quod sententia illius a nullo debeat retractari, et ipse omnium solus retractare possit. — 19. Quod a nemine ipse judicari debeat. — 20. Quod nullus audeat condemnare apostolicam sedem appellantem. — 21. Quod majores causar enjuscumque ecclesiæ ad eam referri debeat. — 22. Quod Romana ecclesia nunquam erravit, nec in perpetuum, scriptura testante, errabit. — 23. Quod Romanus Pontifex, si canonice fuerit ordinatus, meritis b. Petri indubitanter efficitur sanctus, testante s. Ennodio Papiensi Episc., ei multis SS. Patribus faventibus, sicut in decretis b. Symmachii P. continetur. — 24. Quod illius præcepto et licentia subjectis licet accusare. — 25. Quod absque synodali conuento possit Episcopos deponere et reconciliare. — 26. Quod catholicus non habeatur, qui non concordat Romanæ Ecclesiæ. — 27. Quod a fidelitate iniquorum

legitimate deduction of this system from principles already fixed,<sup>5</sup> and the corrupt condition of the church, which Gregory may sincerely have attributed to the neglect of the due subordination of the state thereto,<sup>6</sup> there seems to be no good reason to doubt that Gregory was really convinced of the justice of his cause, to which he so often appeals; nor, if we confine ourselves simply to the manner in which he labored for the accomplishment of his ends, can we refuse to him our admiration. When, however, we consider him, not as a statesman, but in the light in which he placed himself, as the head of the church, and an apostle of Christian truth, we cannot but revolt at his cold, mere diplomatic character. Instead of the truth and all-embracing love demanded by the position in which he stood, we find in him an iron will, and an unscrupulous use of any means which will suit his ends. His conduct is every where accommodated to circumstances, not governed by principle; sometimes prudently yielding and overlooking, and again in the same matters inflexibly obstinate; sometimes temporising, and then rashly and violently interfering; his own spiritual power always made to subserve his political purposes; overturning and destroying whatever opposes itself to his will.<sup>7</sup> In order to clear this potentate, by whose influence the church

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subjectos potest absolvere. — *Baronius ann. 1076, no. 31. Christ. Lupus in Notis et Dissert. ad concil. consider these genuine: the French writers Jo. Launois Epistol. lib. VI. ep. 13. Auton. Pagi crit. in Baron. I. c. and especially Natalis Alexander hist. eccl. Sac. XI et XII Dissert. III., not indeed as spurious, for that would be against the interests of the French church, but as swerving from Gregory's principles. The more modern authorities, following Mosheim, suppose them to express Gregory's principles, though written by some one else. They seem to have been an Index Capitularum of some synod held under Gregory's influence.*

<sup>5</sup> Vid. Div. I. § 20. note 4.

<sup>6</sup> To this Gregory constantly refers in his letters. See Voigt, I. c. S. 193 ff. Especially lib. I. Ep. 42 *ad Sicardum Aquilej. Archiep. A. D. 1074.* Non ignorare credimus prudentiam tuam, quantis perturbationum fluctibus ecclesia sit usquequaque concussa, et pene desolationis sue calamitatibus naufraga et submersa sit facta. Rectores enim et principes hujus mundi singuli querentes quae sua sunt, non quae Jesu Christi, omni reverentia conculcata, quasi vilem ancillam opprimum, eamque confundere, dum cupiditates suas explore valeant, nullatenus pertimescant. Sacerdotes autem, et qui regimen ecclesiae accepisse videntur, legem Dei fere penitus postponentes, et officii sui debitum Deo et commissis sibi ovibus subtrahentes, per ecclesiasticas dignitates ad mundanam tantum nituntur gloriam, et quae speciali dispensatione multorum utilitatibus et saluti proficere debuissent, ea aut negligunt, aut infelicititer in pompa superbia et superfluis sumptibus consumunt. Inter haec populus nullo prælatorum moderamine, nullisque mandatorum frenis in viam justitiae directus; immo eorum, qui præsunt, exemplo quæcumque nefaria et quæ Christiane religioni sunt contraria edocti, ad omnia pene quæ nefaria sunt, proni et studio corruentes, Christianum nomen, non dico absque operum observantia, sed pene absque fidei religione gerunt.

<sup>7</sup> A characteristic anecdote of him is related in Chron. Gasin. III. c. 27 (Muratori Scriptt. Rer. Ital. T. IV. p. 436): Transmundus, abbot in the convent Tremiti, had put out the eyes of certain monks, and cut off the tongue of one of them, fuerant enim apud eum de rebellione Insulae a sociis insimulati. Desiderius, abbot of Cassino, was much displeased at such cruelty, and had imposed on Transmund a severe penance, when Hildebrand, at that time still a cardinal, happened to arrive. He ea, quæ Transmundus gesserat, omnimodis approbans, et nequam illum hoc crudeliter, sed strenue ac digne in malignos homines fecisse confirmans, nondum anno completo, cum a Domino Abbatे aliquando difficulter

now assumed in all respects the character of a political institution, from wilful blindness to his true duty, we must attribute such an influence to prevailing notions, even over the strongest minds, as almost to make us doubt whether man has a moral nature. In order to call him great, we must judge him by a standard which he himself must have disowned, that of political ability.\*

Advancing from the beginning of his reign new and unheard of pretensions to all the kingdoms of the West, some of which he claimed as the rightful possession of St. Peter,<sup>8</sup> and others as tributary to him,<sup>9</sup> the chief efforts of Gregory were throughout directed against the *marriage of the clergy*, and the practice of *Simony*. At a council held in Rome A. D. 1074, he caused decrees to be passed against these two practices,<sup>10</sup> and began first an energetic attack upon the married clergy, who had hitherto been little molested by the decrees against them.<sup>11</sup> This measure excited violent commotions every

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extorsit, atque Abbatiam — illi committens, paulo post eidem Balvensis Episcopatus addidit dignitatem.

\* In reply to the modern apologists of Gregory, Voigt and Luden, see especially Stenzel, Bd. I. S. 523.

<sup>8</sup> *Lib. I. Epist. 7 ad Principes Hispan.* A. D. 1073: Non latere vos eredimus, regnum Hispanie ab antiquo proprii juris s. Petri fuisse, et adhuc, licet diu a Paganis sit occupatum, lege tamen justitia non evacuata, nulli mortalium, sed soli apostolicae sedi ex aquo pertinere. — Itaque comes Evolus de Roccjo — terram illam ad honorem s. Petri ingredi et Paganorum manibus eripere cupiens, hanc concessionem ab apostolica sede obtinuit, ut partem illam, unde Paganos suo studio et adjuncto sibi aliorum auxilio expellere posset, sub conditione inter nos facta paectionis ex parte s. Petri possideret. Accompanied by a prohibition that no one should venture to make conquests there, nisi aqua pactione persolvendi juris s. Petri. In like manner he inserts *Lib. II. Epist. 13 ad Salomonem Reg. Hung.* A. D. 1074: regnum Hungariae s. Romanae ecclesiae proprium est, a Rege Stephano olim b. Petro cum omni jure et potestate sua oblatum et devote traditum. *Lib. VIII. Ep. 23 ad Ep. Albanensem*, A. D. 1081: Carolus magnus Imperator Saxoniam obtulit b. Petro, cuius eam devicit adjutorio. *Lib. II. Ep. 51 ad Suecum Reg. Danie* A. D. 1075: si te ac regnum tuum — Apostolorum principi pia devotione committere, et ejus auctoritate fulciri volueris, fideles nuntios ad nos sine dilatatione transmittere stude.

<sup>9</sup> *Lib. VIII. Ep. 23 ad Ep. Albanensem*: Dicendum autem est omnibus Gallis et per veram obedientiam præcipiendum, ut unaquæque dominus saltem unum denarium annuatim solvat b. Petro, si eum recognoscunt patrem et pastorem suum more antiquo.

<sup>10</sup> These decrees may be found in *Bertholdi Constant. Apologeticus pro hac synodo* (Mansi XX. p. 403). The law prohibiting the marriage of priests in Gratian Dist. LXXXI, c. 15: Si qui sunt presbyteri, diaconi, vel subdiaconi, qui in ermine fornicationis jaceant, interdicimus eis ex parte Dei omnipotentis, et s. Petri auctoritate ecclesiae introitum, usque dum poenitent et emendent. Si qui vero in suo peccato perseverare maluerint nullus vestrum officium eorum audire presumat: quia benedictio eorum vertitur in maledictionem, et oratio in peccatum, testante Domino per prophetam: *maledicam*, inquit, *benedictionibus vestris*, (Mal. ii. 2). Qui vero huic saluberrimo præcepto obedire no fuerit, idololatriæ peccatum incurrit, Samuele testante et B. Gregorio adstruente: *peccatum ariolandi est non obediens, et quasi scelus idololatriæ non acquiescere*, (1 Sam. xv. 23). Peccatum igitur paganismi incurrit, quisquis, dum christianum se asserit, sedi apostolice obediens contemnit. The laity were forbidden to countenance these practices as early as the time of Nicolas II. 1059, (See Div. I. § 34. note 8.) and the prohibition was repeated by Alexander II. *Couc. Rom. ann. 1063. cap. 3.*

<sup>11</sup> See Petrus Dam. Div. I. § 21, note 8. The former decrees of the Popes on

where, and many voices were raised against him.<sup>12</sup> Two synods held by Siegfried, archbishop of Mentz, in Erfurth and Mentz, for the purpose of carrying into effect the decree against the married clergy, ended only in tumult.<sup>13</sup> The same was the case with a synod at Paris.<sup>14</sup> Gregory, however, resorted to a new and most efficacious means of attaining his object. He now sent out *legates*, who, armed with full power to punish the refractory,<sup>15</sup> passed through the various countries exciting the populace against the married clergy.<sup>16</sup> By this

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this subject seem never to have been generally known. *Sigbert. Gemblac.* ad ann. 1074: *Gregorius P. celebrata synodo Simoniacos anathematizavit, uxoratos sacerdotes a divino officio removit, et laicis missas eorum audire interdixit, novo exemplo, et, ut multis visum est, inconsiderato prejudicio, contra seq. Patrum sententiam, qui scriperunt, quod sacramenta, que in ecclesia sunt — quia spiritus s. mystice illa vivificant, nec meritis bonorum dispensatorum amplificantur, nec peccatis malorum attenuantur.*

<sup>12</sup> *Lambert. Schafnab. de rebus Germ.* ad ann. 1074. (Pistorius-Struve T. I. p. 378 seq.): *Adversus hoc decretum protinus vehementer infremuit tota factio clericorum; hominem plane hereticum et vesani dogmatis esse clamans, qui oblitus sermonis domini, quo ait: "Non omnes capiunt hoc verbum, qui potest capere capiat," et Apostolus: "qui se non continet, nubat; melius est enim nubere, quam uri," violenta exactione homines vivere cogere ritu angelorum, et dum consuetum cursum naturae negaret, fornicationi et immunditiae frena laxaret. Quod si pergeret sententiam confirmare, malle se sacerdotium quam conjugium deserere, et tunc visurum cum, cui homines sorderent, unde gubernandis per ecclesiam Dei pleibus angelos comparaturus esset. Otho, bishop of Constance, obstinately refused to obey the decree. See Gregory's letter to him in *Paulus Bernried*, c. 37: — *Cum haec omnia tibi observanda pastorali providentia transmittemus, tu non sursum cor, sed deorsum in terra ponens, prædictis ordinibus frenam libidinis, sicut accepimus, laxasti; ut qui mulierculis se junxerunt, in flagito persisterent, et qui neendum duxerunt, tua interdicta non timerent. O impudentiam, o audaciam singularem! etc.**

<sup>13</sup> *Lambert. Schaffn.* l. c.

<sup>14</sup> *Vita Gallerii Abb. S. Martini juxta Pontisaram*, c. 2 in *Act. SS. ad d. VIII. April. Mansi XX.* p. 437.

<sup>15</sup> *Sigefridi Archiep. Mogunt. Ep. ad Suffraganeos*, A. D. 1075 (in Hartzheim Cone. Germ. T. II. p. 175 seq.): *Placuit Domino Papæ, ut mitteret quosdam de Curia pro reformando Ecclesiarum statu, et maxime manifesta cohabitatione mulierum Clericis prohibenda. Illi autem diligenter executi, quod eis injunctum fuerat, quibusdam per suspensionem, aliis per excommunicationem preceperunt, ut concubinas dimitterent, et ulterius non admitterent; sed parum in aliquibus profecerunt. Nos igitur videntes, quod occasione hujus mandati facti sunt plurimi transgressores, scandalumque, quod exinde ortum est, et infamiam clericorum, quæ secuta est, significavimus Domino Papæ. Unde ipse nobis dedit in mandatis, ut, quia multitudo est in causa, propter quam detrahendum est severitat, talibus misericorditer consulamus. Inde est, quod mandamus vobis, qui subditos habetis, ut, quemcunque inveneritis cauteriatam habentem conscientiam, eo quod tali virtu laboraverit, et concubinas ea se non removerit; eum ad nostram præsentiam transmittatis, ne indigne accedens ad Altare Dei judicium sibi manducet et bibat. Interdicimus enī, sicut nobis injunctum est, cum tali, auctoritate Apostolica, dispensare.*

<sup>16</sup> An impartial view of these measures in the letter of an anonymous contemporary (perhaps *Guentherus*, *Scholasticus* in *Triers*) in Martene et Durand *Thesaur. nov. Anecdotorum* T. I. p. 231: *quid pulchrius, quid christianitati conducibilius, quam sacros ordines castitatis legibus subjicere, promotiones ecclesiasticas non pecunia pacto, sed vita merito aëstimare, juvenis regis vitam et mores ad suam et subditorum utilitatem corripere, episcopalem dignitatem ab omni sœularis servitii necessitate absolvere? Hæc si ea, quam pietas exigit, intentione proposita, si ea*

means he gained a strong party, and succeeded in bringing about an apparent conformity, at least, to his decrees.

Having secured the victory in this, he next began to enter more seriously into the contest against Simony. At another council held in Rome (A. D. 1075), he excommunicated five counsellors of King Henry IV. for this offence,<sup>17</sup> threatened Philip of France with the same punishment,<sup>18</sup> and in order to strike at once at the root of the

quem justitia postulat, essent ordine pertractata, profecto neque recta voluntas remuneratione sua caruisset, et non ejectum, sed injectum verbi Dei semen aliquem in auditorum cordibus fructum invenisset. Nunc autem si fructum requiris, grex dominicus, pastoribus lupos in eum incitantibus miserabiliter dispergitur. Plebejus error, quia semper quesivit, opportunitate adepta, usque ad furoris sui societatem injuncta sibi, ut ait, in clericorum contumelias obedientia crudeliter abutitur. Hi publicis illusionibus addicti quocumque prodeunt, clamores insultantium, digitos ostendunt, colaphos pulsantur perforant. Alii — egeni et pauperes profundunt. Alii membris mutilati — Alii per longos cruciatus superbe necati — Illi autem, laicos dico, quibus animi distractis tam ordinata agi placuit capitula, sua auctoritate defendentes vesaniam, nihil est, quod contra propositiones christianitatis non audeant. Ecclesie mysteria contemnere, parvulos suos lavacro salutari fraudare, ipsi absque humili peccatorum confessione, et solemni ecclesiae viatico migrare, religiosum deputant, sibi ad peccatorum redencionem sufficere arbitrantes, si commissum sibi in pastores suos saeviendi officium strenue adimplent. Si autem quaeris, talis fructus a qua radice pullulaverit: lex ad laicos promulgata, qua imperitis persuasum est, conjugatorum sacerdotum missas, et qua-cumque per eos implentur mysteria fugienda esse, in reipublica nostrae ornatum illud adiecit. See also the *Epist. Theoderici Episc. Verdunensis ad Gregor.* VII. A. D. 1082, written by the same Guenricus (*Ibid.* p. 218) : primo quidem faciem mean in eo vel maxime confusione perfundunt, quod legem de clericorum incontinentia per laicorum insanas cohibenda unquam suscepimus. — Legem enim illam — tartaro vomente prolatam negligentia, ajunt, excepti, stultitia promulgavit, amentia roborare contendit, per quam pax ecclesie, tranquillitas populi Dei sublata etc. — Nec putetis eos, qui ita de his sentiunt, conscientia sua terrore in hac parte pereullos — talia prætendere, ecclesiasticorum graduum incontinentiam talibus defensionibus fovere velle. Honestam, mihi ereditate, conversationem in desiderio habent, nec aliter quam oportet ecclesiasticae ultionis censuram intentari gaudent. Sed non ita, inquit, secessuram parietis convenit resarciri, ut totum dominus fundamentum inde contingat labefactari etc. Against these proceedings are directed also the two epistles of Alboinus, *Alboini Epist. II. ad Bernaldum Constantiens,* (about 1076), though they contain likewise much in excuse of the marriage of the Priests, found in *Goldasti Apolog.* pro. Henr. IV. p. 40 seq., and with Bernaldi's reply in *Monumentorum Res Allemanni, illustr.* T. II. p. 237 seq. — *Sigbert. Gembl.* wrote also against this persecution of the priests, (see § 49, note 7) which he describes in his *Chronicle ad ann. 1074* (copied by Radulphus de Dicto, and Matthæus Paris ad h. a., and Vincent. Bellov. Spec. hist. XXVI. c. 45), e. g.: laici sacra mysteria temerant, et de his disputant, infantes baptizant, sordido humore aurium pro sacro oleo et chrismate ententes, — laici corpus Domini a presbyteris conjugatis consecratum sapce pedibus conculcaverunt, et sanguinem Domini voluntarie effuderunt — et hac occasione multi pseudomagistri exurgentis in ecclesia profanis novitatibus plebem ab ecclesiastica disciplina avertunt.

<sup>17</sup> See *Div. I. § 24, note 12. Bruno de bello Saxon. in Freher p. 104,* accuses Henry himself of Simony. Answered by Stenzel, *Bd. 2. § 58.* In Henry's favor we may cite the account given by Lambert. Schafnab. in *Pistorius-Struve*, p. 397.

<sup>18</sup> *Vid. Gregor. Lib. I. Ep. 35 ad Rodericum Cabilon. Episc. A. D. 1073:* Inter ceteros nostri hujus temporis principes, qui ecclesiam Dei perversa cupiditate venundando dissipaverunt, et matrem suam — ancillari subjectione penitus concularunt, Philippum Regem Francorum Gallicanas Ecclesias in tantum oppressisse certa relatione didicimus, ut ad summum tam detestandi hujus facinoris cumulum

evil, forbade entirely the investiture of ecclesiastics by the civil authorities.<sup>19</sup> The character of Henry IV. offered to Gregory a most favorable, as well as most important opportunity of asserting his supremacy. By his unbridled passions, and his waywardness, the consequences of an unfortunate education, this young prince had already estranged the largest part of his people, and especially the Saxons; so that the Pope could reckon on allies even amongst the subjects of his opponent.<sup>20</sup> At the same time, in the emperor of Germany, he humbled the first political power of the world.

On a sudden, therefore, the Pope let drop the already begun contest with Philip, and turning upon Henry, who, likewise, had neglected his decrees, summoned him to appear before the papal judgment seat at Rome.<sup>21</sup> This unheard of, but deliberate boldness, was met by Henry with an inconsiderate violence which only did him harm. He summoned councils at Worms and Pavia, and there threw a shade upon a good cause by bringing groundless accusations against the

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pervenisse videatur. Still more general charges, *Lib. II. Ep. 5 ad Episcopos Francorum*, A. D. 1074: rex vester, qui non rex sed tyranus dicendus est, omnem potestam suam flagitiis et facinoribus polluit, et suscepta regni gubernacula miser et infelix iniutiliter gerens etc. — Vos fratres etiam in culpa estis, qui dum perditissimis factis ejus sacerdotiali rigore non resistitis, procul dubio nequitiam illius consentiendo fovetis. — Quod si vos audire noluerit, — ab ejus vos obsequio atque communione penitus separantes, per universam Franciam omne divinum officium publice celebrari interdicite. Quod si nec hujusmodi districione voluerit resipiscere, nulli clam aut dubium esse volumus, quin modis omnibus regnum Francie et ejus occupatione, adjuvante Deo, tentemus eripere. Comp. *Lib. II. Ep. 18 ad Guilelm. Com. Pictar.*

<sup>19</sup> See a short account of this Synod in the *Registrum Greg. VII.* affixed to lib. II. Ep. 52. See Baron. 1075, no. 10, Mansi XX, p. 443. Pagi crit. ann. 1075 no 1, has shown that the decree given by *Anselmus Lucensis contra Guibert.* lib. II. (in Canisii lectt. ed Basnage T. III. P. I. p. 384) and *Hugo Flariniae. Chron. Viridun.* (in Labbe Bibl. nova MSS. T. I. p. 196) belongs here: Si quis deinceps Episcopatum vel Abbatiam de manu alieujus laicæ personæ suscepserit, nullatenus inter Episcopos vel Abbes habeatur, nec ulla ei ut Episcopo vel Abbatu audiencia concedatur, insuper ei gratiam b. Petri et introitum ecclesiæ interdicinum, quousque locum, quem sub criminе tam ambitionis quam inobedientiæ, quod est scelus idolatriæ, cepit, resipiscendo non deserit. Similiter etiam de inferioribus ecclesiasticis dignitatibus constituiimus. Item si quis Imperatorum, Regum, Ducum, Marchionum, Comitum, vel quilibet secularium potestatum aut personarum, investituram Episcopatum vel alieujus ecclesiastice dignitatis dare præsumserit, ejusdem sententia vinculo se adstrictum sciat.

<sup>20</sup> Voigts Hildebrand S. 77 ff. 127 ff. Schlosser's Weltgesch. Bd. 2 Th. 2 S. 667 ff.

<sup>21</sup> See an account of what first passed between them, *Bruno de bell. Sax.* p. 121: Misit ergo Regi literas, quibus eum de multis aliis criminibus arguebat, et ut Episcopos a captivate dimisso (the Saxon bishops kept in captivity since the subjection of the Saxons,) Ecclesiæ bonisque suis integre restitutis remitteret, orabat, et post hæc concilium in eo loco, quo venire posset Apostolicus, congregaret, ubi Episcopi vel, si digni essent, Episcopalem perderent dignitatem, vel injuriarum, quas erant passi, canonicanum reciperen sati-factionem. Quod si in his sacris canonibus noluisserent Rex obediens existere, et excommunicatos a societate sua repellere, se eum velut putrem anathematis gladio ab unitate s. Matris Ecclesiæ minabatur absindere. He then sent ambassadors, (*Lamb. Schafn.* p. 403) denunciantes regi, ut secunda feria secundæ hebdomadae in Quadragesima ad synodum Romæ occurreret, de criminibus, quæ objicerentur, causam dicturus: alioquin sciret, se absque omni procrastinatione eodem die de corpore s. Ecclesiæ Apostolico anathemate abscondendum esse.

Pope, and so deposing him.<sup>22</sup> In turn he was deposed, and put under the ban by Gregory.<sup>23</sup> True, there were many who disputed the right of the Pope to do this;<sup>24</sup> but the German princes, long since

<sup>22</sup> The imperial summons to a council at Worms contained in Udalrici Bab. Codex Epistol. no. 144 (Eccard I. p. 144). There appeared the banished Cardinal Hugo Blaneus deferens secum de vita et institutione Papa scenicis figuramentis consimilium tragodiam (*Lambert. Schafnab.*) probably in part the same accusations which we find in *Benuo de vita Hildebr.* Concerning these two councils see *Lambert. Schafn.* p. 403 seq. *Paul Bernried.* c. 66, seq. The letter which Gregory sent to the German bishops, prim. ed. *Flacius* in Catal. Test. Verit., and the letters of Henry to the German Church and to Gregory, in *Bruno de bello Sax.* p. 122 seq. (all in *J. F. Georgii* imperatorum etc. gravamina adv. sedem Rom. Franeof. et Lips. 1725. 4to. p. 35 seq.) In this last we read: *Et nos quidem haec omnia sustinuimus, dum Apostolicae sedis honorem servare studiunis. Sed tu humiliatem nostram timorein forte intellexisti, ideoque et in ipsam regiam potestatem nobis a Deo concessam exurgere non timuisti, quam te nobis auferre ausus es minari.* Quasi nos a te regnum acceperimus, quasi in tua et non in Dei manu sit regnum vel imperium: *quum Dominus noster Jesus Christus nos ad regnum, te autem non vocavit ad sacerdotium.* Tu enim his gradibus ascendisti: *scilicet astutia — pecuniam, pecunia favorem, favore ferrum, ferro sedem pacis adisti, et de sede pacis pacem turbasti etc.*

<sup>23</sup> *Cone. Roman.* ann. 1076. Mansi XX. p. 467 seq. cf. *Paul Bernried.* c. 68 seq. This was the form: *Beate Petre Apostolorum princeps, inclina quasumus pias aures tuas nobis, et audi me servum tuum. — Tu mihi testis es, et Domina mea, mater Dei, et b. Paulus frater tuus, et omnes Sancti, quod tua s: Romana ecclesia me invitum ad sua gubernacula traxit, — et ideo — credo, quod tibi placuit et placet, ut populus Christianus tibi specialiter commissus mihi obediatur. — Hac itaque fiducia fretus pro ecclesiae tuae honore et defensione, ex parte omnipotentis Dei Patris et Filii et Spiritus sancti, per tuam potestatem et auctoritatem Henrico Regi filio Henrici Imperatoris, qui contra tuam ecclesiam inaudita superbia insurrexit, totius regni Teutonicorum et Italiae gubernacula contradico, et omnes Christianos a vineculo juramenti, quod sibi fecere vel facient, absolvo, et ut nullus ei sicut Regi serviat, interdiego. — Et quia sicut Christianus contemnit obedire, — participando excommunicatis, et multas iniquitates faciendo, meaque monita, quae pro sua salute sibi misi, te teste, spernendo, seque ab ecclesia tua, tentans eam scindere, separando; vineculo eum anathematis vice tua alligo: et sic eum ex fiducia tua alligo, ut sciant gentes, et comprobent, quia tu es Petrus, et super tuam petram Filius Dei vivi adificavit ecclesiam, et porte inferi non prævalebunt adversus eam.* This act of excommunication was published in a letter *ad universos Christianos* *Paul Bernried.* c. 77. *Bruno de bello Sax.* p. 123 *Gregor lib. III. Ep. 6.*

<sup>24</sup> Soon after this Gregory wrote the *Epist. ad Germanos* (Paul Bernried c. 78. Udalrici Cod. Epist. no. 146. Mansi XX. p. 377): *Audivimus inter vos quosdam de excommunicatione, quam in Regem fecimus, dubitare, ac querere, utrum, juste sit excommunicatus, et si nostra sententia ex auctoritate legalis censuræ, ea qua debuit, deliberatione egressa sit.* Thus Hermann, bishop of Metz, informed Gregory that it was by many thought Regem non oportet excommunicari. To this *Gregor. lib. IV. Ep. 2 ad Herimannum,* A. D. 1076, and more at large, *lib. VIII. Ep. 21:* — *Quod autem postulasti, te quasi nostris scriptis juvari ac preminiri contra illorum insaniam, qui nefando ore garinnt, auctoritatem sanctæ et apostolicæ sedis non potuisse regem Henricum, hominem Christianæ legis contemtorem, ecclesiæ videlicet et imperii destructorem, atque haereticorum auctorem et consantenum excommunicare, nec quemquam a sacramento fidelitatis ejus absolvere: non adeo necessarium nobis videtur, cum hujus rei tam multa ac certissima documenta in sacrarum scripturarum paginis reperiuntur.* See note 3. This letter was answered by *Sigebertus Gembl.* (see § 49, note 7.) and as late as 1093 by *Waltram,* Bishop of Naumburg, (see note 38.) — *Theoderici Ep. Virgini. Epist. ad Gregorium,* A. D. 1080, (see note 16) p. 220: *Non est novum homines sæculares seculariter sapere et agere. Novum est autem et omnibus retro sæculis inauditum, pontifices regna gentium tam facile velle dividere, nomen regium inter ipsa mundi initia repertum adeo postea stabilitum repellente elidere, Christos Domini,*

dissatisfied with their king, received the Pope as a welcome ally, and assembling at Tribur (October, 1076) called upon Henry to comply with his demands.<sup>25</sup> The wrath of the irresolute king was now so quickly changed to fear, that in the following January he submitted to the greatest indignities from Gregory at Canossa, to obtain release from the ban.<sup>26</sup> Soon after, however, he suffered the influence of the

quoties libuerit, plebeja sorte sicut villicos mutare, regno patrum suorum dedere jussos, nisi confessim adquieverint anathemate damnare. Scripture references, e. g. **I Petr.** ii. 17, 18. **Tit.** iii. 1, and to the example of Gregory the Great, (See vol. I. § 86, note 4). Then p. 224: Sanctam autem et omnibus retro saeculis apud omnium gentium nationes inviolatam jurisjurandi religionem facillima, inquiunt, domini Papa rescindit absolutio: et quod tantum est, ut illud omnis controversia timet Apostolus nominaverit, modo unius chartulae per quemlibet bajulatorem porrectae levissima infringere jubetur (*leg.*, *infringi* *jubetur*) lectione. Absolvo, inquit, omnes a juramento, quod Henrico juraverunt. Ecce nunc tempus acceptabile, ecce qui educit vincentes in fortitudine, velimus, nolimus, absolvimur. — Sed quid ad haec illi dicunt? Non te in hoc, domine Papa, audiimus; non abnegamus ei fidem quam promisimus, non tantum promisimus, sed juravimus; quia si os, quod simpliciter mentitur, occidit animam, valde est inconsequens, ut os, quod cum perjurio mentitur, non occidat animam. Et si perdat omnes, qui loquuntur mendacium, multo amplius perdit omnes, qui loquuntur perjurium. Quod autem per tuam auctoritatem hujus rei nobis promittis impunitatem: noli, obsecro, noli in fratres peccare, noli pusillus Christi scandalizare, noli per perversum securitatem intima auditorum corda in irrevocabile præcipitum tecum submergere. Illud nec nos sequi, nec tu potes præcipere. Si super cathedram Moysi sederes, necesse habebem servare et facere, quod iuberas. Cathedram Meisi descendisti; ab omni, quam tibi debebam obedientia necessitate me absolvesti. Quid enim dicit Moyses? “Non assumes nomen Dei tui in vanum” (*Exod.* xx. 7). Et alibi: “Non perjurabis in nomine meo, etc.” (*Lev.* xix. 12). — Sed dicit dominus Papa: perversus est, cui jurasti, impius est, perjurus est, sceleratus est, fidelis ei non debes. This was not the case indeed: Sed sit impius, sit perversus, sit quicquid dominus Papa in eum dicere voluerit acerius, num ideo sacramentum ei factum infringere, et quia ille malus est, ideo ego sacrilegus existendo me in aeternam damnationem videns et sciens debo intrudere? Prorsus nec debo, nec facio, quia patres sanctos — sacramentum cum perversis et a Deo alienis hominibus suscepisse, et summa illud cautela observasse, in scripturis sanctis et legi et memoro. Examples, esp. the oath of Joshua to the Gibeonites, (*Josh.* 9): Joshua might have said to the people: Absolvo vos a sacramento, quia idolorum cultores — inter vos reservare vocem Domini prohibiti estis. — Juramentum fraude et mendacio initum evacuare non timueritis. — Sed illi sint, ait, illi idololatrae, nos eis non in dolis sed in nomine Domini Dei Israel juravimus. Illi nos fraudulenter deceperunt, nos mendacium eorum exerentes a veritate in nomine Domini confirmata nequaquam declinabimus, etc. — Haec nos, inquit, insuperabilis veritatis sequentes testimonia, nulla seductorum hominum circumventione a sacramento volenter et legitime facto declinabimus; etiam si angelus de celo aliter nobis evangelizaret, nos illum parvipendere, contemnere, anathematizare non dissimulabimus.

<sup>25</sup> *Bruno de bello Saxon.* p. 133. *Lambert. Schafn.* p. 414 seq.

<sup>26</sup> Gregory himself gives an account of this to Henry's subjects, *lib.* IV. *Ep.* 12 *ad Germanos*: tandem (Rex) — ad oppidum Canusii, in quo morati sumus, cum paucis advenit, ibique per triduum ante portam deposito omni regio cultu miserabiliter, utpote discalecatus et lancis indutus, persistens, non prius cum multo fletu apostolicæ miserationis auxilium et consolationem implorare desitit, quam omnes qui ibi aderant — ad tantam pietatem et compassionis misericordiam movit, ut pro eo multis precibus et lacrymis intercedentes, omnes quidem insolitam nostræ mentis duritiam mirarentur, nonnulli vero in nobis non apostolicæ severitatis gravitatem, sed quasi tyrannicæ feritatis crudelitatem esse clamarent. Denique instantia compunctionis ejus, et tanta omnium qui ibi aderant supplicatione devicti, tandem eum relaxato anathematis vinculo in communionis gratiam et sinum s. matris ecclesiæ receperimus. Afterwards the *Jusjurandum Henrici*: Ego Henricus Rex de mur-

Lombards, who had become embittered against the Pope, to change him again, and now breathed only revenge for the insults he had sustained.<sup>27</sup> On this nearly all the princes of Germany met together in Forchheim (May, 1077), and chose Rudolph, duke of Suabia, for their king;<sup>28</sup> though Henry had still followers enough to meet his rival in the field. As long as the contest was doubtful, Gregory refused to declare in favor of either, notwithstanding his former decrees against Henry, and the reproaches of Rudolph's party;<sup>29</sup>

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muratione et dissensione, quam nunc habent contra me Archiepiscopi et Episcopi, Duces, Comites, ceterique Principes regni Teutonicorum, et alii, qui eos in eadem dissensionis causa sequuntur, infra terminum, quem Dominus Papa Gregorius constituerit, aut justitiam secundum iudicium ejus, aut concordiam secundum consilium ejus faciam. — Item si idem Dominus P. Gregorius ultra montes, seu ad alias partes terrarum ire voluerit, securus erit ex mei parte etc. See *Lambert. Schafu.* p. 417 seq. (Compare with this Wedekind's Noten zu einigen Geschichtschreibern des deutschen Mittelalters Bd. 1. Hamb. 1823 S. 169) *Bernald, Const. ad ann. 1077.*

<sup>27</sup> *Lambert. Schafu.* p. 422 seq. whose account closes with this.

<sup>28</sup> *Paul Bernried.* c. 93. The papal legates stated: Papam petere, ut novi Regis electionem, de qua audierat, in adventum ejus different, si hoc sine periculo fieri posse perpenderent. But as the princes apprehended some danger in delay, legati — responderunt, sibi quidem optimum videri, si Regis constitutionem — in adventum Domini Papæ sine periculo differe possent: ceterum provisionem regni non tam in eorum consilio, quam in Principum arbitrio sitam esse. Of these occurrences, and what follow, see also *Bernald Const. 1. c. Bruno de bello Saxon.* p. 134, seq.

<sup>29</sup> Saxony, Thuringia and Suabia were on Rudolph's side; Bavaria and Franconia on Henry's. *Bruno de Bello Saxon.* p. 138 seq. Interea Dominus Apostolicus apostolici vigoris oblitus (qua causa nescimus) multum est a priore sententia mutatus. Nam qui prius Henricum cum omnibus suis adjutoribus Apostolica severitate excommunicaverat, cique regnandi potestatem potenter interdixera, et omnes, qui ei fidelitatem jurassent, a juramenti nodis Apostolica auctoritate absolverat, et electionem novi Regis consensu suo confirmaverat, nunc per literas mandavit, ut consilio facto Rex uteisque convocatus audiatur, et quem justitia regnare permiscerit, altero deposito tutus in regno confirmetur. Thus we find at the *Conec. Roman.* ann. 1078 (Mansi XX. p. 504) that idonei — nuntii e latere apostolice sedis were appointed to go to Germany and hold this council; so too *Gregorius lib. IV. Ep. 21 ad Germanos* ann. 1078, and *Gregorius Epist.* a Syn. Rom. ann. 1079 in partes Teutonicas missa (Mansi XX. p. 522). On this subject Rudolph's party addressed to the Pope five letters in succession, full of complaints: (See *Bruno* p. 140 seq.) In the first: Quum illa anathematis absolutio per epistolam vestram nobis innotesceret, de sententia regni, que in eum processit, nihil mutatum esse intelleximus, sed ne nunc quidem, si mutari possit, intelligamus. Absolutio enim illa juramentorum qualiter cassari possit, nullo modo percipere valamus. Sine sacramentorum autem observatione Regiae dignitatis officium nequaquam administrari potest. — Quumque de electo nobis Rege et non de Regibus spes magna ad refocillandum Imperium succresceret, eeee ex insperato litera vestrae advenientes, duos in uno regno Reges pronunciant, duobus legationem decernunt. Quam Regii nominis pluralitate, et quodammodo regni divisionem divisio quoque populi et studia partium subsecuta sunt, etc. Gregory thus excuses himself, *lib. VII. Epist. 3 ad Germanos*: Pervenit ad nos, quod quidam ex vobis de me dubitant, tamquam in instanti modo necessitate usus sim saeculari levitate. Qua certe in causa nullus vestrum prater instantiam preliorum majores me et patitur angustias, et suffert injurias. Quotquot enim Latinis sunt, omnes causam Henrici prater admodum paucos laudant ac defendunt, et pernitit duritas ac impietatis circa eum me redarguant. Quibus Dei gratia omnibus sic restitutus haecenus, ut in neutram adhuc partem, nisi secundum justitiam et aequitatem, secundum nostrum intellectum declinaremus. Nam si legati nostri aliquid contra quod illis imposuimus egerunt, dolemus: quod ipsi tamen (sicut comperimus) tum violenter coacti, tum dolo decepti fecerunt.

nor was it till Henry seemed to have sustained a complete defeat at Fladenheim, (27 January, 1080), that he renewed the ban against him, and declared in favor of Rudolph (May, 1080).<sup>30</sup> Henry on his part deposed the Pope anew at the synods of Mentz and Brixen, where Guibert, archbishop of Ravenna, was chosen Pope (July, 1080), under the name of Clement III.<sup>31</sup> After the death of Rudolph at the battle of Merseberg (October, 1080), the army of Henry was much strengthened,<sup>32</sup> and affairs began to assume a threatening aspect for the Pope. But this did not shake Gregory in his purpose. Indeed he had gone too far to recede. His enemies were too much embittered,<sup>33</sup> and his friends too full of fanatical hatred,<sup>34</sup> to admit of

<sup>30</sup> Rudolph sent ambassadors to the *Cone. Rom.* with the old charges against Henry. (See Mansi XX. p. 536.) The Pope on this proceeded to pass on him sentence of excommunication and deposition (ib. p. 534) in the form of a prayer to Peter and Paul, similar to the former one (note x) closing with the remarkable passage: *Ipse autem Henricus cum suis fautoribus in omni congresione belli nullas vires, nullamque in vita sua victoriam obtineat. Ut autem Rudolphus regnum Teutonicorum regat et defendat, quem Teutonici elegerunt sibi in regem, ad vestram fidelitatem ex parte vestra dono, largior et concedo omnibus sibi fideliter adhaerentibus absolutionem oannium peccatorum, vestramque benedictionem in hac vita et in futura, vestra fretus fiducia, largior. — Agite nunc, queso, patres et principes sanctissimi, ut omnis mundus intelligat et cognoscat, quia, si potestis in caelo ligare et solvere, potestis in terra imperia, regna, principatus, ducatus, marchias, comitatus et omnium hominum possessiones pro meritis tollere uniuicue et concedere. — Si enim spiritualia judicatis, quid de secularibus vos posse credendum est: et si angelos dominantes omnibus superbis principibus judicabitis, quid de illorum servis facere potestis? Addiscant nunc reges et omnes saeculi principes, quanti vos estis, quid potestis, et timeant parvipendere iussionem ecclesie vestra: et in praedicto Henrico tam cito iudicium vestrum exercete, ut omnes sciant, quia non fortuito, sed vestra potestate cadat.* The story of a crown sent to Rudolph with the inscription: *Petra dedit Petro, Petrus diadema Rudolphi,* found first in *Sigbert. Gembl.* ann. 1077, mentioned only as a story by *Otto Frising.* *de gest. Frid.* c. 7, and *Guileml.* Appul. lib. IV. is probably a fiction. Voigt, S. 561.

<sup>31</sup> *Hugon. Flarin. Chron. Virdun.* ap. Labb. p. 225, *Chron. Ursperg.* p. 171 seq. The Acts of the Council of Brixen in *Udalrici Bab. Codex Epist.* no. 164.

<sup>32</sup> To this no doubt contributed the legend, *Sigb. Gembl.* ad ann. 1080: Hildebrandus P. quasi divinitus revelatum sibi praedixit, hoc anno falsum regem esse moriturum which may perhaps have grown out of the words of the ban (see note 30). Also the legend of Rudolph's last words in *Chron. Ursperg.* p. 172: *Ecce haec est manus, qua domino meo Heinrico fidem sacramento firnavi, ecce ego jam ejus regnum et vitam derelinquo præsentem: videte, qui me solium ejus consecdere fecistis, ut recta via vestra menita sequentem duxissetis.* It is true that quite a different account of Rudolph's death is given by *Bruno*, p. 150.

<sup>33</sup> *Theoderici Epise. Virdun. epist. ad Gregorium VII.*, A. D. 1080 (see note 16), p. 215: *Jam enim omni pudore evacuato — in aperta paternitatis vestrae vituperia feruntur, in vestram damnationem quanto acerius egerint, tanto acceptius se Christo obsequium prestare arbitrantur. — Et de vita quidem vestra et conversatione indigna sentientes, vos ipsum laxatis loquacitatis habenis execrantur, et vituperant ecclesiasticas sanctiones, et introducta per vos instituta irrident et conculant: ad quæ defendenda, si eos ad librorum attestations et seq. Patrum auctoritates evocamus; hoc vero, hoc est, ajunt, quod volumus, hoc precainur et cupimus.*

<sup>34</sup> The climax of this hatred seen in the work of *Manegold*, a priest of Luttenbach, afterwards the founder of the convent Marbach in the Alsace, written in answer to this Epist. Theoderici (Ms. in Carlsruhe, extracts therefrom in Schlozer's *Briefwechsel histor. und polit. Inhalts Th. 8. S. 364 ff.*). Cap. 38 and 39 it is shown, quod hi, qui excommunicatos non pro privata injuria, sed eccl-

any terms. To retract, would now be not merely humiliation, but destruction. The quarrel had become a personal feud.<sup>35</sup> In Italy, therefore, Gregory hastened, by important concessions, to secure an ally in Robert Guiscard,<sup>36</sup> whilst in Germany he spared no pains to prevent a reconciliation of the adverse parties.<sup>37</sup> The papal party

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siam defendendo interficiunt, non ut homicidae punientur vel puniantur. (So too *Urbanus II. Gratian P. II. Caus. XXIII. Qu. 5 c. 47*: Non enim eos homicidas arbitramur, quos adversus excommunicatos zelo catholice matris ardentes, aliquos eorum trucidasse contigerit). *Cap. 41*: quod pro *Henricianis* non sit orandum. For they were guilty of the peccare in Spiritum sanctum i. e. per malitiam et invidiam fraternalm oppugnare caritatem post acceptam gratiam Spiritus S. quod peccatum Dominus neque hic neque in futuro saeculo dimitti dicit. (Of *M a n e g o l d* it is true even his own party said: Fuit homo importunus — optamus, ut liber ipsius cum ipso sit sepultus: others on the other hand considered scripta illius quasi responsa celestis oraculi, see *Gerhothi dial. de differentia Clerici Sae. et Regul. in Pezii thesaur. aned. T. II. P. II. p. 491, seq.*) — Compare the account of *Guenricus*, (see note q) p. 237: Alii loca sacra sacrilegorum ingressu et egressu contaminata repurgaturi, — patentibus per diem et noctem ecclesie januis, ventum recipiunt. Alii in lapides et ligna, profanorunt, ut asserunt, contactu dechristianata, scopis animadvertebant et aqua, superstitionis lapidum baptista, dum judaica revocant baptismata, de stultitia insaniam faciunt.

<sup>35</sup> *Theoderici epist. p. 227*: Illud sane quod de ecclesiasticis ventilatur beneficiis ab omni secularium jure perpetua emunitate asserendis, de episcopis quoque manu principis in episcopatum minime introducendis, et si pro rei novitate primo suo aspectu offensionem generat: aliquando tamen speciem rationis exhibet, si non re [leg. res] vel tali tempore mota, vel tali impetu properata, vel tali foret contentione agitata. Quis enim non videat, non ex religionis zelo, sed ex principis odio haec actitata, cum personis per sacram *Rudolfi* vel *Herimanni* dextram non introductis, sed subintroductis, benedictiones non negentur, pallia domum transmittantur, cum his, qui sub aliis regibus degunt, mitius agatur: nostris autem Episcopis, Archiepiscopis legitime electis, communis assensu receptis, laeta etiam communio interdicitur, et in nulla deprehensi culpa, *Heinrico* solum quia fidem tenent et perjurare timent, reprobi judicentur.

<sup>36</sup> Robert had been excommunicated in 1074, for possessing himself of Campania, *Leo Ostiens. Chron. Casin. II. c. 45 Voigt S. 320*. Without any concession on his part he now (1080) received forgiveness, renewed his oath of allegiance (see *Div. II. p. 89, note 11*) annexed to *Gregorii lib. VIII. ep. I.* and was invested by Gregory with the remarkable form: (*ibid.*): Ego Gregorius P. investio te, Roberte dux, de terra, quam tibi concesserunt antecessores mei sanctae memoriae Nicolaus et Alexander. De illa autem terra, quam injuste tenes, sicut est Salernus, et Amalphia, et pars marchiae Firmiana, *nuic te patienter sustineo*, in confidentia Dei omnipotentis et tuae bonitatis, ut tu postea exinde ad honorem Dei et s. Petri ita te habeas, sicut et te agere et me suscipere deet sine periculo animae tuae et meae.

<sup>37</sup> See especially *Gregorii lib. IX. epist. 3*, to his legates in Germany. In this he grants, pene omnes nostros fideles, audit a nece Rudolphi b. memorie Regis, nisi ad hoc nos erebris adhortationibus fleetere, ut Henricum jampridem, sicut seitis, plura facere nobis paratum, cui ferme omnes Itali ci sarent, in gratiam nostram recipiamus, etc. Still he is bent on Henry's destruction: Si Henricus forte Longobardiam intraverit, admonere etiam te, carissime frater, volumus ducem Welphonem, ut fidelitatem b. Petro faciat. — Illum enim totum in gremio b. Petri desideramus collocare, et ad ejus servitium specialiter provocare. Quam voluntatem si in eo, vel etiam in aliis potentibus viris — cognoveris, ut perficiant elabora, nosque certos reddere diligenter procura. He then prescribes the following oath for the king who shall be chosen: Ab hac hora et deinceps fidelis ero per rectam fidem b. Petro Apostolo ejusque vicario Papae Gregorio, qui nunc in carne vivit: et quodcumque mihi ipse Papa praeciperit, sub his videlicet verbis: *Per veram obedientiam, fideliter, sicut oportet Christianum, observabo. De ordinatione vero ecclesiastarum, et de terris vel censu, quae Constantinus Imp., vel Carolus s. Petro*

chose a new king, Hermann of Luxembourg (August, 1081), but were not able to hinder Henry from crossing the Alps to humble the proud Primate. A literary contest also now began between the advocates of Henry and the Pope.<sup>38</sup> In the mean time Henry having laid waste the territories of Matilda, countess of Tuscany, at last conquered Rome (A. D. 1084), and entered triumphantly with his pope, Clement III. Gregory was forced to shut himself up in the castle of St. Angelo, from which he was at length released by Robert Guiscard, but finding the Romans inimically disposed, he went with the Normans to Salerno, where he died, May 25, 1085.<sup>39</sup>

To a right view of Gregory's treatment of Henry, it is necessary to compare it with the course he took with regard to William the Conqueror. At the synod of Winchester, A. D. 1076, Gregory's law prescribing the celibacy of the clergy was very materially modified;<sup>40</sup>

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dederunt, et de omnibus ecclesiis vel prædiis, quæ apostolicae sedi ab aliquibus viris vel mulieribus aliquo tempore sunt oblata vel concessa, et in mea sunt vel fuerint potestate, ita convenientiam cum Papa, ut periculum sacrilegii et perditionem animæ meæ non incurram: et Deo sanctoq[ue] Petro adjuvante Christo dignum honorem et utilitatem impendam: et eo die, quando illum primitus videro, fideliter per manus meas miles s. Petri et illius officiar. Still he gives his legates a hint: de his si quid minuendum vel augendum censueris, non tamen prætermisso integro fidelitatis modo, et obedientie promissione; potestati tuae et fidei, quam b. Petro debes, committimus. Even with regard to the marriage of priests he concedes: Quod vero de sacerdotibus interrogasti, placet nobis, ut impræsentiarum, tum propter populorum turbationes, tum etiam propter bonorum inopiam, scilicet quia paucissimi sunt, qui fidelibus Christianis officia religionis persolvant, pro tempore rigorem canonicum temperando debeatis sufferre. The same grounds had always existed, but he did not wish now to drive the married priests to join themselves to Henry.

<sup>38</sup> For Gregory particularly *Anselmus* Ep. Lueensis († 1086) libb. II. contra *Guibertum Antipapam*, pro defensione *Gregorii VII.* (in *Canisii leet. ant. ed. Basnage T. III. P. I.* p. 369 seq.). *Bernaldus Constant.* Besides the *Apologeticus pro Gregorio VII.* (in *Gretseri opp. T. VI.* p. 52. *Mansi XX.* p. 404 seq.) he wrote many letters (see note 16 at the end) and smaller works, most complete in *Monument. res Alemannicas illustrant.* T. II. p. 183 seq. — For Henry, besides *Weinrich* and *Dieterich*, bishop of Verdun, (note 16): the *Apologia pro Henrico IV. Imp. A. D. 1093*, in answer to Gregory's Epist. ad *Hermann.* (note 3) and certain writings *Bernhardi Corbej. Monachi* (according to Goldast's very probable supposition, written by *Waltram*, bishop of *Naumburg*; first published by *Hutten* with the title *de unitate Ecclesiæ*, in *Goldasti Apolog. pro Henr. IV.* p. 53 seq., in *Freheri Scriptt. Rer. Germ. T. I.* p. 155 seq.). *Waltrami Naumburg tract. de investitura Episcoporum 1109* (Goldast, I. c. p. 226 seq.).

<sup>39</sup> For the history of these occurrences, see especially *Bernald Const. ann. 1081 seq.* The death of Gregory described by *Paul Beruried. c. 108–110*, according to whom his last words were: Dilexi justitiam et odivi iniquitatem, propterea morior in exilio. A different account was circulated in Germany, according to which (see *Sigibert. Gembl.* ad ann. 1085j: in extremis positus — confessus est Deo et s. Petro et toti Ecclesiæ, se valde peccasse in pastorali cura — et suadente Diabolo contra humanum genus odium et iram concitasse. — Dimisit ac dissolvit vincula omnium bannorum suorum imperatori et omni populo Christiano, vivis et defunctis, etc. Remarkable as showing the light in which the papal usurpations were regarded by many of Gregory's contemporaries.

<sup>40</sup> *Conec. Wintoniense ann. 1076*, where Lanfranc presided (*Mansi XX. p. 462*): Decretum est, ut nullus canonicus uxorem habeat. Sacerdotum vero in castellis vel in vicis habitantium, habentes uxores, non cogantur ut dimittant; non habentes interdicantur ut habeant; et deinceps eaveant Episcopi, ut sacerdotes vel diaconos non præsumant ordinare, nisi prius profiteantur, ut uxores non habeant.

the bishops whom he had summoned to Rome were refused leave of absence; the king continued to exercise the right of investiture;<sup>41</sup> the presumptuous demands of the Pope were answered with cold indifference,<sup>42</sup> and yet Gregory did not venture to take any farther steps against so vigorous an opponent, well satisfied that nothing farther was done on the other side.<sup>43</sup>

### § 48.

**VICTOR III. (A. D. 1085 — 1087.)    URBAN II. (A. D. 1088 — 1099.)**

After the death of Gregory, his adherents began to wish for peace,<sup>1</sup> the other party having now the decided ascendancy both in Germany and in Italy, where Gregory's successors, Victor III. and Urban II.<sup>2</sup> were hard pressed by Clement III.<sup>3</sup>

<sup>41</sup> *Gervasius Cantuariensis Mon.* (about 1201) de discordiis inter Monachos Cantuar. et Baldwinum Archiepisc. (*Scriptt. X. Auglici. Lond. 1652. fol. p. 1327*): Petivit (Lanfrancus) Regem (Guilelmum) ut sibi donationem abbatiae concederet, sicut omnes praedecessores suos constat habuisse. Respondit Rex et dixit, se velle omnes baculos pastorales Angliae in manu sua tenere. Lanfrancus ad hæc miratus est, sed propter maiores ecclesie Christi utilitates, quas sine Rege perficere non potuit, ad tempus siluit.

<sup>42</sup> *Guilelmi R. Ep. ad Gregorium* in *Baronius ann. 1079*, no. 25: Hubertus Legatus tuus, religiose pater, ad me veniens ex tua parte me admonuit, quatenus tibi et successoribus tuis fidelitatem facrem, et de pecunia, quam antecessores mei ad Romanam Ecclesiam mittere solebant, melius cogitarem. Unum admisi, alterum non admisi. Fidelitatem facere nolui, nec volo: quia nec ego promisi, nec antecessores meos antecessoribus tuis id fecisse comperio. Pecunia tribus fere annis, in Galliis me agente, negligenter collecta est. Nunc vero divina misericordia me in regnum meum reverso, quod collectum est, per præfatum mittitur, et quod reliquum est, per Legatos Lanfranci Archiepiscopi fidelis nostri, cum opportunum fuerit, transmittetur. On this *Gregorius lib. VII. Ep. I.* writes to his legate Hubert dd. 24 Sept. 1079: — Pecunias sine honore tributas quanti pretii habeam, tu ipse optime potuisti dudum perpendere. — Verum multa sunt, unde s. Romana ecclesia adversus eum queri potest. Nemo enim omnium regum etiam paganorum contra apostolicam sedem hoc præsumpsit tentare, quod is non erubuit facere; scilicet ut episcopos, archiepiscopos, ab Apostolorum liminibus ullus tam irreverentis et impudentis animi prohiberet. Gregory, namely, had in vain summoned Lanfranc to Rome, see *Lib. VI. Ep. 30*. William was no doubt influenced in this by Lanfranc's irritated feelings towards Gregory, on account of his conduct to Berengar, especially A. D. 1078 (see *Div. I. § 29*, note 18), seen very plainly in the *Epist. ad Greg.* (in *Baron. ann. 1079*, no 23.)

<sup>43</sup> *Lib. VII. Ep. 23 ad Guilelm.*: (— gemma principum esse meruisti.) — *Ep. ad eund.* *Ep. 26 ad Matildem Regin. Angl.* *Ep. 27 ad Robert. Regis Angl. filium*, all written A. D. 1080.

<sup>1</sup> *Urbani II. vita* by Ruinart, in *Ouvrages posthumes de J. Mabillon et de Th. Ruinart T. III.* (Paris, 1724. 4to.) p. 1 — 410.

<sup>2</sup> *Schlosser's Weltgesch.* Bd. 3. Th. 1. S. 200 ff.

<sup>3</sup> *Bernaldi Const.* ad ann. 1089: Sed jam aliquantulum diurna regni discordia inter catholicos et schismaticos tepescere cœpit, ut non jam bellum ad invicem, sed pacem compонere sanius judicarent. Quapropter duces et comites S. Petro fideles cum Heinrico colloquium habuerunt, eique suum consilium et auxilium ad obtinendum regnum firmissime promiserunt, si Guibertum hæresiarcham vellet dimittere, et ad ecclesiasticam communionem per catholicum pastorem remeare. Quam quidem conditionem nec ipse multum respuit: si tamen in hoc ei principes

It was not long, however, before the scale was completely turned. In Italy the Gregorian party had already gained the advantage by electing Henry's son Conrad, king of that country (A. D. 1093);<sup>4</sup> but when Urban, by sanctioning the crusades, had become the head of the church militant, and identified himself with the fanaticism which pervaded all Christendom on this subject, he gained an influence throughout the West which nothing could resist.<sup>5</sup>

The Christian world had long witnessed with indignation<sup>6</sup> the ill treatment of pilgrims in Palestine, especially under the rude Seldschucks (A. D. 1073), when Peter the Hermit, empowered by Urban II. (A. D. 1094), blew the slumbering spark into a flame. At the synods of Piacenza (March, 1095)<sup>7</sup> and of Clermont (November, 1095),<sup>8</sup> the work was completed, nor was it long before a countless

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assentiri vellent, videlicet Episcopi, qui se cum Guiberto deponendos esse non dubitaverunt, eo quod in ejus parte ordinationem, immo execrationem perceperunt. Hi ergo ei penitus hac vice dissuaserunt, ne s. Matri Ecclesiae reconciliaretur.

<sup>4</sup> Conrad's reasons for deserting his father's cause, as given by *Dodechinus* (abbot of Disenberg, 1200) in his Append. ad Mariani Scoti Chron. ann. 1039 (Pistorius-Struve T. I. p. 661 seq.) are evidently slanderous fictions against Henry. The contemporary historian, *Bernard. Const.* ann. 1093, says: Cuonradus — a patre dolo circumvenitur et captivatur; sed Dei misericordia inde eruptus a Mediolanensi Archiepiscopo et reliquis fidelibus S. Petri in regem coronatur, admittente Welfone duce Italiae et Mathilda ejus charissima conjugé — *Otbertus de vita Henrici IV.* (in Goldasti Apol. p. 214): Filius Imperatoris — a Mathilde persuasus — junctus inimicis patris, etc. See F. v. Raumer's Gesch. d. Hohenstaufen und ihrer Zeit (Leipzig, 1823, f. 6 Bde.) Bd. I. S. 235 ff.

<sup>5</sup> Authorities for the history of the crusades collected in: *Gesta Dei per Francos*, s. orientalium expeditionum et regni Francorum Hierosolymitanū hist. (coll. Jac. Bongars). Hanov. 1611. T. II. fol. The most important are *Willelmus* Archiep. Tyri to 1180 in XXIII. libb., *Jacobus de Vitriaco* (at last Cardinal, † 1244) historia orientalis et occident. libb. III. to 1218. — Works: *Esprit des Croisades* (by Mailly Prof. in Dijon). Paris. 1780. 4 vols. in 12mo. reaches to 1099 (translated Gesch. d. Kreuzz. Leipzig. 1782. 2 Bde. 8vo.). Fr. Wilkin's Gesch. d. Kreuzzüge. Leipzig. 1807 — 1819. 3 Bde. to 1187. J. Chr. L. Hacken's Gemälde der Kreuzzüge nach Palästina Frankf. a. d. O. 1808 — 1820. 3 Th. to 1187. For the history of the first crusade: Schlosser's Weltgesch. Bd. 3. Th. 1. S. 128 ff. Raumer's Gesch. der Hohenstaufen Bd. I. S. 37 ff. (Mills' Hist. of the Crusades. 2 vols. 8vo. Lond. 1822. Gibbon. cc. 58 and 59. — Bowers' Lives of the Popes. vol. V. and VI. James' Hist. of Chiv. and the Crusades. N. Y. 1832. — Tr.)

<sup>6</sup> First idea of a crusade in *Sylvestri P. II. Epist. ex persona Hierusalem* devastatæ ad universalem Ecclesiam A. D. 999 (in Bouquet T. X. p. 426). — Then *Gregorii P. VII. lib. II. Ep. 31 ad Henricum R.* A. D. 1074. — *Victor III.* (1086) de omnibus fere Italiae populis Christianorum exercitum congregans, atque vexillum Petri Apostoli illis contradens, sub remissione omnium peccatorum, contra Saracenos in Africa commorantes direxit. *Chron. Casin.* lib. III. c. 71.

<sup>7</sup> *Bernard. Const.* ad ann. 1095.

<sup>8</sup> A description of this council by an eye-witness, *Baldricus*, bishop of Dol in Bretagne, in his *historia Jerosolimitana* (Bongars I. p. 86) and the contemporary *Robertus*, a monk of Rheims, *hist. Hierosolym.* lib. I. (ib. p. 31), *Fulcherius Carnotensis gesta peregrinantium Francorum* (ib. p. 382) *Guibertus*, Abb. Monasterii S. Mariæ Novigentii, *hist. Hierosolym.* (ib. p. 478). — Of the mark of the cross *Baldricus* I. c. p. 88: statim omnes in vestibus superanictis consuerunt sanctæ Crucis vexillum. Sic etenim Papa præcepérat, et ituris hoc signum facere complacuerat: quippe prædicaverat Suminus Pontifex, Dominum dixisse sequaci-

multitude, urged on as much no doubt by a love of adventure, oppression at home, and hope of gain, as by religious enthusiasm,<sup>9</sup> stood at the head of the Pope. With the power of directing the excited mass as he pleased, and at the head of the large army now forming for the crusade, Urban had no longer any difficulty in accomplishing his designs.<sup>10</sup> Philip of France was once more excommunicated at

bus suis: "Si quis non bajulat crucem suam et venit post me, non potest meus esse discipulus." (Luc. xiv. 27.) *Jecirco debetis, inquit, vobis crucem coaptare vestris in vestibus: quatenus et ex hoc tutiores incedatis, et his, qui viderint, exemplum et incitamentum suggeratis.* — General absolution: *Can. Claromontanus II.* (Mansi XX. p. 816): *Quicunque pro sola devotione, non pro honoris vel pecuniae adiectione, ad liberandam ecclesiam Dei Ierusalem profectus fuerit, iter illud pro omni pénitentia [ei] reputetur.* Extract from Urban's address in *Wilhelm Tyr.* lib. I. (Bongars I. p. 640): *Nos autem de misericordia Domini, et bb. Petri et Pauli Apostolorum auctoritate confisi, fidelibus Christianis, qui contra eos arma suscepserint, et onus sibi hujus peregrinationis assumserint, injunetas sibi pro suis delictis penitentias relaxamus. Qui autem ibi in vera pénitentia decesserint, et peccatorum indulgentiam et fructum aeternae mercedis se non dubitent habituros.*

<sup>9</sup> *Baldricus*, l. c. p. 88: *Quædam Christianis intima inspirabatur voluntas, ut pene omnes iter agriperent, si stipendiorum facultas eis suppeteret. Latabantur patres, filii abscédentibus; gaudebant uxores abeuntibus maritis dilectissimis, plusque tristabantur, quod remanebant. — Excessit tamen medicina modum, quia plusquam debuit in quibusdam eundi voluntas surrepserit.* Nam et multi Heremitiæ et Reclusi et Monachi domiciliis suis non satis sapienter relictis ire viam perrexerunt: quidam autem orationis gratia ab Abbatibus suis accepta licentia profecti sunt, plures autem fugiendo se subduxerunt. Multi etiam de gente plebeja crucem sibi divinitus innatam jactando ostentabant, quod et idem quædam ex mulierculis præsumserunt: hoc enim falsum deprehensum est omnino. Multi vero ferrum calidum instar crucis sibi adhibuerunt, vel peste jactantæ, vel bonæ sue voluntatis ostentatione. Sed de his, ut libet. Talibus euini rumoribus concursus euntium in tantum augmentabatur, ut jam esset numerus innumerus. *Annalista Saxo* (in Eccardi corp. histor. med. av. T. I. p. 578): *Francigenis Occidentalibus facile persuaderi poterat sua rura relinquare. Nam Gallias per aliquot annos nunc seditio civilis, nunc fames, nunc mortalitas nimis affixerat, etc.* *Petrus Diac.* in *Chron. Casin.* lib. IV. c. 11: *Fertur autem commotionem hanc apud Gallias occasione quorundam pénitentium principium accepisse. Qui videlicet propterea quod de innumeris sceleribus digne apud suos pénitire nequibant, et quod sine armis, utpote seculares, inter notos conversari vehementer erubescerant, auctoritate atque consilio s. memoria P. Urbani, prudentis plane et vere Apostolici viri, ultramarinum iter ad Sepulcrum Domini a Saracenis eripiendum, in pénitentiam et remissionem peccatorum suorum, illis injunctum fide promptissima se arripere spoponderunt, certi et indubbi redditi, quod quicquid adversi, quicquid periculi, quicquid denique incommodi illis continget, loco pénitentiae a Domino recipiendum, etc.* *Wilhelm. Tyr.* lib. I. (ib. p. 641): *Nec tamen apud omnes erat in causa Dominus; et virtutum mater discretio votum excitabat: sed quidam ne amicos deserent, quidam ne desides haberentur, quidam sola levitatis causa, aut ut creditoris suos — declinantes eluderent, alii se adiungebant.* Comp. Wilkin, Th. I. S. 59 fl.

<sup>10</sup> Extract from Urban's address at Clermont in *Wilhelm. Tyr.* p. 640: *Interim vero eos, qui ardore fidei ad expugnandos illos laborem istum assumserint, sub ecclesiæ defensione et bb. Petri et Pauli protectione, tanquam vera obedientiæ filios recipimus, et ab universis inquietationibus, tam in rebus quam in personis, statuimus manere securos. Si vero quisquam molestare eos interim ausu temerario præsumserit, per episcopum loci excommunicatione feriatur, et tamdiu sententia ab omnibus observetur, donec et ablata reddantur, et de illatis dannis congrue satisfiat.* Comp. the account given in the *Chron. Casauriense* lib. V. iuit. written about A. D. 1182 (in Muratori Script. Rer. Ital. T. II. P. II. p. 872): *Urbanus volens, quia Saraceni occupaverant s. civitatem Hierusalem, — predicavit remissionem peccatorum, et vice sibi tradita a Deo omnibus dedit, quicunque Hierusalem ten-*

Clermont, within his own territories, for his unlawful marriage with Bertrada,<sup>11</sup> and all the remaining laws by which the clergy were made in any way dependent on the laity were annulled.<sup>12</sup> Wherever the excitement concerning the crusades found its way, there was no more hope for Henry.<sup>13</sup> His pope, Clement III., was driven from Rome

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derent, et civitatem et terram transmarinam, que a Saracenis possidebatur, liberarent. Adjiciens etiam hoc, ut si quisquam in via, sive in pugna, pro Christo moreretur, in numero Martyrum absolutus ab omnibus peccatis suis computaretur. Et dum totus mundus post eum curreret, avidus remissionem peccatorum accipere, et in numero SS. Martyrum esse, contigit, ut hoc prædicens prædictus Summus Pontifex devenerit Thyetum. — Quod agnoscens *Grimoaldus* [Abbas monast. Casaur.] accessit ad eum, et expoñit calamitatibus ecclesie sue et destructione funditus, cum maxima reverentia a prædicto P. Urbano susceptus est, et *sub protectione Romanæ ecclesie, quam hactenus Abbatia S. Clementis ignoraverat, quia ab Imperatoribus gubernabatur, meritum collocari.* Hic primus ab illo in Abbatem conseratus, baculum pastorale in loco sceptri regalis, quod Antecessores sui, et ipse ex dono Imperatoris in dextera portabant, suscepit, etc. In the chronicle this scene is described as passing in the year 1098, and Urban is said to have used the pregnant words :

Casaris ob sceptrum baculum tibi porrigo dextrum,  
Quo bene sis fructus; plus Cæsare dat tibi Petrus.

(l. c. p. 771.)

<sup>11</sup> An account of this whole matter in *Dav. Blondellus de formulae Regnante Christo in veterum monumentis usu*, Amstelod. 1646. 4to, p. 1 – 319. The object of which work is to refute the assertion first made in the fifteenth century, that during the time of Philip's excommunication, the public acts were superscribed Regnante Christo, instead of Regnante Philippo.

<sup>12</sup> *Can. Clarom.* XVII.: Ne Episcopus vel sacerdos regi vel alicui laico in manibus ligiam fiducitatem faciat. (Decreed also by Gregory VII. de Marea de cone. Sac. et Imp. lib. VIII. c. 21, § 4.) The grounds on which such a decree was founded by the Pope, are the same, according to Roger von Hoveden, which Hinemar had urged (see Abth. I. S. 174, note e). Still this canon was never fully observed, see *de Marea*, l. c. seq. — Also *Can. Clarom.* XV.: Ut nullus ecclesiasticum aliquem honorem a manu laicorum accipiat. XVI.: Interdictum est, ne Reges vel alii Principes aliquam investituram de ecclesiasticis honoribus faciant. (Comp. the remark of *Ieo Epise. Carnotensis Epist.* 60 ad Hugonem Lugdun. Dominus quoque P. Urbanus reges tantum a corporali investitura excludit, quantum intelleximus, non ab electione, in quantum sunt caput populi, vel concessione. — Quæ concessio sive fiat manu, sive lingua, sive virga, quid refert? cum reges nihil spirituale se dare intendant, sed tantum aut votis petentium annuere, aut villas ecclesiasticas et alia bona exteriora, quæ de munitione regum obtinent ecclesiæ, ipsis electis concedere.) — *Can. Clarom.* XVIII.: Ut nullus presbyter capellanus alicujus laici esse possit sine concessione sui episcopi. — It was at this council that Urban first used the form: Si quis in crastinum archiepiscopus, episcopus, imperator aut rex, princeps aut dux, comes aut vicecomes, judex aut persona quilibet magna vel parva, hujus nostri privilegii paginam sciens, contra eam temere venire tentaverit, secundo tertioye commonitus, si non satisfactione congrua emendaverit, potestatis honorisque sui dignitate careat, etc. (*Privilegium Ecclesiæ Atrebateensis* in Mansi XX. p. 669), afterwards often enough repeated (first by Paschalis II. in the Privileg. novi monast. Cabillon A. D. 1100, l. c. p. 981).

<sup>13</sup> Of the state of Germany see *Annalista Saxo* ad ann. 1069 (in Eccard I. p. 579): Orientalibus autem Francis et Saxonibus, Thuringis quoque, Bavaris ac Alemannis haec buccina minime insonuit propter illud schisma, quod inter regnum et sacerdotium Alexandri Papæ, Teutonicos Romanis et Romanos Tentonicis invisos et infestos fecerat. Inde quod idem Teutonicus populus in principio hujus profectionis causam ignorantibus per terram suam transeuntes tot legiones equitum, tot turmas peditum, totque catervas ruricolarum, fœminarum ac parvulorum, quasi inaudita stultitia delirantes, subsannabunt, utpote qui pro certis incerta cap-

by an army of crusaders,<sup>14</sup> and lost all influence even in Italy († A. D. 1100).

Notwithstanding this change in the situation of the Pope, Roger, count of Sicily, refused to yield up his right of control in the affairs of the church: and rather than lose so valuable an ally, Urban constituted him papal legate in Sicily (A. D. 1098, *monarchia ecclesiastica Siciliæ*).<sup>15</sup>

Jerusalem was taken by the great army of the crusaders 15th July, 1099, and the kingdom of Jerusalem established, in the temporal concerns of which the Pope had a very considerable influence.

### § 49.

#### PASCHAL II. (A. D. 1099 — 1118.)

Paschal II. adopted the principles of his predecessors, but had not firmness to carry them out. He excommunicated Philip of France at the synod of Poitiers (A. D. 1100) for renewing his connexion with Bertrada,<sup>1</sup> and for a time compelled him to obey (A. D. 1104);<sup>2</sup> but it was not long before they were again living openly together, without any farther interference on the part of the Pope.<sup>3</sup> The dis-

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tantes terram nativitatis et terram repromotionis incertam certo discriminè appeterent, renuntiarent facultatibus propriis, inhiberent alienis. Sed quanvis nostra gens ceteris multis it insolentior, respectu tamen divino inclinatur tandem ad verbum ejusdem remuneracionis furor Teutonicus, a conviantium scilicet turbis rem ad integrum edoctus.

<sup>14</sup> *Fulcherius Carnot.* (in Bongars, p. 384): *Otto Frising.* VIII. cap. 6. How all moral distinctions were confounded in the prevailing fanaticism is seen in the declaration *Urbani II. ad Godofred. Ep. Lucanum* (in Gratiani Decret. P. II. Caus. XXIII. Qu. 5. c. 47): Non enim eos homicidas arbitramur, quos adversus excommunicatos zelo catholice matris ardentes, aliquos eorum trucidasse contigerit.

<sup>15</sup> See concerning this the contemporary historian *Ganfredus Malaterra* in his hist. Sicula lib. IV. c. 29 (in Murator. SS. Rer. Ital. T. V. p. 601 seq.). In Urban's Privilegium (l. c. and in Mansi XX. p. 659) we read: Quia — probitas tua — S. Sedis Apostolicea devotam se multis modis semper exhibuit, nos in speciam atque carissimum filium ejusdem universalis Ecclesiae te assumisimus. Idecirco de tuae probitatis sinceritate plurimum confidentes, sicut verbis promisimus, ita etiam literarum auctoritate firmamus: quod omni vita tuae tempore, vel filii tui Simonis, aut alterius, qui legitimus tui haeres exstiterit, nullum in terra potestatis vestræ, praeter voluntatem aut consilium vestrum, legatum Romanæ Ecclesiae statuenimus: quin immo, que per legatum acturi sunmus, per vestram industriam legati vice exhiberi volumus, quando ad vos ex latere nostro miserimus, etc. Against the integrity of the document, and its being understood in its plain sense, see *Baronius* ann. 1097, no. 18 — 143 (hence Tom. XI. was prohibited in Spain A. D. 1610, and this essay omitted in the Antwerp ed.), who says, no. 37, truly enough: Potuitne tanta (Urbanus) concessisse Rogerio, quorum partem aliquam tantum si Imp. Henrico — cessisset, pacem proculdubio universalis Ecclesiae redemisset, et tot tantisque cladibus afflictam diutius Ecclesiam liberasset? Against *Baronius* L. E. *Du Pin* defense de la Monarchie de Sicile contre les entreprises de la Cour de Rome. Amsterd. (Lyon) 1716. in 4to. and 12mo.

<sup>1</sup> Mansi XX. p. 1117, seq. *Blondellus* de formula Regn. Christo p. 54.

<sup>2</sup> Concerning the *Conc. Balgenciacense* (at Beaugencel) A. D. 1104, see Iwonis epist. 144 ad Paschalem P. — *Concil. Parisiense*, A. D. 1105. Mansi XX. 1193.

<sup>3</sup> *Blondellus* l. c. p. 61.

pute between Anselm, archbishop of Canterbury, and Henry I. of England, concerning the right of investiture and the oath of allegiance,<sup>4</sup> was decided by conceding the latter (A. D. 1106).<sup>5</sup> After this precedent the French bishops were forced to make the same concession.\*

The efforts of Paschal<sup>6</sup> were chiefly directed against the emperor Henry IV.<sup>7</sup> He at length succeeded in stirring up his second son

\* Concerning Anselm's former dispute with William Rufus, as well as this with Henry, see *Eadmer historia novorum* (libb. VI. from 1066–1122) and *Ejusd. de vita S. Anselmi* libb. II., both appended to *Anselmi opp.* best in the ed. Paris. 1721 fol.

<sup>5</sup> cf. *Epist. Henrici ad Paschalem P.* A. D. 1103 from *Bromptoni* (about 1326) *Chron. in Rymer fœdera*, etc. Regum Angliae ad h. a. He promises the Pope eos honores et eam obedientiam, quam tempore patris mei antecessores vestri in regno Angliae habuerunt, — eo videlicet tenore, ut dignitates, usus et consuetudines, quas pater meus — in regno Anglie habuit, ego — integre obtineam. Notumque habeat Sanctitas vestra, quod me vivente, Deo auxiliante, dignitates et usus regni Angliae non minueruntur. Et si ego, quod absit, in tanta me dejectione ponere, optimates mei, immo totius Anglie populus id nullo modo pateretur. Habita igitur, carissime pater, utiliori deliberatione, ita se ergo nos moderetur benignitas vestra, ne — a vestra me cogatis recedere obedientia. The king's firmness extorted at last the concession, 1106 *Paschalis Ep. ad Anselmum* dd. X. Kal. April. in *Eadmeri hist. nov.* lib. IV. p. 74. in *Mansi XX.* p. 1003: Te autem, frater in Christo venerabilis et charissime, ab illa prohibitione sive, ut tu credis, excommunicatione absolvinus, quam ab antecessore nostro s. memoris Urbano P. adversus investitures aut hominia factam intelligis. Tu vero eos, qui investitures acceperunt, aut investitos benedixerunt, aut hominia fecerunt — suspicito, et eos vice nostræ auctoritatis absolvito: — si qui vero deinceps præter investitures Ecclesiastiarum prælationes assumserint, etiamsi Regi hominia fecerint; nequaquam ob hoc a benedictionis munere arecantur, donec per Omnipotens Domini gratiam ad hoc omittendum cor regium tuae prædicationis imbribus molliatur. — *Eadmer* p. 76 construes the passage thus: Papa — concesserat hominia, quæ Urbanus P. æque ut investitures interdixerat, ac per hoc Regem sibi de investituris consentaneum fecerat. At a Synod in London, 1107, the new regulation was solemnly proclaimed, *Eadmer* l. c.

\* *Ieronis Carnot. Epist. 206 ad Paschal.* (in *Baron. ann. 1106*, no. 50) of the consecration of Rudolf, Archbishop of Rheims: plenaria pacem impetrare nequivimus, nisi prædictus Metropolitanus per manum et sacramentum eam fidelitatem Regi faceret, quam prædecessoribus suis Regibus Francorum antea fecerant omnes Rhemensis Archiepiscopi, et cæteri regni Francorum quamlibet religiosi et sancti Episcopi. Quod persuadentibus et impellentibus totius Curiæ optimatibus, etsi propter mandatorum rigorem minus licet, factum est tamen, qui ecclesiastice paci et fraternæ dilectioni sic expediebat. — Petimus ergo — ut hoc eodem intuitu caritatis et pacis veniale habeat paterna moderatio, quod illicitum facit non æterna lex, sed intentione æquirenda libertatis præsidentium sola prohibito, etc.

<sup>6</sup> See for the history of what follows, *Planck*, Bd. 4. Abschn. 1. S. 251 ff.

<sup>7</sup> Repeatedly, and even *cæna domini* in ecclesia Lateranensi he put Henry to the ban, (*Chron. Ursperg. ad ann. 1102*). Of how much use the fanaticism connected with the crusades was to him is seen in *Paschalis epist. VII. ad Robertum Flandrensum comitem* (*Mansi XX.* p. 986): Benedictus Dominus Deus Israel, qui in te virtutis suæ efficaciam operatur, qui reversus Jerusalem Syriæ in cælestem Jernusalem justæ militiæ operibus ire contendis. Hoc est legitimi militis, ut sui regis hostes instantius persequeatur. Gratias ergo prudentiæ tue agimus, quod præceptum nostrum in Cameracensi parochia executus es: idipsum de Leodiensibus excommunicatis pseudoclericis præcipimus. Justum enim est, ut, qui semetipsos a catholica ecclesia segregarunt, per catholicos ab ecclesiæ beneficiis segregentur. Nec in haec tantum parte, sed ubique poteris, Henricum hæreticorum caput, et ejus fautores pro viribus persecuaris. Nullum profecto gratius Deo sacrificium offerre poteris, quam si eum impugnes, qui se contra Deum erexit, qui

Henry to rebellion (A. D. 1104),<sup>8</sup> and the unhappy father died of a broken heart in his faithful Liege A. D. 1106.<sup>9</sup> But no sooner was Henry V. in undisputed possession of the throne, than he also claimed the right of investing the bishops.<sup>10</sup> The negotiations of his ambassadors with the Pope at the synod of Troyes A. D. 1107, being without effect,<sup>11</sup> the emperor advanced into Italy at the head of his army.

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ecclesiae Dei regnum auferre conatur, qui in loco sancto Simonis idolum statuit, qui a principibus Dei sanctis Apostolis, eorumque vicariis de ecclesie domo s. Spiritus judicio expulsus est. Hoc tibi ac militibus tuis in peccatorum remissionem et apostolice sedis familiaritatem praeceperimus: ut his laboribus ac triumphis ad caelum Jerusalem Domino praestante pervenias. One of the most conspicuous of the clergy of Lüttich who were still faithful to their emperor was *Sigebertus Gemblacensis* († 1113) and even he narrates de *Scriptoribus Eccles.* cap. 171 (in Fabricii biblioth. eccles. p. 114): Rogatu predicti viri (Henrici Archidiaconi) validis patrum argumentis respondi epistola Hildebrandi Papae, quam scripsit ad Hermannum Metensem Episcopum iu potestatis Regie calumniam. Scripsi ad ipsum Henricum Apologiam contra eos, qui calumniantur Missas conjugatorum sacerdotum. Ipso etiam rogante respondi epistola Paschalisi Papae, qui Leodiensem ecclesiam aequa ut Cameracensem a Roberto Flandrensi Comite jubebat perditum iri. This latter work, full of bitter truths, is preserved (in Udalrici Bab. Cod. Epist. no. 234, in Eecard II. p. 238, in Goldasti Apologiae pro Henrico IV. p. 188, in Mansi XX. p. 987), written, therefore, neither by an anonymous priest, as Schröckh, Th. 26 S. 71, and others say, nor in the year 1107, as is given, Mansi, I. c. but during Henry's lifetime, probably about 1102, for Robert left Palestine as early as 1099, Wilken, Th. 2 S. 18 f.

<sup>8</sup> As related by the contemporary historian *Herimannus Ab.* in narratione restaurationis Abbatiae S. Martini Tornacensis (in d'Achery Spicileg. ed. nov. T. II. 914): Interea callidus Papa Henricum adolescentem filium Henrici Imp. litteris adversus patrem concitat, et ut ecclesie Dei auxilietur, admonet; ille regni cupidus, et gaudens, se competentem occasionem ex Apostolica auctoritate invenisse, contra patrem ferociter armatur etc. — Exstat quadam Epistola ab eodem patre Philippo Regi Francorum directa, in qua de filio suo conqueritur, quam si quis legerit, et non fleverit, videtur mihi duri esse cordis. (This letter to Philip in *Udalrici Babenb.* Cod. epist. no. 216. Eecard II. p. 222, also in *Ursilii Script. hist. Germ.* T. I. p. 396, and frequently) — *Obertus de vita Henrici IV.* (Goldast. p. 216) and *Otto Frising.* lib. VII. c. 8 attribute young Henry's rebellion to the instigations of discontented nobles. — The narrative of the dispute between father and son, also an account of the *Council. Nordhusanum*, 1105, is given most in detail by *Annalista Saxo* in Eecard T. I. p. 601—616. Comp. Raumér's *Gesch. der Hohenstaufen*, Bd. I. S. 240 ff.

<sup>9</sup> See the account of Henry's death *de vita et obitu Henrici IV.* (Goldast. p. 204, seq.), probably, as is shown by Goldast in the diss. *de auctoribus* p. 34, by Obert, bishop of Lüttich. But by whomever such an account was written, the prince that could inspire such affection must have been grossly misrepresented in the accounts of those opposed to him.

<sup>10</sup> The Pope's triumph at the *Conc. Guastallense* Okt. 1106 (Mansi XX. p. 1209) was somewhat premature: nunc per Dei gratiam hujus nequitiae deficienibus auctoribus, ecclesia in ingenuam libertatem resurgit. He proceeded therefore to free the German clergy from the ban, and renew the laws against Investiture. He was even about to journey himself to Germany: but (*Annalista Saxo* ad ann. 1107) quasi proterviam Teutonicorum declinans — suggesterentibus quibusdam, quod non facile gens nostra decretum illud recipiat, quod quamlibet Ecclesiasticam investituram a Laicis manibus vetat; nec non animosum cor Regis adolescentis, quod nondum per omnia Dominico jugo sit habile; haec, inquam, multaque id genus vir Dei percepta considerans, et needum sibi ostium germanicis in partibus apertum esse cum gemitu pronuntians, profectionem suam cum Hispaniarum Legatis per Burgundiam agit, etc. Without doubt, too, the yielding of the Pope in England (s. note c) had its due influence on the Emperor and the German nation.

<sup>11</sup> See the account of the eye-witness *Sugerius Abb. S. Dionys. de vita Ludov.*

The Pope now consented to a compromise, the emperor resigning the right of investiture on condition that the bishops should give up the lands and rights they held from the crown (A. D. 1110). But the German bishops refusing their assent,<sup>12</sup> the Pope was at length forced<sup>13</sup> to concede to the emperor the right of investiture (A. D. 1111).<sup>14</sup>

Grossi (Duchesne T. IV, p. 289; Bouquet XII, p. 29) : The imperial ambassadors, at their head the Archbishop of Trier and Duke Wolf, appeared non humiles, sed rigidi et contumaces, — qui tumultuantur magis ad terrendum, quam ad ratiocinandum missi viderentur. The Archbishop of Trier was spokesman: *Talis est domini nostri Imperatoris, pro qua mittimur, causa. Temporibus antecessorum nostrorum, seq. et Apostolicorum virorum, magni Gregorii et aliorum, hoc ad jus Imperii pertinere dignoscitur, ut in omni electione hic ordo servetur: antequam electio in palam proferatur, ad aures domini Imperatoris perferre, et si persona deceat, assensum ab eo ante factam electionem assumere: deinde in conventu secundum canones, petitione populi, electione Cleri, assensu honoratorum proferre; consereratum libere nec simoniae ad dominum Imperatorem pro regalibus, ut annulo et virga investiatur, redire, fidelitatem et hominum facere. Nee mirum; etenim civitates et castella, marchias, telonea et quæque Imperioriae dignitatis, nullo modo aliter debere occupare: si haec dominus Papa sustineat, prospere et bona pace regnum et Ecclesiam ad honorem Dei inhædere.* To this the Pope: *Ecclesiam pretioso Iesu Christi sanguine redemptam et liberam constitutam, nullo modo iterato ancillari oportere: si ecclesia eo inconsulto Praelatum eligere non possit, cassata Christi morte, ei serviliter subjacere; si virga et annulo investiatur, cum ad altaria ejusmodi pertineant, contra Deum ipsum usurpare; si sacras Dominice corpori et sanguini manus laici manibus gladio sanguinolentis obligando supponant, ordini suo et sacra unctioni derogare.* (Compare this with note 5). When the warlike ambassadors heard this, Teutonic impetu frendentes tumultabant, et si tuto auderent, convitia eructarent, injurias inferrent. “Non hic,” inquit, “sed Romæ gladiis determinabitur querela.” The decrees against Investiture were renewed at this Council, *Conc. Trecentense* (Mansi XX, p. 1223), and at the *Concil. Beneventanum* ann. 1108 (ib. p. 1231), also at the *Concil. Lateranense* ann. 1110 (Mansi XI, p. 7).

<sup>12</sup> See the emperor's own account in his *Epist. ad Permenses* in *Udalrici Codex Epist.* no. 261 (Eccard II, p. 269), together with the *Acta* appended, no. 262, 263, which may be completed from the *Acta in Vita Paschalis II. ex Card. Aragon.* (in Muratori Scriptt. Rer. Ital. T. III. P. I. p. 370, for the most part given by Baronius ad ann. 1111, no. 2, seq.). In *Paschalis Epist. 22 ad Henric. Imp.* in Collect. of Acts of Councils, (Mansi XX, p. 1007), fragments from other *Acta* are inserted. The whole is recounted at length in the *Chron. Casin. lib. IV. c. 35, seq.* (Muratori T. IV, p. 513 seq.), more concisely by the *Annalista Saxo* ad ann. 1111, (in Eccard I, p. 626). There is little difficulty in accounting for the course pursued by Paschal, nor is it necessary, with *Maseov. comm. de rebus Imperii Rom. sub Henrico IV et V.* Lips. 1748. 4to. p. 153, to suppose that he was not in earnest in making this agreement. Urbanus II. at the *Concil. Melfitan.* ann. 1090, can. 11. (Mansi XX, p. 723), had established the principle: *Ne gravamen aliquod sancta patiatur ecclesia, nullum jus laicis in clericos esse volumus et censemus.* — *Quod si forte clericorum aliquis ejuslibet laici possessionibus usus fuerit, aut vicarium, qui debitum reddet, inveniat, aut possessione cedat, ne gravamen ecclesiæ inferatur.* Comp. Schmidt, Th. 6. S. 116. Raumer's *Gesch. d. Hohenstaufen*, Bd. 1. S. 263 ff.

<sup>13</sup> *Annalista Saxo*, I. c. Apostolicus ab Episcopis et aliis fidelibus Regis interim est custoditus usque ad pacatum et Ecclesiasticam consecrationem Imperatoris, in exemplum Patriarchæ Jacob dicentes ad Angelum: “Non dimittam te, nisi benedixeris mihi.” (Gen. xxxii. 26).

<sup>14</sup> *Chron. Casin.* IV, c. 40. *Acta in Udalrici Cod. Epist. no. 264, 265,* and in *Vita Paschalis ex Card. Aragon.* Muratori III. P. I. p. 362, extracted by Baron. ad ann. 1111, no. 18 seq. — Oath of the Pope: *Dominus Papa Paschalis non inquietabit Dominum Regem præsentem Henricum, neque de investitura Episcopatum ejus Regni aut Abbatiarum se intromittet, neque de injuria sibi illata et suis,*

This, however, was at once opposed by the Gregorians; the Pope was compelled to revoke his concession,<sup>15</sup> and at a council held in the Lateran (A. D. 1112) it was formally condemned.<sup>16</sup>

The Pope was withheld by his oath from excommunicating Henry, but this was done by his legates in France and Burgundy, and their act confirmed by Paschal.<sup>17</sup> This measure was not attended, how-

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in persona et bonis, neque malum meritum reddet ei, neque alicui personæ pro hac causa. Et penitus in personam Regis numquam anathema ponet; neque remanebit in Domino Papa, quin coronet eum, sicut in ordine continetur, etc. *Privilegium Paschalis P. Henrico concessum* in Udalrici Cod. Ep. no. 265, (Eccard I. p. 273), and in Florentii Wigoniensis (also a contemporary) *Chronicon ad ann. 1111*: — Nam igitur dignitatis prærogativam, quam prædecessores nostri vestris prædecessoribus, catholicis Imperatoribus, concederunt, et privilegiorum paginis confirmaverunt, nos quoque *Dilectioni tuae concedimus*, et præsentis privilii pagina confirmamus, ut regni tui Episcopis vel Abbatibus libere præter violentiam et simoniam electis investituram annuli et virgæ conferas. Post investitatem vero canonice consecrationem accipiant ab Episcopo, ad quem pertinuerint. Si quis autem a Clero et Populo præter assensum tuum electus fuerit, nisi a te investiatur, a nemine consecretur. At the coronation the Pope and the Emperor partook of the communion, (*Chron. Casin. IV. c. 42.* Esp. *Bruno* Episc. Signensis: whose *Epist. ad Paschal.* P. in Baron. ann. 1111, no. 30). There was even some danger that the Pope would have been deposed. (Udalrici Cod. epist. no. 258). — See also *Paschalis. epist. 23 ad Joan. Tusculanum et Leonem Vercellensem Episcop. et Cardinales* and *Epist. 24 ad Guidonem Vienensem Episcop.* (Mansi XX. p. 1008). — The pope is defended by *Jeo Carnot.* in *Epist. 235 ad Henric. Abb.* (Baron. I. c. no. 34), and *Epist. 236 ad Johann. Archiep.* Lugdun. (Baron. I. c. no. 36 seq.), and *Hildebertus Episc.* Cenomanensis lib. II. epist. 22 (Mansi XXI. p. 44 seq.).

<sup>15</sup> *Chron. Casin. IV. c. 42.* Esp. *Bruno* Episc. Signensis: whose *Epist. ad Paschal.* P. in Baron. ann. 1111, no. 30. There was even some danger that the Pope would have been deposed. (Udalrici Cod. epist. no. 258). — See also *Paschalis. epist. 23 ad Joan. Tusculanum et Leonem Vercellensem Episcop. et Cardinales* and *Epist. 24 ad Guidonem Vienensem Episcop.* (Mansi XX. p. 1008). — The pope is defended by *Jeo Carnot.* in *Epist. 235 ad Henric. Abb.* (Baron. I. c. no. 34), and *Epist. 236 ad Johann. Archiep.* Lugdun. (Baron. I. c. no. 36 seq.), and *Hildebertus Episc.* Cenomanensis lib. II. epist. 22 (Mansi XXI. p. 44 seq.).

<sup>16</sup> See esp. *Annalista Saxo* ad h. a. (Eccard I. p. 627, seq.), from which the *Chron. Ursperg.* is extracted, and *vita Paschalis* ex Card. Aragon. (Muratori I. c. p. 363). According to this last the Pope declared: Quamvis conditio juramentis præposita ab ipso et suis minus observata sit; — ego tamen eum numquam anathematizabo, et numquam de investiture inquietabo. — Habet judicem Deum. Porro scriptum illud — prave factum cognosco, prave factum confiteor, et omnino corrigi Domino præstante desidero. Cujus correctionem modum Fratrum, qui convenerunt, consilio judicioque constituo, ne forte per imposterum detrimentum aliquod Ecclesiæ, animæ meæ judicium relinquatur. The Acts of this Council (Mansi XXI. p. 49, ibid. p. 68, and ed. by Baluzius in *de Marca de conc. Sac. et Imp.* applied to lib. VIII. cap. 20) contain a confession of faith by the Pope, and the following resolution of the Council: *Privilegium illud, quod non est privilegium, sed vere debet dici privilegium pro liberatione captivorum et ecclesiæ a Domino P. Paschali per violentiam Henrici regis extortum, nos omnes in hoc s. concilio cum eodem Domino Papa congregati, canonica censura et ecclesiastica auctoritate, judicio s. Spiritus damnamus, et irritum esse judicamus atque omnino cassamus, et ne quid auctoritatis et efficacitatis habeat, penitus excommunicamus.* Quod ideo damnatum est, quod in eo privilegio continetur, quod electus canonice a clero et populo a nemine consecretur, nisi prius a rege investiatur, quod est contra Spiritum Sanctum et canonican institutionem.

<sup>17</sup> Guido, Archbishop of Vienna, held in Sept. 1112, the *Concil. Vienn.* (Mansi XXI. p. 73, seq.), where after condemning the right of investiture: *Henricum Teutonicorum Regem, qui — dominum Papam — velut alter Judas — tradidit, cepit — et ab eo nefandissimum et detestabile scriptum violenter extorsit, excommunicamus, anathematizamus, et a gremio s. matris ecclesiæ sequestramus, donec, his omnibus abremitiatis, plenam satisfactionem ecclesiæ exhibeat.* From the letter of the Synod to the Pope, it is evident that he wished to satisfy both parties. Adfuerunt legati regis, litteras bullatas, quasi de parte vestra ad eum missas, audacter

ever, with any such dreadful consequences as in the case of Henry IV., under a more resolute pontiff; though no doubt it had the effect of encouraging the discontent already excited in Saxony by the violence of the emperor.<sup>18</sup> Henry soon after made himself master of the territory left by Matilda, countess of Tuscany († A. D. 1115) to the church of Rome,<sup>19</sup> and entering Rome A. D. 1117,<sup>20</sup> forced the Pope into exile at Benevento, where he died January 21, 1118.

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praetendentes, in quibus erga eum vester bonus affectus pacis et concordiae et perfectae amicitiae significabatur. Quas nimis post concilium, quod in præterita quadragesima Romæ celebrasti, se recepisse, et sibi missas, idem rex testabatur. Hence the decided language: Illud etiam cum debita reverentia vestra suggestimus pietati, quod si nobiscum in his steteritis, si hoc, sicut rogamus, confirmaveritis, — unanimiter nos, sicut decet, habebitis filios et fideles. Si vero, quod minime credimus, aliam viam aggredi cooperitis, et nostra paternitatis assertiones prædictas raborare nolheritis: propitius sit nobis Deus, quia nos a vestra subjectione et obedientia repellentis. The Pope answers humbly: Cum alicuius morbi detentione caput afficitur, membris omnibus communiter ac summopere laborandum est, ut ab eo penitus expellatur. — Unde Deo gratias referimus, et quæ statuta sunt ibi, rata suscipimus et confirmamus, etc. In like manner Henry was excommunicated by Cardinal Conon, papal legate in France at the *Conc. Belloracense* ann. 1114, *Rhemense*, *Suessionense*, *Catalaunense*, and *Coloniense* ann. 1115 (cf. Mansi XXI). At the *Conc. Lateranensi* ann. 1116 (concerning which see *Annalista Saxon* ad h. a. b. Eecard I. p. 634), the Pope was strongly urged by these legates himself to excommunicate the emperor. It was not however done. This is referred to in the letter of the faithful Abbot of Faro to the emperor (in Udalrici Cod. Epist. no. 259, in Eecard II. p. 267), in which he thus speaks of the course pursued by the Pope: Apostolici intentio, ut certius nobis videtur, ad hoc viget et molitur, ut irrecuperabile vobis detrimentum operari valeat: et tum demum irrevocabilem contra vos proferet sententiam. Interim callide agit clandestinis machinationibus, quatenus incantos vos et minus sollicitos reddat. Nam verba, quæ vobis literis suis blanda et placatissima mandavit, quamvis nobis ignota sunt, fraude tamen plena pro certo existimamus; et ut adventus vester in Italiam differatur, eum ad vos transmisso arbitramur, liet fortasse eisdem apicibus adventum vestrum se desiderare ostendat.

<sup>18</sup> Schlosser, Bd. 3. Th. 1. S. 233 ff. Raumer's Gesch. der Hohenstaufen, Bd. 1. S. 280 ff. Henry was not satisfied with the right of investiture secured to him by compact, cf. *vita Conradi I. Archiep. Salisburg.* c. 2 (in Pez Anecd. T. II. P. III. p. 224): primum locum gratie apud Imperatorem habebant nobiles ac speciosæ abbatisse et moniales, necnon et aliæ mulieres, forma et genere clarissimæ, quæ idecirco curiam sequabantur, eo quod venalis eis esset pudicitia et deus formæ, et ad carum favorem et intercessionem darentur episcopatus, abbatiæ, præposituræ et ceteri ecclesiastici honores. Also *Frider. Archiep. Colon. epist. ad Ottonem Bamb.* A. D. 1115 (in Udalrici Cod. Epist. no. 277): Quid de Cathedris Episcopaliis dicemus, quibus regales vilhei præsident, quas disponunt, et de domo orationis speluncam plane latronum efficiunt: de animarum lucis nulla penitus quæstio est, dum tantum terrenis lucris regalis fisci os insatiabile repletatur. And the worst of it was that other princes began to covet the same privileges, cf. *Anselmi Cantuar.* lib. III. Epist. 152 ad Paschalem, A. D. 1117 (Mansi XX. p. 1023): Rex Angliae conqueritur, quod sustinetis, Regem Teutonicum dare investituras ecclesiistarum, sine excommunicatione: et ideo minatur, se sine dubio resumturum suas investituras, quoniam ille suas tenet in pace. The Pope replied, from Benevent (Epist. 153, in Mansi I. c.): Expectamus quidem, ut ferocia illius gentis edometur. Rex vero si in paternæ nequitiae tramite perseveraverit, B. Petri gladium, quem jam educere cōpimus, precul dubio experietur.

<sup>19</sup> The deed of investiture appended to vita Mathildis a Donizone scripta (prima ed. Baronius anu. 1102, no. 20, Leibnit. Rer. Brunsvic. Scriptt. T. I. p. 687. Muratori Scriptt. Rer. Ital. T. V. p. 381): In nomine s. et individuæ Trinitatis anno ab incarnatione Domini nostri Jesu Christi MCH, XV die Kal. Decembbris, Indictione X. Tempore Domini Gregorii VII. Papæ in Lateranensi Palatio, in

## § 50.

**GELASIUS II. (A. D. 1118, 1119), CALIXTUS II. (1119 — 1124).**

The party of Henry was already so strong in Rome that he was able to set up a rival pope, Gregory VIII., in opposition to Paschal's successor, Gelasius II.<sup>1</sup> The latter was forced to fly, and soon after died at Clugny.<sup>2</sup> He was succeeded by the resolute Guido, archbishop of Vienna (see § 49, note 17), under the name of Calixtus II. Immediately on his accession he made certain propositions to the emperor of a much more reasonable character than those insisted on by his predecessors,<sup>3</sup> but these being refused, the sentence of excom-

Capella S. Crucis, in praesentia Cencii Frangipane, etc. ego Mathildis, Dei Gratia, Comitissa, pro remedio animae meae et parentum meorum dedi et obtuli Ecclesiæ s. Petri, per interventum Domini Gregorii P. VII. omnia bona mea, jure proprietario tam quæ tunc habueram, quam ea, quæ in antea acquisitura eram, sive jure successionis, sive alio quoevere jure ad me pertinent, et tam ea, quæ ex hac parte montium habebam, quam illa, quæ in ultramontanis partibus ad me pertinere videbantur, omnia, sicut dictum est, per manum Domini Gregorii VII. P. Romanæ Ecclesiæ dedi et tradidi, et chartulam inde fieri rogavi. Sed quia chartula nusquam apparet, et timeo, ne donatio et oblatio mea in dubium revocetur: ideo ego, quæ supra, Comitissa Mathildis iterum a præsenti die dono et offero eidem Romanæ Ecclesiæ per manum Bernardi Cardinalis et Legati ejusdem Romanæ Ecclesiæ, sicut in illo tempore dedi per manum Domini Gregorii omnia bona mea, etc. as above. According to J. D. Kölner, diss. de donatione Mathildina Altorf, 1715. p. 12 seq., and Chr. L. Scheidii Origg. Guelphicæ T. I. (Hanover 1750, fol.) p. 449, the donation extended only to her allodial possessions, and not to the territories which she held as fiefs of the empire. Contradicted by Mosheim institt. hist. eel. p. 404. Schröckh, Th. 26 S. 66. Comp. Raumer's Gesch. der Hohenstaufen, Bd. I. S. 289, 295 ff.

<sup>20</sup> Chron. Casin. IV. c. 60, seq. Annalista Saxo ad ann. 1117 (Eccard I. p. 640): Dominus Apostolicus propter securitatem, quam Imperatori, licet coactus, fecerit, dislitteratur, illum se anathematis vineculo colligasse; ab Ecclesia tamen potioribus membris excommunicationem connexam, non nisi ipsorum consilio se denegat posse dissolvere, concesso nimurum utrimque Synodalis audiencia jure. Not so Henry in his letter to the bishop of Ratisbonne, (Udalrici Cod. Epist. no. 318. Eccard II. p. 332): Dominus Apostolicus — negavit, quod Chuononem in Coloniam vel Saxoniam miserit; irritum esse judicavit, si quid in nos maledictionis effuderit; affirmavit, quod ipse nunquam nos excommunicaverit, filio suo, quem consecravit, quem benedixit, quod nunquam maledixerit, etc. Raumer, I. c. S. 300 ff.

<sup>1</sup> Remarkable here the account given by *Landulphus* Junior hist. Mediolan. c. 32 (Muratori Scriptt. Rer. Ital. T. V. p. 502): Magister Guarnerius (Jrnerius) de Bononia, et plures legisperiti populum Romanum ad eligendum Papam convenit (leg. conciunt), et quidam expeditus lector in pulpito S. Petri per prolixam lectionem decreta Pontificum de substituendo Papa explicavit. Quibus perfectis et explicatis totus Populus elegit in Papam quendam Episcopum Hispaniæ, etc.

<sup>2</sup> For some account of him see *Landulphus* Junior, and esp. his followers, *Pandulphus* Pisan. in vita Gelasii II. (in Muratori T. III. P. I. p. 367, seq.) Schlosser, Bd. 3 Th. I. S. 239 ff. Raumer, Bd. I. S. 301 ff.

<sup>3</sup> On what principles founded first explained by *Goffridus* Abbas Vindocinensis in his opusc. III. de simonia et investitura laicorum ad Calixtum P. (in Opp. ed. J. Sirmond Paris 1610, and in Sirmondi opp. T. III.) Planeck, Bd. 4 Abschnitt 1. S. 307. The documents themselves are in *Hessonis* Scholastici commentarius de tractatione pacis inter Calixtum II. et Henricum V. in Seb. Tengnagel vett. monumenta jam olim pro Gregorio VII. conscripta Ingolst. 1612. Ito. p. 329, seq. and thence in Mansi XXI. p. 244 seq. Schlosser, S. 242 ff. Raumer, S. 309 ff.

munication was formally renewed at the great synod of Rheims, October, 1119.<sup>4</sup> In the mean time, the disturbances in Germany, instigated chiefly by Adalbert, archbishop of Mentz,<sup>5</sup> had increased to an alarming degree, whilst Calixtus, having taken his rival prisoner, made himself master of Rome (A. D. 1120). These events having disposed the emperor also to peace, it was at length brought about by mutual concessions<sup>6</sup> at Worms (September, 1122. *Concordatum Wormatiense*),<sup>7</sup> and confirmed by the œcumical council at the Lateran (œcum. IX. 1123).

<sup>4</sup> See the account of an eye-witness, *Hesso*, Mansi I. c. p. 250: *Allata sunt denique candela CCCCXVII, et accensa date singulae singulis tenentibus baculos Episcopis et Abbatibus: injunctumque est eis, ut omnes candelas tenentes assurgerent. Cumque adstarent, recitata sunt multorum nomina, quos præcipue excommunicare proponerat Dominus Papa, inter quos primi nominati sunt Rex Henricus, et Romanae ecclesie invasor Burdinus, et præ ceteris et cum ceteris multis solemniter excommunicati. Absolvit etiam Dominus Papa auctoritate apostolica a fidelitate Regis omnes, quotquot ei juraverant, nisi forte resipisceret, et ecclesia Dei satisfacaret.* *Rogerius de Hoveden* (about 1198) in his *Annal. Anglican.* ad h. a. extracts from the Acts of the council as follows: — *Henricus excommunicandus decernitur. Quod cum quidam in concilio ægre ferrent, sententiam protulit Apostolicus, ut qui in hoc scandalizarentur, executes a fratum consortio separarentur: proposito de illis LXX discipulis exemplo, qui cum de carne Domini manducanda et sanguine bibendo scandalizarentur, retro abierunt, et jam cum illo non ambulabant.* (cf. Joh. vi. 52 seq. 60, 66) etc. — *Talia sermocinante Apostolico, illlico omnes in eundem consensum reducti in Imperatorem Henricum excommunicationis sententiam jaculantur.*

<sup>5</sup> Formerly imperial chancellor, and the emperor's nearest counsellor, but since his elevation to the see of Mayence (1111) his most troublesome enemy. How Henry was accustomed to speak of him, see ex Cod. Palat. Raumer S. 278. comp. S 307.

<sup>6</sup> That the Pope was compelled by the unanimity of the whole German nation to make concessions on his part is evident from *Adalberti Archiep. Mogunt. Ep. ad Calixtum* P. II. ann. 1121 in Martene et Durand ampliss. collect. T. I. p. 671): *Sed quia tam Imperium quam Imperator tamquam hereditario quodam jure baculum et annum possidere volebant, pro quibus universa laicorum multitudo Imperii nos destructores inclinabat; nullomodo potuimus his Imperatorem exuire, donec communī quicquid consilio — omnes pariter sustinuimus, quod in ipsius presentia ecclesia debeat electionem facere, nihil in hoc statuentes, — sed totum vestrae presentiae et vestrae deliberationi reservantes.*

<sup>7</sup> See *Annalista Saxo* ad h. a. (Eccard I. p. 648) and in *Udalrici Cod. Epist.* no. 303 and 306 (Eccard II. p. 308). The original document as signed by Henry in the *vita Calixa ex Card. Arag.* (Muratori T. III. P. I. p. 420). The engagements into which they mutually entered were therefore these: *Ego Heinricus Dei gratia Romanorum Imperator Augustus pro amore Dei et s. Romanae ecclesiae et Domini P. Calixti, et pro remedio animæ meæ, dimitto Deo et SS. ejus Apostolis Petro et Paulo, sanctæque Catholicae Ecclesiae omnem Investituram per annum et baculum, et concedo in omnibus Ecclesiæ canonicanam fieri electionem et liberam consecrationem. Possessiones et regalia b. Petri, quæ a principio hujus discordiæ usque ad hodiernam diem, sive patris mei tempore, sive etiam meo, ablata sunt, quæ habeo, s. Romanae Ecclesiae restituo, quæ autem non habeo, ut restituantur, fideliter juvabo. Possessiones etiam omnium Ecclesiarum aliarum, et Principum, et aliorum tam Clericorum quam Laicorum, consilio Principum vel, justitia quas habeo reddam, quas non habeo, ut redditum fideliter juvabo. Et do veram pacem Calixto sanctæque Romanae Ecclesiae, et omnibus, qui in parte ipsis sunt et fuerunt, et in quibus s. Romana Ecclesia auxilium postulaverit, fideliter juvabo.*

*Ego Calixtus servus servorum Dei tibi dilecto filio Heinrico, Dei gratia Romanorum Imperatori Augusto, concedo, electiones Episcoporum et Abbatum Teutonici Regni, ubi ad regnum pertinent, in presentia tua fieri absque simonia et*

## § 51.

HONORIUS II. (A. D. 1124 — 1130), INNOCENT II. († A. D. 1143), CELESTINUS II. († A. D. 1144), LUCIUS II. († A. D. 1145), EUGENIUS III. († A. D. 1153), ANASTASIUS IV. († A. D. 1154).

The house of Franconia became extinct at the death of Henry V. (A. D. 1125), and the triumph of papacy in Germany was secured by the accession of Lothaire, duke of Saxony, to the imperial throne.<sup>1</sup> This was followed, it is true, by a season of hard and dangerous contests with powerful parties in Rome, and at the death of Lothaire (A. D. 1137) the empire devolved on the mighty house of Hohenstaufen, who were bound by the ties of relationship to maintain the honor and the claims of the house of Franconia. Still the popes were enabled to make their way successfully through all these dangers by the powerful aid of the family of the *Guelphs*, who, as the bitter enemies of the Hohenstaufen (since the battle of Weinsberg, A. D. 1140, called *Ghibeliens*) were devoted to the papal cause.<sup>2</sup>

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aliqua violentia. Et si qua inter partes discordia emerserit, Metropolitani et Com-provincialium consilio vel judicio saniori parti assensum et auxilium præbeas. Electus autem regalia per sceptrum a te recipiat, et quæ ex his jure tibi debet, faciat. Ex aliis vero partibus Imperii consecratus infra sex menses regalia per sceptrum a te recipiat, et quæ ex his jure tibi debet, faciat, exceptis omnibus, quæ ad Romanam ecclesiam pertinere noscuntur. De quibus vero querimoniam mihi feceris, secundum officii mei debitum auxilium meum prestabo. Do tibi veram pacem et omnibus, qui in parte tua sunt, aut fuerunt tempore hujus discordiæ. Data anno Dominicæ Incarnationis MCXXII. IX. Kal. Octobr. cf. Joh. Guil. Hoffmann diss. ad concordatum Henr. V. et Calixti II. Viteberg. 1739. 4to. Montag's Gesch. d. deutschen staatsbürgcrl. Freiheit. B. 2. S. 436 ff. 440 ff. Planck, Bd. 4. Abschn. I. S. 297 ff. Raumer's Gesch. d. Hohenst. Bd. 6. S. 19 ff. 121 ff. This compact was of course highly displeasing to the fanatics amongst the clergy, see *vita Conradi I.* Archiep. Salzburg, cap. 4 (Pezii thes. anecdot. T. II. P. III. p. 227): Abhorrebat vir ille venerabilis, et medullitus detestabatur homagii et juramenti prestationem, quam Regibus exhibebant Episcopi et Abbates, vel quisquam ex Clero pro Ecclesiasticis dignitatibus, eo quod nefas et instar sacrilegii reputaret, ac prædicaret occulte et publice, manus Chrismatis unctione consecratas sanguineis manibus, ut ipse solebat dicere, subjici, et homagii exhibitione pollui. Inde est, quod mortuo Imp. Heinrico, cum ei Lotharius successisset, nunquam ei consensit homagium facere, vel sacramentum fidelitatis offerre. See above, § 48, note 12.

<sup>1</sup> *Anonymi (Welberti Conradi III. Imp. Capellani, according to Olenschläger, S. 83?) narratio de electione Lotharii* (in *Eckhart Quaternio veterum Monumentt.* p. 46, and J. D. Olenschläger's Erläuterung der goldenen Bulle. Annals: S. 19): Concordantibus itaque in electione Regis universi regni Principibus, quid juris regiae dignitatis Imperium, quid libertatis reginae calestis, i. e. Ecclesia: Sacerdotium habere deberet, stabili ratione prescribitur. — Habeat Ecclesia liberam in spiritualibus electionem, nec regio metu extortam, nec praesentia Principis, ut ante, coartatam, vel nulla petitione restrictam; habeat Imperatoria dignitas electum libere, consecratum canonice, regalibus per sceptrum, sine pretio tamen, investire solemniter, et in fidei sua ad justi favoris obsequium (salvo quidem Ordinis sui proposito) sacramentis obligare stabiliter. *Dodechini Append. ad Mariani Scotti Chron.* ad ann. 1125 (in *Pistorius-Struve* T. I. p. 671): Legati pro confirmando rege Romanam mittuntur, Gerhardus Cardinalis, Cameracensis, et Virundensis, Episcopi.

<sup>2</sup> Schlosser's Weltgeschichte, Bd. 3. Th. 1. S. 251 ff. Raumer's Gesch. der Hohenstaufen, Bd. 1. S. 325 ff.

In the year 1130 there were again two popes,<sup>3</sup> one of whom, Anacletus II., maintained himself at Rome by the aid of the new king of Sicily, Roger, whilst the other, Innocent II., fled to France, and, under the auspices of the famous Bernhard, abbot of Clairvaux, was acknowledged in all countries excepting Italy. On the death of Anacletus (A. D. 1138), Bernhard succeeded in composing this schism, but the papal power was now in far greater peril from another quarter.

The struggles of the Lombard states for independence, had grown more and more vigorous in proportion as the attention of the emperors was turned away from Italy. One of the obstacles to temporal power in their way, consisted in the claims of the bishops.<sup>4</sup> Induced by this to try the relations of the clergy by the declarations of Christ and his Apostles, *Arnold of Brescia*,<sup>5</sup> maintained that they ought not to hold any temporal possession whatever;<sup>6</sup> a doctrine which was

<sup>3</sup> For the history of this time, see Planck, Bd. 4. Abschn. I. S. 316. A. Neander der heil. Bernhard und sein Zeitalter (Berlin. 1813. 8vo.) S. 67 ff. Raumer, I. c. S. 343 ff.

<sup>4</sup> See Savigny's Gesch. des Röm. Rechts im Mittelalter, Bd. 3. S. 91 ff. 110. Raumer Ueber die staatsrechtlichen Beziehungen der ital. Städte. Wien. 1819. 8vo. Dass Gesch. d. Hohenstaufen. Bd. 5. S. 102 ff. H. Leo Entwicklung der Verfassung d. lombard. Städte bis zu der Ankunft K. Friedrich I. in Italien. Hamburg. 1824. 8vo. S. 90 ff. 173 ff. Muratori Antiquit. Ital. mediævi T. IV. p. 253. Particular instances ibid. T. IV. p. 191 seq. 221.

<sup>5</sup> Concerning him see especially Otto Frising. de rebus gestis Frider. lib. II. c. 20 (Murat. c. 21). *Guntheri Poete* (about 1200) *Ligurinus seu de gestis Friderici I.* (libb. X. often ed., best by C. G. Dumgé, vol. I. Heidelb. 1812. 8vo.) lib. III. v. 262 seq. — J. D. Kölner de Arnaldo Brixensi diss. Götting. 1742. 4to. Planck, I. c. S. 324. Neander, I. c. S. 157. Raumer, Gesch. d. Hohenst. Bd. 2. S. 34. Arnold v. Brescia von D. K. Beck (in d. Baseler Wissenschaftl. Zeitschrift, Jahrg. 2. (1824) Heft 2. S. 38 ff. Heft. 3. S. 59 ff. — Arnold von Brescia u. s. Zeit von D. H. Francke. Zürich. 1825. 8vo.

<sup>6</sup> *Otto Frising.* I. e. Arnaldus iste ex Italia, civitate Brixia oriundus, ejusdemque ecclesiae clericus ac tantum lector ordinatus, Petrum Abailardum olim præceptorem habuerat. Vir quidem naturæ non hebetis, plus tamen verborum profluvio, quam sententiarum pondere copiosus. Singularitatis amator, novitatis cupidus, cuiusmodi hominum ingenia ad fabricandas hæreses, schismatumque perturbationes sunt prona. Is a studio a Galliis in Italiani revertens religiosum habitum, quo amplius decipere posset, induit, omnia iacerans, omnia rodens, nemini parceus, Clericorum ac Episcoporum derogator, monachorum persecutor, laicis tantum adulans. Dicebat enim nec Clericos proprietatem, nec Episcopos regalia, nec monachos possessiones habentes, aliqua ratione salvare posse. Cuneta hac principis esse, ab ejusque beneficentia in usum tantum laicorum cedere oportere. Præter hæc de sacramento altaris, et baptismo parvulorum non sane dicitur sensisse. cf. *Guntheri Ligurinus* lib. III. v. 273 seq.:

Nil proprium cleri, fundos et prædia nullo  
Jure sequi monachos, nulli fiscalia jura  
Pontificum, nulli curæ popularis honorem  
Albatum, sacras referens concedere leges.  
Omnia Principibus terrenis subdita, tantum  
Committenda viris popularibus, atque regenda.  
Illi primicias, et quæ devotio plebis  
Offerat, et decimas castos in corporis usus,  
Non ad luxuriam, sive oblectamina carnis  
Concedens; mollesque cibos, cultusque nitorem,  
Illicitosque jocos, lascivaque gaudia Cleri,

received with great approbation in the existing state of political affairs. Being accused before the second Lateran council (œcumenicam X. A. D. 1139) Arnold fled to France; but his opinions had already found their way even to Rome, and shortly before his death Innocent II. had the mortification of seeing the Romans in open revolt (A. D. 1143).<sup>7</sup> The emperor Conrad of Germany was summoned to resume the rights of the ancient Roman emperors.<sup>8</sup> Arnold

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Pontificumque fastus. Abbatum deinde laxos  
Damnabat penitus mores, monachosque superbos :  
Veraque multa quidem, nisi tempora nostra fideles  
Respuerent monitus, falsis admixta monebat.

*Bernardi Epist. 195 ad Episc. Constantiensem A. D. 1149* : — Arnaldum loquor de Brixia, qui utinam tam sanae esset doctrinæ, quam distictæ est vita. Et si vultis seire, homo est neque manducans neque bibens, solo cum diabolo esuriens et sitiens sanguinem animarum. — Is ergo ad hanc ætatem ubique conversatus est, tam feda post se et tam stœva reliquit vestigia, ut ubi semel fixerit pedem, illue ultra redire omnino non audeat. Denique ipsam, in qua natus est, valde atrociter commovit terram, et conturbavit eam. Unde et accusatus apud Dominum Papam schismate pessimo, natali solo pulsus est; etiam et aljurare compulsus reversionem, nisi ad ipsius Apostolici permissionem. Pro simili deinde causa et a regno Francorum exturbatus est schismaticus insignis. *Excretus quippe a Petro Apostolo adhaeserat Petro Abailardo.* Cujus omnes errores ab Ecclesia jam deprehensos atque dannatos cum illo etiam et præ illo defendere acriter et pertinaciter conabantur. Following out the suggestion of earlier authorities (e. g. Buléz hist. univ. Paris. T. II. p. 155. Leger hist. des vallées de Piemont P. I. p. 155, etc.) Francke, i. e. attempts to explain Arnold's peculiar course by his connexion with the Waldenses and Cathari, but the testimony of contemporaries concurs to show that he did not depart from the received doctrine of the church. See the passage cited above, Guntheri Ligur. and Bernhard's expression *schisma pessimum*. Also *Gerohus de investigat. Antichristi lib. I.* in J. Gretseri prolegg. cap. 4. Collect. Scriptt. adv. Waldenses calls Arnold's doctrine doctrina prava, quæ etsi zelo forte bono, sed minori scientia prolata est. See also Schröckh, Th. 26. S. 112 ff. — Schmidt K. G. Th. 6. S. 174, questions even, and not without reason, whether Arnold's peculiar notions came from Abelard, as is usually supposed, according to Otto Frising.; and, from the passage above cited, infers that Arnold was never in correspondence with Abelard till after 1139.

<sup>7</sup> Comp. Planck, S. 328 ff. Neander, S. 163 ff. Raumer, S. 405 ff.

<sup>8</sup> *Otto Frising.* de rebus gest. Frid. I. lib. I. cap. 28. *Epist. Romanorum ad Regem Conradum* : Regali excellentiæ per plurima jam scripta, nostra facta et negotia diligenter exposuimus, quomodo in vestra fidelite permaneamus, ac pro vestra imperiali corona exaltanda et omni modo augenda quotidie decertemus. Ad quæ quia regalis industria, ut postulavimus, rescribere dignata non fuit, plane tamenquam filii et fideles de domino et patre satis miramur. — Et quidem regnum et imperium Romanorum, vestro a Deo regimini concessum, exaltare atque amplificare cupientes, et in eum statuti, quo fuit tempore Constantini et Justiniani, qui totum orbe vigore Senatus et Populi Romani suis tenuere manibus, reducere : Senatu pro his omnibus Dei gratia restituto, et eis, qui vestro imperio semper rebelles erant, quique tantum honorem Romano Imperio subripuerant, magna ex parte conculeatis: quatenus ea, quæ Cæsari et Imperio deberentur, per omnia et in omnibus obtineatis, vehementer atque unanimiter satagimus atque studemus. — Appropinquet itaque nobis imperialis celeriter vigor: quoniam quicquid vultis in urbe obtinere poteritis: et ut breviter ac succincte loquamur, potenter in urbe, quæ caput mundi est, ut optamus, habitare, toti Italiae ac regno Teutonicæ, omni clericorum remoto obstaculo, liberius et melius, quam omnes ferè antecessores vestri, dominari valebitis. — Two letters to the same intent, one from three *consiliatores curiæ Romanæ*, the other from a Senator, *ad Conrad Imp.* see in Martene et Durand ampliss. collect. T. II. p. 398 seq. In the second of these the emperor is called upon to possess himself of Rome, ut sine vestra jussione ac dis-

once more appeared at Rome,<sup>9</sup> and Lucius II. was killed in attempting to quell an insurrection.<sup>10</sup> His successor, Eugenius III., soon withdrew from the scene of this dangerous and humiliating strife (A. D. 1146), to begin a more fortunate course in France, under the patronage of Bernhard, abbot of Clairvaux. See § 56.

For the new kingdom of Jerusalem, hard pressed by the Saracens, having sent for speedy aid, Bernhard had succeeded in rekindling that enthusiasm for the Holy Land<sup>11</sup> which had been the chief means of raising the popes to their present power.<sup>12</sup> A numerous army was led thither in the spring of 1147 by the emperor Conrad III. and king Lewis VII. (second crusade), but were nearly all sacrificed; and the princes returned in the year 1149 without any advantage from the expedition.<sup>13</sup>

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positione numquam de cetero Apostolicus in urbe ordinetur. Sic enim fuit tempore b. Gregorii, qui sine assensu Imp. Mauritii Papa esse nequivit, et sic usque ad tempus Gregorii VII. perduravit. Propter id utile esse affirmo, ne per sacerdotes bella fiant aut homicidia in mundo. Nam non eis licet ferre gladium et calicem, sed predicare, predicationem vero bonis operibus confirmare, nequaquam bella et lites in mundo committere.

<sup>9</sup> *Luvii P. epist. ad Conrad R.* (in Otto Frising. Chron. VII. c. 31, Mansi XXI. p. 699): Populus Romanus nullas in sancta sua metas ponere volens Senatoribus, quos ante instituerant, Patricium adjiciunt, atque ad hanc dignitatem Jordanius Petri Leonis filium eligentes, omnes ei tamquam Principi subjiciuntur. — Deinde pontificis summum audeant, ac omnia regalia ejus, tam in urbe, quam extra posita, ad jus Patricii sui reposcent, cumque more antiquorum sacerdotum de decimis tantum et oblationibus sustentari oportere dicentes, de die in diem animam justi affligere non timuerunt. — *Otto Frising. de rebus gestis Frid.* I. lib. II. c. 20: Comperta vero morte Innocentii, circa principia pontificatus Eugenii, urbem ingressus (Arnaldus), cum eam contra Pontificem suum in seditionem excitatam invenisset — amplius eam in seditionem excitavit, proponens antiquorum Romanorum exempla, qui ex senatus maturitatis consulto, et ex juvenum animorum fortitudinis ordine et integritate, totum orbem terrae suum fecerint. Quare reædificandum Capitolium, renovandam dignitatem Senatoriam, reformandum equestrem ordinem docuit. Nihil in dispositione urbis ad Romanum spectare Pontificem, sufficere sibi ecclesiasticum judicium debere. — Hæc et his similia cum — a morte Cœlestini usque ad haec ab eo — agerentur tempora, etc.

<sup>10</sup> *Godefridus Viterbiensis* († 1168) Pantheon P. XVII. (Pistorius T. II. p. 349).

<sup>11</sup> Bernhard's harangues described by Neander, S. 198 ff. Wilken Gesch. d. Kreuzzüge, Th. 3. Abth. I. S. 33 ff. Raumer, Bd. I. S. 521 ff

<sup>12</sup> See above, p. 181 seq. *Eugenii Epist. I. ad Ludovicum Regem Gall.* (Mansi XXI. p. 627) repeats first the privileges formerly granted the crusaders, peccatorum remissionem, ecclesiæ protectionem, etc. (comp. § 48, notes 8 and 11) and then goes on in defiance of all social rights thus: Quicunque vero ære premitur alieno, et tam sanctum iter puro corde incepirent, de præterito usuras non solvant; et si ipsi, vel alii pro eis occasione usurarum astrieti sunt sacramento vel fide, apostolica eos auctoritate absolvimus. Liceat eis etiam terras sive cæteras possessiones suas, postquam commoniti propinqui sive domini, ad quorum feudum pertinent, pecuniam comodare aut noluerint, aut non valuerint, ecclesiæ vel aliis quoque fidelibus libere sine ulla reclamatione impignorare. Peccatorum remissionem et absolutionem — omnipotenti Dei et b. Petri Apostolorum Principis auctoritate nobis a Deo concessa, talem concedimus, ut qui tam sanctum iter devote incepit et perficerit, sive ibidem mortuus fuerit, de omnibus peccatis suis, de quibus corde contrito et humiliato confessionem suscepere, absolutionem obtineat, et semipternæ retributionis fructum ab omnium remuneratore percipiat.

<sup>13</sup> History of the second crusade in *Odo de Diogilo* (of Deuil near Paris), who accompanied it, de profectio[n]e Ludovici VII. in Orientem (in Chiflet Bernardi

Nearly at the same time Eugenius returned to Rome under the protection of Roger, king of Sicily, and was thus withdrawn from the immediate influence of Bernhard, which the cardinals had long viewed with great dissatisfaction.<sup>14</sup> On this occasion Bernhard wrote for him the remarkable work *de consideratione*, in five books. It was a warning to the popes from one of their truest friends, who, notwithstanding his prejudices,<sup>15</sup> had too much religious feeling not to see the perversion of the papal power,<sup>16</sup> and to feel in what it must at length result.<sup>17</sup>

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genus illustrē adserendum. 1660, 4to.). *Willemus Tyrensis lib. XVI. c. 18 seq.* Wilken, Bd. 3. Abth. 1. S. 8t ff. Schlosser, Bd. 3. Th. 1. S. 428 ff. Raumer, Bd. 1. S. 530 ff. — The unfortunate result of this expedition drew upon Bernhard much odium (his defence of himself *De Consider. II. c. 1.* *Joannes Abb. Casemarii*, in his letter of condolence to Bernhard, in the coll. of Bernhard's correspondence, Ep. 333, says: *Si hoc, quod cōperant, sicut decet Christianos, juste ac religiose prosequī vellent, Dominus cum eis esset, ac magnum fructum per eos perfecisset. Sed quoniam ipsi ad mala sunt devoluti, et hoc nequaquam Dominum, qui auctor viae fuerat, a principio latere potuit; ut sua providentia in sua dispositiōne non falleretur, malitiam eorum in suam convertit clementiam, et immisit eis persecutōnes et afflictiones, quibus purgati ad regnum pervenire possent.* — *Sed ne in dubium veniat, quod dico, quasi patri meo spirituali in confessione aperio, quod patroni loci nostri, b. Ioannes et Paulus, sapienter nos visitare dignati sunt, quos ego super hac re interrogari feci, et hujusmodi sententiam responderunt. Dicebantque multitudinem Angelorum, qui eccl̄iderant, de illis, qui ibi mortui sunt, esse restaurataam,) and very much weakened the enthusiasm for the crusades. See Wilken, I. c. S. 270 ff.*

<sup>14</sup> See the outbreak of their dissatisfaction with Eugenius at the council of Rheiems, 1148, *Otto Frising. de rebus gest. Frid. lib. I. c. 57:* *Scire debes quod a nobis, per quos tanquam per cardines universalis ecclesiae volvitur axis, ad regimen totius ecclesiae promotus, a privato universalis pater effectus, jam deinceps te non tuum, sed nostrum potius esse oportere: nec privatas et modernas amicitias antiquis et communibus præponere, etc.*

<sup>15</sup> *De Consid. II. c. 8.* Description of the papal dignity: *Quis es? Sacerdos magnus, suminus Pontifex. Tu princeps Episcoporum, tu heres Apostolorum, tu primatus Abel, gubernator Noe, patriarchatus Abraham, ordine Melchisedech, dignitate Aaron, auctoritate Moyses, judicatus Samuel, potestate Petrus, unctione Christus. Tu es, cui claves tradita, cui oves credita, sunt. Sunt quidem et alii cœli janitores, et gregum pastores: sed tu tanto gloriosius, quanto et differentius utrumque præ ceteris nomen hæreditasti. Habent illi sibi assignatos greges, singuli singulos: tibi universi crediti, uni unus. Nec modo ovium, sed et pastorum tu unus omnium pastor.*

<sup>16</sup> e. g. *De Consider II. c. 6:* *Factum (te) superiorem dissimulare nequimus; sed enim ad quid, omnimodis attendendum: non enim ad dominandum opinor. — Multo minus inveniri oportet aut deliciis resolutum, aut resupinum pompis. Nihil horum tibi tabulae testatoris assignatur. — Nec locus est otio, ubi sedula urget sollicitudo omnium ecclesiuarum. Nam quid tibi aliud dimisit s. Apostolus? "Quod habeo," inquit, "hoc tibi do" (Act. iii. 6). Quid illud? Unum scio, non est aurum neque argentum, cum ipse dicat: "Argentum et aurum non est mihi." Si habere contingat, utere non pro libitu, sed pro tempore. Usus horum bonus, abusio mala, sollicitudo pejor, questus turpior. Esto, ut alia quacunque ratione haec tibi vindices, sed non Apostolico jure. Nec enim tibi ille dare, quod non habuit, potuit. Quod habuit, hoc dedit, sollicitudinem, ut dixi, super Ecclesias. Numquid dominationem? Audi ipsum: "Non dominantes," ait, "in clero, sed forma facti gregis" (1 Petr. 5, 3). Et ne dictum sola humilitate putas, non etiam veritate, vox Domini est in evangelio. "Reges gentium dominantur eorum, etc." et infert: "Vos autem non sic" (Luc. xxii. 25, 26). Planum est, Apostolis interdicitur dominatus. — *Lib. III. c. 1:* *Præsis ut prosis, — ut dispenses, non imperes. Hoc fac, et dominari ne affectes hominum homo, ut non dominetur tui**

Eugenius had a constant struggle to maintain at Rome with his still powerful enemies,<sup>18</sup> and he had, therefore, the more to fear from Frederick I. (Barbarossa) (A. D. 1152), who, however friendly his bearing towards the Pope,<sup>19</sup> showed from the first, that he possessed both the inclination and the power to maintain his imperial rights.<sup>20</sup>

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omnis injustitia. At satis superque id intimatum supra, cum, quis sis, disputaretur. Addo tamen et hoc: nam *nullum tibi venenum, nullum gladium plus formido, quam libidinem dominandi.*

<sup>17</sup> *I. c. lib. II. c. 6:* Ergo tu, et tibi usurpare aude aut dominans apostolatum, aut apostolicus dominatum. Plane ab alterutro prohiberis. Si utrumque simul habere roles, perdes utrumque. Alioquin non te exceptum illorum numero putes, de quibus queritur Deus sic: "Ipsi regnaverunt, et non ex me: principes extiterunt, et ego non cognovi" (Hos. viii. 4). Nam si regnare sine Deo juvat, habes gloriam, sed non apud Deum. At si interdictum tenemus, audiamus edictum: "Qui major est vestrum, fiat sicut junior, et qui predecessor est, sicut qui ministrat" (Luc. xxii. 26.) Forma apostolica haec est: dominatio interdicatur, indicitur ministratio.

<sup>18</sup> Who now, as S. P. Q. R. extended their claims even to authority over the empire. *Guntherii Ligurinus lib. III. v. 337 seq.* speaking of the course pursued by Arnold at Rome:

Consiliis armisque sua moderamina summa  
Arbitrio tractare suo, nil juris in hae re  
Pontifici summo, modicum concedere Regi,  
Suadebat populo.

cf. *Eugenii P. Epist. ad Wibaldum Abb.* A. D. 1152<sup>21</sup> (in Martene et Durand Ampliss. collect. T. II. p. 553): Ad haec Sanctitati tuae quædam notificamus, quæ faciente Arnoldo heretico rusticana quædam turba absque nobilium et majorum scientia nuper est in urbe molita. Circiter enim duo millia in unum sunt secretiū conjurati, et in proximis Kal. Novembri centum perpetuos senatores malorum operum et duos consules, alter quorum infra urbem, alter extra, illorum centum consilio reipublice statum disponant, immo potius rodant (probably a practice taken from the Lombard states. *Savigny Gesch. des Röm. Rechts im Mittelalter*, Bd. 3. S. 116): Unum autem, quem volunt Imperatorem dicere, creare disponunt, quem illis centum duobus consulibus et omni populo Romano sperant, quod debeat mortisfere imperare. Quod quia contra coronam regni et carissimi filii nostri Friderici, Romanorum regis, honorem attentare præsumunt, eidem volumus per te secretiū nuntiari, etc. At the same time *Wetzel ad Frider. Imp.* (ibid. p. 554): Immensa letitia, quod gens vestra vos sibi in regem elegerit, moveor. Ceterum quod consilio clericorum et monachorum, quorum doctrinā divina et humana confusa sunt, sacrosanctam Urbem, dominam mundi, creatricem et matrem omnium Imperatorum, super hoc, sicut deberetis, non consuliatis, et ejus confirmationem, per quam omnes, et sine qua nulli unquam principes imperaverunt, non requisiatis, nec ei sicut filius, si tamen filius et minister ejus esse proposuisti, non scripsi, vehementer doleo. Remarkable the passage: Mendacium vero illud et fabula heretica, in qua refertur Constantini Silvestro imperialia simoniace concessisse in Urbe, ita detecta est, ut etiam mercenarii et mulierculæ quoilibet etiam doctissimos super hoc concludant, [confundant?] et dictus Apostolicus eum suis Cardinalibus in civitate præ pudore apparere non audeant. At the close, the admonition to send ambassadors to Rome, assuntis peritis legum, qui de jure imperii sciant et audeant tractare, — et ne aliquid novi ibi contra vos surget, prævenire curate.

<sup>19</sup> Comp. *Frid. ep. ad Eugen.* III. (in Martene et Durand ampl. coll. T. II. p. 516 seq.) in which he informs the Pope of his election, and expresses towards him good will. On this a compact was made between them (ap. Baron. ann. 1152, no. 5 seq.) by which the emperor promised, quod ipse nec trengam nec pacem faciet cum Romanis nec cum Rogerio Rege Siciliæ sine libero consensu et voluntate Romanorum et domini Papæ Eugenii, — et pro viribus laborabit Romanos subjicare domino Papæ, etc. And the Pope, quod — Imperatorem coronabit, et

## § 52.

HADRIAN IV. (A. D. 1154—1159), ALEXANDER III. († A. D. 1181).

Though Hadrian succeeded in compelling the Romans to banish the dangerous Arnold of Brescia,<sup>1</sup> he seemed at first to have found a more dangerous opponent in Frederick I., who had undertaken an expedition to Italy (A. D. 1154) with the avowed purpose of restoring the almost forgotten imperial rights, and already humbled the proud Lombards.<sup>2</sup> But Frederick having commanded the fugitive Arnold to be given up,<sup>3</sup> and rejected the propositions of the presumptuous Romans,<sup>4</sup> the Pope seemed to lay aside his fears, and some trifling misunderstandings having at length been cleared up,<sup>5</sup> the emperor was crowned on the 18th June, 1155.

Frederick was, therefore, the more incensed, when the Pope, in the year 1156, concluded a separate peace with the common enemy, William, king of Sicily, and confirmed to that prince his conquests.<sup>6</sup>

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ad manutendum, augendum et dilatandum honorem Imperii pro debito officii sui juvabit, et quicunque justitiam aut honorem regni conculeare aut subvertere ausu temerario præsumserit, dominus Papa — eos ad satisfactionem canonice commonebit. Quodsi Regi ad Apostolicam monitionem de jure et honore regni justitiam exhibere contemserint, excommunicationis sententia innodentur, etc. The doubts raised by Schröckh, Th. 26. S. 150, and after him by Planck and Schmidt, against the date of this document: Constantine X Cal. Apr. Ind. XV anno Dominicæ Incarnationis MCLII are without foundation. As the year began with Easter (comp. l'Art de vérifier les dates des faits historiques depuis la naissance de notre seigneur. New ed. par M. de Saint Alais T. I. Paris. 1818. Svo. p. 21—31, in the note), this date, according to our calendar, is the 22 March, 1153. That Frederick was really at that time in Constance is shown by Raumer, Bd. 2. S. 530.

<sup>20</sup> Namely, by his firmness in deciding a contested election. *Otto Fris.* de rebus gest. Frid. I. lib. II. c. 6 seq. Schmidt's Kirchengesch. Th. 6. S. 180 ff. Raumer, Bd. 2. S. 13 ff.

<sup>1</sup> *Vita Adriani III.* ex Card. Aragon. in Muratori III. I. p. 411 seq. Of which the passage which belongs here is also given by Baron. ann. 1155, no. 1 seq. from a Cod. Vatican. Acta Vatic. apud Baron.

<sup>2</sup> J. Voigt Gesch. des Lombarden-Bundes und seines Kampfes mit K. Friedrich I. Königsberg. 1818. S. 1 ff. Schlosser's Weltgesch. Bd. 3. Th. 1. S. 294 ff. Raumer's Gesch. der Hohenstaufen, Bd. 2. S. 16 ff.

<sup>3</sup> *Otto Frising.* de gest. Frid. lib. II. c. 20 (in Murat. 21) *Godefredi Viterbiensis Pantheon.* P. XVII.

<sup>4</sup> See *Otto Fris.* I. c. cap. 21 (Murat. 22).

<sup>5</sup> Of the difficulty about holding the stirrup, different accounts in *Helmodi Chron.* Selav. I. c. 80, and in the *vita Adr.* ex Card. Arag. I. c. p. 443.

<sup>6</sup> The treaty given by Baron. ann. 1156, no. 4 seq. The Pope gave to William regnum Sicilie, Ducatum Apuliae, Principatum Capuae cum omnibus pertinentiis suis, Neapolem, Salernum, et Malphiam cum pertinentiis suis, Marchiam et alia que ultra Marsicam debet habere. On this Frederick reproached him (*Radericus de gestis Frid.* lib. II. c. 31), quod ipse prior pacem atque concordiam, quae inter Papam Eugenium et nos facta fuerat et scripta, violasset in Siculo, cui ipse sine nobis reconciliari non debuisset (cf. § 51, note 19). Besides this, as long ago as 1137, the sovereignty over Apulia had been claimed by Lothaire (*Otto Fris. Chron.* VII. c. 20). True, Pope Innocent II. in 1139, had bestowed this country on Roger, king of Sicily, without regard to Lothaire's claim (Baron. ann. 1139); still the claim had never been withdrawn. See Raumer, I. c. S. 71.

The first opportunity of venting his dissatisfaction was afforded by the presumptuous expressions of the Pope in a letter read at the council of Besançon A. D. 1157;<sup>7</sup> and his cause was so generally espoused, even by the bishops,<sup>8</sup> that the Pope was fain to appease the

<sup>7</sup> This whole scene described by *Radericus*, lib. I. c. 8-10. The offensive passage in the Pope's letter runs thus (ib. c. 9, Mansi XXI. p. 789): *Debes enim, gloriose fili, ante oculos mentis reducere, quam gratauerit et quam jucunde alio anno mater tua sacrosancta Romana ecclesia te suscepit, quanta cordis affectione tractaverit, quantam tibi dignitas plenitudinem contulerit et honoris, et qualiter imperialis insignis corona libentissime conferens, benignissimo gremio suo tuae Sublimitatis apicem studuerit confluere, nihil prorsus efficiens, quod regie voluntati vel in minimo cognosceret obviare.* Neque tamen penitet nos desideria tuae voluntatis in omnibus implevisse, sed si majora *beneficia* Excellentia tua de manu nostra suscepisset, si fieri posset, considerantes, quanta ecclesia Dei et nobis per te merentia possint et commoda provenire, non immerito gauderemus. *Radericus* c. 10, remarks that these words gave offence to the princes, quod a nonnullis Romanorum tenere affirmari noverant, Imperium nobis, et Regnum Italicum donatione Pontificum Reges nostros hactenus possedisse, idque non solum dictis, sed et scriptis adque picturis representare, et ad posteros transmittere. Unde de Imperatore Lothario in palatio Lateranensi super hujusmodi picturam scriptum est:

Rex venit ante fines, jurans prius urbis honores,  
Post homo fit Papæ, sumit quo dante Coronam.

Description of this painting in the Chron. Godefridi S. Pantal. in Würdtwein nov. subsid. diplom. T. XIII. p. 33). The confusion became still greater, when one of the legates ventured to ask: *A quo ergo habet, si a Domino Papa non habet Imperium?* for ob hoc dictum eo processit iracundia, ut unus eorum, videlicet Otto Palatinus Comes de Bajoaria, ut dicebatur, prope exerto gladio cervici illius mortem intentaret. At Fridericus auctoritate praesentiae sua interpo ita, tumultum quidem compescuit: ipsos autem legatos securitate donatos ad habitacula deduci, ac primo mane via proficisci praecepit: addens in mandatis, ne hac vel illac in territoriis Episcoporum seu Abbatum vagarentur, sed recta via, nec ad dextram, nec ad sinistram declinantes, reverterentur ad urbem. To this Radewich adds an edict issued thereon to the empire. Comp. Planck, Bd. 4. Abschn. 1. S. 365 ff.

<sup>8</sup> *Radericus* I. c. 15: The legates returned to Rome so much enraged, ut in ultionem eorum, quæ se pertulisse dixerunt, Romanae urbis Episcopum provocarent. In hoc negotio Clerus Romanus ita inter se divisus est, ut pars eorum partibus faveret Imperatoris, et eorum qui missi fuerant incuriam seu imperitiam causaretur, quadam vero pars votis sui Pontificis adhaeret. Then follows the Pope's letter to the German bishops (also in Mansi XXI. p. 790). In their answer they declared themselves very decidedly on the emperor's side (*Radev.* I. c. 16, Mansi XXI. p. 792), communicating to the Pope the following declaration of the emperor: *Duo sunt, quibus nostrum regi oportet imperium, leges sanctæ Imperatorum et usus bonus prædecessorum et Patrum nostrorum. Iстos limites Ecclesiæ nec volumus præterire, nec possumus; quicquid ab his discordat, non recipimus. Debitam patri nostro reverentiam libenter exhibemus; liberam Imperii nostri coronam divino tantum beneficio adscribimus, electionis primam vocem Moguntino Archiepiscopo, deinde quod superest, ceteris secundum ordinem Principibus recognoscimus, regalem unctiorum Coloniensi, supremam vero, quæ Imperialis est, Summo Pontifici, quicquid præter haec est, ex abundanti est, a malo est. — In capite orbis Deus per Imperium exaltavit Ecclesiam, in capite orbis Ecclesia (non per Deum, ut credimus) nunc demolitur Imperium. A pictura cœpit, ad scripturam pictura processit, scriptura in auctoritatem prodire conatur. Non patiemur, non sustinebimus: coronam ante ponemus, quam Imperii coronam una nobiscum sic deponi consentiamus. Picturae delectantur, scripturæ retractentur, ut inter Regnum et Sacerdotium æterna inimicitiarum monumenta non remaneant.* The bishops, therefore, advise ut magnanimitatem filii vestri, sicut bonus Pastor, leniatis scriptis vestris scripta priora suavitate mellita dulcorantibus, etc.

incensed emperor by forced excuses (A. D. 1158).<sup>9</sup> After this, Frederick undertook a second expedition to Italy,<sup>10</sup> and holding a diet with great magnificence on the fields of Ronkal (Roncaglia) caused the imperial rights to be established according to the principles of the Roman law, by certain learned doctors from Bologna (A. D. 1158).<sup>11</sup> Many of their decisions proved highly offensive to the Pope,<sup>12</sup> and as neither party was disposed to yield,<sup>13</sup> nothing but the death of Hadrian prevented an entire rupture.

<sup>9</sup> *Hadriani Ep. ad Frid.* (*Radevicius I. c. 22.*, Mansi XXI. p. 793): — Occasione siquidem cuiusdam verbi, quod est “*beneficium*” tuus animus, sicut dicitur, est commotus, quod utique, nedum tanti viri, sed nec cuju-libet minoris animum merito commovisset. Liceat enim hoc nomen, quod est *beneficium*, apud quosdam in alia significacione, quam ex impositione habeat, assumatur: tunc tamen in ea significacione accipendum fuerat, quam nos ipsi posuimus, et quam ex institutione sua noscitur retinere. Hoc enim nomen ex bono et facto est editum, et dicitur *beneficium* apud nos non feudum, sed bonum factum. — Et tua quidem Magnificentia liquido recognoscit, quod nos ita Bene et honorifice Imperialis dignitatis insigne tuo capiti imposuimus, ut bonum factum valeat ab omnibus judicari. Unde quod quidam verbum hoc et illud, scilicet: “*Contulimus tibi insigne imperialis coronæ,*” a sensu suo visi sunt ad aliud retrorquere: non ex merito causæ, sed de voluntate propria, et illorum suggestione, qui pacem Regni et Ecclesiae nullatenus diligunt, hoc egerunt. Per hoc enim vocabulum “*contulimus*” nil aliud intelleximus, nisi quod superius dictum est “*imposuimus.*”

<sup>10</sup> For the history of the events here mentioned see Planck, Bd. 4 Abschn. 1. S. 375 ff. Voigt Gesch. d. Lombarden-Bundes, S. 13 ff. Schlosser, Bd. 3. Th. 1. S. 309 ff. Raumer, Bd. 2. S. 84 ff. (Hallam's Middle Ages. ch. 3 — though not quite just to Frederick. — Tr.)

<sup>11</sup> The four doctors from Ravenna were Bulgarus, Martinus Gosias, Jacobus Hugolinus, and Hugo de Porta Ravennatae. The newly revived principles are thus expressed by the archbishop of Milan in his address to the emperor (*Radevicius II. c. 4*): Scias itaque omne ius populi in condendis legibus tibi concessum, tua voluntas jus est, sicuti dicitur: “Quod Principi placuit, legis habet vigorem, cum populus ei et in eum omne suum Imperium et potestatem concesserit.” Quocunque enim Imperator per Epistolam constituerit, vel cognoscens decreverit, vel edicto praecepit, legem esse constat. In the speech with which he opened the diet, Frederick thus nobly expresses himself (l. c. cap. 3): Nos Regium nomen habentes, desideramus potius legitimum tenere imperium pro conservanda cuique sua libertate et jure, quam, ut dicitur, omnia impune facere, h. e. Regem esse, per licentiam insolescere, et imperandi officium in superbiam dominationemque convertere. — Sed nec per nostram desidiam quamquam imperii gloriam et excellentiam immihiuere patiemur.

<sup>12</sup> Particularly the following. At the diet at Ronkal in 1136, Lothaire had decreed nemini licere beneficia, quæ a suis senioribus habet, sine ipsorum permissione distrahere (*Cod. de Feudis* Tit. 52). On the present occasion this law was made still more strict (*Radericus II. c. 7. Cod. de Feud.* Tit. 55): sancimus, ut nulli licet feudum totum vel partem aliquam vendere, vel pignorare, vel quomodo libet alienare, vel *pro anima judicare*, sine permissione majoris Domini, ad quem feudum spectare dinoscitur. Unde Imperator Lotharius tantum in futurum cavens, ne fieret, promulgavit. Nos autem ad pleniorum regni utilitatem prouidentes, non solum in posterum, sed etiam hujusmodi prius illicitas alienationes perpetratas hac præsenti sanctione *cassamus*, et in irritum *deducimus*, etc. *Guentheri Ligurinus IX. v. 105 seq.*:

Principue postquam sua jura recognita fisco  
Assensi Procerum per cunctas comperit urbes,  
Indoluit facto, quantumque videbat honoris  
Accessisse Viro, tantum Pater ipse putabat  
Decessisse sibi, etc.

<sup>13</sup> The bitter letters Hadriani ad Frid. and Friderici ad Hadrianum in the

Still there were already two parties in the college of cardinals, an Imperial party, and a Sicilian,<sup>14</sup> and the consequence was a double choice. Victor IV. was acknowledged by Frederick, and Alexander III. by nearly all the other powers.<sup>15</sup> In the mean time the hatred of the Lombards against Frederick was embittered by oppression,<sup>16</sup> and the league of Verona was formed (A. D. 1161).<sup>17</sup> Emboldened by Alexander's return to Rome (A. D. 1165),<sup>18</sup> this league was enlarged, and, under the name of the League of Lombardy (A. D. 1167),<sup>19</sup> opposed the emperor with increasing success, till, by a decisive defeat at Legnano (A. D. 1176),<sup>20</sup> they at length compelled him to yield. Hitherto the Pope and the Lombards had made common cause; in order to divide them, Frederick now abandoned his purpose,<sup>21</sup> and made peace with Alexander at Venice A. D. 1177, whilst with the Lombards he concluded a truce of six years.<sup>22</sup>

Append. ad Radevicum (Baron. ann. 1159, no. 5 and 6. Urstius I. p. 562) are supposed by Muratori Annal. T. VI. p. 536, to be spurious, but without proof. The points of dispute may best be seen in the transactions between a papal embassy and the emperor, which are related by the eye-witness Eberhard, bishop of Bamberg, to Eberhard, archbishop of Salzburg (ap. Radevicum II. c. 30). The Pope demanded: *Nuncios ad urbem ignorante Apostolico ab Imperatore non esse mittendos, cum omnis magistratus inibi b. Petri sit cum universis regalibus. De dominicalibus Apostolici iudicium non esse colligendum, nisi tempore suscipienda corone. Episcopos Italiae solum sacramentum fidelitatis sine hominio facere debere Domino Imperatori. Neque nuncios Imperatoris in palatiis Episcoporum recipiendos. De possessionibus Ecclesiae Romanae re-titwendis, et tributis Ferrarie, Massae, Fiororu, totius terra comitissae Matildis, totius terra qua ab Aquapendente est usque Romanam, Ducatus Spoletoni, Insularum Sardinie, Corsice.* Frederick, after much complaint, replies: *Quamvis non ignorem ad tanta negotia non ex anima mei sententia, sed ex consilio Principum me respondere debere, sine praecidicio tamen sapientum, hoc absque consultatione respondeo. Episcoporum Italiae ego quidem non affecto hominum, si tamen et eos de nostris regalibus nihil delectat habere. Qui si gratanter audierint a Romano Praesule: "quid tibi ei Regi?" consequenter quoque eos ab Imperatore non pigate audire: "quid tibi et possessioni?" Nuncios nostros non esse recipiendos in palatiis Episcoporum asserit. Concedo, si forte aliquis Episcoporum habet in suo proprio solo et non in nostro palatum. Si autem in nostro solo et allodio sunt palatia Episcoporum, cum profecto omne quod addificatur, solo cedat (according to Digestor. lib. XI. Tit. 1. leg. 7. § 10) nostra sunt et palatia. Injuria ergo esset, si quis Nuncios nostros a Regis palatiis prohiberet. Legatos ab Imperatore ad urbem non esse mittendos affirmat, cum omnis magistratus inibi b. Petri sit cum universis regalibus. Haec res, fateor, magna est et gravis, graviorique et maturiori egens consilio. Nam cum divina ordinatione ego Romanus Imperator et dicar et sim, speciem tantum dominantis effingo et inane utique porto nomen ac sine re, si urbis Romae de manu nostra potestas fuerit excussa.*

<sup>14</sup> Traces of these two parties in note 8.

<sup>15</sup> Planck, S. 384 ff. Raumer, S. 123 ff.

<sup>16</sup> Geschichte der Verhältnisse des Kaisers zu den Lombarden in Voigt, S. 19 ff. Raumer, S. 113 ff. 179 ff.

<sup>17</sup> Voigt, S. 55 ff. Raumer, S. 185 ff.

<sup>18</sup> Voigt, S. 80 ff. Raumer, S. 197 ff.

<sup>19</sup> Voigt, S. 89 ff. Raumer, S. 203 ff.

<sup>20</sup> Voigt, S. 266 ff. Raumer, S. 244 ff.

<sup>21</sup> Victor IV. († 1164) was succeeded by Paschal III., by whom, at the request of Frederick, Charlemagne was sainted (A. D. 1165. Act. SS. ad d. 28 Jan. p. 588. C. G. F. Walchii hist. canonizat. Caroli M. Jena. 1750. 8vo.) † 1168. Succeeded by Calixtus III.

Still more complete was Alexander's triumph over Henry II., king of England.<sup>23</sup> The strict subordination of the English clergy to their kings, under William I. and II., had been succeeded, under Stephen (A. D. 1135—1154), by the most perfect independence, the effects of which were seen in various flagrant disorders. Henry II. determined to restore the ancient relations of the clergy, and thought to secure a trusty ally by promoting his chancellor, Thomas a Becket, to the see of Canterbury (A. D. 1162). But the new dignity at once

<sup>22</sup> Voigt, S. 271 ff. Schlosser, Bd. 3. Th. I. S. 327 ff. Raumer, S. 246 ff. Of these treaties there are two full accounts in the *vita Alexandri III.* ex Card. Aragon. (Muratori T. III. P. I. p. 467), and in the Chronicon of Romualdi Archiep. Salernitani (Muratori T. VII. p. 217 seq.) The Acta in Baronius ad ann. 1177, no. 13 seq., are only extracts from these two sources. See also, *Alex. III. Epist. ad Petrum Abb. Casin.*, *ad Richardum Archiep. Cantuariensem*, and *ad Rogerium Archiep. Eboracensem*, Baronius I. c. no. 24—26. Mansi XXII. p. 178 seq. — The negotiations between the Lombards and Frederick in the Acta in Muratori antiquit. Ital. medii aevi T. IV. p. 275 seq.; between William of Sicily and Frederick in Romualdus I. c. The most important document relating to Frederick's negotiations with the Pope is: *Pax et Reconciliatio inter Alex. III. P. et Frid. I. Imp. Anagniae tractata atque preliminariter conventa* ann. 1176 (extracted ex Archivis Anagniensibus by Sigonius hist. de regno Italiae lib. XIV but with some arbitrary changes, and in this form adopted in Goldasti Constit. Imperiali. T. III. p. 359 and in Dumont corps diplomatique du droit des gens. T. I. p. 95. The genuine text ex Cod. Claustro-Neoburgensi in J. D. Schœpflini commentatt. histor. et crit. Basil. 1741. 4to. 5. 533 seq.) The chief conditions are, the recognition of Alexander as Pope, a peace of fifteen years with William, king of Sicily, and of six years with the Lombards. And further, III., Omniem vero possessionem et tenementum sive praefecture sive rei alterius, quam Ecclesia Romana habuit, et ipse abstulit per se vel per alios, bona fide restitut [ei salvo omni jure Imperii]. Ecclesia quoque Romana omnem possessionem et tenementum, quod ei abstulit per se vel per alios, bona fide ei restitut] salvo omni jure Ecclesie Romane. (The words in brackets are left out by Sigonius.) — IV. Praterea Dominus Papa et Dominus Imperator ad honorem et jura Ecclesie et Imperii conservanda vicissim se juvabunt, Dominus Papa ut benignus pater devotum et carissimum filium et Imperatorem christianissimum: Dominus Imperator ut devotus filius et christianissimus Imperator dilectum et reverendum patrem et b. Petri Vicarium. IX. De querelis autem et controversiis, qua ante tempora Domini P. Adriani inter Ecclesiam et Imperium vertebantur, Mediatores ex parte Domini Papæ et Domini Imperatoris constituentur, quibus committentur, ut eas iudicio vel concordia terminent. Si vero prediici mediatores non convenerint, iudicio Domini Papæ et Imperatoris, vel ejus seu corum, quos ad id elegerint, finientur. The ignominious treatment to which Frederick had to submit, seems to be a fiction of papal historians, since the fourteenth century. Six works on the subject in *J. R. Wegelin Thesaurus Rerum Suevicarum*, vol. II. Lindsay. 1757. fol.

<sup>23</sup> Authorities: *Thomæ Becket Epistolarum* libb. VI. ed. Christ. Lupus. Bruxell. 1682. 4to. *Vita Thomæ* by four of his followers *Johannes Sarisbur.* (in ejusd. Epist. Paris. 1611. 4to.) *Wilhelmus Stephanides* (in Histor. Anglie. Scriptt. ed. Jos. Sparke. Lond. 1723. fol.) *Alanus and Herebertus de Bosham,* from which four accounts, the *Quadrilogus de vita S. Thomæ* (best ed. in the preface to Thomæ Epist. ed. Chr. Lupus) was made by order of Pope Gregory XI. — See also *Gervasii Cantuariensis* (1199) Chron. rerum in Anglia gestarum (in Scriptt. X. Anglie. Lond. 1652. fol.), *Radulphus de Diceto* (1198) *imagines Historiarum ab ann. 1148 ad ann. 1200* (ibid.) *Guilelmus Parvus Neubrigensis* (1197) *de rebus Angliae sui temporis* libb. V. (best ed. Th. Hearne. Oxon. 1719. 3 voll. Svo.) and *Rogerii de Hoveden* (1202) *Annal. Anglican.* (in Savilii Historie. Angl. Lond. 1595. fol.), extracts from which in *Matthæus Paris* *historia major* p. 82 seq. — Accounts: *Natalis Alex.* hist. eccl. Sac. XI et XII dissert. X. Planck, Bd. 1 Abschln. I. S. 396 ff. Schlosser, Bd. 3. Th. I. S. 401 ff. (Southey's History of the Church. Hume. — Tr.)

converted the favorite into the most presumptuous of priests; his ecclesiastical pride being ill concealed by the affectation of monkish humility. At the council of Clarendon (A. D. 1164) the old ordinances were renewed,<sup>21</sup> and solemnly accepted by Thomas, as well as the rest of the clergy. It was not long, however, before Becket assumed the guise of a penitent, prevailed on the Pope to absolve

<sup>21</sup> *Matt. Paris*, ad ann. 1164, and thence extracted in the Coll. of Acts of Councils (Manst XXI, p. 1487): *Anno Dom. M XLXIV. in presentia Regis Henrici apud Clarendonam — facta est cognitio sive recordatio cuius-dam pars consuetudinum et libertatum antecessorum suorum, Regis videlicet Henrici, avi sui, et aliorum, que observari debebant in regno, et ab omnibus teneri, propter dissensiones et discordias sepe emergentes inter clericos et justitiarios domini Regis et Magnatum regni. Harum vero censuetudinum recognitarunt quadaam pars in XVI capitulis coninetur.* (The following capitula are taken from a Cod. Vatic., accompanied with the papal *Damnamus* and *Toleramus* by *Parvus* ann. 1164, no. 37, and thence by Manst XXI, p. 1491 seq.) I. De advocatione et presentatione ecclesiarum si controversia emergerit inter laicos, vel inter laicos et clericos, vel inter clericos, in curia domini Regis tractetur et terminetur. *Damm.* II. Ecclesia de feudo domini Regis non possunt in perpetuum dari absque concessione ipsius. *Toler.* III. Clerici accusati de quaenam re, summoniti a justitiario Regis, veniant in curiam ipsius, responsuri ibidem de hoc, unde videbitur curia Regis, quod ibi sit respondendum, et in curia ecclesiastica unde videbitur, quod ibi sit respondendum: ita quod Regis justitiarius mittet in curiam s. ecclesiae ad videndum, quomodo res ibi tractabitur. Et si clericus convictus vel confessus fuerit, non debet eum de cetero ecclesia tueri. *Damm.* (cf. *Radulph. de Dicto* ad ann. 1164. Rex — incongruum esse considerans, clericos a suis justitiariis in publico flagitio reprehensos episcopo loci reddendos, decreverat, ut quos Episcopus inveniret obnoxios, praesente justitiario Regis exauktoraret, et post curia traderet pauperes. In contrarium sentiebant Episcopi: quos enim exauktorarent, a manu laicali contendebant protegere; alioquin bis judicaretur in ipsis.) IV. Archiepiscopis, Episcopis et personis regni non licet exire regnum absque licentia domini Regis, et si exierint, si Regi placuerit, securum eum facient, quod nec in eundo, nec in redeundo, vel moram faciendo perquirent malum sive damnum Domino Regi vel regno. *Damm.* — VII. Nullus, qui de rege tenet in capite, nec aliquis dominicorum ministrorum ejus, excommunicetur, nec alicuius coruam terra sub interdicto ponantur, nisi prius dominus Rex, si in regno fuerit, conveniatur, vel justitiarius ejus, si fuerit extra regnum, ut rectum de eo faciat, et ita ut quod perlineat ad Regis curiam, ibi terminetur, et quod spectat ad curiam ecclesiasticam, ad candem mittatur, ut ibidem terminetur. *Damm.* — VIII. De appellationibus si emerserint, ab archidiacono debet procedi ad Episcopum, ab Episcopo ad Archiepiscopum, et si Archiepiscopus defuerit in justitia exhibenda, ad dominum Regem pervenientem est postremo, ut praecepto ipsius in curia Archiepiscopi controversia terminetur; ita quod non debeat ultra procedi absque assensu domini Regis. *Damm.* — IX. Si calumnia emerserit inter clericum et laicum, vel e converso, de ullo tenemento, quod clericus velit ad eleemosynam trahere, vel laicus ad laicum feudum, per recognitionem XII legalium hominum, iuxta capitalis justitiarii Regis considerationem terminabitur, utrum tenementum sit pertinens ad eleemosynam sive ad laicum feudum, eorum justitiario Regis. *Damm.* — XI. Archiepiscopi, Episcopi et universae personae regni, qui de Rege tenent in capite, habeant possessiones suas de Rege sicut baroniam, et inde respondeant justitiariis et ministris Regis, et sequantur et faciant omnes rectitudines et consuetudines regias; et sicut ceteri barones debent interesse judiciis curie Regis cum baronibus, quoque perveniantur ad diminutionem membrorum vel ad mortem. *Toler.* — XII. Cum vacaverit archiepiscopatus, vel episcopatus, vel abbatia, vel prioratus in dominio Regis, esse debet in manu ipsius, et inde percipiet omnes redditus et exitus, sicut dominicos redditus suos. Et eum ventum fuerit ad consulendum ecclesiam, debet dominus Rex mandare potiores personas ecclesiae, et in capella ipsius Regis debet fieri electio, assensu ipsius Regis et consilio personarum regis, quas ad hoc faciendum advocaverit. Et ibidem faciet electus honagium et fidelitatem Regi, sicut ligio domino suo, de vita sua et membris, et de honore terreno, salvo ordine suo, priusquam consecretur. *Damm.*

him from his oath, and, to escape the vengeance of the king, fled to France. Henry now proceeded to enforce his measures with great severity, whilst Thomas assailed him alternately with complaints, remonstrances, and threats. But it was for the interest neither of the Pope<sup>25</sup> nor the king to carry matters to the extreme, and thus a reconciliation was at length effected (A. D. 1170).

But Thomas soon began to display the same overbearing spirit, and was at length put to death by four of Henry's knights, December 29, 1170. The king was universally supposed to have instigated the deed, and the Pope availed himself of the state of the public mind to extort from him many very important concessions (A. D. 1172).<sup>26</sup> Thomas

— XV. *Placita de debitis, quæ fide interposita debentur, vel absque interpositione fidei, sint in justitia Regis. Datum.*

<sup>25</sup> Henry's negotiations with the emperor Frederick concerning the recognition of the rival Pope Paschal at the council of Würzburg, in *Mansi XXI.* p. 1113 seq.

<sup>26</sup> See *Gerrasius Cantuar.* and *Roger de Horeden* ad ann. 1172. *Charta absolutionis Domini Regis:* Henrico Dei gratia illustri Regi Anglorum *Albertus* — et *Theodinus* — presbyteri Cardinales, Apostolicæ sedis legati salutem in eo, qui dat salutem Regibus. Ne in dubium veniant, quæ geruntur, et usus habet, et communis consideratio utilitatis exposcit, ut scripture serie debeant annotari. Inde quidem est, quod nos mandatum illud in scriptum duximus redigendum, quod vobis pro eo facinus, quia malefactores illos, qui sanæ memoriae Thomam quondam Cantuariensem Archiepiscopum occiderunt, occasione motus et turbationis, quam viderant in vobis, ad illud facinus processisse timetis. Super quo tamen facto purgationem in presentia nostra de voluntate propria præstititis, quod videlicet hec præcepistis nec voluistis, ut occideretur, et quando pervenit ad vos, plurimum condoluitis. Ab instanti festo Pentecostes usque ad annum tantam dabitis pecuniā, unde ad arbitrium fratrum templi ducenti milites valeant ad defensionem terraæ Hierosolymitanæ per spatiū unius anni teneri. Vos autem a sequenti natali Domini usque ad triennium accipietis crucem, proxima tunc aestate illuc in propria persona, ducente Domino, profecturi, nisi remanseritis per Dominum Papam, vel catholicos successores ejus. Sane si contra Saracenos pro urgente necessitate in Hispaniam profecti fueritis; quantum temporis fuerit, ex quo arripueritis iter, tantundem supradictum spatiū Jerosolymitanæ profectio poteritis prolongare. Appellationes nec impeditis, nec impediri permittetis, quin libere fiant in ecclesiasticis causis ad Romanum Pontificem, bona fide et absque fraude et malo ingenio, ut per Romanum Pontificem cause tractentur, et consequantur effectum suum: sic tamen, ut, si vobis suspecti fuerint aliqui, securitatem faciant, quod malum vestrum, vel regni vestri non quarunt. Consuetudines, quæ inductæ sunt contra Ecclesias terra vestra in tempore vestro penitus dimittetis. Possessiones Cantuariensis ecclesiæ, si quæ ablatae sunt, in plenum restituatis, sicut habuit uno anno antequam Archiepiscopus de Anglia egredetur. Clericis præterea et laicis utriusque sexus pacem vestram in gratiam, et possessiones suas restituatis, qui occasione prænominati Archiepiscopi destinati fuerunt. Ille autem vobis, auctoritate Domini Pape, in remissionem peccatorum vestrorum injungimus et præcipimus observare absque fraude et malo ingenio. Hoe sane coram multitudine personarum juravistis vos pro divina reverentia majestatis: juravit et filius vester, excepto eo, quod personam vestram specialiter contingebat. Et jurastis ambo, quod a Papa domino Alejandro et catholicis successoribus ejus, quandiu vos, sicut antecessores vestros, et catholicos Reges haberint, minime recedetis. Atque ut in memoria Romanae Ecclesie firmiter habeatur, sigillum vestrum præcepistis apponi. The *Juramentum innocentiae Henrici R.* in the vita Alexandri III. ex Card. Aragon. (*Muratori III. l. p. 462*), and thence extracted in *Baronius* ad ann. 1172, no. 5, was, perhaps, only a project of the Pope's and certainly in this form never taken by the king. See the close: Illicitas etiam consuetudines, quas temporibus meis in tota terra mea introduxi, penitus casso, et ex hoc nunc observari prohibeo. Appellationes vero ad Apostolicam Sedem de cætero libere fieri permittam, et in hoc neminem prohibeo. Præterea ego et major filius meus

was sainted, and not long after, the king having been brought into great trouble by the rebellion of his sons, submitted to a most humiliating penance at his grave, in order to reinstate himself in the favor of his people (A. D. 1174).

Alexander, having triumphed over all his enemies, held the third council of the Lateran (*œcumenicum XI.* A. D. 1179), at which the most important decree was that providing against future divisions in the choice of the popes.<sup>27</sup>

### § 53.

**LUCIUS III. (A. D. 1181 – 1185), URBAN III. († October, 1187), GREGORY VIII. († December, 1187), CLEMENT III. († A. D. 1191), CŒLESTINUS III. († January 8, 1198).**

The aspect of affairs began now to be less favorable for the popes. The disturbances in Rome broke out afresh, so that Lucius and his two immediate successors were forced to wander from place to place,<sup>1</sup> whilst the authority of Frederick in Italy was daily more confirmed. He made peace with the Lombards at Constance, June 25, 1183,<sup>2</sup>

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Rex juramus, quod a Domino Alexandro P. et ejus Catholicis Successoribus recipiemus et tenebimus regnum Anglie, et nos, et nostri successores in perpetuum non reputabimus nos Anglia Reges veros, donec ipsi nos Catholicos Reges tenuerint. From the letter of the papal legates *ad Archiep. Ravennensem* (Roger. de Hoveden, l. c.) it appears that at first they could not come to terms with the king. — In the year 1173, Henry, in order to win the Pope on his side against his sons, writes thus (Petri Bles. ep. 136 in Baron. ann. 1173, no. 10) : *Vestra jurisdictionis est regnum Angliae et quantum ad feudatarii juris obligationem, vobis dumtaxat obnoxius teneor et adstringor. Experiatur Anglia, quid possit Romanus Pontifex, etc.*, and this might have led to the interpolation of the juramentum by some one of the papal party.

<sup>27</sup> *Conec. Lateran.* III. cap. I (Mansi XXII. p. 217) : — *Statuimus igitur, ut si forte, inimico homine superseminante zizania, inter cardinales de substituendo pontifice non potuerit concordia plena esse, et duabus partibus concordantibus tertia pars noluerit concordare, aut sibi aliud presumserit ordinare; ille Romanus pontifex habeatur, qui a duabus partibus fuerit electus et receptus. Si quis autem de tertiae partis nominatione confusus, quia rem non potest, sibi nomen episcopi usurpaverit: tam ipse, quam qui eum receperint, excommunicationi subjaceant, et totius sacri ordinis privatione mulcentur, ita ut viatici eis etiam, nisi tantum in ultimis, communio denegetur, et nisi resipuerint, eum Dathan et Abiron, quos terra vivos absorbuit, accepiant portionem. Præterea si a paucioribus aliquis, quam a duabus partibus fierit electus ad apostolatus officium, nisi major concordia intercesserit, nullatenus assumatur, et predictæ pœnae subjaceat, si humiliiter noluerit abstinere. Ex hoc tamen nullum canonieis constitutionibus et aliis ecclesiis præjudicium generetur, in quibus majoris et sanioris partis debet sententia prævalere: quia quod in eis dubium venerit, superioris poterit judicio diffiniri. In Romana vero ecclesia aliquid speciale constituitur, quia non potest recursus ad superiorem haberi.* cf. *Mabillon* comm. in ordinem Rom. p. CXV.

<sup>1</sup> *Chronicon Fossæ Noræ* (written about 1217) in Muratorii Scriptt. Rer. It. T. VII. p. 875 seq. *Guilelmi de Vangis* (about 1301) chronicon in d'Achery Spicileg. T. III. p. 13 seq.

<sup>2</sup> The treaty of peace is in almost all the editions of the *Corp. Juris*; more correct in Muratorii antiquitt. Ital. med. ævi T. IV. p. 307 seq. Comp. Voigt Gesch. des Lombarden-Bundes S. 329 ff. Raumer Gesch. d. Hohenstaufen, Bd. 2. S. 275 ff.

and, by the marriage of his son Henry to the heiress of Sicily, Constance (January 27, 1186),<sup>3</sup> he seemed to have robbed the popes of their most faithful ally. In the mean time these last were not idle. Lucius III. came into open collision with the emperor concerning the choice of a bishop at Triers (A. D. 1183).<sup>4</sup> Still more bitter was the enmity of Urban III. and Frederick.<sup>5</sup> As the German bishops were

<sup>3</sup> W. Jäger's *Gesch. Kaiser Heinrichs VI.* Nürnberg. 1793. 8vo. S. 16 ff. Raumer, l. c. S. 310.

<sup>4</sup> This is most fully and credibly narrated in the *Gesta Trerirensium Archiepisc.* (in Martene et Durand vett. Scriptt. et Monum. ampl. collectio T. IV. p. 213). At the election maxima pars cleri in personam *Rudolphi* prepositi majoris domus — consensit, but afterwards another party was formed in favor of the archdeacon Volkmar. The matter was brought to the emperor. A quo ad Constantiam civitatem evocati sunt, ubi judicio principum sancitum fuit, quod Imperator per consilium principum, si in electione discordarent, quam vellet idoneam personam subrogaret. At ipse optionem electionis iterum in praesentia sua eis conces-sit, ita si praterita electionis discordiam deponere vellent; ubi Folmarus interesse nolens, discessit. Alii vero, quamvis pauci, Rudolphum prepo-ritum iterum electum praesentaverunt, et ab Imperatore investitum ad propria reduxerunt. Volkmar appealed to the Pope, and Frederick even permitted a new investigation of the question at Verona (1184). At this meeting in Verona many other things also were debated, see *Arnoldi* (abbot of Lubeck about 1209) *Chron. Stavorum* (appended to *Helmodus*, whom he continues) 14, c. 10. The emperor interceded for those qui tempore Alexandri P. a Schismaticeis ordines suscepserant. Then de patrimonio Dominae Mechthildis, etc. They could agree upon nothing.

<sup>5</sup> The cause *Gesta Trerir.* p. 216. At the former capture of Milan, Frederick had taken prisoner certain cognatos et parentes Papae, quorum quosdam proscriptione damnavit, quosdam mutilatione membrorum deformari præcepit. Ob cuius itaque facti vindictam dicebant quidam, predictum Apostolicum, antequam ad sedem Apostolatus condescisset, gravissimum rancorem servasse in corde suo contra Imperatorem, quod postea in proposito claruit, secundum eorum assertio-nem, quibus causa nota erat. Nam postquam ad summi pontificatus gloriam sublimatus fuerat, omnibus viribus laborabat, quomodo Imperatori dignitatem et excellentiam humiliaret. The Pope's complaints against the emperor in *Arnoldi* chron. III. c. 16: Arguebat Imperatorem de patrimonio Dominae Mechthildis, — quod ab ipso injuste occupatum dicebat. Affirmabat etiam, quod Episcoporum exuvias injuste acciperet, quæ dum ipsis mortuis de ecclesiis rapiantur, ecclesiae quasi corrosæ et expoliatae ab Episcopis subintrantibus inveniuntur. — Tertium etiam contra eum proponebat articulum, quod Abbatissarum congregations pluri-mas in dispersionem dedisset, dum propter enorimatem ipsarum sub emendationis occasione, usurpati sibi stipendiis, personas quidem renovisset, nec alias ad hono-rem Dei vel ecclesie augmentum sub meliore professione restituisse. To this period belongs *Urbani P. epist. ad Frideric.* *Imp.* (in Ludewig Reliquis Manu-scriptorum T. II. p. 409, and in Mansi XXII. p. 504 seq.), where he tries to refute the charge of having supported the emperor's enemies, the inhabitants of Cremona, though *Wichmann* in ep. ad Urbanum (Ludewig, p. 446) accuses him thereof with the bitter remark, sub specie dilectionis inimicietas palliari. During the negotiations, Urban went so far (see *Gesta Trerir.*) that he contra juramen-tum, quia in verbo Domini juraverat, et per venerabilem virum Monasteriensem Episcopum Hermannum Imperatori mandaverat, videlicet quod Folmaro nunquam manus consecrationis imponeret, sicut idem Episcopus postea coram Princeibus confessus est, electionem Folmari approbare festinavit. After a short form of investigation electionem Folmari confirmavit, quem confirmatum consequenter in Archiepisc. Treverensem consecravit. Volkmar was of course rejected, and Fred-erick (*Arnoldus III.* c. 17): considerans obstinatum erga se animum Domini Papæ clausit omnes vias Alpium et omnium circumquaque regionum, ut nemo pro quolibet negotio adire posset sedem Apostolicam.

on the emperor's side,<sup>6</sup> a new schism had like to have taken place,<sup>7</sup> when the death of Urban made way for a more peaceful successor in Gregory VIII.<sup>8</sup> The dispute was the more easily forgotten, that, just at

<sup>6</sup> The bishops were somewhat shaken in their allegiance by the demands made on the emperor by the Pope to abolish the *jus spoliorum* (see *Thomassini* *vet.* et *nova eccl. discipl.* P. III. lib. II. c. 51 seq.), but were brought back again by Frederick's declaration (*Arnold* III. c. 17): *In veritate compertum habemus, quod praedecessores nostri, antiqui Imperatores, hoc juris habuerunt, ut defunctis Episcopis investituras pontificalem sine alicuius prajudicio probatis personis liberamente locaverint. Sed quia hoc ipsorum voluntate mutatum invenimus, ratum habemus. Hanc vero initiam scintillam juris nostri, quam invenimus, nequaquam mutari permittimus. Sutlicet yobis justitia vestra, quam invenisti, quod permittitur vobis electio Episcoporum, quam vos canonice fieri dieatis. Scatis tamen, quia, dum pro voluntate Imperatoris ista dispensarentur, plures justi sunt inventi sacerdotes, quam hoc tempore, dum per electionem inthronizantur. Ipsi enim secundum vite meritum sacerdotes investiebant, nunc autem per electionem non secundum Deum sed secundum favorem eliguntur.* — From Frederick's speech at the diet of Gelnhausen (*Arnold* III. c. 18) we are made acquainted with other demands of the Pope: *Ficit dominus Papa, injustum esse, aliquam laicam personam decimas possidere. — Affirmat etiam injustum esse, quod aliquis in prediis seu hominibus ecclesiarum advocatione sibi usurpet, ut — res ecclesiasticae a Praelatis tanum libere dispensentur. Et quamvis haec pro Praelatis esse videantur, non tam in credo, quod ita facile mutari possint, que ex longa antiquitate usus in consuetudinem vertit, etc.* He prevailed upon the bishops to make a representation to the Pope: (the letter itself in Radulphus a Biceto) see *Arnoldus* III. c. 18: *Qui cum legisset epistolam, obstupuit de immunitatione Episcoporum, quia ipse causam pro eis videbatur sumisse, ipsi vero de causa cecidisse. He received also a separate letter from *Wichmannus Archip. Magdeburg.* and his suffragans (Ludewig, I. c. p. 445, not given by Mansi), recounting the emperor's causes of complaint, first, the support afforded the Crenonenses, and then his conduct in the case of the election at Triers. *Nam si secundum ordinacionem vestram idem factum inconclusum permanere deberet, videretur imperium demembrationem et maximam sui juris diminutionem incurisse, praeferim cum nulla antecessorum suorum (Imperatoris) ab aliquo antecessorum vestrorum factum fuisse antiquitatis curiosa reportet memoria, quod episcoporum quispiam in regno teutonicio consecrationem prius, quam regalia per sceptrum imperiale, receperit. — Sed nec hanc justitiam infingendam per vos, aut aliquatenus permundandam [putaverat] dominus Imperator, cum, ut attestacione ven. virorum Monasteriensis et Astensis Episcop. — quos ejusdem verbi sponsores ad eum remisiatis, manifestum est, dum nunquam vos consecuturum [consecraturos?] in verbo domini firmiter promiseritis.* Amongst other complaints: *Adiecit insuper (Imp.) quantis exactiōnum munieribus universae de imperio per ve-tros eccl-e-iae suljaceant, videheet ut tam ecclesie quam co-nobia, quibus vel panis quotidianus non sufficit, in erogatione pecuniae, in pastu familiarium, in stabulatione equorum Romanæ eccl-e-iae super omnem possibilitem suam deservire compellantur. — Unde et nos — Excellentiam vestram obmixe rogantes — deprecamur, quatenus — ea, quæ ad gravamen imperii facta dinoscuntur, quoniam a nobis ea sustineri aut sub silentio praeferiri fidei nostræ sineceritati nullatenus convenient, saniori vero expedit consilio permutari faciat, etc.**

<sup>7</sup> *Arnoldus* III. c. 18: *Nec minus tamen in proposito suo persistit, et veniens Veronam, Imperatorem legitime citatum pro capitulis supra scriptis excommunicare decrevit. Ad quem accedentes Veronenses dixerunt: Pater, servi et amici Domini Imperatoris sumus: roganus Sanctitatem Vestram, ut eum in civitate nostra, nobis praesentibus, non excommunicetis, sed hanc sententiam respectu nostri servitii in presenti differatis. Qui fuciens juxta petitionem eorum, discessit: et cum in proximo eum excommunicare vellet, morte præventus, sententiam distulit: sieque Imperator maledictioni jaculum eva-it.*

<sup>8</sup> See the pacific letters *Gregorii ad Frid. Imp.* and *ad Henrie. R.* (in Ludewig Reliqu. T. II. p. 425, 427, and in Mansi XXII. p. 533, 534). Besides this he rebuked Volkmar, who, having retreated to France, was continually striving to renew the troubles in Trier, see *Gesta Trerir.* I. c. p. 221, and *Gregorii ep. ad*

this juncture, the tidings arrived of the taking of Jerusalem by Saladin (October 3, 1187),<sup>9</sup> and aroused once more the slumbering enthusiasm for the Holy Land.\*

The first expedition was led by the emperor Frederick in person (May, 1189, third crusade).<sup>10</sup> He was drowned in the river Cydnus, near Seleucia (June, 1190), and his son Frederick, duke of Suabia, together with the greater part of his army, swept away by the plague whilst lying before Acre. This expedition was followed (in the summer of 1190) by one under Richard, Cœur de Lion, of England, and Philip Augustus of France (fourth crusade).<sup>11</sup> Acre was taken (July, 1191), but the success of the expedition was blighted by the want of unanimity between the princes, and Philip soon returned to France (August, 1191). The situation of his kingdom soon after compelled Richard to follow, though not till he had concluded with Saladin a truce of three years (September, 1192).

In the mean time Clement III. had made himself master of Rome (A. D. 1185),<sup>12</sup> and the dispute with the emperor concerning the

*Folmarum* (Ludewig, l. c. p. 428. Mansi, l. c. p. 511). In this last the prohibition: *Nos ex consueto sedis apostolica moderamine providere volentes, ne in asperitate tua multorum a te facias animos alienos, et tandem ipsam etiam censuram ecclesiasticam, si servata non fuerit, contemibilem reddas, litteris tibi praesentibus inhibemus, ne ad excommunicationem vel depositionem personarum Treverensis provinciae sine conscientia et licentia nostra procedas.*

\* The history of the contests of the Christians with Nureddin and Saladin, ending in the conquest of Jerusalem, in Willken's *Gesch. d. Kreuzzüge*, Bd. 3. Abth. 2. Schlosser's *Weltgesch.* Bd. 3. Th. 1. S. 440 ff. Raumer's *Gesch. d. Hohenstaufen*, Bd. 2. S. 319 ff.

\* See the songs of the Troubadours, *Pons de Capdeuil* and *Garauden le vieux*, translated into French in *Millot* (*Histoire littéraire des Troubadours*. Paris. 1774. 3 Tomes. 8vo.) T. I. p. 49 and p. 154, in original by *Raynouard* (*Choix des poésies originales des Troubadours*. Paris. 1816 — 1821. 6 Tomes. 8vo.) T. IV. p. 87 and p. 85.

<sup>10</sup> For its history see, besides the general authorities for Frederick's history: *Tageno* (Decanus Ecl. Patav. himself a crusader) *descriptio expeditionis Asiatica Friderici I.* Imp. in Freherus-Struv. T. I. p. 405 seq., and *Friderici I. expeditio Asiatica* ab aequo Auctore conscripta in *Canisii leet. ant. T. III. P. II.* p. 497. Schlosser, l. c. S. 472 ff. Raumer, l. c. S. 411 ff.

<sup>11</sup> Especial authorities: *Galfridus de Vino Salvo* (Vin sauf † after 1245) *Itinerarium Richardi Angl. R. in terram sanctam* (Bongars T. I. p. 1150, more complete in *Gale Scriptt. hist. Angl.* T. II. p. 247 seq.). *Rigordus Gothus* (physician to Philipp Aug.) *Annales de rebus a Phil. Aug. gestis* (in *Du Chesne T. V. p. 1 seq.* Bouquet T. XVII. p. 1 seq. Schlosser, S. 492 ff. Raumer, S. 451 ff.

<sup>12</sup> See the document of the S. P. Q. R. in Baronius ann. 1188, no. 23. *Murator. Antiqq. Ital. med. æv. vol. III. p. 785*: — *Ad præsens reddimus vobis Senatum et Urbem et monetam.* — *Reddimus omnia regalia, tam intra quam extra urbem, quæ tenemus, præter pontem Lucanum.* — *Tam nos Senatores, quam alii Senatores, qui erunt per tempora singulis annis, jurabimus fidelitatem et pacem vobis et successoribus vestris, sicut consuetum est.* — *Dabitis singulis annis pro restaurazione murorum hujus excellentissima urbis C. libras bonorum provenientium de Tusculano.* — *Infra dimidium annum omnes muros et carbonaria civitatis et Rocce Tusculani et suburbiorum dabitis nobis ad direndum, quos et quæ nunquam reficietis, nec refici facietis in vita vestra, retentis et salvis tam vobis quam successoribus vestris et Romana Ecclesiæ omnibus possessionibus, tenimentiis et pertinentiis ejusdem Tusculani intus et extra, cum hominibus rebusque eorum.*

choice of the bishop of Triers had been settled (A. D. 1189).<sup>13</sup> But at the death of William II., king of Sicily (November 1, 1189), new clouds began to gather in the papal horizon.<sup>14</sup> William's immediate successor was Tancred, but at his death (February 20, 1194), the kingdom devolved, without dispute, on the emperor Henry VI., a prince as sagacious and energetic, as he was selfish and cruel. How dangerous a neighbour he was like to prove, was soon seen from his conduct towards Richard Cœur de Lion,<sup>15</sup> as well as the course he

Quod si hinc usque ad Kal. Januarii dictum Tusculanum ad manus nostras non venerit, tunc excommunicabitis Tuscanos, et per tideles vestros de Campania et de Romania cogitis eos perfidere de Tusculano, quod dictum est supra, eum adiutorio nostro. — Tibur non recipietis ad detrimentum et damnum urbis, sed si Tiburtinos impugnare voluerimus, non facietis nobis contrarium. — Also the *juramentum Senatorum Urbis in Cencii Ordo Romanus* (written about this time, Mabillon Mus. Ital. T. II. p. 215). Amongst other things, Papatum Romanum et regalia b. Petri, quae habes, ad retinendum et defendendum, qua vero non habes, ad recuperandum, et recuperata ad retinendum et defendendum, contra omnes homines adiutor ero secundum posse ac scire meum, etc.

<sup>13</sup> *Gesta Trever. p. 223*: A legate appeared at Triers with a letter from the Pope, in qua continebatur, quod Papa pro ejusdem negotiū determinatione Archiepisc. Folmarum, tertio per Cardinales citatum, et tandem non venientem, ab administratione Treverensis ecclesiæ omnino depositu, consecrationem tamen non ademit. Ecclesiam vero Treverensem ab obedientia sua in eodem scripto liberavit, omnes quos ille ligaverat absolvit, quos ille deposuerat in pristinum honorem restituit; — tandem ecclesiæ Treverensi in eodem scripto liberam electionem antistitem eligendi concessit. Upon this the imperial chancellor was chosen to be Volkmar's successor.

<sup>14</sup> For the following history, see Schlosser, Bd. 3. Th. 1. S. 514 ff. Raumer, Bd. 3. S. 8 ff.

<sup>15</sup> See Jäger's Gesch. Kaiser Heinrichs VI. Raumer, Bd. 3. S. 40 seq. Richard was taken prisoner near Vienna, on his return from the crusades, by duke Leopold of Austria, December 21st, 1192, and delivered up to the emperor Henry. This was of course an offence against the Pope, see § 48, note 10. § 51, note 12. Hence the urgent applications of Eleonora, Richard's mother, to the Pope for his interference, see *Petri Blasensis Epist. 144, 145, and 146*, in Baronius ann. 1193, no. 2 seq. e. g. in the first: Videte statum, aut potius casum regni, malitiam temporis, Tyranni saevitiam, qui de fornace avaritiae arma iniquitatis incessanter fabricat contra Regem, quem in sancta peregrinatione, in protectione Dei eāli, et tuitione Romaniae Ecclesiæ captum, et vinculis carceralibus eoaretatum tenet, occiditque terrendo. Contemnit enim Deum et terribilia judiea ejus: prædae incubat, et non est qui de manu ejus possit eruere. Si Ecclesia Romaniae complovis manibus ad tantas injurias Christi silet: exurgat Deus, et judicet causam nostram, respiciat in faciem christi sui! Ubi est zelus Eliae in Ahab? zelus Joannis in Herodem? zelus Ambro-ii in Valentem? zelus Alexandri III. qui — patrem istius Principis Fridericum plena auctoritate Apostolicae Sedis solemniter et terribiliter a fidelium communione praedit? Porro Tyrannus Apostolicas claves habet ludibrio, nec nisi verba reputat legem Dei. Sed tanto constantius deberetis arripere gladium Spiritus, quod est verbum Dei. — Illud vero publice contrastat Ecclesiam, populisque murmur excitat, nec mediocriter militat in dispendium vestrae opinionis, quod in tanto discrimine, in tot lacrimis, in tot provinciarum supplicationibus, nec unum Nuntium ad Principes illos a vestro latere destinastis. Sæpe pro causis mediocribus vestri Cardinales in magna potestate etiam ad partes barbaras legatione funguntur: in causa vero tam ardua, tam lamentabili, tam communi, nec unum adhuc Subdiaconum aut Aeoluthum destinastis. Legatos enim hodie facit quæstus, non respectus Christi, non honor Ecclesiæ, non regnorum pax, aut populi salus. Quis quæstus vobis aut proventus glorio-ior posset esse, quam in hac liberatione Regis summi Pontificis apicem, sive sacerdotium Aaron et Phinees exaltare? Sane non multum humiliasses Sedis Apostolice dignitatem, si in propria persona ad tanti

pursued in Italy.<sup>16</sup> Still greater things were to be expected from his meditated changes in the internal relations of Germany,<sup>17</sup> and his designs on the Greek empire,<sup>18</sup> when he was suddenly interrupted by death (September 28, 1197). He was succeeded by his son Frederick II., only three years old, whilst Innocent III., one of the ablest of the popes, was advanced to the papal throne.

## § 54.

### INNOCENT III. (A. D. 1198 — 1216.)

**AUTHORITIES:** *Epistolarum Innoc. III. libb. XIX.* (a book for each year. — Libb. I. H. V. X. — XVI. in *Epistolarum Innoc. III. libb. undecim ed. St. Baluzius*. Paris. 1682. T. II. fol. — Libb. III. V — X in *Diplomata, Chartæ, Epistolæ et alia documenta, ad res Francieas spectantia edd. Feudrix de Bréquigny et la Porte du Theil. Partis H. T. I. et II.* Paris. 1791. fol. — Libb. IV. XVII. — XIX. seem to be lost.) Also: *Registrum Innoc. III. super negotio Rom. Imperii* in *Baluz. I. c. T. I.* p. 687 seq.

*Gesta Innocentii III.* (by an anonymous contemporary, ed. *Baluz. I. c. T. I.* p. 1 seq. *Murator. Rer. Ital. Scriptt. T. III. P. I.* p. 486; better and more complete in *Bréquigny et du Theil, I. c. T. I.* p. 1 seq.). *Richardi de S. Germano Notarii chronicon rerum per orbem gestarum ab anno 1189 — 1243* (*Muratori, I. c. T. VII.* p. 963 seq.).

The idea of the Pope as the representative of God in the administration of the affairs of the world,<sup>1</sup> and the inferiority of all temporal

liberationem Principis in Germaniam descendisses, etc. The Pope, however, took no active measures till Richard complained to him of the amount of ransom demanded. *Matth. Paris. ann. 1195. p. 177:* Post triam admonitionem, quam Dux (Austriæ) exaudire recusavit, surgens cum suis Cardinalibus, ipsum Ducem nominatum excommunicavit, et in genere omnes, qui in Regem et suos manus injec- ruant violentias. He did not venture to name the emperor (*Baron. ann. 1195. no. 5*, and *Raumer. Bd. 3. S. 55*, contradicted by *Schröckh. Th. 26. S. 247*). After his death the ban was interpreted as extending to him, *Gualvanci Flammæ manip. floruri*, c. 227 (in *Muratori SS. Rer. It. T. XI.* p. 659, and *Rogerus de Hoveden Rer. Anglie. Scriptt. post Bedam. Francof. 1601. p. 773*).

<sup>16</sup> *Registrum Innocentii III. de negotio Imperii Epist. 29:* Noluit Ecclesia de regno Siciliae fidelitatem et hominum exhibere. — Publice proponi fecit edic- tum, ut nullus vel clericus vel laicus ad Ecclesiam Romanam accederet, nec ad eam aliquis appellaret. *Narratio de canonis. S. Bernardi*, c. 9 (in *Leibnitii Scriptt. Rer. Brunsv. T. I.* p. 474): In the year 1193 the emperor's ambassadors found in Milan, per totam Italianam Imperatoris edictum pendere, ut quicunque reperti fuissent, qui enjuslibet causa obtenuit Romanam adire præsumerent Ecclesi- am, contumeliis affecti rebusque nudati, aut vineulis arctari deberent, aut ad propria redire compelli. — *Gesta Innoc. III. cap. 8:* Henricus Imp. occupaverat totum regnum Sicilie totumque patrimonium Ecclesiæ usque ad portas Urbis, præter solam Campaniam, in qua tamen plus timebatur ipse quam Papa.

<sup>17</sup> *Raumer. Bd. 3. S. 61.*

<sup>18</sup> *Jäger's Heinrich VI. S. 99 ff.* *Raumer. Bd. 3. S. 70.*

<sup>1</sup> *Gerholus* (provost of Reichersberg, † 1169) de corrupto ecclesiæ statu ad *Eugen. III. Papam* c. 67 (in *Baluzii Miscellan. lib. V.* p. 129 in *Gallandius XIV. p. 566*), exults in such a state of things, ut stratoris quoque officium Pontifici

powers,<sup>2</sup> had become so common from the time of Gregory VII., that though there were not wanting some whose views on the subject were more correct, we cannot be surprised to see a man of Innocent's character taking advantage of favorable circumstances to advance the most extravagant pretensions.<sup>3</sup>

Romano a Regibus et Imperatoribus exhibendum sit. — Haec nimurum spectacula, nunc Regibus partim abatis, partim diminuto eorum regno humiliatis, et exaltato sacerdotio, delectant spectatorem benivolum, torquent invidum. Qui ut amplius crucietur, et plus oculus magis jocundetur, forsitan, sicut ante primum Christi adventum Regibus abatis duces principati sunt usque ad ipsum, sic ante secundum ejus adventum per lapidem sine manibus abscessum de monte aurea statua regnorum tota contrita (Dan. ii. 31), in quantum regno divino invenitur contraria, sucedet in seculari dignitate minoris nominis potestas, diminutis regnis magnis in tetrarchias, aut minores etiam particulas, ne premere valeant ecclesiæ vel ecclesiasticas personas, patrocino magni sacerdotis præsidii sedis apostolicae coronati et super omnia regna exaltati defensas et privilegias apostolici principatus communitas. More sensibly *Otto Frising.* *Chron. lib. VII. Prolog.* Non desunt tamen, qui dicant, Deum ad hoc regnum immuniti voluisse, ut ecclesiam exaltaret. Regni quippe viribus ac beneficiis Regum exaltata et dictata nemo ambigit ecclesiæ: constatque non prius eam in tantum regnum humiliare potuisse, quam ipso ob amorem sacerdotio eviserato, ac viribus exhausto. Non ejus tantum, i. e. spirituali, sed suo proprio, materiali scilicet, gladio percutsum destruktur: quod judicare vel discutere supra nostras vires est. Videntur tamen culpandi sacerdotes per omnia, qui regnum suo gladio, quem ipsi ex Regum habent gratia, ferire conantur, etc. The relation between the temporal and spiritual power compared to that of the sun and moon (see *Gregor.* VII. ep. ad Guilelm. R. §. 47, note c), carried out in *Innoc.* III. lib. I. Ep. 401 ad Acerbum: Sieut universitatis conditor Deus duo magna luminaria in firmamento cœli constituit, luninare maius, ut præ-esset diei, et luninare minus, ut nocti præcesset; sic ad firmamentum universalis Ecclesiæ, quæ cœli nomine nuncupatur, duas magnas instituit dignitates, majorem, quæ quasi diebus animabus præcesset, et minorem, quæ quasi noctibus præcesset, corporibus: quæ sunt pontificalis auctoritas, et regalis potestas. Porro sicut luna lunen suum a sole sortitur, quæ re vera minor est illo quantitate simul et qualitate, situ pariter et effectu; sic regalis potestas ab auctoritate pontificali sue sortitur dignitatis splendorem, etc.) and to two swords (according to Lue. xxii. 38. Ecce gladii duo hie. At ille dixit eis: Satis est. So *Bernard* de Considerat. IV. c. 3: Uterque ergo Ecclesiæ, et spiritualis scilicet gladius et materialis; sed is quidem pro Ecclesia, ille vero et ab Ecclesia exerendus: ille sacerdotis, is militis manu, sed sane ad nutum sacerdotis, et jussum Imperatoris).

<sup>2</sup> See § 47, note 3. Comp. *Hugo Floriacensis* (about 1120) *tract de regia potestate et sacerdotali dignitate* (Baluzii Miscell. lib. IV. p. 9) against the error, qui longe lateque diffunditur, — error inquam illorum, qui sacerdotalem dignitatem a regia dignitate temere secernentes, ordinem a Deo dispositum evertunt, dum opinantur se seire quod nesciunt. Putant enim, quod terreni regni dispositio non a Deo, sed ab hominibus sit ordinata sive disposita. Et ideo sacerdotalem dignitatem majestati regiae præferunt, cum ei subesse ordine, non dignitate, debeat. And cap. I: Scio quosdam nostris temporibus, qui Reges autumnam non a Deo, sed ab his habuisse principium, qui Deum ignorantes, superbia, rapinis, perfidia, homicidiis, et postremo universis pene sceleribus in mundi principio diabolo agitante supra pares homines dominari cœca cupiditate et inenarrabili affectaverunt præsumptione vel temeritate. Quorum sententia quam sit frivola, liquet apostolico documento, qui ait: "Non est potestas nisi a Deo, etc. (Rom. xiii. 1.)"

<sup>3</sup> *Innocentii III. lib. XVI. Ep. 131 ad Joannem Anglorum R.* (reprinted from the original in *Rymer* federa, etc. Regum Angliae, aucta ab A. Clarke et Fe. Holbrooke, vol. I. P. I. Lond. 1816, fol. p. 119): Rex Regum et Dominus dominantium Jesus Christus. Sacerdos in æternum secundum ordinem Melchisedech, ita regnum et sacerdotium in Ecclesiæ stabilivit, ut sacerdotale sit regnum, et sacerdotium sit regale, sicut in Epistola Petrus, et Moyses in lege testantur, unum præficiens universis, quem suum in terris vicarium ordinavit; ut sicut ei flectitur

In Sicily, the empress Constance, pressed by various parties, was glad to secure the papal investiture for her son, by new concessions.<sup>4</sup> After her death (November 27, 1198), the Pope governed Sicily as Frederick's guardian.<sup>5</sup>

A still more favorable opportunity of extending the papal power was offered in Germany, by the contest between Philip, duke of Swabia, and Otho, duke of Saxony, for the empire. Immediately after his accession, Innocent had demanded the oath of allegiance from the imperial prefect of the city (*Præfector urbis*),<sup>6</sup> but now he expelled the vassals of the emperor entirely from his territories (see p. 179), and formed the cities of Tuscany into a separate league. Having thus established his power in Italy, he began now to interfere in the affairs of Germany,<sup>7</sup> claiming the right of deciding between the two imperial candidates.<sup>8</sup> Inclined, of course, to the party of

*omne genu cœlestium, terrestrium, et etiam infernorum, ita illi omnes obedient et intendant, ut sit unum ovile et unus pastor.* Hunc itaque Reges seculi propter Deum adeo venerantur, ut non reputent se rite regnare, nisi studeant ei devote servire. On the superiority of the priestly to the royal powers *Registr. de negotio Imp. Ep. 18. Responsio Papæ facta nuntiis Philippi in consistorio*: e. g. Princeps datur potestas in terris, Sacerdotibus autem potestas tribuitur et in cœlis: illis solummodo super corpora, istis etiam super animas. Unde quanto dignior est anima corpore, tanto dignius est etiam sacerdotium, quam sit regnum. Petro legitur vas ostensum quatuor initis submissum de caelo, in quo continebantur omnia animantia volatilia, quadrupedia et repilia, munda pariter et immunda; et dictum est ei: "Maeta et manduca (Act. x. 10 seq.), maeta vitia, et manduca virtutes; maeta errorem, et manduca fidem; quasi evellas et destruas, edifices et plantes. Quia singuli proceres singulas habent provincias, et singuli Reges singula regna; sed Petrus, sicut plenitidine, sic et latitudine, præeminet universis, quia Vicarius est illius, cuius est terra et plenitudo ejus, orbis terrarum et universi, qui habitant in eo. Porro siue sacerdotium dignitate præcellit, sic et antiquitate præcedit. Utrunque tam regnum quam sacerdotium institutum fuit in populo Dei; sed sacerdotium per ordinacionem divinam, regnum autem per extorsionem humana-nam, etc. — *Lib. I. Ep. 335*: Non enim homo sed Deus separat, quod Rom. Pontifex, qui non puri hominis, sed veri Dei vicem gerit in terris, — non humana sed divina potius auctoritate dissolvit. *Lib. I. Ep. 326*: — cum non humana sed divina fiat auctoritate, quod in hac parte per Summum Pontificem adimpletur, qui non hominis puri, sed veri Dei vere Vicarius appellatur. Nam quanvis simus Apostolorum principis successores, non tamen ejus aut alicujus Apostoli vel hominis, sed ipsis sumus Vicarii Iesu Christi.

<sup>4</sup> Constance was forced to give up the *privilegium concessionis*, *indultum primo ab Adriano, et renovatum postmodum a Clemente, super IV. capitulis, videlicet electionibus, legationibus, appellationibus et Conciliis (Gesta Innoc. III. cap. 21)*; also to promise an annual census DC squifatorum de Apulia et Calabria, CCCC vero de Marsia, vel æquivalens in auro vel argento (*Innoc. lib. I. ep. 410 ad Constantiam*).

<sup>5</sup> For this and the following history, see Planck, Bd. 4. Absch. 1. S. 452 ff. Schlosser's *Weltgesch.* Bd. 3. Th. 2. Abth. 1. S. 1. ff. Raumer's *Gesch. d. Hohenst.* Bd. 3. S. 85 ff.

<sup>6</sup> *Gesta*, cap. 8. The oath see *Innoc. lib. I. Ep. 577*.

<sup>7</sup> See Planck, l. c. S. 459 ff. Schlosser, Bd. 3. Th. 1. S. 533 ff. Raumer, l. c. 102 ff.

<sup>8</sup> To the applications made to him by both parties (*Registr. super negot. Imp. Ep. 3 seq.*), he replies (*ib. Ep. 18. Responsio Dom. Papæ facta nuntiis Philippi in Consistorio*): Verum ad apostolicam sedem jampridem fuerat recurrendum, ad quam negotium istud principaliter et finaliter dinoscitur pertinere: principaliter, quia ipsa transtulit imperium ab oriente in occidentem; finaliter, quia ipsa concedit coronam imperii.

the Guelphs,<sup>9</sup> he declared in favor of Otho IV. A. D. 1201.<sup>10</sup> This decision was vehemently rejected, however, by Philip's party,<sup>11</sup> and

<sup>9</sup> See the remarkable *Deliberatio Dom. Papæ Innoc. super factu imperii de tribus electis* (Registr. imp. Ep. 29), probably the instructions to the legates about to be sent into Germany. Against Philip it is especially alleged that he persecutor sit et de genere persecutorum fuerit oriundus. Hence: Personam Philippi propter impedimenta patentia penitus reprobamus, et obistendum ei dicimus, ne imperium valeat usurpare. De cetero vero agendum per Legatum nostrum apud Principes, ut vel convenienter in personam idoneam, vel se judicio aut arbitrio nostro committant.

<sup>10</sup> *Registr. imp. Ep. 33.* — personam Philippi, tanquam indignam quoad imperium, præsertim hoc tempore, obtinendum, penitus reprobamus, et juramenta, quæ ratione regni sunt ei praestita decernimus non servanda. — Cum autem carissimus in Christo filius noster Otto vir sit industrius, providus et discretus, fortis et constans, et per se devotus existat Ecclesia, ac descendat ex utraque parte de genere devotorum, — nos auctoritate b. Petri et nostra eum in Regem receipimus, et regalem ei præcepimus honorificentiam exhiberi, ipsumque ad coronam imperii, sicut deceat, vocare curabimus, etc. The oath of investiture was administered to Otho on the 8th June, 1201, in Reuss, as follows (*Regist. Imp. Ep. 77*): — juro, quod omnes possessiones, honores et jura Romanæ Ecclesie pro posse meo bona fide protegam et servabo. Possessiones autem, quas Ecclesia Rom. recuperavit, liberas et quietas sibi dimittam, et ipsam ad eas retinendas bona fide juvabo: quas autem nondum recuperavit, adjutor ero ad recuperandum, etc. — Tibi etiam Domino meo Innocentio P. et successoribus tuis omnem obedientiam et honorificentiam exhibeo, quam devoti et catholici Imperatores consueverunt sedi apostolice exhibere, etc.

<sup>11</sup> *Litteræ Principum parentium parti Philippi* (in *Registr. Imp. Ep. 61*): They reproach the papal legate as if he had taken this step of his own accord. Quis enim huic similem audivit audaciam? — Ubinam legistik, o summi Pontifices, ubinam audistis, sancti patres, totius Ecclesie Cardinales, antecessores vestros vel eorum missos Romanorum Regum se electionibus immiscuisse, sic ut vel electorum personam gererent, vel ut cognitores electionis vires trutinarent? Respondendi instantiam vos eredimus non habere. In Romanorum enim electione Pontificum hoc erat imperiali diadematū reservatum, ut eam Romanorum Imperatorum auctoritate non accommodata ullatenus fieri non licet. Imperialis vero munificencia, quæ cultum Dei semper ampliare studuit, et ejus ecclesiam privilegiorum specialitate decorare curavit, hunc honoris titulum Dei ecclesiae reverenter remisit, quod constitutio primi Henrici evidenter explanat (see above, Div. II. p. 83, note 25), cuius series hæc est: “Ut nullus missorum nostrorum ejuscunq[ue] impeditionis argumentum in electione Romani Pontificis componere audeat omnino prohibemus.” Si laicalis simplicitas bonum, quod de jure habuit, reverenter contempsit, sanctitas pontificalis ad bonum, quod nunquam habuit, quomodo manum ponit? At the close they inform the Pope, that they have elected Philip, and call upon him: Unde petimus, ut veniente tempore et loco, sicut vestri officii est, unctionis ipsi beneficiū non negetis. Innocent's answer *ad ducem Zaringiæ* (*ibid. Ep. 62*): Illis Principibus jus et potestatem eligendi Regem, in Imperatorem postmodum promovendum, recognoscimus, ut debemus, — præsertim cum ad eos jus et potestas hujusmodi ab apostolica sede pervenerit, quæ Romanum imperium in persona magnifici Karoli a Græcis transtulit in Germanos. Sed et Principes recognoscere debent, et utique recognoscunt, quod jus et auctoritas examinandi personam electam in Regem et promovendam in imperium ad nos spectat, qui eam inungimus, consecramus et coronamus. Est enim regulariter et generaliter observatum, ut ad eum examinatio personæ pertineat, ad quem impositio manus spectat. Numquid enim, si Principes — sacrilegum quemcunq[ue] vel excommunicatum in Regem, tyrannum vel fatuum, hæreticum eligerent aut paganum, nos inungere, consecrare ac coronare hominem hujusmodi deberemus? Absit omnino. Objectioni ergo Principum respondentes asserimus, quod Legatus noster Episcopus Prænestinus nec electoris gessit personam, — nec cognitoris personam exhibuit, — et sic jus Principum nullatenus usurpavit, aut venit contra illud. Exercuit autem denuntiatoris officium; quia personam Ducis ejusdem denuntiavit indignam, et personam Regis ipsius denuntiavit idoneam, quoad imperium obtinendum, etc.

the flames of civil discord raged more furiously than ever. But Philip, continuing to gain new advantages over his opponent, the Pope at length entered into negotiations with him, which were ominous of no good to Otho.<sup>12</sup> These were broken off by the death of Philip (assassinated at Bamberg by Otho of Wittelsbach, June 21, 1208), and Otho IV. being now universally acknowledged, was crowned by the Pope, with all whose requisitions he was forced to comply (September 27, 1209).<sup>13</sup>

<sup>12</sup> These negotiations were made through Martin, Prior Camaldulensis, Philip making the following promises (Raynaldi Annal. Eccles. ad ann. 1203, no. 28 seq.): *Omnia bona tam Romanæ Ecclesiæ, quam aliarum ecclesiarum, quæ antecessores mei Reges et Imperatores injuste abstulerunt vel detinuerunt, vel ego abstuli, vel injuste detinco, restituam; — omnes abusus, quos antecessores mei in ecclesiis habuerunt, utputa mortuis Prelatis bona ipsorum vel ecclesiarum eorum accipiebant, perpetuo relinquam; electiones Episcoporum, et aliorum Prałatorum canonice tieri permittimus, omnia spiritualia summo Pontifici reginquentes: monasteria irregulariter viventia — cum adjutorio Domini Apostolici regularibus conventibus — subiecimus. — Advocatos sive patronos ecclesiarum ab exactiōibus, angariis, parangariis, in quantum potero, cessare compellam. Si omnipotens Dominus regnum Græcorum mihi vel leviro meo (the prince Alexis) subdiderit, ecclesiam Constantinopolitanam Romanæ ecclesiæ — faciam fore subjectam, — Generalem legem statuam, et observari faciam semper et ubique per totum Imperium, ut quicunque excommunicatus fuerit a Domino Apostolico, in banno statim sit imperiali: insuper pro pace et amicitia inter me et Dominum Apostolicum semper servanda, — filiam meam nepoti ejus in conjugium dabo, et alios vel alias de cognatione mea secundum voluntatem suam generi suo copulari faciam.* Another letter of Philip *Registr. Imp. Ep. 136.* — *Chron. Uspergense* (edit. Argentorat. 1609. p. 236 seq.) relates that ambassadors were sent by Philip to the Pope, a quibus inducitur Papa, ut velit permittere, quatenus regnet Philippus. Ast propter hoc, ut retulerunt nobis viri veridici, promittitur Papa, quod filia Regis daretur in uxorem filio fratri sui Richardi, qui jam comes fuerat effectus Papæ suffragio, nee statuit Papa repetrere terras, quas multotiens ab Imperatoribus repetrere consueverunt antecessores sui in Tuscia et Spoleto, et Marchia Ancona, sperans, quod in potestatem nepotis sui propter prædictas nuptias possent devenire. Papal legates were then sent into Germany (A. D. 1207) who freed Philip from the ban (*Registr. Imp. Ep. 142*), and introduced negotiations between the two kings, though evidently to Philip's advantage. cf. *Otto de S. Blasio, cap. 48:* *Ottoni a Philippo per Cardinales offertur, ut accepta in uxorem filia ejus cum ducatu Allemanniæ aliorumque prædiorum suorum redditibus, regio nomine deposito, ipsi de cetero ut Regi pareret, Philippo exhinc sine controversia regnante. Ad haec Otto, quamvis iam desperans, indigne ferens aliquam sibi pro regno offerrì, se regnum non nisi cum morte depositurum protestatus, Philippo, ut sibi cederet, multo majora obtulit.*

<sup>13</sup> Raumer, I. c. S. 139 ff. Schlosser, Bd. 3. Th. 2. Abth. 1. S. 351 ff. Otho had already been compelled (May 22, 1209) to take a new oath of allegiance (*Registr. Imp. Ep. 189*), in which new obligations were added to those of the former oath (see note 10): *Illum igitur abolere volentes abusum, quem interdum quidam praedecessorum nostrorum exercuisse dicuntur in electionibus Prałatorum, concedimus et sancimus, ut electiones Prałatorum libere ac canonice fiant, quatenus ille præficiatur Ecclesia viduata, quem totum capitulum vel major et senior pars ipsius duxerit eligendum, dummodo nihil ei obstet de canonice institutis. Appellationes autem in negotiis et causis ecclesiasticis ad apostolicam sedem libere fiant, carumque prosecutionem sive processum nullus impedit presumat. Illum quoque dimittimus et refutamus abusum, quem in occupandis bonis decadentium Prałatorum aut etiam Ecclesiarum vacantium nostri consueverunt antecessores committere pro motu propriæ voluntatis. Omnia vero spiritualia vobis et aliis Ecclesiarum Prałatis reliquimus libere disponenda, ut que sunt Cæsaris Cæsari, et que sunt Dei Deo recta distributione reddantur. Super eradicando autem hæreticæ pravitatis errore auxilium dabimus et operam efficacem.* The document taken by Schlosser, I. c. S. 335, note g, trou a Paris

But no sooner had Otho reached this great object of his wishes, than he began to assert once more the imperial rights in Italy,<sup>14</sup> regardless of the sentence of excommunication and deposition passed upon him by Innocent (November, 1210).<sup>15</sup> The deceived Pope sought his revenge in espousing the cause of the last of the Hohenstaufen (Ghibelins), Frederick II. This young prince appeared in

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Ms., and which he supposes to have been given by Otho on this occasion, is the oath of A. D. 1201 (note 10), and is more correctly given in the *Registr. de negot. imp. Ep. 77* in Baluz.

<sup>14</sup> *Matth. Paris ad ann. 1210*: Circa dies istos Otho Romanorum Imperator, membrum sacramenti, quod fecerat, cum a Papa ad imperium fuerat sublimatus, quod videlicet dignitates imperii conservaret, et jura dispersa pro possibilitate sua revocaret: fecit per sacramentum legalium hominum imperii dominicae castella sua, et alia jura ad dignitatem imperiale spectantia perquiri, et quacunque per recognitionem ad jus imperii spectare didicerat, in usus suos convertere laborabat. To the Pope's complaint Otho answered: Si summus Pontifex imperii jura injuste possidere desiderat, a sacramento, quod tempore consecrationis meae ad dignitatem Imperiale me jurare computuit, absolvat: quod videlicet dispersa imperii jura revocarem. Comp. especially the two letters taken by Gebauer (*Leben Herrn Richards, erwählten Röm. Kaisers*, Leipzig, 1711, p. 611 seq.) from a *Cod. Rehdiger*. The first *Innocentii ad Othonem* complains, e. g. turbamur non modicum et dolamus, te subito conversum in arcum perversum, quem fore sedis apostolicae magnificum protectorem, quondam firmissime credebamus, and threatens him with the fate of Nebuchadnezzar, Pharaoh, and the Hohenstaufen, beginning with excommunication. To this Otho answers (*ibid.* also in Hahn *collectio monumentorum veterum* Brunsy, 1724, T. I, p. 209): Nam spiritualia, que ad vestrum pertinere officium dinocebuntur, vobis non auferimus, nec habemus propositum auferendi, immo volumus, quod ubique maneat illibata, et semper, imperiali auctoritati suscipiant incrementum. In temporalibus vero plenam, ut scitis, habemus potestatem, de quibus vobis non convenit judicare, quoniam his, a quibus ecclesie sacramenta tractantur, iudicium sanguinis agitare non licet. Habeatis igitur in spiritualibus libere plenitudinem potestatis, firmiter attendentes, quod temporalia, tamquam Imperator, per totum imperium intendimus judicare. See also the Pope's complaining letter to Philip Augustus (ed. de la Porte du Theil in the *Notices et extraits des MSS. de la biblioth. du Roi* T. II, p. 282 seq.) dat. Kal. Februar. anno Pontificatus nostri XIII. (i. e. 1 Febr. 1210, not 1211, as the French work gives it): Utinam, fili carissimi, mores Othonis, qui dicitur imperator, et a nobis noti fuissent, sicut a vobis noti fuerant! quod non essemus ab eo tam impie circumventi, etc. The Pope's grievances see in note 15).

<sup>15</sup> See *Innocentii Ep. ad universos Principes Alemanniae* (in the *Notices l. e.* p. 284 seq.): — In fortitudine spiritus, post diligentem ammonitiones et dilationes frequentes, excommunicavimus et anathematisavimus ipsum, ex parte omnipotentis Patris, et Filii, et Spiritus sancti, auctoritate quorum [leg. quoque beatorum] Petri ac Pauli Apostolorum et Nostra, pro eo, quod beneficiorum nostrorum ingratius, et promissionum suarum oblitus, maligne persecutus prefatum Regem Siciliæ, orphanum et pupillum, apostolicae protectioni relictum, nequiter invadendo regnum ipsius, et Romanæ Ecclesiæ patrimonium, contra sacramenta et scripta sua, et contra jura et monumenta nostra, cum semper parati fuerimus, et saepè obtulerimus ei, justitiae plenitudinem exhibere coram arbitris communiter eligendis. Unde, cum juxta ss. Patrum canonicas sanctiones ei, qui Dei [leg. Deo] et ecclesiæ fidem non servat, fides servanda non sit, a communione fideliuum separato; Nos ab ipsis fidelite absolvimus universos, vel potius decrevimus absolutos, etc. Then follow the malicious insinuations: Ceterum quales et quantos vos habeat, ex eo potestis perpendere manifeste, quod vestro irrequiso consilio tan gravem et arduam videlicet persecutionem adversus Romanam Ecclesiam et regnum Siciliæ, suæ tantum voluntatis arbitrio incepit. In qua profecto si possit proficere, et suum propositum adimplere, ad eam vos conditionem rediget, ad quam avus et avunculus ejus barones Angliae redegerunt. In qua cum nitritus fuerit a patruo, consuetudines ejus pro viribus ejus in Imperium subdueere attentabit.

Germany in the year 1212, under the auspices of the Pope and the king of France, and soon gained over to his cause a majority of the electors. On the 25th July, 1215, he was crowned emperor of Germany at Aix-la-Chapelle,<sup>16</sup> and Otho had thenceforth to content himself with his hereditary estates of Brunswick († 1218).

With like vigor did Innocent compel other princes to acknowledge his supremacy.<sup>17</sup> Philip Augustus of France was forced to receive again his repudiated queen, Ingeburgis (A. D. 1201),<sup>18</sup> Alphonso IX. king of Leon, to separate from his queen on account of too near relationship, and Sancho I., king of Portugal, to pay the tribute which had been for sometime withheld. Peter of Arragon, on occasion of his coronation at Rome, made his kingdom tributary to the Pope (A. D. 1204), and John, prince of Bulgaria, solicited from him the royal dignity. Most complete, however, was the humiliation of John of England, whom, for his cowardice and cruelty, his subjects had long equally detested and despised.<sup>19</sup>

On occasion of a disputed choice to the see of Canterbury, the Pope ventured to appoint Stephen Langton against the will of the king (A. D. 1207). John opposed the nomination with the greatest fury, and, in consequence, England was put under the interdict (A. D. 1208), and the king to the ban (1209). John sought his revenge by opposing the clergy, whilst he hoped to secure the fidelity of his subjects by severity. Finally, the Pope took from him his kingdom, and bestowed it upon the king of France (A. D. 1212).<sup>20</sup> But

<sup>16</sup> Raumer, l. c. S. 171 ff. Schlosser, l. c. 359 ff. Frederick was obliged, however, on the 28th June, 1213, in Eger to give the Pope a new document (ap. Raynald. ad ann. 1213, no 23 seq.), in which, besides the conditions sworn to by Otho (see note 13), was especially the following: *Adjutores etiam erimus ad retinendum et ad defendendum Ecclesie Romanae regnum Siciliae — nec non Corsicam et Sardiniam, etc.* Also another at Strasburg, the 1st July, 1215 (in Raynald ad ann. 1215, no 38): *Cupientes tam Ecclesie Romanae quam regno Siciliae providere, prouitissimum et concedimus, statuentes, ut postquam fuerimus Imperii coronam adepti, protinus filium Henricum — emancipemus a patria potestate, ipsumque regnum Siciliae — penitus relinquamus ab Ecclesia Romana tenendum, sicut nos illud ab ipsa sola tenemus; ita quod ex tunc nec habebimus nec nominabimus nos Regem Siciliae; — — ne forte pro eo, quod nos dignatione divina sumus ad imperii fastigium evocati, aliquid unionis regnum ad Imperium quovis tempore putaretur habere, etc.*

<sup>17</sup> Raumer, l. c. S. 250 ff.

<sup>18</sup> Authorities: *Innocent.* lib. III. Ep. 11 — 18. *Rigordus de gestis Phil. Aug.* in Duchesne T. V. p. 36 seq. *Rogerius de Hoveden* ad ann. 1201. Histories: *D. Blondellus* de formulae Regnante Christo in vett. monum. usu p. 320 — 370. Philipp August K. v. Frankfr. u. Ingeborg Prinzessin v. Dänemark, ein hist. Versuch v. I. Schulz. Kiel. 1804. Svo.

<sup>19</sup> Chief authority for this history, *Matthæi Paris* historia major ad ann. 1205 seq. ed. Lond. 1640, p. 212 seq. The original documents in *Rymeri* fœdera et acta publica inter Reges Angliae et alios Principes (voll. X. Hague Com. 1745. aucta et emendata ab A. Clarke et F. Holbrooke. Lond. 1816 seq. fol.) vol. I. P. I. Comp. Planck, Bd. 4 Abschn. 1 S. 486 ff. Ständlin's Kirchengesch. v. Großbrit. Th. 1. S. 223 ff. Schlosser's Weltgesch. Bd. 3. Th. 2. Abth. 2. S. 241 ff.

<sup>20</sup> *Matth. Paris.* p. 232: *Papa — sententialiter definit, ut Rex Anglorum Johannes a solo regni deponeretur, et alius Papa procurante succederet, qui dignior haberetur. Ad hujus quoque sententiæ executionem scripsit Dominus Papa*

whilst this last was preparing for the invasion of England, John, who could place no reliance on the fidelity of his subjects, yielded every thing, and was compelled, in the most humiliating manner, to acknowledge himself the vassal of the Pope (A. D. 1213).<sup>21</sup>

To escape from the tyranny of the Pope and their despised king, the prelates<sup>22</sup> and the barons now united and forced John to adopt

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potentissimo Regi Francorum Philippo, quatenus [in] remissionem omnium suorum peccatum hunc laborem assumeret, et Rege Anglorum a solio regni expulso ipse et successores sui regnum Anglie jure perpetuo possidarent. Scripsit insuper omnibus magnatibus, militiis, aliisque bellatoribus per diversas nationes constitutis, ut ad Regis Anglorum dejectionem sese cruce signarent, Regemque Francorum in hac expeditione ducent sequentes, vindicare injuriam universalis ecclesiae laborarent. Statuit præterea, ut quicunque ad expugnandum Regem illum contumacem opus impenderint vel auxiliu, sicut illi qui sepulchrum Domini visitant, tam in rebus quam in personis et animarum suffragiis in pace ecclesiae securi permaneant.

<sup>21</sup> The document, together with John's oath of allegiance of May 15, 1213, in Rymer ed. Clarke et Holbrooke, vol. I. P. I. p. 111, both made out anew on the 3d October of the same year, ibid. p. 115: *Johannes Dei gratia Rex Angliae, etc.* — omnibus Christi fidelibus — salutem. *Universitatì vestræ per hanc chartam nostram sigillo nostro munitam volumus esse notum, quia, cum Deum et matrem nostram s. ecclesiam offenderimus in multis, et proinde divina misericordia plurimum indigere nosceamur, nec quid digne offerre possumus, pro satisfactione Deo et ecclesiae debita facienda, nisi nos ipsos et regna nostra humiliemus: volentes nos ipsos humiliare pro illo, qui se pro nobis humiliavit usque ad mortem, gratia S. Spiritus inspirante, non vi inducti nec timore coacti, sed nostra bona spontaneaque voluntate, ac communi consilio baronum nostrorum, offerimus et libere concedimus Deo, et ss. Apostolis ejus Petro et Paulo, et s. Romanae Ecclesiae matri nostræ, ac domino nostro Papæ Innocentio ejusque catholicis successoribus totum regnum Anglie et totum regnum Hibernie cum omni jure et pertinentiis suis, pro remissione peccatorum nostrorum et totius generis nostri, tam pro vivis quam defunctis: et amodo illa a Deo et Ecclesia Romana tanquam fœdatus recipientes et tenentes in præsentia prudentis viri Pandulphi, domini Papæ subdiaconi et familiaris, fidelitatem exinde prædicto Domino nostro Papæ Innocentio, ejusque catholicis successoribus, et Ecclesiae Romanae secundum subscriptam formam facimus et juramus, et homagium ligium in præsentia Dom. Papæ, si coram eo esse poterimus, eidem faciemus; successores et heredes nostros de uxore nostra in perpetuum obligantes, ut simili modo summo Pontifici, qui pro tempore fuerit, et Ecclesie Romanae, sine contradictione debeant fidelitatem præstare et homagium recognoscere. Ad indicium autem hujus perpetuae nostræ obligationis et concessionis volumus et stabiliamus, ut de propriis et specialibus redditibus prædictorum regnum nostrorum, pro omni servitio et consuetudine, quod pro ipsis facere deberemus, salvo per omnia denario b. Petri, Ecclesia Romana mille mareas Sterlingorum percipiat annuatim, etc.*

<sup>22</sup> On the 1st of November, 1213, the Pope commissioned his legate in England, Nicholas, bishop of Tusculum (see *Innoc. lib. XVI. Ep. 138*, and in *Mathæus Paris*, p. 247), quatenus Episcopatus et Abbatias Angliae nunc vacantes facias cum tuo consilio de personis idoneis per electionem vel postulationem canonicanam ordinari. The chapters must be given up, ut tuo conilio adquiescant. — Si qui vero contradictores fuerint vel rebelles, tu eos per censuram ecclesiasticam, appellatione remota, compescas. Then follows *Math. Paris*, l. c. Legatus — factus de rege tyrannus, spreto Archiepiscopi et Episcoporum regni consilio cum clericis Regis et ministris ad vacantes accedens ecclesiastis, ordinationes earum, secundum antiquum Angliae abusum, de personis minus idoneis celebrare præsumbit. — Parochiales insuper ecclesiastis in locis diversis vacantes clericis suis distribuit, patronorum consensu minime requisito. The English prelates appealed to the Pope, but ineffectually. On the 15th of January, 1215, however, see *Rymer-Clarke*, l. c. p. 126, the king was forced to promise ut de cætero in universis et singulis ecclesiis et monasteriis, cathedralibus et conventionalibus, totius regni nostri Angliae liberæ sint in perpetuum electiones quorumcunque prælatorum majorum et minorum.

the Magna Charta (June 15, 1215),<sup>23</sup> against which the spiritual weapons of the Pope<sup>24</sup> were as ineffectual as the temporal arms of the king. The civil war ceased, however, with the death of John (October 28, 1216).<sup>25</sup>

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rum, salva nobis et haeredibus nostris custodia ecclesiarum et monasteriorum vacantium, quae ad nos pertinent. The churches should have unrestricted liberty of choice, peita tamen prius a nobis et haeredibus nostris licentia eligendi, quam non denegabimus nec differemus. This document confirmed by the Pope dd. 30 Mart. 1215. ibid. p. 127.

<sup>23</sup> How the first impulse thereto was given by Stephen Langton, who published a document from the time of Henry I. (August, 1213) see in Matth. Paris, p. 240. Facsimile of the Magna Charta in *Rymer-Clarke*, l. c. p. 131 seq.

<sup>24</sup> On the 25th August, 1215, Innocent issued a bull (*Rymer-Clarke*, p. 135) : — Quia vero nobis a Domino dictum est in Propheta: Constitui te super gentes et regna, ut evellas et destruas, ut aedifices et plantes; itemque per alium: Dissolve colligationes impietatis, solye fasciculos deprimentes: nos, tantæ malignitatis andaçiam dissimulare nolentes, in apostolicæ sedis contentum, regalis juris dispendium, Anglicanæ gentis opprobrium, et grave periculum totius negotii Crucifixi (quod utique immingeret, nisi per auctoritatem nostram revocarentur omnia, quæ a tanto principe cruce signata taliter sunt extorta, etiam ipso volente illa servari): ex parte Dei Omnipotens, Patris, et Filii, et Spiritus Sancti, auctoritate quoque beatorum Petri et Pauli Apostolorum ejus, ac nostra, de communis fratrum nostrorum consilio, compositionem hujusmodi reprobamus penitus et dannamus; sub interminatione anathematis prohibentes, ne dictus Rex eam observare præsumat, aut barones eum complicibus suis ipsam exigant observari: tam chartam quam obligationes seu cautiones, quæcumque pro ipsa vel de ipsa sunt factæ, irritantes penitus aut cassantes, ut nullo unquam tempore aliquam habeant firmitatem. In the same spirit the *Epist. Innoc. ad barones Anglie* of the same date (l. c. p. 136), no notice being taken of this, it was followed by ban and interdict (*Matth. Paris*, p. 270), with the direction to the bishops, quatenus nostram sententiam singulis diebus Dominicis et festivis, pulsatis campanis, et candelis accensis, solemniter per totam Angliam publicare procurent, donec satisficerint (Barones) Domino Regi de dannis et injuriis irrogatis, et ad ejus obsequium fideliter revertantur. However the otherwise so obedient Stephen Langton postulavit inducias — ad sententiam publicandam, constanter affirmans, quod tacita veritate sententia fuerat in Barones lata.

<sup>25</sup> Further illustrations of papal extortion. The chapter of York chose Simon Langton, Stephen's brother, for their archbishop. The Pope rejected the choice (*Matth. Paris*, p. 271), and deputies from the chapter were forced to come to Rome during the council of the Lateran A. D. 1215, to choose another archbishop, who (l. c. p. 274) accepto pallio — redit in Angliam, obligatus in Curia Romana de deceim millibus librarium legalium Esterlingorum. In fine autem, soluto Concilio, extorsit Papa de unoquoque Praelato infinitam pecuniam, quam cum viaticis cogebantur ab usurariis suis mutuo duris conditionibus sumere. Besides all this the exactions of the legates (l. c. p. 286) : Walo legatus exigit (A. D. 1216) procurations per totam Angliam ab ecclesijs cathedralibus, et domibus religiosis, pro singulis scilicet procurationibus L solidos. Omnia etiam beneficia Clericorum pariter ac virorum Religiosorum, qui Lodoivico et Baronibus auxiliu, consilium, vel favorem impenderant, sequestravit, quæ omnia in suos et Clericorum suorum usus convertit. It is not without cause, therefore, that the barons cry out (l. c. p. 278) : tu Johannes, lugubris memoria pro futuris saeculis, ut terra tua, ab antiquo libera, ancillaret, excogitasti, — factus de Rege liberissimo tributarius, firmarius, et vasalus servitus, terrarum nobilissimam chirographo servitus aeternæ obligasti, numquam a compede servili liberandam, nisi miseratus ille, qui nos et totum mundum, quos sub peccati iugo vetusta servitus tenuit, dignetur quandoque liberare. Et quid de te, Papa, qui pater sanctitatis, speculum pietatis, tutor justitiae, et custos veritatis toti mundo deberes lucere in exemplum? Tali consentis, talen laudas et tueris? Sed hac causa exhaustorem pecuniam Anglicanæ et exactorem Nobilitatis Britannicæ tibi inclinantem defendis, ut in barathrum Romanae avaritiae omnia demergantur: sed hæc causa et excusatio est ante Deum culpa et accusatio.

Still more glorious were the prospects that opened on the Pope at Constantinople.<sup>26</sup> Notwithstanding the diminished enthusiasm for the crusades, the unwearied efforts of Innocent had so far prevailed, that a new army assembled at Venice A. D. 1202. In spite of the papal remonstrances, however, the old Doge, Henry Dandolo, prevailed upon the leaders first to assist him in retaking Zara from the king of Hungary. After this they were induced by the promises of the Greek prince Alexius,<sup>27</sup> to lend their aid in restoring his father, the deposed emperor, Isaac Angelus, to the throne. Alexius not fulfilling his promises, Constantinople was taken possession of by the crusaders (April 12, 1204), and a new empire founded there under Baldwin, count of Flanders.<sup>28</sup> Thus the church of Constantinople seemed at length to have become subject to the church of Rome.<sup>29</sup> Even at the time, however, this could not justly have been thought any great gain, since the new empire evidently bore within itself the germs of destruction, whilst its establishment crippled all vigorous effort for the recovery of the Holy Land.<sup>30</sup>

In the last years of his life Innocent was once more zealously engaged in promoting a new crusade,<sup>31</sup> and the emperor Frederick II.

<sup>26</sup> See the contemporaries: *Geoffroi de Ville-Hardouin de la conquête de Constantinople A. D. 1198–1207* (in *l'histoire de l'empire de Constantinople sous les Empereurs françois par C. du Fresne, à Venise.* 1729. fol.), and *Nicetas Acominatus in his historia of the emperors Joannes Comnenus to Balduinus Flander,* or from A. D. 1117–1206 (Paris. 1617. fol. in the Collect. Ven. Byz. T. XII.). Comp. Raumer, Bd. 3. S. 195 ff. Schlosser, Bd. 3. Th. 2. Abth. 1. S. 29 ff.

<sup>27</sup> *Nicet. Acom.* in Alexio Comn. lib. III. p. 348. ed. Paris. Ἀλέξιον — ἐκείνοις ἦν δόρυς συνθέσας παρίπτεισαν, ὃ μηδαμῶς ἐπεφύκει πέρας λαβεῖν. οὐ γὰρ μόνον θαλάσσας χερμάτων αἰγαλούντων κατένευσε τὸ μειζόνιον, ἀλλὰ καὶ σύναρσιν κατὰ Σαρρακηνῶν μετ' ὑπεροχάκων Ρωμαίων, καὶ τρικρότων νηῶν πεντήκοντα. τὸ δὲ ὅπερ μεῖζον καὶ ἀποπάτων, παρεκποτῶν πίστεως, ὅποια τοῖς Λατίνοις ἀσπάζεται, καὶ τῶν τοῦ Πάπα προνομίων καινοτομία, μετάθεσί τε καὶ μεταπόντιον τῶν παλαιῶν Ρωμαίων ἔθαι, συγκατίθετο. The particulars in *Vincent. Bellovac.* lib. LXIX. c. 64, Alexius promised to the Venetians one hundred thousand marks, and to the Franks the same.

<sup>28</sup> See *Balduni Epist. ad Ottонem Imp.* written before the taking of the city (in *Arnoldi Chron. Slav.* lib. VI. c. 19, under the title *Henrici Com. de S. Paulo Ep. ad Ducem Brabantiae* in Godefredi Mon. Annales in Freher I), and *Balduni Ep. ad omnes fideles*, written after his elevation to the throne (Arnold, l. c. c. 20, under the title *Balduni Ep. ad Adolphum Episc. Coloniensem* in Godefred. Mon.). This last letter was also sent to the Pope, *Ep. Balduni ad Innoc.* (Innoc. lib. VII Epist. 152), and in Raynaldi annal. ad ann. 1204, no. 6 seq.

<sup>29</sup> *Innocentii Ep. ad Clericos in crucesignatorum exercitu dd.* Id. November, 1204 (lib. VII. Epist. 154): Tempus advenisse videtur, in quo destructis vitulis aureis Israel reveratur ad Judain, et ad Hierusalem Samaria convertatur, quatenus atrio, quod secundum Apocalypsim Joannis est extra templum, foras ejecto (Apoc. xi. 2) non jam in Dan et Bethel, sed in montem Sion ad Dominum ascendatur, etc.

<sup>30</sup> *Gesta Innocent. III. cap. 95*: After the conquest of Constantinople, both papal legates came immediately thither, et tanta eos secuta est multitudo, non solum Laicorum, sed etiam Clericorum, quod alienigenæ pene omnes et indigenæ multi, Hierosolymitanæ Provinciam deserentes, Constantinopolim adierunt. — Hence *Reinerus* (Mon. Leodiens. † 1230) in his *Chronicon* (in Martene ampl. coll. T. V.) ad ann. 1207, with justice: Negotium Græciæ multum impeditiv negotium ecclesiæ orientalis.

<sup>31</sup> See the bull for a crusade A. D. 1213 (lib. XV. Ep. 28, in Mansi XXII.

took the cross at his coronation. At the council of the Lateran in the year 1215 also (IV. Lateran. XII Ecumenicum), than which a more magnificent had never been held, this was one of the chief objects.<sup>32</sup> But all these preparations were interrupted by the death of Innocent.

### § 55.

**HONORIUS III. (A. D. 1216—1227), GREGORY IX. (A. D. 1227—1241).**

**PARTICULAR SOURCES:** *Raynaldi ann. eccles.* now become important for the extracts from the unprinted Regestis of the Popes. In Raumér's *Geschichte der Hohenstaufen*, Bd. 3. S. 311 ff., we have translations of new and important passages from the Regestis of Honorius III. and Gregory IX. (from the manuscripts in the Vatican). Also the letters of Frederick II. in *Petri de Vineis epistolarum libb. VI.* ed. Sim. Schardius, Basil. 1566. 8vo. Farther in *Martene ampliss. collect. T. II.* p. 1134 seq. — in *Baluzii Miscellaneorum lib. I.* p. 446 seq. — in *Hahnii Collectio Monumentorum*, T. I. p. 209 seq.

**HISTORIANS:** *Richardus d. S. Germ.* (cited before, § 54).

The emperor Frederick II., freed by the death of Innocent from the restraints of guardianship, sought now to assume a more independent attitude in relation to the popes, and would at once have come into collision with them but for the mild and pacific disposition of Innocent's successor, Honorius III. Having caused his son Henry, already made king of Sicily, to be chosen king of Germany (April, 1220),<sup>1</sup> he obtained the consent of the Pope, nor did his boldness

p. 956) : — *Omnibus qui laborem istum in propriis personis subierint et expensis, plenam suorum peccaminum, de quibus veraciter fuerint corde contriti et ore confessi, veniam indulgenus, et in retributione justorum salutis aeternae pollicemur augmentum.* Eis, autem, qui non in personis propriis illuc accesserint, sed in suis duntaxat expensis juxta facultatem et qualitatem suam viros idoneos destinari, et illis similiiter, qui licet in alienis expensis, in propriis tamen personis accesserint, plenam suorum concedimus veniam peccatorum. *Hujus quoque remissionis volumus et concedimus esse particeps juxta quantitatem subsidii et devotionis affectum omnes, qui ad subventionem terre sanctae de bonis suis congrue ministrabunt.* Personas quoque ipsorum et bona, ex quo crucem assumserint, sub b. Petri et nostra protectione suscipimus, etc.

<sup>32</sup> In the bull (*lib. XVI. Ep. 30*, Mansi XXII. p. 960) we read : *Illi ergo testimonium invocamus, qui testis est in celo fidelis, quod inter omnia desiderabilia cordis nostri duo in hoc seculo principaliter affectamus, ut ad recuperationem videlicet terrae sanctae ac reformationem universalis Ecclesiæ valeamus intendere cum effectu.* Quapropter — hoc tandem ad exequendum prædicta — providimus faciendum, ut — generale Concilium juxta priscam saeculorum Patrum consuetudinem convocemus, — in quo ad extirpanda vita et plantandas virtutes, corriganas excessus et reformatos mores, eliminandas hereses et roboramam fidem, sopiaendas discordias et stabiliendam pacem, comprimendas oppressiones et libertatem fovendam, inducendos Principes et populos Christianos ad succursum et subsidium terre sancte tam a Clericis quam a laicis impendendum, — provide statuantur, — quæcumque de ipsis approbatione Concilii visa fuerint expedire, etc.

<sup>1</sup> See Frederick's letter to the Pope on this subject in *Raynald ad ann. 1220*, no. 12 seq., where he says, no. 16 : *Videtur autem nobis, — quod — non ob aliud promotionem nostri filii gravem fertis, nisi quia de unione Regni cum Imperio*

prevent his receiving the imperial crown (November 22, 1220).<sup>2</sup> In his attempt to reëstablish the imperial rights in his Sicilian realms, also, he met with but little resistance from the Pope.<sup>3</sup> And though in the case of the projected invasion of Lombardy (at the diet of Cremona, A. D. 1226), Honorius was openly opposed to the emperor,<sup>4</sup> the friendly relations between him and Henry were restored, when the enterprise was apparently abandoned.

Whilst thus occupied with the internal arrangements of his states, the emperor had continually put off the promised crusade, notwithstanding the repeated remonstrances of the Pope, and his own claim to the crown of Jerusalein by his marriage with Isolante, A. D. 1225.<sup>5</sup> In the treaty of St. Germano, A. D. 1225, the crusade was at length fixed for August, 1227.<sup>6</sup> But the emperor was forced by sickness to ask a new respite, and the indulgent Honorius being now no more († March 18, 1227), he was, without hesitation, put to the ban by the violent and obstinate Gregory IX.<sup>7</sup>

dubitatis. Quod equidem timere, aut suspicari non debet Ecclesia mater nostra. — Absit enim, quod Imperium commune aliquid habere debeat cum Regno: — tales nos exhibebimus Apostolice Sanitati, quod merito gaudere poterit mater Ecclesia talem filium procerasse. Nam etsi in Regno jus aliquod Ecclesia non haberet, et nos sine hærede decedere legitimo eveniret, prius ipso Romanam Ecclesiam quam Imperium dotaremus. cf. J. D. Ritter diss. de electione Henrici VII. Vitemberg. 1752. 4to. Raumer, Bd. III. S. 329 ff.

<sup>2</sup> Only that he had first to bind himself by oath to protect the possessions of the Romish church (September, 1219). *Muratori antiqu. Ital.* T. VI. p. 84. *Raynald* ad ann. 1274, no. 7) with the specification: ad has (possessiones eccl. Rom.) pertinet tota terra, quæ est a Radicofano usque Ceperanum, exarchatus Ravennæ, Pentapolis, marchia Anconitana, ducatus Spoletanum, terra comitissæ Matthildis, comitatus Brittenorii cum adjacentibus terris, expressis in multis privilegiis Imperatorum a tempore Lodowici. Has omnes pro posse meo restituam, et quiete dimittam, etc. Then *Edictum de resignatione comitatus, terræ et poderis quondam Comitissæ Matthildis facienda s. Romanæ Ecclesiæ* of September 24, 1220 (in *Baluzii miscellan.* lib. I. p. 448). On the day of the coronation, laws were enacted to secure the freedom of the churches and their clergy, and against heretics, in the *Bullar. Rom.* ad Honor. III. no. I.

<sup>3</sup> The circumstances of the case may be learned from the Epist. Hadr. ad Frid. A. D. 1226. *Miranda tuis sensibus, etc.* (*Raumer* III. S. 400 ff.) which is given in full *Mansi* XXIII. p. 91 seq. (ascribed erroneously to Gregorii IX.); also in the *Notices et extraits des MSS. de la Bibl. du Roi* T. II. p. 258 seq.

<sup>4</sup> See *Raumer*, S. 409 ff. Godofred. Mon. ad ann. 1226, says expressly: P. Honorius — mittens Alatrinum Capellatum suum, cuius suggestione Mediolanum et multæ civitatis complices contra Imperatorem conjuraverunt, facientes collegium, quod Longobardorum societas permulta tempora est vocatum.

<sup>5</sup> It is shown by *Raumer*, S. 322 seq., that the delay is not wholly to be ascribed to the emperor, but in part, at least, to the diminished interest felt in the subject. *Wilken* VI. S. 359.

<sup>6</sup> *Rich. de S. Germano*, p. 998, and with the condition: Hæc capitula — prorsit Imperator se publice servaturum excommunicatione adjecta in se et terram suam, si hæc non fuerint observata.

<sup>7</sup> In the bull, which see in *Matth. Paris*, p. 345 seq., and in *Raynald ad ann. 1227*, no. 30 seq. *Mansi* XXIII. p. 40 seq. the delay of the crusade is given as the ground of excommunication. But in *Epist. ad commune Cesenense* (Hahnii collectio monumentorum T. I. Brunsvig. 1724, p. 212) Frederick relates: [Rom. Pontifex] die Jovis ante festum paschæ cum populum ex diversis mundi partibus pro diei solennitate in sui præsentia congregatum deberet ad liberationem terræ

But as Frederick nevertheless entered on the crusade (August 11, 1228, fifth crusade),<sup>8</sup> public opinion was soon turned in his favor;<sup>9</sup> especially when he had succeeded, notwithstanding the injurious effects of the ban, which he felt even in Palestine, in concluding an advantageous truce of ten years with the Sultan of Egypt (March, 1229).<sup>10</sup> The irruption of the papal troops into Apulia, during Frederick's absence (though sufficiently justified by the provocations of the imperial governor in Sicily), was, therefore, very generally blamed.<sup>11</sup>

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sanetæ — invitare, ac de præsenti transitu nostro gratam facere mentionem, negotium Mediolanensium ac aliorum quorundam proditorum nostrorum coram omni populo, prob pudor! in medium introduxit procedens contra nos, — ut per hoc manifestissime cognoscatur, quod, ex quo non habuit, ut incepit, pro negotio terræ sanctæ contra nos justam materiam procedendi, — deficientibus justis causis rem inconvenientem assumisit. Videat ergo universitas vestra, — si a seculo est auditum, quod adversus aliquem Romanum Principem pro suis proditoribus fuerit umquam tam indecenter a Pontifice Romano processum. In his *Epist. ad univ. Reges et Principes Christi.* (Matth. Paris, p. 347) Frederick assures them: Se non frivilis excusationibus, sicut ei Papa mendacio imposuit, a peregrinatione reversum inchoata, sed maxima infirmitatis causa, illius super hoc testimonium invocans, qui est testis in cœlo fidelis. Affirmavit insuper, quia quam citius sibi Deus prosperitatē prestiterit corporalem, votum suæ peregrinationis, sicut decet Imperatorē cum honore congruo persolvere Domino procurabit. In his *Epist. ad Auglorum Regem* (ibid. p. 348) he demonstrates, Romanam ecclesiam tanto jam avaritiae succensam incendio, et concupiscentia manifesta quod bonis ecclesiasticis non sibi pro voto sufficientibus, Imperatores, Reges et Principes exhæredare et tributarios constituere non veretur. An extract from his *Epist. ad Principes Allemanniæ* in Chron. Ursperg. ad h. a.

<sup>8</sup> Raumer, S. 431 ff. Schlosser's Weltgesch. Bd. 3. Th. 2. Abth. I. S. 148 ff.

<sup>9</sup> Comp. the judgment of the contemporary Conrad v. Lichtenau, abbot of Auersberg (Chron. Ursp. ad ann. 1227): *Hic [Gregorius IX.] tanquam superbus — excepit excommunicare Fridericum Imperatorem pro causis frivilis et falsis, et postposito omni ordine judicario.*

<sup>10</sup> See *Frid. epist. ad Henricum Angliae Regem*, dd. 17 Mart. 1229, in *Matth. Paris*, p. 356 seq. — *Ejusd. epist. ad status Imperii*, dd. 18 Mart. 1229, in Leibnitii Mantissa cod. jur. gent. dipl. P. II. p. 245 seq. See, on the other hand, the reports of the fanatic Gerold, patr. of Jerusalem, to the Pope (Raynald ann. 1229, no. 3 seq.), and *ad universos Christi fideles* (Matth. Paris, p. 359 seq.). In the first he says, e. g., Imperatori Soldanus audiens, quod secundum morem Saracenicum se haberet, misit cantatrices, que et saltatrices dicuntur, et joculatores, personas quidem non solum infames, verum etiam de quibus inter Christianos haberi mentio non deberet. Cum quibus idem princeps hujus mundi vigiliis, potionibus et indumentis, et omni more Saracenico se gerebat, etc. Out of this the Pope made still more serious charges, *Matth. Paris*, p. 361: Audierat enim idem Papa de Imperatore præfato multa detestanda, quæ faciebat contra legem Christianam, quorun tenorem in scriptum redigens, per diversas orbis partes literis Apostolicis publicare procuravit. Amongst the rest: Veruntamen manifeste videbatur, quod magis approbaret (secundum quod perpendi poterat per gestus exteriores) legem Saracenorum, quam fidei nostræ, quia in multis ritus eorum imitatus est.

<sup>11</sup> Gregory wrote to his legates in France (*Matth. Paris*, p. 348 seq.): Et sic servis Christi servos præfert Machometi. — Adhuc pro certo scias, quod licet dictus Imperator cum paucis militibus mare dicitur intrasse, contra patrimonium ecclesie magnum exercitum Christianorum et Saracenorum multitudinem destinavit (how groundless the charge, see *Raumer*, S. 445, 453). — Cum igitur ex officio — providere cogimur, ne minister Machometi in Christi ministros diutius valeat deservire, — Dilictioni tuæ — mandamus, quatenus — haec solemniter prædicans Christi fidelibus, ut pro statu fidei et religionis observantia stent ex animo,

On the return of the emperor, however, the papal army was soon driven back; and as all the other attempts of Gregory to stir up rebellion against Henry, were ineffectual,<sup>12</sup> whilst in Germany, men even went so far as to deny the universal power of the Pope (in the

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tanquam prosequentes singuli proprium interesse, etc. The honest Conrad of Lichtenau, speaks thus, however, of the Pope's proceedings (l. c.): Papa captata occasione de absentia imperatoris copiosum exercitum destinavit in Apuliam, et terras Imperatoris in servitio Christi demorantis, quod nefandissimum est dicere, abstulit, et sibi subegit, et cruesignatos, ne transfretarent, omni studio prohibuit, tam in Apulia, quam in Lombardia. Quis talia facta recte considerans non deploret et detestetur, que indicium videntur, et quoddam portentum, et prodigium ruentis ecclesiae?

<sup>12</sup> Of his allies, the Lombards, he soon complains in the following strain (*Rayn.* ann. 1229, no. 33): Utinam nunquam Lombardi se nostris obsequiis obtulissent! utinam nunquam ab ipsi aliquod auxilium sperassemus, quoniam satis alias honoris Ecclesiae consulere poteramus, nisi qui nolentes eis subtrahere dexteram adjutri-  
cem supplicationibus et promissionibus acquiescimus eorundem. Sed dum causam eorum in alienis finibus utiliter ageremus, dum refranaremus impetum inimici aspirantis ad ipsorum exterminium inhibanter, ecce Lombardi auxilium adeo distulerunt, etc. Other nations were now called upon. The English, whose weak king Henry had given himself up to the influence of the legates, for the sake of being protected against his subjects (*Schlosser's Weltgesch.* Bd. 3. Th. 2. Abth. 2. S. 269 ff.) were to furnish money. *Matth. Paris*, ann. 1229, p. 361 seq: Dominus Papa exigebat decinas omnium rerum mobilium — ab universis laicis et clericis ad guerram suam sustinendam. The laity refused to comply with the demand, nolentes Baronias suas vel laicas possessiones Romanæ ecclesiae obligare. The clergy were forced into compliance by the legate Stephen sub pena interdicti et excommunicationis præcipiens, and were even obliged to give the tithe de frugibus autumni futuri, qui adhuc in herba crescebant. The legate had with him fornatores nequissimos usuram sub nomine negotiationis palliantes, qui egentibus et exactionibus vexatis obtulerunt pecuniam: et urgente memorato Stephano sub pena gravissima coacti multi mutuo cepere, qui postea in laqueos eorum inciderunt, dannata instaurabilia incurrentes. — Ex eo autem tempore non defuerunt in terra Anglicana quidam transmontani, qui se mercatores nominant, usurarii impiissimi, qui nihil aliud querunt, nisi in laqueis suis, præcipue quos Romana curia angariat, illaqueare. — To the archbishop of Lyons, Gregory writes (*Rayn.* ann. 1229, no. 35): te in succursum Ecclesiae advocavimus confidenter, utpote qui præstito juramento ad defendendum Papatum et regalia b. Petri esse teneris adjutor — (see below, § 62, note 1) Fraternitatem tuam rogamus, — in virtute obedientia sub debito juramenti districte præcipiendo mandantes, ac in remissionem peccaminum — injungentes, quatenus sine moræ dispendio cum con-  
gruo exhortio bellatorum ad nos personaliter venire festines. His measures in Germany: *Godefrid. Mon.* ad ann. 1228: Papa — per omnes provincias publice mandat Imperatore excommunicatum denunciari, missis nuncis et maxime prædicatoribus ad id exequendum. Quorun unus dictus Otto Cardinalis — in Teutonia et Daciam mittitur, cuius intentio erat Imperatoris gravamen procurare, et super hoc consilium expetere Ottonis dieti Ducis de Lunenburg: sed idem Otto contra Imperatorem renuit aliquid attentare. From Liege he was driven out, and the inhabitants of Aix Episcopum Mutinensem de Prutia post legationem suam redeuntem ceperant et capti detinuerant, magna quantitate auri ablata. The legate was commissioned, *Alberici Chron.* p. 535: ad submittendum et conciliandum Archiepiscoporum, etc. animos Domino Papæ in depositionem Regis Alemaniæ Henrici filii Imperatoris — excommunicati, et ad electionem alterius, qui repertus fuisse idoneus, sed inter factum et dictum multa frequenter impedimenta occurrunt. Namely, *Godefrid. Mon.* ad ann. 1230: Otto — apud Heribopolin concilium provinciale indicit, sed renitentibus laicis et paucis Ecclesiarum prælatis venientibus iratus recessit. Comp. what is said by the contemporaries *Walther v. d. Vogelw.*, *Reimar v. Zweter*, d. *Freightedank*, in *Uhland's Walther v. d. Vogelw.* Stuttgart. 1822. S. 136 f.

Sachsenspiegel),<sup>13</sup> he thought himself fortunate to be able to reconcile all differences by the honorable peace of St. Germano (August 28, 1230).<sup>14</sup>

The new friendship between the Pope and the emperor survived several collisions of their constantly conflicting interests, and even the temporary interruption<sup>15</sup> occasioned by the introduction of a new code of laws in Sicily, compiled by Peter de Vinea (A. D. 1231),<sup>16</sup> but was finally broken off by an attempt to re-establish the imperial rights in Lombardy, than which nothing could be less desirable to the Pope. The arbitration of the Pope (albeit sufficiently unfavorable to the emperor) having no effect upon the Lombards,<sup>17</sup> Frederick

<sup>13</sup> Sachsenspiegel collected by Eiko v. Repehowe, sheriff in Salpke, near Magdeburg, about 1216 (best ed. C. W. Gärtner, Leipz. 1732, fol.). Buch I. Art. 3, at the end: Jo doch en mach dey Pawes neyn recht setten, dar he nuse lantrecht off leenrecht mede ergere off krenke. Buch 3. Art. 54 (al. 48): Also men den Konink kusei, so sal hei deme rike hulde doen, und sweren, dat hey recht sterken und unrecht krenken wille, und dat rike vorstaen an syne rechte, so hei best kunne und moge. Darna en sal hei neyne eede mer sweren, id en sy dat one dey Pawes schuldige, dor dat hey an deme rechten geloven twiele (cf. § 54, notes 10, 13, and 16). — dengenen dei in des Paweses banne is *mit rechte*, denen moet men nicht to Koningēn keisen. Art. 57 (al. 50): Den Keyseren mach dey Pawes noch neymant bannen na der tift, dat hey gewyet is, dann vinne drei sake willen, off hey an deme geloven twyvelt, syn echte wiiff verleet, eder godes hus vorsturet. Art. 63 (al. 56): Bann schadet der seile, und nemet doch neymande syn liif, und krenket neymande to lantrechte, dar en volge des Koning esachte na. The papal bull in which fourteen articles of the Sachsenspiegel, and amongst them the foregoing, are condemned, is ascribed Mansi XXIII. p. 157 seq. to Gregory IX., but is in fact by Gregory XI. A. D. 1373, though its genuineness has been doubted altogether (see Spangenberg's Beytr. zu d. deutschen Rechten des Mittelalters, Halle. 1822, 4to. S. 94 ff.).

<sup>14</sup> Rayn. ann. 1230, no. 3 seq. Raumer, S. 458 ff.

<sup>15</sup> Gregory wrote the emperor concerning them (Rayn. ann. 1231, no. 9): Intelleimus siquidem, quod vel proprio motu, vel seductio inconsultis consilis persorum novas edere constituciones intendis, ex quibus necessario sequitur, ut dicaris Ecclesiæ persecutor, et obrutor publicæ libertatis, etc., but receiving a sharp answer from the emperor, and being just then much pressed by the Romans, this was soon followed by a conciliatory letter (ib. no. 10): Intelleimus, quod ex literis, quas nuper imperiali celsitudini destinavimus, motus uteunque fuisti, quia plus amaritudinis quam dulcedinis sapere videbatur. — Sed nec filio fuit ægre ferendum, quia pater filium, quem diligit, corripit. — Rogamus — quatenus omni omnino suspicione deposita, quod id processerit nisi de meræ spiritu caritatis, de nobis in veritate confidens, etc.

<sup>16</sup> Best edition, *Constitutiones regum regni Siciliae utriusque*. Neapol. 1786. fol. Sketch of these laws in Raumer, S. 468 ff. Severe laws against heretics Lib. I. Tit. 1—3. But Tit. 17: Judæos et Saracenos non propterea, quod Judæi vel Saraceni sunt, artari volumus innocentes. Tit. 42: The offences of the clergy are to be brought before ecclesiastical tribunals, excepto si de proditione aliquis fuerit appellatus, vel alio magno hujusmodi maleficio, quod spectat ad majestatem nostram: quod si accederit, volumus et præcipimus, ut de hoc — in nostra curia judicetur. Tit. 46: firmiter inhibemus Praalatis ecclesiærum, comitibus, etc. ne justitiarius officium in terris suis exercere audeant, vel gerendum alicui demandare. Tit. 66: Si quis clericus de haereditate vel aliquo tenimento, quod non ab ecclesia — teneat, appellatus fuerit; volumus, ut de hoc in curia illius, in cuius terra possessionem vel tenementum habuerit, respondeat, et quod justum fuerit, faciat.

<sup>17</sup> Raumer, S. 642 ff. 728 ff.

declared war A. D. 1226,<sup>18</sup> and thereby made Gregory at once his enemy. Nor could pretexts for a quarrel long be wanting, at a time when the papal pretensions were so extravagant; especially as Frederick's son Enzio had become king of Sardinia by marriage, without leave asked of the Pope (A. D. 1238).<sup>19</sup> Finally, Gregory entered openly into a treaty with the Lombards, and declared Frederick excommunicated and deposed (March 20 and 24, 1239).<sup>20</sup>

And now ensued a strife for life and death. Both parties began with seeking to engage public opinion in their favor by their writings. In this literary warfare the Pope being accused by the emperor of protecting heretics,<sup>21</sup> retorted the charge of heresy on the emperor him-

<sup>18</sup> Gregory would rather have sent the emperor to Palestine, but he answered (*Matth. Paris*, ann. 1236, p. 433): *Italia hæreditas mea est, et hoc notum est toti orbi.* *Anhelare ad aliena et propria relinquere, ambitionis esset et enorme: presertim cum Italiorum, præcipue Mediolanensium, me injuriis lacessivit insolentia;* in nullo mihi debitam exhibens reverentiam. *Præterea Christianus sum, et qualiscunque servus indignus Christi, accinctus ad crucis inimicos debellandos.* *Cum igitur tot hæreses non tantum pullulent, immo silvescant in Italia, et jam zizania segetes incipiunt suffocare per civitates Italicas, præcipue Mediolanensium:* transire ad Saracenos ho-tifiter expugnandos, et illos incorrectos pertransire, esset vulnus infixo ferro fomentis superficialibus delinire, et cicatricem deformem, non medelam procurare. *Item solus sum et homo sum, nec ad tantum laborem sufficio, ut inimicos crucis sine magno comitatu adeadam, debellaturus incredulos, qui tot sunt, et tam fortes, expugnando.* *Iterum [Igitur?] cum sine thesauris magnis ad tam arduum negotium consurgere per me non sufficiam, opes ejusdem terra in open et ultionem Crucifixi convertere destinavi.* *Abundat equidem Italia armis, equis, et opibus: hoc terra novit universa.* Frederick always laid great stress upon the well known heresies prevalent amongst the Lombards, in order to be able to apply to them the principles already adopted towards the Albigenses.

<sup>19</sup> When the Pope reminded him of his oath, he answered (§ 51, note 15), *Matth. Par.* p. 484: *Ipsam insulam ad Imperium spectare ab antiquo, et per occupationes et alia ardua negotia imperialia Imperatores eam amisiisse, et ipsum ideo, eam ad corpus Imperii revocasse.* *Ego vero juravi, ait, ut jam novit mundus, dispersa Imperii revocare: quod non segniter adimplere procurabo.* cf. *J. T. Käler* *Entius s. Henricus Rex Sardinie diss. hist.* Göttingen 1757. 4to. *Raumer*, Bd. 4. S. 13 ff.

<sup>20</sup> The emperor, who, since the battle of Cortenuova (November, 1237) had decidedly the upper hand, would now listen no more to offers of papal mediation. The document of excommunication in *Matth. Paris*, p. 486, and *Rayn.* ann. 1239, no. 2 seq. Amongst the grounds given therefor, the most remarkable are: I. quod contra Romanam ecclesiam seditionem iniit in urbe, III. quod non permittit quasdam cathedrales et quasdam alias vacantes ecclesiæ in Regno ordinari, IV. quod in regno clerici capiuntur et incarceraantur, proscribuntur et occiduntur, VII. quod nepotem Regis Tunicii venientem ad ecclesiam Romanam pro suscipiendo baptismatis sacramento detinet nec venire permisit, IX. quod terras ecclesiae se. Ferrariani, etc. et terram Sardinie occupavit contra juramentum, quo super hoc ecclesiæ tenetur, temere veniendo, XVI. quod per ipsum impeditur negotium terræ sanctæ, et reparatio Imperii Romaniæ. Frederick sent an answer to these charges by the legate who brought him the sentence of excommunication, for the most part triumphant. *Matth. Paris*, p. 492 seq.

<sup>21</sup> Frederick sent out at once letters to the cardinals (*Matth. Paris*, p. 491. *Petri de Vineis* epistoll. I. 6), to the inhabitants of Rome (*Matth. Par.* p. 490. *Petr. de Vin.* I. 7), to all princes (*Matth. Par.* p. 500, seq. *Petr. de Vin.* I. 21), etc. The last of these most full in its details, e. g. *Indignum præterea se tanti coërcitione Principis, et generaliter qualibet Pontificalis auctoritate judicii redditum, dum Mediolanensem civitatem, quæ pro maxima parte — inhabitatur hæreticis, contra nos et Imperium manifesto favet.* — *Quantumcunque conscientiæ*

self; <sup>22</sup> a charge at once rightly appreciated by all impartial observers, but not without its weight, as coming from such a source.<sup>23</sup> Still, the

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nostræ librum sollicite revolvamus, nullam in nobis occasionem invenimus ad cau-  
san, propter quam iste inimicus homo contra nos debuisse tam acriter commoveri.  
Nisi quod cum ipso contrahere de nepte sua despousanda Henrico naturali filio  
nostro, nunc Regi Turris et Gallura nostra magnificentia credidit indecens et  
reputavit indignum. — Ad domos vestras eum aqua concurrite, dum ignis accendi-  
tur in vicinis. Causam motus Pontificalis attendite, quod in favorem rebellium  
nostrorum procuratur. Quæ causa licet ad præsens expressa non fuerit, proculdu-  
bio tamen subest. Similia vobis in vestris immunitate pericula timeatis. Facilis  
enim et Regum et aliorum Principum omnium humiliatio creditur, si Caesaris  
Romanorum potentia conteratur, cuius clypeus prima jacula sustinet adversantium.  
Hæc est namque causa pro vero, videlicet de Lombardis, qua cor Papæ pungebat  
et urebat intrinsecus; licet ipsam foris educere propter nostrum et audiendum  
scandalum non auderet: pro qua nobis per speciem suum muncium fide dignum  
(cujus ad hoc testimonium invocamus) ore tenus expresse promisit, quod si negoti-  
um Longobardorum in ejus arbitrio poneremus, nedum quod in aliquo magnifi-  
centiam nostram offendaret, verum etiam totius orbis decimas, terræ sanctæ neces-  
sitatibus consecratas, nostris utilitatibus applicabat.

<sup>22</sup> *Gregorii ep. ad omnes Principes et Prælatos terræ* (Matth. Paris, p. 506. Mansi XXIII. p. 79 seq.): Ascendi de mari bestia, blasphemia plena nominibus, quæ pedibus ursi, et leonis ore desæviens ac membris formata cæteris sieut pardus, os suum in blasphemias divini nominis aperit, tabernaculum ejus et sanatos, qui in cœlis habitant, similibus impetrare jaculis non omittit. — Igitur admirari desinite omnes, ad quos ab hac bestia contra nos edita pervenerunt obloquia blasphemiarum. Then follows a long explanation of the relations between them, and at the close: iste Rex pestilentia a tribus Baratoribus, ut ejus verbis utamur, scilicet Christo Jesu, Moyse et Machometo, totum mundum fuisse deceptum: et duobus eorum in gloria mortuorum, ipsum Jesum in lignum suspensum manifeste proponens: insuper dilucida voce affirmare, vel potius mentiri præsumpsit, quod omnes fatui sunt, qui credunt, nasci de virgine Deum, qui ereavit naturam et omnia, potuisse. Hanc hæresim illo errore confirmans, quod nullus nasci potuit, cuius conceptum viri et mulieris conjunctio non præcessit: et homo debet nihil aliud credere, nisi quod potest vi et ratione nature probare. The passionate strain of this letter betrays, of itself, how much he felt what Frederick had said. The emperor, however, was not behind him in abuse. In his answer (Petr. de Vin. l. 31) he declares the Pope to be the beast of which it is said, Apoc. vi. 4 — ipse est Draco magnus, qui seduxit universum orbem, Antiehristus est, cuius nos dixit esse præambulum: et alter Balaam conductus pretio, ut malediceret nobis, princeps per principes tene-  
brarum, qui abusi sunt Propheti. Hic est angelus prosiliens de abyso, habens phyalas plenas amaritudine, ut mari et terra noceat. Inseruit enim falsus Christi vicarius fabulis suis, nos Christianæ fidei religionem recte non colere, ac dixisse tribus baratoribus mundum esso deceptum: quod absit de nostris labiis processisse, cum manifeste confiteamur unicum Dei filium, etc. Then follow declarations of his true faith with regard to Christ, Mohammed, and Moses. In iis et alius accusa-  
tor noster et æmulus ponens adversus filium matris Ecclesiæ scandalum contra nos mendaces et venenosas notas mundo inscripsit. Sed si rectitudi sensus Apostolici non fuisset intrinsecus impedita, nec præposuisset impetum rationi, qui dominatur in ipso, talia non scripsisset.

<sup>23</sup> *Matth. Paris*, p. 512. Of the effect of the Pope's letter: Hæc igitur — imperiale epistolam suspectam, licet probabilia contineret, reddiderunt. — Et nisi Romana avaritia devotionem populorum a domino Papa, plusquam expediret et decrebet, avertisset: totus mundus hac epistola exasperatus in Imperatorem, quasi in manifestum hostem ecclesiæ et Christi inimicum, graviter et unaniuste insur-  
rexisset. Sed proh dolor! multi filii a patre suo Papa avulsi sunt, et Imperatori adherentes asserebant, quod *odium inexorabile, inter eos jam induratum*, prædicta iurgia et invectiones exegitas excitatbat. — Addiditque populus: Quid sibi vult istud? Retroactis temporibus imposuit Papa Imperatori, quod ipse Macho-  
meto legique Saracenicæ plus consensit, quam Christo vel legi Christianæ: nunc autem in sua invectiva epistola imponit eidem, quod tam Machometum, quam

efforts of Gregory to raise up a rival to Frederick, met with a decided repulse, not only in Germany,<sup>24</sup> but in France;<sup>25</sup> whilst in England

Jesum vel Moysem, quod horribile est recitare, vocat Baratazem. In epistolis suis humiliiter de Deo seribit Imperator et catholice, nisi tantum quod hac ultima Papali persone derogat, non officio: nec publice praedicat, nec procaciter sustinet quicquam hereticum, ut novimus adhuc, vel profanum: non usurarios nobis misit, vel raptiores redditum. Et sic ortum est jam schisma in populis formidandum. In order to judge correctly of these accusations it is to be remembered: 1) That his intercourse with Saracens, his Saracen warriors (1223. He brought Saracens from Sicily into Apulia), the respect shown by him towards Arabian scholars (in *Abulfeda Annal. Muslem.* vol. IV, p. 349. Genial-ed-din, about 1260, ambassador to Manfred, says of Frederick: Erat imperator vir inter Francorum principes ingenii dotibus excellens, philosophiae et logicae et medicinae amans, animo in Muslemos propensus, quod valde mirum in eo non est, quoniam in Sicilia, cuius incole plurimi Muslemi sunt, adolevit) might well have brought him under suspicion of a leaning to Mohammedanism, especially since the former accusation of the Pope (see notes 10 and 11); 2) That between the first and second act of excommunication we hear nothing of these accusations, whilst all the time Frederick was attacking the Pope concerning the suppression of heresies in Milan; and that even in the second bull of excommunication (note 20), where every thing that can be said against Frederick is brought together, we hear nothing of this. Soon after, however, the report must have reached the ears of the Pope; at a time, therefore, when the credulity of old age must have invited the interference of busy tongues. 3) That Innocent IV. at Lyons, in 1245, did not venture to repeat the charge (see below, § 56, note 4). 4) In the year 1201, Simon de Tournay, professor of theology at Paris, is related to have said: tres sunt, qui mundum sectis suis et dogmatibus subjugarunt, Moyses, Jesus et Mahometus. Moyses primo judaicum populum infatuavit, Jesus Christus a suo nomine Christianos, gentilem populum Mahometus. See *Thomas Cantipratanus* (a Dominican, † 1263) *bonum universale de apibus*, lib. II. c. 48, no. 5. And is it to be supposed that such a man as Frederick, would have appropriated to himself such frivolity? 5) The other anecdotes of Frederick's unbelief, see *Abericus*, p. 568 seq. (comp. *Raumer* IV., 36) and shameless habits of life (*ibid.* IV., 234) were undoubtedly of a later date than this accusation of the Pope, and belonging as they do to a time so fertile in fictions against all who were suspected of heresy, can hardly be thought worthy of credit. All the charges against Frederick, therefore, reduce themselves to this single one of the Pope's, and therefore it seems hasty to suppose Frederick entirely destitute of all religious faith, as does *Schlosser*, *Weltgesch.* Bd. 3. Th. 2. Abth. 1. S. 147, 407, 425. — Comp. *Raumer*, Bd. 3. S. 569. Bd. 4. S. 39. — The work *de tribus impostoribus* is of modern origin, see *Brem-und Verdisches Hebopfer*, Bd. 1. S. 869 ff. *Brem- und Verdische Bibl.* Bd. 3. S. 831 ff. *Schriften d. Anhalt. deutschen Gesellsch.* Bd. 1. S. 2. S. 3.

<sup>24</sup> Certain of the German prelates and princes, in a letter of pacific intent (in *Hahnii collect. monument.* T. I. p. 234, probably the same spoken of by *Albert. Stad.* ad ann. 1240. p. 213) write the Pope without any circumlocution, that in Germany the emperor has on his side vulgaris famæ prasidium, et testimonium generalis opinionis, quod in favorem Mediolanciun et suorum sequacium processeritis taliter contra eum. *Albertus Stadensis*, ad ann. 1240. p. 215: Papa Gregorius insolentias Imperatoris contra ecclesiam metuens Principes super electione alterius sollicitavit, sed nihil profecit, quia quidam Principum ei rescripserunt, non esse sui juris, Imperatorem substituere, sed tantum electum a Principibus coronare. So too *Math. Paris*, ad ann. 1239. p. 516, with the addition: Sed tantum promeruit Romanae ecclesiæ improbitas omnibus execranda, quod a nullis vel a paucis meruit Papalis auctoritas exaudiri. The Acts of the papal legate Albert v. Böhmen, archdeacon of Passau, were found by J. Aventinus in the sixteenth century, in the convent Altaich; see *Aventini excerpta ex Alberti Bohemi actis et commentariis* in *Oefelii Rerum Boicarum Scriptt.* T. I. p. 785 seq. and *Aventini Annales Bojorum*, lib. VII. c. 4 seq. Remarkable notices of the intrigues of this turbator totius Bojoriæ and the firm resistance of the Bavarian bishops. *Aventini Ann.* I. c. (edit Francof. 1627. fol. p. 415): Cuncti fremere,

the public mind was embittered against Rome by the plunder of the

indignari, stomachari cœperunt: hominis (Alberti) temeritatem, cuius vitam ac mores probe nossent, detestabantur. Omnia tumultu in Germania complentur: indignissimum facinus præter fas atque æquum clamitant Romanum incepitare episcopum. Conradus Fruxinensis episcopus (bishop of Freisingen) ad Imperatorem provocat, nullum jus Romano flaminis absque consensu pontificum Germanæ esse in Germania pro palam docet: suos, inquit Romanensis sacerdos pascat Italos, nos a Deo constituti canes a nostris ovibus lupos ovina pelle tectos arecibus. The strongest language is that used by Eberhard, archbishop of Salzburg, 1241, at an assembly of the Bavarian bishops in Ratisbonne (l. c. p. 420 seq., also in *Goldasti. Apol. pro Henrico IV.* p. 237 seq.) e. g. Sub Pontificis Max. titulo, pastoris pelle, lupum savissimum, nisi eæci sumus, sentimus. Romani flamines arma in omnes habent Christianos: audiendo, fallendo, et bella ex bellis serendo magni facti: oves trucidant, occidunt: pacem, concordiam terris depellunt: intestina bella, domesticas seditiones ab inferis eliciunt: in dies magis atque magis omnium vires debilitant, ut omnium capitibus insultent, omnes devorent, universos in servitutem redigant. — Christus inimicos odio habere vetat, — Romanenses contra saneta violare federa, nomine Dei sacratio ad fallendos homines abuti, bene meritis ingratis esse, malefactis beneficia compensare, bellare, litigare, defraudare, prodere, decipere, sub magna pietatis superficie jubent: divinas majestatiæ, eœlesti providentia, natura repugnare, supremæ majestati a Deo Opt. Max. constitutæ resistere nos volunt. Hildebrandus ante annos centum atque septuaginta primus, specie religionis, Antichristi imperii fundamenta jecit. Hoc bellum nefandum primus auspiciatus est, quod per successores hucusque continuatur. — Credite experto, non cessabunt, donec Imperatore in ordinem redacto, Romani Imperii honore soluto, pastoribus veris, qui pascant, oppressis, canibus, qui latrare queant, sublatis, per hunc morem omnia extinguant aut occidant. Ideo omnia turbare atque permiscere volunt. — Flanines illi Babylonia soli regnare cupiunt, ferre parem non possunt: non desinent, donec omnia pedibus suis conculeaverint, atque in templo Dei sedeant, extollanturque supra omne id, quod colitur: famæ opum, sitis honorum inexplebilis est: quo plura avido concesseris, eo plura appetis: porrige digitum, et manum concupisces. Licentia omnes sumus deteriores. Qui servus servorum est, dominus dominorum perinde ac si deus foret, esse cupit. — Ingentia loquitur, quasi vero Deus esset. Nova consilia sub pectore volutat, ut proprium sibi constitutum Imperium: leges commutat, suas sancit, contaminat, diripit, spoliat, fraudat, occidit, perditus homo ille, quem Antichristum vocare solent, in cuius fronte contumelie nomen scriptum est: *Deus sum, errare non possum*, in templo Dei sedet, longe lateque dominatur. In conclusion: Date operam, Patres consulti, ut a Germania, gente christianissima, cædes, discordiæ mala, incendia, crudelia facinora in cives, in patriam patrata, pellantur, pax civilibus armis exacta, concordiæ bonis revocetur. Quod tum fiet, si Imperatori Friderico secundo, Cæsari Augusto, principum Christianissimo, a Deo constituto obtemperabimus, et pestem illam atque serpentem (namely, Albert) e Bojaria eliminaverimus.

<sup>25</sup> *Math. Paris*, ann. 1239. p. 517. In a letter to the king and the barons of France, the Pope offers the imperial crown to count Robert, the king's brother. The answer was: Quo spiritu vel ausu temerario Papa tantum principem, quo non est major, imo nec par inter Christianos, non convictum vel confessum de objectis sibi criminibus, exhæredavit, et ab apice Imperiali præcipitavit? Qui si meritis suis exigentibus deponendum esset, non nisi per generale Concilium cassandus judicaretur. De transgressionibus suis non est hostibus suis fides adhibenda, quorum Papa dignoscitur esse capitalis. Nobis adhuc insonus, imo bonus fuit vicinus: nec quid sinistri vidimus de eo in fidelitate sæculari, vel fide catholica. — Sed ne in vacuum Papale mandatum videamur suscepisse, licet magis constet hoc ob odium Imperatoris, quam nostri dilectionem ab ecclesia Romana derivasse; mittemus nuncios prudentes ex nobis ad Imperatorem, qui quonodo de fide catholica sentiat diligenter inquirant, nos super hoc certificatueros. Et si nil nisi sanum invenerint, cur infestandus est? Sin autem: et ipsum, imo etiam ipsum Papam, si male de Deo senserit, vel quemlibet mortalium usque ad internectionem persequeatur. Ambassadors were sent to the emperor, before whom he asserted his

churches to supply the demands of the pontiff.<sup>26</sup> And when from the year 1240 the desolating stream of the Moguls was poured upon the borders of Germany, the indignation against the Pope, who still kept Frederick employed in Italy, became universal.<sup>27</sup>

The papal territories, with the exception of Rome, being wholly

orthodoxy: "Non placeat domino meo Jesu Christo, ut unquam recedam a fide magnificorum patrum, et antecessorum, sequens vestigia perditorum. Judicet autem Dominus inter me et ipsum, qui me ita per orbem tam nequiter diffamavit." Et tendens manus in celum, lachrymis obortis, singultando exclamavit: "Deus ultionum Dominus reddat ei retributionem, etc. So that they went away satisfied of his innocence.

<sup>26</sup> See above, note 12. *Matth. Paris*, ad ann. 1234, p. 400: Ut efficacius (Papæ nuncii) thesauros omnium emungerent, et pecuniam quasi ad succursum terra sanctæ undique colligerent, — scripsit dominus Papa omnibus Christi fidelibus in hac verba elegantissima, quæ corda hominum lapidea viderentur penetrare, nisi facta humilitati ac justitiæ luce clarius adversantia sequerentur. Then follows the papal bull. Then, p. 402: Hæc cum per Christianorum climata, præcipue per Angliam, Christi fidelibus innotescerent, et prædicatio per Prælatos, maxime vero per fratres Prædicatores et Minorites fieret, quibus data fuit potestas crucisignandi, et votum data pecunia relaxandi, sese multi — cruce signaverunt. Sed — parvo tempore succedente facta est tanta commutatio, tam multiformis pecuniae exactio; nec sciri poterat, in quam abyssum tanta pecunia — est demersa; quod *fidelium circa negotium crucis tepuit, imo potius charitas refriguit generalis*. Still more after 1240. *Idem ad ann. 1240*, p. 525: The legate began by making known that he had full power to absolve a voto crucis, and moreover, ut tales non solum absolvere, verum etiam ad redimenda vota sua compellere debeamus. On this incepert ipsi Prædicatores fratres et Minorites et alii viri literati, præcipue Theologi, Crucisignatos absolvere a voto suo: accepta tamen pecunia, quanta sufficere videbatur unicuique ad viaticum ultramarinum. Et factum est in populo scandalum cum schismate. Absurdum enim videbatur etiam simplicibus, quam diversis muscipulis simplicem Dei populum substantia sua moliebatur Romana curia privare, nihil petens nisi aurum et argentum. The legate next demanded of the clergy (p. 526) quintam partem honorum suorum, quibus susfultus (Papa) injurias tam validi inimici valeret propulsare. After long resistance the archbishop of Canterbury yielded (p. 527), quod videntes alii Prælati Angliae, in similem ruinam sunt prolapsi. But even this was not enough, p. 533: Misit enim Papa, pater noster sanctus, quendam exactorem in Angliam, Petrum Rubeum, qui excoxitata muscipulatione infinitam pecuniam a miseriis Anglicis eductus erat emungere. Intravit enim religiosorum capitula, cogens et seducens eos ad pecuniam promittendam, et promissam persolvendam, exemplo aliorum Prælatorum, quos mentitus asserebat gratanter persolvisse. Dixit enim: ille Episcopus et ille, ille Abbas et ille jam libens satisfecit: quidnam vos ignavi tam moramini, ut grates cum inumeribus amittatis? Fecit etiam prædictus impostor jurare, ut hoc genus pecuniam extorquenti nulli hominum infra dimidium annum facerent manifestum: quasi eliciens hoc ex singulorum primitiva professione, cum tantum de honestis sit consilium Papale colandum. As soon as they found out the trick, they complained to the king: but he gave them up entirely to the legate (p. 534): Ecce domine mi Legate, isti miseri seductores, pandentes secreta Papalia, obloquuntur, voluntati vestrae non adquiescentes: facite de ipsis, quod vobis placet. The legate next proceeds to attack the bishops; they at first evaded his requests civilly, but afterwards speak more plainly (p. 535): sicut ecclesia Romana suum habet proprium patrimonium, — similiter et alias ecclesie suum, — quod in nullo est censuale vel tributarium ecclesiae Romanæ. True we read: Quodcumque ligaveris, etc., but not "quodcumque exegeris super terram, erit exactum et in cœlis," etc. The papal arts at length, however, triumphed, by putting in practice the principle *divide et impera*.

<sup>27</sup> Raumer, B. 4. S. 77 ff. Especially as the mendicant orders were at this very time preaching a crusade against Frederick, see Waddingii Annales minorum edit. II. Tom. III. p. 42.

overrun by the emperor (A. D. 1240), Gregory resolved to make his cause the cause of the whole church, and to this end summoned a general council at Rome.<sup>28</sup> This project was frustrated by the capture of the Genoese fleet, in which the prelates had embarked, and in this forsaken situation Gregory died (August 21, 1241).

### § 56.

**CŒLESTINUS IV.** (from September 23 to October 8, 1241), **INNOCENT IV.** (from June 24, 1243, to December 13, 1254).

**SOURCES:** Richardus de S. Germano (title prefixed to § 54). Then especially *Nicolaus de Jamsilla* to A. D. 1258, continued by *Anonymus* to A. D. 1265 (in *Muratori Rer. Ital. Scriptt. T. VIII.* p. 489 seq.) and *Sabæ Malaspinae Rerum Sicularum libb. VI. v. 1250 — 1276* (*ibid.* p. 781 seq.). *Raumer's Gesch. d. Hohenst.* Bd. 4. S. 106 ff.

The immediate successor of Gregory, Cœlestinus IV., lived but a few days, and, after long delay, the cardinals at length united in the choice of Innocent IV.<sup>1</sup> The new Pope at once entered into negotiations with Frederick, and with every prospect of a favorable result.<sup>2</sup> On a sudden, however, he fled to Lyons, by the help of the Genoese (A. D. 1244),<sup>3</sup> and soon after having assembled there a general council (June, 1245) renewed the sentence of excommunication and de-

<sup>28</sup> See note 25, above. For the following history see *Raumer*, I. c. S. 94 ff.

<sup>1</sup> Of this delay, and the universal dissatisfaction thereby occasioned, see *Raumer*, S. 114 ff. *Matth. Paris*, ann. 1243, p. 602: Per idem tempus miserrunt Franci solennes nuncios ad curiam Romanam, significantes persuadendo præcise et efficaciter, ut ipsi Cardinales rite eligentes, universali ecclesiæ solatum pastorale maturius providerent: vel ipsi Franci propter negligentiam eorum de sibi eligendo et providendo summo Pontifice citra montes, cui obediunt tenebantur, quantocius contrectarent. Et hoc audacter significabant, confisi de antiquo privilegio suo per S. Clementem b. Dionysio concesso et obtento, qui concessit Apostolatum eidem Dionysio super gentem occidentalem.

<sup>2</sup> A treaty, for the emperor very humiliating, was already drawn up by the deputies (*Matth. Paris*, p. 629: e. g. subsidium pro isto excessu faciet in militibus vel pecunia, cuieunque dominus Papa Christianitatis, quantumcumque et quale viderit expedire, etc.), though to be sure nothing had been determined with respect to the difficult business of the Lombards; and the Pope made Frederick say: si latenti morbo, videlicet de negotio Lombardorum, medicina non esset opposita, pax omnino procedere non valebat. (Ex *Cod. epist. Vatic. Ms.* in *Raumer*, S. 135.) The emperor did not on account of this refuse the treaty, but only said, *Matth. Par.* p. 636: quod nihil faceret de convenienti, nisi literis absolutionis prius habitis. Thus Frederick could, with justice, complain to the cardinals, whom he called on to mediate anew between him and the Pope (in *Martene coll. ampliss. T. II.* p. 1137), that the Pope spredo moderamine pacis, quam offerebamus ex animo, imperceptibiliter ad partes profectus sit ultramontanas, utinam non in scandalum generale!

<sup>3</sup> He sought in vain an entrance into Arragonia, France, or England, *Matth. Paris*, p. 655. This drew from him the characteristic words, *ibid.* p. 660: Expedit, ut componamus cum Principe vestro, ut hos Regulos conteramus recalcitrantes; contrito enim vel pacificato dracone, cito serpentuli conculebuntur.

position against Frederick.<sup>4</sup> After this, no remonstrances could move him to yield in any degree,<sup>5</sup> and the strife was now urged on either

<sup>4</sup> With the Romans *Couc. OEcum.* XIII., not acknowledged by the French. The Acts in *Matth. Paris*, p. 662 seq., with some additions in *Mansi* XXIII. p. 605 seq. Five objects enumerated by the Pope (*Matth. Paris*, p. 664): de inhumanis et feraleriter Christianitatem vastantibus Tartaris, pro schismate Romaniae i. e. græcae ecclesiæ, pro serpiginæ novarum heresium, de terra sancta, and de Principe i. e. Imperatore. The last, however, the true one. Thaddæus de Suessa (*Albert. Stadens.* ann. 1245, fol. 217: Imperator pro se nuncios misit, inter quos erat quidam Thaddæus, doctor legum, qui pro eo elegantissime allegavit, ut plurimorum sibi audiencem conquereret et favorem) appeared on behalf of the emperor and promised in Frederick's name (*Matth. Paris*, p. 663), ad unitatem Romaniae ecclesiæ totum Romanie i. e. Græcia imperium revocare; et quod sese Tartaris, et Chorosminis, et Saracenis, et aliis ecclesiæ hostibus et contemptoribus, Christo fideliter militando, potenter opponet: et quod statum terra sanctæ discrimini magno et manifesto periculo jam patentem, suis sumptibus propriis personaliter pro posse suo reformabit: et ablata Romaniae ecclesiæ restituendo de injuriis satisfacere. The Pope rejected all his overtures on the plea of Frederick's former want of faith. The negotiations were interrupted by a letter of complaint from the English clergy against the papal oppressions (ib. p. 666 seq.), but dominus Papa non respondit, quia, ut asseruit, tam arduum negotium morosa indiguit deliberatione. He went on rather, to excommunicate Frederick, p. 668 seq.: — Ut ad præsens de cæteris ejus sceleribus et iniquitatibus taceamus, quatuor gravissima, quæ nulla possunt celari tergiversatione, commisit. *Dejeravit enim multoties: pacem* quondam inter Ecclesiam et Imperium reformatam, *temere violavit.* Perpetravit etiam *sacrilegium*, capi faciens Cardinales, etc. venientes ad Concilium. — *De hæresi* quoque non dubiis et levibus, sed difficileibus et evidenteribus argumentis suspectus habetur. Then follow the grounds for these charges. Concerning his heresy, p. 671: Merito insuper contra eum de hæretice pravitate suspicio est exorta, cum — elaves ecclesiæ contempserit — et constanter asseruit, — in se prefati Gregorii Papæ sententias excommunicationis non vereri. Præterea conjunctus Saracenis amicitia detestabili, — ipsorum ritus amplectitur, — eorundem etiam more uxoribus — Eu-nuchos — non erubuit deputare custodes. Et quod exercabilius est, olim existens in partibus transmarinis, facta compositione quadam — cum Soldano, Machometi nomen in templo Domini diebus ae noctibus publice proclamari permisit. Et nuper nuncios Soldani Babyloniæ — fecit — honorifice suscepit et magnifice procurari. (Not a word, therefore, of the charges brought against him in 1239, see § 55, note 22, but only those of 1229, long since expiated, see § 55, note 10.) The sentence of excommunication, according to *Monachus Patavinus* (Murat. scriptt. Rer. It. vol. VIII. p. 681) in the hypocritical form: Volentes divinam sententiam præponere sententiæ nostræ, denunciamus Fridericum a Deo excommunicatum et depositum ab omni honore imperii et regni. Addentes vero sententiam nostram divinæ sententiæ, excommunicamus Fridericum et deponimus ab emni honore imperii et regni. Finally the complaints of the English clergy were answered thus (*Matth. Paris*, p. 681): “quod postulata ad votum non reportarent.” Irati igitur nimis procuratores memorati, recesserunt cum comminatione, terribiliter jurantes, se nunquam tributum Romaniae cupiditati omni saeculo detestabili soluturos — vel amplius redditum ecclesiuarum — proventus extorqueri non passuros. Veruntamen dominus Papa animo patienti et oculis conniventibus haec omnia dissimulando pertransiens, tempus rigidius agendi, respirante prosperitate, tacitus expectavit.

<sup>5</sup> Louis IX., at a meeting with the Pope at Easter, 1246, in Clugny (Papa non est ulterius in Franciam progredi permisso *Matth. Paris*, p. 683) made to him in vain the most moving representations. *Matth. Paris*, p. 697: Quod eum Dominus Papa ereeta et rejecta eervice refutasset, dominus Rex Francorum recessit iratus et indignans, eo quod humilitatem, quam speraverat, in servo servorum Dei minime reperisset. — At about the same time Frederick even submitted to a trial of his orthodoxy before the archbishop of Palermo and several other prelates, and sent the result thereof to Lyons: but Innocent proclaimed, on the 23d of May, 1246, *Raynald* ad h. a. no. 18 seq.), quod hujusmodi examinatio fuerat per magnæ præsumptionis audaciam — attentata, nec erat prefatis instrumento et literis, cum in

side with reckless fury.<sup>6</sup> In Sicily, Innocent succeeded in stirring up a short-lived insurrection (A. D. 1246),<sup>7</sup> and in Germany he persuaded Henry Raspe, Landgrave of Thuringia, to become the papal candidate for Frederick's crown (May, 1246).<sup>8</sup> But the fidelity of

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eis et bulla ipsa diceretur idem Fridericus Imperator et Rex, per quod dictus serinarius, sic ei favendo, vinculum excommunicationis incurrerat, fides aliquatenus adhibenda.

<sup>6</sup> Frederick also now dismissed all regard to consequences. On learning the sentence of the Pope, *Matth. Paris*, p. 679: "In hoc tamen conditio mea melioratur: in aliquo tenebar illi obedere, saltem venerari. Nunc autem ab amore et veneratione, necon et ab omnimode pacis absolvor adversus Papam obligatione." Ex tunc igitur efficacius et vigilantius, ut dominum Papam gravaret, in thesauris, consanguineis et amicis ejus damna et injurias irrogavit. He sent a letter also *ad Reges Francorum et Anglorum* (*ibid.* p. 680) with bitter complaints of the priestly pride to which the boundless generosity of the laity had given birth, and closes thus: *Nee vobis, petimus, videatur, quod per latam in nos sententiam Papalem nostrae magnitudinis majestas aliquatenus incurvetur. Habemus enim conscientiae puritatem, ae per consequens, Deum nobiscum, eujus testimonium invocamus. Quia semper fuit nostra intentio voluntatis, clericos eujusque ordinis ad hoc inducere, et maxime maximos, ut tales perseverarent in fine, quales fuerunt in ecclesia primitiva, Apostolicam vitam dueentes, humilitatem Dominicam imitantes.* Tales namque clerici solebant Angelos intueri, miraculis coruscare, agros curare, mortuos suscitare, et sanctitate, non armis, sibi Reges et Principes subjugare. At isti, saeculo dediti, delitiis inebrati, Dominum postponunt, quorum ex affluentia divitiarum et opum omnis religio suffocatur. Talibus ergo subtrahere nocentes divitias, quibus dannabiliter onerantur, opus est charitatis. Ad hoc vos et omnes Principes una nobiscum, ut cuneta superflua deponentes, modicis rebus contenti, Deo deserviant, debetis diligentiam adhibere.

But the time was not yet ripe for such notions. *Matth. Paris*, p. 681, continues: *de hæresi per idipsum se reddens suspectum, merito omnem, quem haec tenet habebat in omni populo igniculum famæ propriæ prudentiæ et sapientiæ, impudenter et imprudenter extinxit atque delevit. — Ac per hoc domini Papæ conditio meliorata respiravit.* The only trouble was that after Frederick's fall Romana ecclesia, gratia Dei abutens, in posterum in tantam elationem et intolerabilem superbiam sublevaretur, quod Principes Catholicos insontes et justos, et præcipue Prælatos, quavis levi causa vel deponeret, vel deponere probose comminaretur: loquendoque sublimia, gloriandoque dicent Romanii, licet a plebeja stirpe procreati: *Nos ipsum — Fridericum coneuleavimus, et quis es tu, qui nobis temere credis resistere? Et ita provocati nobiliores contra eos levabunt calcaneum, Deoque vindice auctoritas Romana poterit deperrire.* The measures of Frederick to secure the fidelity of his clergy described in *Raumer*, S. 189 f.

<sup>7</sup> See his summons to the Sicilians April 26, 1246 (*Raynald ad h. a. no. 11 seq.*): *Universitatem vestram per Dei misericordiam obseceramus, et in remissionem vobis injungimus peccatorum, quatenus nobis et fratribus nostris super afflictionem vestra gementibus festinam super eo præbeatissimam, quod damnati hominis abdicato dominio, cui penitus in nullo tenemini, per nos a juramento fidelitatis totaliter absoluti, ad gremium s. Romanae Ecclesie matris vestræ, cuius estis speciales filii, cessantibus quibuscumque diffugii redatis: præsertim cum nos — duos legatos solemnes — hujusmodi promotioni negotii duximus deputandos, concessio eis plenæ legationis officio, etc.*

<sup>8</sup> *Albertus Stadensis*, fol. 218. *Anno 1245: — Qua sententia [Papæ] per mundum volante, quidam Principum cum multis aliis reclamabant, dicentes, ad Papam non pertinere, Imperatorem vel instituere vel destituere, sed electum a principibus coronare. Interea Papa sollicitari fecit Principes, quos ad Imperium regendum credidit idoneos, ut aliquis eorum onus Imperii sumeret et labore, promittens ei, quicunque Imperium assumeret, consilium et auxilium pariter et favorem. Tandem Heinricus Lantgravius, cognomento Raspe, multis evictus precibus imperium accepit. Anno Dom. 1246 Heinricus Lantgravius Turingiæ juxta Herbipolin in Ascensione Domini a Moguntino et Coloniensi et quibusdam Principibus in Regem*

the nobles to Frederick was unshaken, Henry was defeated by prince Conrad, and, after his death (February 17, 1247), the authority of Frederick was so universally acknowledged in Germany,<sup>9</sup> that the Pope could find no one who would accept the crown he offered, but count William of Holland (October, 1247), for whom he had then to provide followers.<sup>10</sup>

At this juncture Frederick died (December 13, 1250).<sup>11</sup> But nothing less than the ruin of the whole family could satisfy the vengeance of the Pope, and the strife was continued with redoubled energy against Frederick's son Conrad.<sup>12</sup> In Germany, the resistance to William was somewhat diminished, though only in proportion as the contempt for his claims increased.<sup>13</sup> Innocent now hastened

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eligitur, et subito crux contra omnes infideles a Moguntino solenniter prædicatur, et omnis illa Principum et nobilium collectio crucis charactere in-sig-nitur. The Minorites were encharged by the Pope (dd. 22 April, 1246, in *Wadding ann. Minorum* ed. 2 Tom. III. p. 145) quatenus Christifideles per Teutoniam constitutos — tam in occulto, quam in publico inducati, in remissionem ipsis peccatum in-jungentes, ut ei, qui electus fuerit, fideliter et efficaciter intendant, ac assistant viriliter et constanter. First of all the Pope was to send money for the war, *Matth. Paris*, p. 704, and as all access was barred by Frederick, fecit Papa per Prædicatores et Minores mutato habitu tam scripta consolatoria, quam alia juva-menta ad Landegravium transvehi. *Idem*, p. 706. England, especially, was made to contribute. *Idem*, p. 707 seq. 715 seq.; now, too, began a similar plun-dering of the German church, see *Raumer*, Bd. 4. S. 235.

<sup>9</sup> *Raumer*, S. 220.

<sup>10</sup> *Raumer*, S. 243 ff.

<sup>11</sup> Consistent to the last. In his will (Raynald ann. 1250. no. 33) he charges his son Conrad, ut debeat reddere et restituere omnia jura omnesque rationes sanctissimæ Romanæ ecclesiæ nostræ matri, quæ et quas possidemus injuste, si eidem Christianissimo ipsa misericors et pia mater jure debita facere non cessabit.

<sup>12</sup> *Raumer*, S. 319 ff. The mendicant orders he stirs up anew. See his letter to the Dominican *de Eyka*, 5 February, 1251 (Rayn. ad h. a. no. 11): Prædicati-onem crucis contra Conradum — suosque fautores, persecutores Ecclesiæ per totum regnum Alemanniae tibi duximus auctoritate apostolica committendam: exequendi prædicationem hujusmodi per te, vel per alios, quos ad eam idoneos esse cognoveris: largiendi etiam cruce-signatis ob causam hujusmodi, et concedendi privilegia et indulgentias, quæ cruce-signatis in terra sanctæ subsidium transfretantibus con-ceduntur; nec non remissionem XL dierum iis, quī ad tuam super hoc prædicatio-nem, vel illorum, quibus eam commisericis, accesserint audiendam; illosque nihilominus censura ecclesiastica compescendi, qui super iis vos forte præsumpserint impeditre, concessa vobis auctoritate presentium plenaria potestate. A like com-mission to the Minoreta Joannes de Dist. 10 February, 1251, in illis partibus Flandriæ in quibus esse dicitur in generali usu Teutonicum idioma (*Wadding ann. Minor.* T. III. p. 246). *Matth. Paris*, ann. 1251. p. 826 seq. even relates: Domi-nus Papa — fecit indici prædicationem solennem et communem in partibus Brabantiae et Flandriæ, ut fideles Christi castra infidelis Conradi hostiliter impugna-rent, statuens retributionem mirabilem, scilicet omnium peccatorum remissionem, ampliorem videlicet, quam pro peregrinatione in terram sanctam facienda. Nam si quis contra Conradum signaretur, signatus et signati pater et mater omnium pecca-torum suorum veniam consequerentur. In France alone, these measures were not allowed, and the queen-regent, in the absence of Lewis, Blanca, even confis-cated the estates of those who went on this crusade, saying: Qui Papæ militant, de Papalibus sustineantur, et eant irredituri.

<sup>13</sup> Especially when William applied for the papal confirmation of the decrees of the diet at Frankfort. The act of confirmation begins (ap. Raynald ad h. a. no. 17): Dignum est sententias, quæ solemniter regio promulgantur oraculo, ut illibatae permaneant, apostolicæ firmitatis patrocinio non carere, etc. In July, 1253, he

back from Lyons<sup>14</sup> to Italy (A. D. 1251), that he might secure the kingdom of Sicily. But it was not long before Conrad also forsook Germany, now torn by intestine divisions, in order to take possession of that country, which, in the mean time, had been kept for him by his illustrious half-brother, Manfred.<sup>15</sup> In vain did the Pope offer the Sicilian crown for sale, and then bestow it on the English prince Edmund (March, 1254).<sup>16</sup> All his efforts to extend his influence in Sicily were fruitless, till the death of Conrad, May 21, 1254.<sup>17</sup> On the promise of the Pope to respect the rights of Conrad's heir, Conradino, a child of two years old,<sup>18</sup> his guardian, Manfred, gave up the

decided the Austrian succession in favor of Ottokar of Bohemia, calling himself in the decree (in *Wurdtwein* nova subsidia diplomat. T. IX. p. 36) *Veri Dei in his terris vicem gerens et universalis reipublicae presidens*, quite in Gerhoh's vein (see § 54, note 1). What disorders prevailed in Germany, shown in Schlosser's *Weltgesch.* Bd. 3. Th. 2. Abth. 2. S. 142 ff.

<sup>14</sup> What was the character of the papal court of that day, may be seen in the following extract from the farewell address of Cardinal Hugo to the inhabitants of Lyons, *Matth. Paris*, p. 819: *Amici, magnam fecimus, postquam in hanc urbem venimus, utilitatem et eleemosynam. Quando enim primo hoc venimus, tria vel quatuor prostibula invenimus. Sed nunc recedentes unum solum relinquimus. Verum ipsum durat continuatum ab Orientali porta civitatis usque ad Occidentalem.*

<sup>15</sup> *Raumer*, S. 327 ff.

<sup>16</sup> He first offered it to Richard of Cornwall (*Matth. Paris*, p. 856, 861, the bull is in Rymer *fœdera*, etc. ed. Clarke, vol. I. p. I. p. 284), who, however, made many conditions, and at last said (*Matth. Paris*, p. 892) *idem est, ac si quis dice-ret: vendo vel do tibi lunam, ascende et apprehende eam.* Then to Charles of Anjou (Rayn. ann. 1253. no. 2 seq.). Last of all (*Matth. Par.* ann. 1254. p. 892) the Pope applied to king Henry III. of England, *ut simplicitatem ejus circumveniret, quoniam sciebat semper ad damna propria promum et credulum, obtulit, et concessit ei regnum Siciliae et Apuliae.* — *Rex autem de promisso Papali umbratali adeo exhilaratus est, et adeo dilatatum est cor suum inani gaudio, quod voce, gestu et risu exultationem protestans, filium suum Edmundum Regem Siciliae palam vocaret, credens pro facto se jam de ipso regno subarratum.* — *Rex igitur quicquid de thesauro suo, quicquid de Seacario, quicquid mutuo potuit a fratre suo Comite Richardo recipere, quidque poterat a Judæis abradere, quicquid de rapinis Justiciariorum itinerantium valuit extorquere, misit Papæ, ut Conradum impugnaret, et omnes suos Siculos et Apulos expugnaret.* — With this the Pope hired troops, and copiose Sterlings distribuit, et cum defecissent, significavit Regi, quod defuit illi pecunia. *Rex autem instinctu diaboli et avaritiae, rescribens Papæ, mitiebat ei literas patentes obligatorias, Regio sigillo consignatas, ut sufficie-enter, imo abundanter mutuo caperet a mercatoribus Italiciis.* — *Papa autem his omnibus consentiens, hoc mandatum acceptavit: si bene fecerit, judicet Judex omnium judiciorum dominus, cui cura est de omnibus, non autem meum est, facta Papalia judicare.* The act of investiture to Edmund on 6th of March, 1254, in *Rymer-Clarke*, vol. I. T. I. p. 297. Then *ibid.* p. 301, an order to the English bishops, quatinus ad requitionem Regis — recipiat — pecuniam mutuo quantumcunque poteritis invenire: ecclesiæ ipsas universas et singulas — obligantes.

<sup>17</sup> *Raumer*, S. 347.

<sup>18</sup> *Innocentius universis Christi fidelibus* (Raynald ann. 1254. no. 46): — *nos circa charissimum in Christo filium nostrum Conradum Regem Hierosolymitanum, illum ducem Sueviæ — apostolicæ benevolentie gratiam effundentes, — regnum Hierosolitanum, et ducatum Sueviæ, et alia jura sua, ubiquecumque illa, sive in regno Siciliæ, sive alibi habeat, integra et illa sibi, deliberatione cum fratribus nostri habita, proponimus et volumus conservare: et permittimus, quod universi de ipso regno Siciliæ in serie jurarenti fidelitatatis, quod nobis et Ecclesiæ Romanae præstabunt, possint adjicere: "Conradi pueri jure salvo."*

kingdom, September, 1254.<sup>19</sup> But it was soon evident that Innocent did not intend to keep his promise,<sup>20</sup> and Manfred once more appeared as the champion of the Hohenstaufen family. He had already conquered Apulia, when the death of Innocent saved him from this new contest (December 13, 1251).<sup>21</sup> Whilst the strength of the Western world was thus divided in resisting the Tartars, supporting the Latin empire at Constantinople, and carrying on the papal wars, the enthusiasm for the Holy Land had nearly died away. The Christians in Palestine being thus left to themselves, were unable to resist the irruptions of the Chorasmians, a barbarous nation in the service of the sultan of Egypt, and the greatest part of the kingdom, together with Jerusalem itself, soon fell into their hands (A. D. 1247). The pious Lewis IX. now took the cross alone (A. D. 1248, sixth crusade).<sup>22</sup> As the surest way of reconquering Palestine, he first undertook the conquest of Egypt, and succeeded in reducing Damietta (A. D. 1249). But in attempting to penetrate farther, he was taken

<sup>19</sup> Innocent invested him dd. 27 September, 1254 (Raynald. ad h. a. no. 57 seq.) with the principality of Tarentum, and several counties, ita quod — tu et iudei heredes immediate a Romana Ecclesia, nullum alium propter ipsam recognoscendo in iis superiore vel dominum, teneatis perpetuo: he also appointed him (ib. no. 60) governor of all the counties this side the straits, ita quod vicarium hujusmodi immicatu ab Apostolica sede recognoscas et tenebas.

<sup>20</sup> Notwithstanding his formal recognition of Conradi's rights (note 18), and Manfred's investiture (note 19), he confirmed the gift of the kingdom to the English prince Edmund (*Rymer-Clarke*, l. c. p. 394), and thus evidently aimed at the rule over the whole empire. *Raumer*, S. 359.

<sup>21</sup> The opinion commonly entertained of this Pope is seen in the dream of a certain cardinal, related by *Moth. Paris*, p. 897. He saw the throne of God, and before it the Pope and the church, by which the following complaint was brought: Accuso eum super tribus. Primo cum in terris ecclesiam fundasse, libertatibus eam donasti, que a te ipso processerunt: hic vero eam reddidit ancilium vilissimum. Secundo fundata est ecclesia salus peccatorum, ut scilicet lux faceret animos miserorum: hic vero fecit eam mensam nummulariorum. Tertio fundata est ecclesia in fidei firmitate, justitia et veritate: hic vero fidem et mores fecit vacillare, justitiam sustulit, veritatem obumbravit: justum ergo iudicium redde mihi.

<sup>22</sup> Public opinion already divided on the subject. *Lafranc Cigala* (Millot T. II. p. 158) is strenuous for the Crusades, e. g. Je ne regarde point comme chevalier, quiconque ne va de bon cœur et de tout son pouvoir *au secours de Dieu, qui en a si grand besoin*. — Croyez-vous, méchans barons, qu'il convienne, que Dieu vous aide, et que vous ne l'aidez pas? On the other hand, *Sordel* thus excuses himself to Charles of Anjou (l. c. p. 98): Seigneur comte, vous ne devez point exiger, que j'aille chercher la mort. — Par la mer tout le monde gagne son salut, Mais moi je ne suis point presse de me sauver: je veux arriver le plus tard qu'il sera possible à la vie éternelle; ainsi je ne m'embarquerai de ma vie. Some years later the Sirvente of the *Chevalier du Temple* (l. c. p. 467, the Origin, in Raynouard T. IV. p. 131), in which: Dieu a donc juré de ne laisser vivre aucun chrétien, et de faire une mosquée (*bafomairia*) de l'église de Sainte-Marie (Church of the Templars in Jerusalem). Et puisque son fils, qui devroit s'y opposer, le trouve bon, il y auroit de la folie à s'y opposer. Dieu dort, tandisque Mahomet (*Bafomet*) fait éclater son pouvoir. Le pape distribue en France des indulgences contre les Allemands: il montre bien ici sa convoitise; car la croisade va selon la croix des François (the coin which bore the mark of the cross); et l'on troque la croisade contre la guerre de Lombardie par la permission des légats, qui vendent Dieu et les indulgences. Je voudrois, qu'il ne fût plus question de croisade contre les Sarasins, puisque Dieu les protége contre les chrétiens.

prisoner A. D. 1259, and, after four years of captivity, returned to France with the remnant of his army.<sup>23</sup>

### § 57.

**ALEXANDER IV.** (December 25, 1254 — May 25, 1261), **URBAN IV.** (August 29, 1261 — October 2, 1264), **CLEMENT IV.** (February 5, 1265 — November 29, 1268).

SOURCES. *Jamsilla* and *Malaepina* (as cited, § 56). Raumer's *Geschichte der Hohenstaufen*, Bd. 4, S. 376 ff. (Hallam's *Middle Ages*, c. c. 3 and 5. — Tr.)

In vain did Alexander IV.<sup>1</sup> exhaust the treasures of England<sup>2</sup> in ineffectual attempts to stop the progress of Manfred. With the aid of his faithful and valiant Saracens, that prince made himself master of the whole kingdom of Sicily, and assumed the crown A. D. 1258.<sup>3</sup> So little effect had the papal ban, that the new king even overran the territories of the church (A. D. 1259), and, the English gold-fountains being now dry,<sup>4</sup> compelled the Pope to make propositions of peace

<sup>23</sup> Schlosser, Bd. 3, Th. 1, Abth. 1, S. 167 ff. Raumer, S. 282 ff.

<sup>1</sup> *Matth. Paris*, p. 897: vir, ut ajunt, satis benignus et bene religiosus, assiduus in orationibus, in abstinentia strenuus; sed sibilis adulantium seducibilis, et pravis avarorum suggestionibus inclinatus. — Scripsit autem in principio creationis suæ cunctis ecclesiistarum Praelatis, postulans humiliiter, ut orarent pro ipso, ut Dominus daret ei potestatem, gratiam et voluntatem, ecclesiam Dei congrue gubernare, et vicarius Dei et Petri successor competenter appellari. In quo facto novo (alii enim ejus successores nō tale fecerunt) multorum corda in spem erexit meliorem. Veruntamen a collateralibus fratribus suis decipi cito se permisit ejus simplicitas. Et de bulla sua — facta est, ut dicitur, fraus inopinata: non tamen in his ipsum excuso. Papa enim talis esse debet, ut non decipiat, vel decipiatur: utrumque enim in tanto viro reprehensibile est.

<sup>2</sup> Alexander confirmed his predecessor's gift to Edmund, under various hard conditions (Bull of 9th Apr. 1255, *Rymer-Clarke*, I. c. p. 316). He was annually to pay millia unciarum boni et puri auri as quit-rent, King Henry was to pay omnes expensas ab ecclesia pro negotio — Sicilia: factas haetenus, reckoned at 135,541 pounds sterling, including 20,000 pounds sterling to the Pope and Cardinals ex liberalitate oblatâ regia, ac insuper de damnis, expensis et interesse, ac aliis, que haec occasione intervenient, plenam satisfactionem impendet. Finally he was within the year to send capitaneum cum militia competenter to conquer the kingdom. Still other modes of raising money were now put in operation. Large sums were taken up from Italian bankers in the name of English prelates (*Matth. Paris*, p. 910). *Magister Rustandus legista* appeared as papal legate, preaching a crusade against Manfred and asking for money. Thus he ended a sermon with the words: *Estote filii obedientiae, obligamini tali et tali mercatori in tanta pecuniae quantitate* (*ib.* p. 914), etc.

<sup>3</sup> To an embassy from the queen-mother he replied (see *Matthæi Spinelli* ephemerides Neapol. in Muratori Scriptt. Rer. It. T. VII, p. 1088): Regnum orphano isti perditum fuisse, se autem illud manu armata vindicasse a potestate duorum Pontificum — , Papam vero et Regnicolas nullo modo consensuro: unquam, ut dominarentur Teutonici; se tamen aliud non pretendere, quam ut sibi relinquatur regnum ad vitam, morte sua redditum ad Conradinum; Reginam porro recte facturam, mittendo filium educandum istie, et moribus Itallicis imbucendum, habendumque a Rege filii loco.

<sup>4</sup> Concerning the disturbances in England, occasioned by this draining of money, see Schlosser, Bd. 2, Th. 2 Abth. 2, S. 288 ff.

(A. D. 1260).<sup>5</sup> These, however, were so unreasonable, that Manfred at once rejected them, and pursued his successes till he was master also of Tuscany.

The intestine divisions of Germany afforded Alexander a more favorable opportunity of interference. On the death of William (A. D. 1256), the little Conradien being excluded by the fears and the vengeance of the Pope,<sup>6</sup> the choice lay between Richard of Cornwall, and Alphonso the Wise, king of Castile.<sup>7</sup> The Germans could not declare definitively in favor of either till the papal decision should be known.<sup>8</sup> Alexander prudently kept himself aloof for a time, and then decided in favor of Richard, who was already in possession (A. D. 1259).<sup>9</sup>

<sup>5</sup> *Matth. Spinellus*, l. c. p. 1096: The proposition was, quod Papa vellet in pacis conditionem adduci, ut Rex Manfredus bona crepta Regno egressis redderet, et a Regno expelleret Saracenos. Rex autem Manfredus respondit, quod duplo plures accersere vellet: itaque fecit.

<sup>6</sup> *Alex. epist. ad Archip. Maguntin.* dd. V Kal. Aug. 1256 (ap. *Raynald.* ad h. a. no. 3 seq. *Leibnitii* col. jur. gent. diplom. Prod. p. 10 seq.). — Nam in hoc pravo genere patrum in filios cum sanguine derivata malitia, sicut carnis propagatione, sic imitatione operum natī genitoribus successerunt. Ex quo liquido perpendi potest et conjici, si ex ipso aliquas potestatis reliquiae remanserunt, quid sperandum sit in futurum de illis, quid in posterum expectandum: vita namque ac gesta prædecessorum perversa iniquitatē præsumuntur successoris, nec horribilis et scelestā illorum memoria quicquam boni de ipsorum posteritate credere vel sperare permittit: de eolubro quidem egreditur regulus, et arbor mala noxios fructus profert etc. — Ideoque fraternitatem tuam menemus, rogamus, et hortamur attente, ac per apostolica tibi scripta in virtute obedientie sub debito fidelitatis, quo nobis et ecclesiæ Romanae teneris, ac sub pena excommunicationis, quam ex nunc in te proferimus, districto præcipiendo mandamus, quatenus præfatum Conradium puerum nullatenus in regem eligas, nec nomine, neque consentias in eundem etc.

<sup>7</sup> G. Chr. Gebauer's Leben u. denkwürdige Thaten Herrn Richards, erwählten röm. Kaisers. Leipzig 1744. 4to. The documents of the contract between Richard and Conrad, Archbishop of Cologne, relating to the choice of the former in *F. I. Bodmann Codex epistolaris Rudolfi I.* Lips. 1806. 8vo. p. 306 seq.

<sup>8</sup> Richard was obliged to give the cities of Frankfurt (Gebauer, S. 352), Orpenheim (S. 136), Wetzlar (S. 356), and Friedberg (S. 358) the promise: si forte a sanctissimo Patre nostro Domino summo pontifici fuerimus, quod absit, per diffinitivam sententiam reprobati, et alius Rex contra Nos eligatur, qui ad obtinentium regni et imperii Romani nobis potior sit in jure, dictusque summus Pontifex prænoninatos cives et alios fideles nostros, ad avertendum eos a fidei nostræ cultu per sententiam interdicti et excommunicationis avertaverit, nos ipso ex tunc a fidelitatis nobis præstito juramento et ab omni promisso — dimitemus, et pronunciabimus penitus absolutos.

<sup>9</sup> *Alex. epist. ad Ricardum* dd. XI. Kal. Maij 1259 (*Rymer-Clarke*, p. 382. Gebauer, S. 156). — Considerantes etiam quod semper fuisti Ecclesiarum amator præcipiens etc. — attendentes insuper, quod circa personam tuam inclytam et illustrem, electam utique dudum ad Romani culmen Imperii, est ad unctionem et coronationem etiam iam processum; nostrum ad te totaliter direximus animum, firmo intendentes proposito, et intentione stabili proponentes, ad tui honoris cumulum libenter assurgere, tuaque promotioni frequenter intendere, atque ad omne bonum tuum impendere opem et operam efficacem. Et ecce dilectum filium, fratrem Walterum de Rogat — ad regimen Alemanniæ in favorem tuum duximus specialiter destinandum, universis prædicti Imperii Principibus — tibi adhærentibus et non adhærentibus mandantes, — ut adhærentes constanter in tua fidelitate persistant, et non adhærentes tibi studeant adhærencere firmiter etc. He would hear further from the legate; and ut cautius et melius ad optatum perducantur effectum, secretum apud te, nemini revelando, teneas illa; quia, si secus fieret, plurimum negotio deperiret.

Urban IV. chose, however, to consider the choice as still undecided,<sup>10</sup> and repeatedly summoned both parties to appear before him at Rome, but without ever passing any decree on the subject.<sup>11</sup>

But Urban's great object was to annihilate Manfred, for all compromise he spurned.<sup>12</sup> As the wealth of England was now exhausted, he offered the Sicilian crown to Charles of Anjou, and having agreed with that prince on the terms<sup>13</sup> (though the proceeding was openly

<sup>10</sup> The Hohenstaufen party was still strong in Germany. The Pope had learned from the king of Bohemia (see *Urbani epist. ad Reg. Bohem.* dd. III. Non. Jun. 1262. *Raynald* ad h. a. no. 5 seq.), qualiter archiepisc. Maguntinus — principibus regni Teutonici, ad quos Romani Regis in Imperatorem promovendi spectat electio, certum de novo diem et locum præfigere ac assignare curavit, quo personaliter conveniatis in unum de electione ac creatione futuri Regis ad invicem tractaturi; et qualiter etiam in illis partibus vulgaris rumor insonuit, quod nonnullorum ex predictis principibus ad hoc tendit intentio, ut videlicet Conradus puer — ad Romani eulmen Imperii sublimetur. This led him to renew his predecessor's prohibition (see note 6). Of the other two candidates for the empire he says, in a bull addressed to the cardinals dd. VII. Id. Aug. 1263 (*Raynald* ad. h. a. no. 40): eum tam memoratus comes, quam prefatus Rex electi fuerint, nos veritatem sequentes, sine alterutrius parti præjudicio utrumque ipsorum decrevimus in nostris literis nominandum in Romanorum Regem electum. Alexander's letter to Richard (note 9) was put aside, cum sint literæ placentia quædam, ne dicam adulatoria, non disfinitionem aliquam continentes. Otherwise in the letter to Richard (dd. II. Kal. Sept. 1263 Ebend. no. 43 seq.): Et licet idem prædecessor tibi favorem circa prærogativam aliecuus intitulationis impenderit, non tamen nos decuit facilitate præcipiti sequi hujusmodi processum prædecessoris ejusdem, quem fratrum nostrorum — communis et decisiva collatio non præcessit.

<sup>11</sup> Gebauer, S. 213 ff. Hence the Troubadour *Bertrand d'Alamanon* in Millot's translation in the *Hist. littéraire des Troubadours* Tom. I. p. 397. (The original in the *Choix des poésies originales des Troubadours par M. Raynouard*, Tom. V. p. 72): C'est le pape, qui règne, qui possède l'empire: car il en tire plus de revenu, — que n'en pourroit tirer l'empereur. Il ne cherche qu'à fomenter les troubles. Ce procès ne sera point jugé. Mais puisque les rois le veulent terminer avec les armes, qu'ils se mettent chacun en campagne; que l'un des partis remporte la victoire. Alors les décrétales n'arrêteront plus, et l'on fera bien parler le pape. Le vainqueur sera appellé fils de Dieu, sera couronné par le clergé. Tel est l'usage des gens d'église, quand ils trouvent un empereur puissant, de se soumettre humblement à ses ordres, et de l'accabler, quand ils le voient décheoir.

<sup>12</sup> *Sabat Malaspina*, lib. II. c. 7 (Murat. T. VIII. p. 806 seq.). After the negotiations with Carl of Anjou were already begun, Urban summoned Manfred to appear before him. Manfred accordingly appeared by his ambassadors. But the Pope allegationes pro rege idem summis Pontifex non admisit: quia dum ecclesia voluit, — Rex prædictus ipsius ecclesiæ beneficia parvipendit, nec annuit postulatis. Cum autem postmodum visus est velle sub exquisitis cum omni diligentia pactis sedis ejusdem se subiecere voluntati, ejus humilitatem tunc repudiavit — Ecclesia. — Sieque ipsum Regem, — tamquam jam præscitum ad malum, Summus Pontifex excommunicationis vinculo innodavit.

<sup>13</sup> The first sketch of the Pope's conditions, March 23, 1262, in *Muratori* antiquit. Ital. med. avi T. VI. p. 105, a second, 17 June, 1263, in *Martene et Durand* thesaur. nov. anecdotorum T. II. p. 9 seq. On the other hand he promises dd. 28 Jul. 1263 (*Martene*, l. c. p. 21 seq.) decimas omnium ecclesiasticorum prouentuum in France and the kingdom of Arclate: \* further faciamus verbum crucis proponi contra Manfredum — et Sarraenos Luciferie per omnes terras, — in quibus verbum hujusmodi poterit secure proponi: illaunque indulgentiam, ac illa privilegia et illas immunitates his, qui contra Mansfeldum et Sarraenos prædictos signum crucis assumserint, largiamur, que transfractantibus in terra sancta subventionem in generali concilio sunt concessa. Denus etiam dicto comiti omnes redemptions votorum personarum illarum, que signum crucis in subsidium dicti negotii doverint as audiendum, et redimere voluerint hujusmodi vota sua. Finally

opposed by Charles' more virtuous brother, St. Louis),<sup>14</sup> he declared that Edmund had forfeited his claim by the non-performance of the conditions.<sup>15</sup> Manfred on his part was not idle, and had already possessed himself of the greatest part of the papal territories,<sup>16</sup> when Urban died, October 2, 1264.

Clement IV. reaped the fruits of these measures, the sweet with the bitter. Charles arrived in Rome, May, 1265,<sup>17</sup> but without money.<sup>18</sup>

the protection of the Church for Charles's territories. In Jan. 1264, the Pope admitted some modifications of this contract at Charles's request: see the three letters *ad Albertum sedis apost. notarium, Martene*, i. e. p. 33 seq.

<sup>14</sup> See Urban's letter to his legate in France, *Magister Albertus* (ap. *Raynald*, ann. 1262, no. 21): *Tuas nuper receperimus literas inter cetera continentibus, quod clarissimus in Christo filius noster Rex Francorum illustris, verbis proculdubio subdolis aliquorum, intendentium, ipsum avertere a negotio, ad quod cum ipso tractandum te misimus, aures credulitatis inclinans: et corundem fingentium, Conradum —, vel si dictus Couradinus, ut corum verbis uitatur, a suo jure cecidit, nobilem virum Edmundum — per concessionem sedis Apostolicae in regno Siciliae jus habere, suggestionibus informatus, — dubitat, nec immerit, si veritas praemissis adesset, non sine multorum, ut asserit, scandalo jus invadere alienum. — Verum illam debet idem Francorum Rex de nobis et fratribus nostris cepisse fiduciam, — quod ipsum tamquam prae dilectum, et Romanam ecclesie filium — ea dilectionis singularitate pro equum, quod nec personam aut terram periculis ingerere, nec famam scandalo aut detractioni subjicere, nec animam suam, cuius nobis licet immeritis curam novimus esse commissam, salutis vellemus discernimini subjacere: quodque nos et fratres ipsi sic nostras intendimus conscientias divinae maiestatis virtute praembula mundas Domino conservare, — quod in praedictorum Conradi et Edmundi, vel alterius ejusdam praejudicium cum conscientiarum scrupulo [et] divini offensa numinis nullo modo aliquid faceremus.* Still Louis's objections were not overcome. (See below, note 18.)

<sup>15</sup> *Urbani epist. ad Henr. Regem et nobilem virum Edmundum* dd. 28 Jul. 1263 (*Rymer-Clarke* p. 428): — *Quia ergo liberum est nobis et ipsi ecclesiae, de praedicto regno Siciliae disponere, — cum conditiones, sub quibus regnum ipsum a praefato praedecessore concessum extitit, adimplatae non fuerint, sicut nostis; nos — magnificentiam vestram — roganda duximus attentius et hortandam, in remissionem vobis peccaminum nihilominus injungentes, quatenus — nullum deinceps nobis et ipsi ecclesiae super hujusmodi dicti regni negotio ingeratis impedimentum, nullumque contradictionis obstaculum opponatis; sed — et verbis ostendatis et literis, quod vobis non displicet, immo placet, si dicta ecclesiae super ipsius regni negotio tractet cum aliquibus mundi principibus, suamque possit de ipso regno conditionem facere meliorem: preces super hoc apostolicas taliter impleturi, quod Regem Regum constitutis exinde vobis propitium et benignum, et praedictam Romanam ecclesiam reddatis propter hoc vobis perpetuis temporibus in vestris oportunitatibus favorablem adjutricem.*

<sup>16</sup> See Urban's own account in his letter to Cardinal Simon, legate in France, in *Martene* thes. T. II. p. 82. His call upon all the faithful to assist him in *Raynald* ann. 1264 no. 16. Comp. *Raumer*, Bd. 4. S. 484 seq.

<sup>17</sup> On the 26 Feb. Clement issued two bulls (d'Achery spicileg. T. III. p. 648 seq.): The first renews Edmund's forfeiture of all right to Sicily, and proves juridically that neither to Edmund nor his father nulla unquam a sede Apostolica, vel de ipsis mandato aut auctoritate, de ipso regno collatio vel concessio facta fuit (the obedient Henry sent immediately, June 1265, an embassy to the Pope with the power renunciandi regno Siciliae, see *Rymer-Clarke* p. 457); the second formally invests Charles of Anjou with the realm under the already prescribed conditions. These conditions were renewed in an especial act at Charles's investiture on the 29 May, 1265 (*Raynald* ad h. a. no. 13 seq.), which received the papal confirmation on the 4th Nov. (in *Martene* thes. T. II. p. 220 seq.). On this

\* Burgundy and Provence were for a short time so called, from *Arles*, the chief city. See *Conv. Lexicon*. — Tr.

**A crusade against Manfred having been preached in Provence,<sup>19</sup> an**

Charles was crowned on the 6th Jan. 1266, at Rome, by five Cardinals. According to this last definitive contract Charles agreed to pay yearly 8000 ounces of gold, quolibet triennio unum palafidum album, pulcherum et bonum in recognitionem veri dominii eorumdem regni et terrae, besides 50,000 ounces to be given outright on taking possession of his new realm: in case of failure so to do, the king was first to be excommunicated, and then the whole land put under the interdict. In consideration of these payments Charles was to hold the whole kingdom, with the exception of Beneventum. Whenever the Pope should require aid, the king was to send him 300 knights.

<sup>18</sup> The Pope complained much also of Charles's conduct, see *Clementis epist. IX. XIII. LXXII. (Martene thes. T. II. p. 105. 107. 141.)* — All his letters refer to Charles's poverty and demands for money, e. g. *Epist. CXVI. ad Carolum* (l. c. p. 173): *Thesaurus apud nos nullus latet, nec nos cum multiplicare proponimus illis modis, quibus multi homines vellent. Vide partes orbis concussas, et scire poteris causas inopie. Anglia adversatur, Almanna vix obedit, Francia gemit et queitur, Hispania sibi non sufficit, Italia non subvenit, sed emungit: et unde potest Romanus Pontifex, si Deum timet vel reveretur homines, sibi vel aliis in militia vel pecunia subvenire?* — *Ceterum scripsit nobis secretissime legatus Franciae, — motum contra te carissimi in Christo filii nostri illustris regis Francie fratris tui. Tu ergo — da operam totis viribus ad pacandum ipsius animum etc.* *Epist. CXX. ad Simonem Cardin.* legate in France, p. 179: *If money were not soon sent to the king from the tithes collected by the clergy in France, regem oportet vel fame deficere vel aufugere; — rex deficit, perit negotium, et nos cum eo cadiamus quoad illud etc.* *Epist. CXXII. ad Regem Sicilie* p. 186. *Tuis nunciis saepè diximus, et per literas tibi saepius intimavimus, quod tuis, ut vellemus, subvenire defectibus non valemus, et quotiens replicatur: cadit ergo negotium, si non facitis; nos subjungere cogimur: Cadet Ecclesia, si quod postulatur implemus.* — *A contrahendo mutuo manum totaliter retrahemus, sic nec nos super eo ulterius inquietes, nec enim destruere creditam nobis sedem, nec mentiri volumus creditoribus, quibus de nostro nolumus, et de tuo non possumus satisfacere, decima magni temporis jam exhausta etc.* *Epist. CLXV. ad Simonem Cardin.* p. 214: *[rex] suum et suorum vestitum et victimum in sudore vultus sui mendicat, in manus respiciens creditorum, qui sanguinem ejus eibunt, quod non valet duos denarios, solidi vendentes eidem, etc.*

<sup>19</sup> Directed to the cardinal legate Simon, in *Martene thesaur. II. p. 196 seq.*, and with a few alterations ad *Archiepiscopos Bituricens. Narbon. Senon. et Rothomagens. et Priorem Praedicatorum et Ministrum Minorum Fratrum. Provinciales Franciae et Decanum Rhensem* dd. IV. Non. Nov. (*Raynald* ad ann. 1265. no. 26 IV. Nou. Sept.) in *Wadding ann. Minorum* T. IV. p. 242. It begins: *De veneno genere, velut de radice colubri, virulenta progenies Manfredus, quondam princeps Tarentinus, egressus, ab ineunte aetate paternis se conformans nequitii, nisus est quantum potuit paternam savitiam superare. Qui sicut impius in pessimis rebus exultans, gloriatus est esse ac dicti Ecclesiae persecutor, ad depressionem orthodoxae fidei, enervationem juris ecclesiastici, et jugem turbationem Italiae, prout patet, per opera dannabilia progenitoris imitatione spirans, etc.* To those who take the cross and in propriis personis et expensis accesserint, plenam suorum pecuniam veniam indulgimus, et in retributione justorum salutis aeternae pollicemur augmentum. *Eis autem qui non in propriis personis hoc fecerint, sed in suis dumtaxat expensis — viros idoneos destinaverint, et illis similiter, qui licet in alienis expensis, in propriis tamen personis accesserint, et eis qui quartam seu maiorem partem proventum — de redditibus suis pro hujusmodi negotio collectoribus ad hoc deputatis — erogaverint, plenam suorum concedimus veniam peccatorum.* — At the close, in *Martene*: *Et ut fideles Christi libentius et ferventius currant ad verbum Domini audiendum, omnibus vere paenitentibus et confessis, qui ad tuam et illorum quibus id commiseris, solemnem praedicationem accesserint — X, vel XX, seu XXX, vel XL dierum indulgentiam — largiaris, prout videris expedire.* On the other hand, *Wadding*: *Caterum vos — rectores ecclesiasticorum — moneatis diligenter, et efficaciter inducatis eos ad id, si necesse fuerit per censuram Ecclesiasticam compellendo, ut ipsi cum parochianis suis ad audiendum verbum Crucis devote ac reverenter accedant, etc.*

army was organized, which now advanced through the north of Italy, marking its course with rapine and devastation. The friendship of the Pope for Charles had already cooled very considerably,<sup>20</sup> when the latter defeated the noble Manfred by treachery, near Benevent, February 26, 1266, and took possession of the kingdom. The tyrannical conduct of the new king to his subjects,<sup>21</sup> and his treachery to the Pope himself, estranged them still more completely.<sup>22</sup>

Nevertheless, the hate of the Hohenstaufen family predominated. Though Clement also had avoided the decision of the contested election in Germany,<sup>23</sup> he trembled at the possibility of its ending in a new choice of Conradius.<sup>24</sup> This youth,<sup>25</sup> having resolved to wrest his hereditary realms from the dominion of a tyrant, now appeared in Italy (October, 1267), and was joyfully welcomed as a deliverer.

<sup>20</sup> Remarkable that as late as February 2, 1266, Urban summoned Manfred before him to defend himself against the charge of heresy; whereupon Manfred sent two procuratores. Concerning this Urban writes to one of the cardinals, *Epist. 232*, dd. 21 Febr. (in *Martene thes. T. II.* p. 279): *de Manfredo ceperunt aliqui (Cardinalis) dubitare, an scilicet ex eo, quod multo tempore claves Ecclesiae contenserit, orta sit illa suspicio (heresos), de qua concilium loquitur generale. Unde variis varia sentientibus — tumi consilium expectamus: — an scilicet excusari possit Manfredi absentia personalis propter hostem in Januis constitutum. — Item si petierit ad se mitti cardinales, vel alios, coram quibus purgare se debebat, an sit ei haec gratia facienda. Item an ex his, quae acta sunt contra ipsum, — possit a modo condemnari. Item an expeditat, etiam si licet, et si licet et expedit, qualis sententia sit preferenda.*

<sup>21</sup> The shocking scenes in Beneventum after the battle described in *Clementis epist. 262*, ad Carolum (*Martene*, I. c. p. 306), *Raumer*, Bd. 4, S. 536. — Of Charles' odious government, *Raumer*, S. 554 ff. *Schlosser*, Bd. 3, Th. 2, Abth. 2, S. 50 ff. Amongst the Pope's letters to him, see especially *Epist. 380*, v. 22 Sept. 1266 (*Martene*, p. 496): *inhumanus diceris, et ad nullum afficeris, prout dictitur, amicitia. — Addimus iuxta famam communem, quod homines regni tui etiam videre contemnis, et justitiam procrastinas; — quibus si nec visibilis fueris, nec adibilis, si nec affabilis, nec amabilis, et eisdem volueris principari, profecto in manu gladium et in dorso loricam, et a latere præparatum exercitum habere te jugiter oportebit. — Nunc ad tuos digredimur, illos scilicet, qui vel tuo assistunt lateri, vel ad terrarum tuarum regnum destinantur: et de istis communiter dicitur, quod tibi subtrahunt, et tuis auferunt, quidquid possunt. — Quod si rapina hujusmodi excusabilis esse posset, hoc solum videtur ad excusationem prodesse, quod tu fures videris facere, quibus non reddis debita, nec assignata certa stipendia, etc.*

<sup>22</sup> *Raumer*, S. 560 ff.

<sup>23</sup> *Gebauer*, S. 226 ff.

<sup>24</sup> *Clem. epist. 278*, to his legate in England, on the 8th of May, 1266 (*Martene*, p. 319): *expedit molis omnibus imperii negotiis terminari, cum multi laborent ad Conradium practiciendum eidem, quod quanti posset esse discriminis, ipse vides. Hence the renewed prohibition to the archbishop of Mayence, September 18, 1266, in *Schannat vindictæ literariæ coll. I.* p. 207 seq. Here too belongs, probably, the *Epist. Clem. ad Principes Electores* (with the false date 1254): *Intelleximus, quosdam filios iniquitatum super ea lingua instruxisse mendaces, quod nos exclusis ab Imperatoria dignitate principibus ad præsens litigantibus super ea intendebamus de persona nostra iuxta nostrum beneplacitum Imperio provide, jure, quod vobis super hoc competit, enervato. Talis quippe relatio non rationis fundamentum habuit, sed a nequitie fermento traxit originem. Inde cens enim eset, quod inde sequerentur injuria, unde iura nascuntur, etc.**

<sup>25</sup> See W. Jäger's *Gesch. Conrads II. Kg. beider Sicilien u. Herz.* in *Schwa-*  
*ben. Nürnb.* 1787. 8vo.

The Pope, however, received him only with the ban.<sup>26</sup> And now, at last, the lofty stem of the Hohenstaufen was doomed to fall. Conradin was defeated at the battle of Tagliacozzo, August 23, 1268, and died by the hand of the executioner on the 29th of October.<sup>27</sup> Clement had, therefore, the satisfaction of seeing this great object of so many popes attained. On the other hand, he had gained in Charles a vassal whose reckless and tyrannical conduct were sure to lead to new disturbances.<sup>28</sup>

Whilst the popes were thus employed in preaching crusades against the Hohenstaufen, the Latin empire of Constantinople ended with the taking of the city by Michael Palaeologus, A. D. 1261.<sup>29</sup> In Syria the sultan of Egypt was rapidly extending his conquests, and Antioch having fallen, A. D. 1268, little was left the Christians in the East but Acre.<sup>30</sup>

### § 58.

**GREGORY X.** (from September 1, 1271 — January 10, 1276), **INNOCENT V.** (from January 21 — June 22), **HADRIAN V.** (from July 12 — August 18), **JOHN XXI.** (from September 13, 1276 — May, 1277), **NICHOLAS III.** (from November 25, 1277 — August 23, 1280), **MARTIN IV.** (from February 22, 1281 — March 29, 1285), **HONORIUS IV.** (from April 2, 1285 — April 3, 1287), **NICOLAS IV.** (from February 22, 1288 — April 4, 1292), **CELESTINUS V.** (from July 5 — December 13, 1294).

Whilst the choice of a Pope was still delayed by the divisions of the cardinals, the last spark of enthusiasm for the Holy Land was kindled up by the taking of Antioch. In concert with the English prince Edward, Lewis IX. undertook a new expedition thither, and died before Tunis (A. D. 1270).<sup>1</sup> Edward proceeded thence to Acre,

<sup>26</sup> His feelings on the subject may be seen in his *Epist. 450 ad Florentinenses*, dd. 10 April, 1267 (*Martene*, p. 456) : De radice colubri venenosus egressus regulus suis jam inficit flatibus partes Tusciae; viperarum genimina, viros utique pestilentes, et tam nostros quam *vacantis* imperii, necnon — Siciliae regis incliti proditores — ad diversas destinat civitates, etc. The bull of excommunication *Raynald ann. 1268. no. 4 seq.* *Clem. epist. 559. Martene*, p. 544, dates in octavis b. Martini, Nov. 19, 1267.

<sup>27</sup> *Raumer*, S. 594 ff. *Schlosser*, l. c. S. 59 ff.

<sup>28</sup> See the renewed warnings of the Pope, ap. *Raynald. ann. 1268. no. 36.*

<sup>29</sup> *Schlosser*, l. c. Abth. I. S. 114 ff. How the claims of the expelled emperor Baldwin II. devolved gradually on the house of Anjou and then on France, see *ibid.* S. 120 seq.

<sup>30</sup> *Marini Sanuti*, Patricii Veneti, liber secretorum fidelium crucis (libb. III. written 1306, in Bongarsii gesta Dei per Francos T. II.) Lib. III. Pars. XII. c. 7 — 9. *Schlosser*, l. c. S. 343 f.

<sup>1</sup> *Schlosser*, Bd. 3. Th. 2. S. 360 ff. Comp. the enraged murmurs of the Troubadour *Austore d'Orlac*, *Raynoud*, T. V. p. 54, the contents of which are given by *Millo*, T. II. p. 430 : Il pleure la mort du roi S. Louis, si ardent à servir Dieu; il maudit les croisades, et le clergé promoteur de la guerre sainte; il maudit Dieu même, qui pouvoit la rendre heureuse; il voudroit que les chrétiens se fissent mahométans, puisque Dieu est pour les infidèles; il oppose la voie droite, que

but all his efforts could only put off for a time the final loss of the Christian possessions in Palestine.<sup>2</sup>

The new Pope, Gregory X., was with Edward in the Holy Land, and left Acre with the firm resolve to send thither effectual help.<sup>3</sup> Chiefly with this view he held a general council at Lyons A. D. 1274; but the zeal for the crusades had cooled,<sup>4</sup> and nothing satisfactory

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tenoit S. Pierre, aux mauvaises ruses, que pratique le pape ; il invente contre le pape et les prêtres, qui font tout pour de l'argent ; enfin il voudroit, que l'empereur se croisit avec les François pour combattre le clergé, qui a fait périr la chevalerie, et qui ne songe qu'à dormir.

<sup>2</sup> *Marinus Sanutus*, Lib. III. P. XII. c. 11. 12.

<sup>3</sup> He left with the words, Ps. xiii. 66 : Si oblitus fuero tui, Jerusalemi, oblivioni detur dextera mea : adhuc lingua mea fanebris meis, si non meminero tui : si non proposuero Jerusalem in principio latitiae mee (*Marin. Sanut. l. c. cap. 13.*)

<sup>4</sup> Comp. the work prepared by command of Gregory X., by the general of the Dominicans, *Humbertus de Romanis* in preparation for the council de bis que tractanda videbantur in concil. gener. Lugdun. (Extractiones therefrom prim. ed. *Mansi T. XXIV. p. 109.*) p. 113 seq. obloquentium passagio terra sancte septem genera in 7 capp. are answered, *Cap. XI.* Dicunt primi, quod non licet Christiano fundere sanguinem Saracenorum, exemplo Christi, *qui cum pateretur, non comminabatur.* 1 Petr. 2, et dixit Petro : *Mitte gladium in vaginam.* To this was answered, 1. Vinea ecclesie aliter producitur in esse, seil, plantando et rigando, aliter conservatur, gladio putando et contra volentes extirpare gladio defendendo. 2. Aliter processit impotens populus Christianus, quia per humilitatem ; aliter nunc potens, quia per gladii potestatem. Non enim sine causa gladium portat. 3. Sicut artifex, amissio uno instrumento, utitur alio sibi relicto, sic non habens nunc miracula, et habens arma, defendit se per ea. — nec Christus dixisset, vendere tunicam et emere gladium, nisi utendum esset aliquando gladio Christianis. *Cap. XII.* : Secundi obloquentes dicunt ab ista pugna cessandum propter multum sanguinem in ea effusum vel etiam effundendum. To this: ecclesia magis intendit replere celum quam mundum. Qui autem in hoc bello moriuntur, licet vacuent mundum, tamen replent celum, *forte alter non salvandi.* *Cap. XIII.* : Tertiis a passagio retrahentes dicunt, pugnam istam esse indiscernam et Dei tentativam, quia illi [Saraceni] raulti in terra sua, aere consueto, cibis abundant, passus norunt: nos omnia habentes contraria, sine discretione imus ad bellum. *Cap. XIV.* : Quarti obloquentes dicunt, quod etsi licet Christianis se defendere, non tamen contra Saracenos vel terras eorum invadere. *Cap. XV.* : Quinti oblocutores dicunt, quod non debemus Saracenos persecui, sicut nec persecuimus Judaeos, nec Saracenos nobis subditos, nec idololatras, nec Tartaros, nec Barbaros. *Cap. XVI.* : Sexti dicunt, quod ex ista pugna non sequitur fructus spiritualis, quia Saraceni magis convertuntur ad blasphemiam, quam ad fidem; occisi autem ad infernum mittuntur: nee etiam fructus temporalis, quia terras acquisitas non possumus retinere. Quibus respondendum est: in hoc est fructus triplex. Primus spiritualis, quia propter indulgentias et alia bona annexa plures Christiani citius salvantur. — Tertius temporalis, quia spolia adquiruntur, et ipsi tributis subduntur, et *licet temporaliter ad Dei cultum reducentur.* *Cap. XVII.* : Septimi oblocutores dicunt, quia non videtur esse de voluntate Domini hoc bellum propter infortunia, quae permittit (comp. the *Cherailier du Temple*, § 56, note 22, and *Austore d'Orlac*, in note 1): sicut quod Saladinus quasi subito recuperaverit totam terram promissionis, tanto sudore ac labore Christianorum vix obtentam. Item quod Fridericus Imp. vadens illuc ad succurrendum, perierit in parva aqua. Item quod pius rex Francie Ludovicus cum fratribus suis et tot nobilibus captus fuit in Aegypto, et negotio infecto mortuus est cum filio apud Tunicium, et in spiritu vehementi contusæ sunt naves ejus. *Cap. XVIII.* are enumerated septem causæ, quare quidam sunt tepidi in negotio contra Saracenos. Prima causa est avaritia clericorum, qui de sudore et labore pauperum decimas extorquentes, nolunt illas decimari pro recuperanda terra sancta. — Secunda causa est mors suorum — 3) malus eventus nostrorum, 4) ex multitudine hostium effrenata desperatio, 5) tempestas fidei, 6) sapi-

was done. At this council, too, ordinances were passed calculated to hasten in future the decision of the papal elections,<sup>5</sup> though for a long time after they were not suffered to go into operation.<sup>6</sup>

In Germany, on the other hand, the papal influence was now so firmly established, that after the death of Richard (April 2, 1272) Gregory could venture to interfere directly in the proceedings of the electors,<sup>7</sup> whilst the new king Rodolph of Hapsburgh had to submit to the most arrogant treatment from him,<sup>8</sup> and Alphonso the Wise was forced to abandon his claims.<sup>9</sup>

entia mundi, secundum quam videtur non posse negotium prosperari, 7) oblocutiones prædictæ.

<sup>5</sup> How the cardinals resisted this measure, see *breris nota eorum, quæ in II. conc. Lugd. gener. acta sunt, Mansi T. XXIV. p. 66.* *Raynald ad ann. 1274, no. 27.* The ordinaries in *Mansi*, l. c. p. 81. Constit. II. The choice must be made in the city where the Pope had resided and died. After having waited ten days for the absent cardinals, the cardinals were to assemble in palatio, in quo idem pontifex habitabat, each accompanied only by his servant. In eodem palatio unum conclave, nullo intermedio pariete seu alio velamine, omnes habitent in communi. Quod, servato libero ad secretam cameram aditu, ita claudatur undique, ut nullus illuc intrare valeat vel exire. — One window was to be left open to receive their food. If no choice be made in the three first days, per spatium V dierum immediate sequentium, singulis diebus, tam in prandio, quam in cena, uno solo fereulo sint contenti. After these five days tantummodo panis, vinum et aqua ministrentur ei-sdem, donec eadem provisio subsequatur. In order to secure the observance of this law, the magistrates of the city where the choice was to be made, were charged ut præmissa omnia et singula plene ac inviolabiliter sine fraude ac dolo aliquo faciant observari, and to that end, immediately after the Pope's death, præstent corporaliter juramentum. If this be neglected, eo ipso excommunicationis sint vinculo innodati, et perpetuo sint infames, etc. Civitas vero prædicta non solum sit interdicto supposita, sed et pontificali dignitate privata.

<sup>6</sup> After the death of Adrian V., the cardinals published a pretended suspension of these rules, in his name, to which, however, the inhabitants of Viterbo paid no regard (*Raynald ann. 1276, no. 28*). John XXI., immediately on his accession, therefore, and with a vivid remembrance of the severity with which the conclave had been treated by the Viterbienses, ordered the suspension to be decreed (*Rayn. l. c. no. 29*), quia experientia docuit, constitutionem eandem multa intolerabilia, nonnulla obseura, et propter hoc accelerationi provisionis ejusdem ecclesiae valde damnoosa — continere; though the former rule was restored by Celestius V. (*Raynald ann. 1294, no. 17*).

<sup>7</sup> An historian almost contemporary, relates (in *Urstisii German. Historie*. P. II. p. 93) that the elector being delayed Gregorius P. X — præcepit principibus Alemanniæ electoribus, ut de Romanorum rege, sicut sua ab antiqua et approbata consuetudine interererat, providerent, infra tempus eis ad hoc de Papa Gregorio statutum: alias ipse de consensu Cardinalium Romani imperii providere vellet desolationi.

<sup>8</sup> Rudolph's ambassadors had to take the oaths of Otho IV. (§ 54, notes 10 and 13) and Frederic II. (ibid. note 16, § 55, note 2) in Lyons for their master (cf. *Raynald ann. 1274, no. 5 seq.*). Some months after followed the confirmation *Epist. ad Rud. dd. 26 Oct. 1274* (*Rayn. l. c. no. 55*, in *M. Gerberti codex epistolair Rudolphi I. S. Blasii. 1772. fol. lib. I. epist. 27, p. 34*, and in *F. J. Bodmann codex epist. Rud. I., epistolas CCXXX anecdota continens. Lips. 1806. 8vo. p. 25*) in the words: Licet itaque non sine causa distulerimus hactenus, Regiam tibi denominationem ascribere; cum fratribus tamen nostris nuper delibratione prehabita, te Regem Romanorum de ipsorum consilio nominamus. Nomina-nare appears to have been purposely used as having a double sense.

<sup>9</sup> See Gregory's two letters to him in *Rayn. ann. 1274, no. 45 seq.*, and no. 50 seq. (the last also in *Bodmann*, l. c. p. 19 seq.). It was not till A. D. 1275, however, that Alphonso was finally brought to give up his pretensions by the threat of excommunication (*Rayn. ad h. a. no. 15 seq.*).

Rodolph, whose only care was to reëstablish the imperial authority in Germany, readily gave up to Nicholas III. certain disputed Italian possessions,<sup>10</sup> and was rewarded therefor by the support of the Pope in his claims against Charles I. of Sicily, being thus enabled to conclude an advantageous peace (A. D. 1280).<sup>11</sup>

Under Martin IV., a Pope devoted to Charles' interests, the tyranny of that prince, which had often drawn down upon him the papal rebuke,<sup>12</sup> led at length to the massacre, called the Sicilian vespers (March 30, 1282). With this ended the reign of the house of Anjou in Sicily,<sup>13</sup> Peter III., king of Aragon, the husband of Constance,

<sup>10</sup> The imperial chancellor having caused homage to be done to his master in the cities of Bologna, Imola, Ravenna, Rimini, Urbino, etc. A. D. 1278, Nicholas III. remonstrated, on the ground that these cities, by imperial promise (see note 8), belonged to the state of the church, and Rudolph yielded the point at once (*Raynald ann. 1278*, no. 51 seq. *Bodmann*, p. 79 seq.). The Pope sent him the copies of all the pretended imperial acts of investiture (*Rayn.* l. c. no. 57: *Ne autem per haec nos aliquod novum petere, vel a tuis prædecessoribus Imperatoribus Romanis insolitum existimes postulare, ad tuam conscientiam plenius serenandam — tibi de verbo ad verbum tenores privilegiorum iporum Imperatorum — transmittimus*) and requested cum expressione nominum praedictorum, etc. omnia et singula de novo donari. These he accompanied with a form of donation (*Rayn.* l. c. no. 62 seq.), and Rudolph was so complying as to follow it implicitly (*Bodmann*, p. 83 seq.). All the former gifts are confirmed in this document, and, therefore, the limits of the papal territory described (comp. § 55, note 2). *Ad has pertinet tota terra, quæ est a Radicofano usque Ceperanum, Marchia Anconitana, ducatus Spoletanus, terra comitissæ Mathildis, civitas Ravennæ et Æmilia, Bobium, Cæsena, Forumpopuli, Forumlivii, Faventia, Imola, Bononia, Ferraria, Comaclum, Adriam, atque Gabellum, Ariminum, Urbinum, Monsfeltrei, territorium Balneuse, Comitatus Briencorii, Exarchatus Ravennæ, Pentapolis, Massa Trabaria cum adjacentibus terris et omnibus aliis ad Romanam Ecclesiam pertinentibus.* Rudolph had also to procure the confirmation of this document from the electors (*Rayn.* ann. 1279, no. 6 seq.). — Comp. *Alberti Argentinensis* (about 1278) *Chronicon in Urstisius*, T. II. p. 103: *Rex (Rudolfus) nullum motum habens ad Italiam, forsitan quia vidit cæteris multis male successisse, misit Henricum Ep. Basileensem cum membranis sigillo suo sigillatis ad civitatem Romanam, qui ibidem sedi Apostolice Romanioland et quædam alia, in *damnnum grave imperii*, dedit. Annales reteres Mutinensis (in Muratori Scriptt. Rer. Ital. T. XI. p. 72): De anno 1277: Rodulphus Rex Romanorum donavit Civitatem Bononiae et Comitatum Romaniolandæ Papæ Nicolao III., et sic Ecclesia Romana facta fuit domina illarum civitatum et terrarum.*

<sup>11</sup> After Charles had been compelled to give up the vicarship in Toscana (*Rayn.* ann. 1278, no. 68), as also the senatorship in Rome (ib. no. 69), a peace was concluded (ib. ann. 1280, no. 1) with the condition that Charles should hold certain provinces as fiefs of the empire.

<sup>12</sup> According to *Saba Malespina VI.* c. 4 (*Murat.* T. VIII. p. 869), when Gregory X. met Charles in Tuscany, on his journey to Lyons, he said to him: “Super oppressione multiplice et innumeris novitatibus, fili carissime, quibus sub tuo felici dominio Regnicolas opprimi fama clamat, validus frequenter clamor perculit aures nostras. — Revoces igitur pro Deo talia, quæ Regi pio non congruunt, sed potius regiam celitudinem del honestant, ita quod tua grandis aede felicitas adaugeat, non minuat, subditis libertatem.” Ad hæc, cum regium Rex non fecisset in hac parte responsuni, ejus animus videbatur ad ulteriora proclivior, dictus Dominus Gregorius subdidit: “Veniet, veniet illa dies, qua super te tuosque filios et hæredes tyrannus inopinatus adveniet.”

<sup>13</sup> Concerning which, and concerning Nicholas III.'s participation in the matter, see especially the contemporary *Ricordano Malespini istoria Fiorentina*, c. 206 seq. (*Muratori* T. VIII. p. 1024 seq.) *Schlosser's Weltgesch.* Bd. 3. Th. 2. Abth. 2. S. 71 ff. [Hallam's Middle Ages, ch. 3. — Tr.]

Manfred's daughter, being soon after called to the crown (August, 1282).<sup>14</sup> The resistance of the Pope to Peter († 1285),<sup>15</sup> and afterwards to his son James, was of no avail.<sup>16</sup> Charles I. († A. D. 1285) and his son Charles II. were forced to content themselves with the kingdom of Naples.

Whilst this contest was going on in Italy,<sup>17</sup> Acre was lost (taken May, 1291), and with that event the dominion of the Christians in the Holy Land ended.<sup>18</sup>

<sup>14</sup> The inhabitants of Palermo having offered the crown to the Pope, were met by an act of excommunication (*Rayn.* ann. 1282, no. 13 seq.), whereupon they wrote to Martin (ib. no. 19) : *Cum nihil in terra legitur fieri sine causa, sicut bene novit vester perspicuus intellectus, scripturarum diligentior indagator, privare nos vestra misericordia non debetis. Scitis enim, quod illico post stragem scelerum ministrorum cœlitus destinatam, b. Petri vexillum levavimus, et s. matrem ecclesiam Romanam invocavimus protectricem : sed quia nos indignos b. Petri et vestra gratia reputatis, ille qui manet desuper infallibilis speculator, cui cura est æqualis de omnibus tam majoribus quam pusillis, sicut lectio divina testatur, alterum Petrum loco Petri affectuosius invocati ex insperato in præsidium nostrum voluit cum paucis comitibus destinare, etc.*

<sup>15</sup> See Schlosser, l. c. S. 76 ff. Martin IV., who was wholly devoted to Charles, proclaimed the ban and the interdict (*Raynald* ann. 1282, no. 23, in *d'Achery Spicileg.* T. III. p. 684), then in January, 1283, the promise (*Rayn.* ad h. a. no. 4) : *omnibus Christifidelibus, — qui contra Regem Aragonum — nobis, Ecclesiæ vel Regi Sicilie astiterint, si cos, vel eorum aliquem propterea in generali, vel particulari, maritimo seu terrestri conflietu mori contigerit, illam peccatorum suorum, de quibus corde contriti et ore confessi fuerint, veniam indulgemus, quæ concedi transfretantibus in terræ sanctæ subsidium consuevit. After this, on the 21st of March (*Rayn.* l. c. no. 15 seq. *d'Achery*, l. c. p. 689 seq.) : *Regnum Aragoniaæ cæterasque terras Regis ipsius — exponentes, ut sequitur, ipsum Petrum Regem Aragonum eisdem regno et terris, regioque honore sententialiter, justitia exigente, privamus; et privantes exponimus eadem — occupanda catholicis, de quibus et prout sedes Apostolica duxerit providendum; in dictis regno et terris ejusdem ecclesiæ Romanae — jure salvo. Vasallos ipsius — a juramento fidelitatis, si quo tenebantur eidem, jam absolvimus, etc. Finally he bestowed the kingdom of Arragon on Charles of Valois, as a papal fief (*Rayn.* l. c. no. 25 seq.), demanding yearly quingentas libras parvorum Turonensium : and proclaimed a crusade against Sicily and Arragon (*Rayn.* ann. 1284, no. 2 seq.).**

<sup>16</sup> After Peter's death, his eldest son, Alphonso, succeeded him in Arragon, the second son, James, in Sicily. This last met at once by an act of excommunication (*Rayn.* ann. 1286, no. 8. *De colubro regulus prodiit, et de patre nequitiae filius iniquitatis exivit, Jacobus videlicet, etc.* A metaphor once before used, see § 57, notes 19 and 26). Nicholas IV., however, was well content to make peace with Alphonso, as king of Arragon, A. D. 1291 (*Rayn.* ad h. a. no. 51).

<sup>17</sup> Martin IV. not only drew away many of the crusaders from the Holy Land (see note 15), but sent to Charles large sums of money which had been contributed expressly for the holy wars, on the plea, to use his own words (*Rayn.* 1283, no. 41) : *quod in hujusmodi defensione ac custodia non solum dieti Regis, sed etiam Romanae ecclesiæ honor et utilitas procurantur.*

<sup>18</sup> *Marinus Sanutus*, Lib. III. P. XII. c. 21 seq. *Abulfeda* (an eye-witness) Ann. Moslem. T. V. p. 95 seq. Schlosser, l. c. Abth. I. S. 348 ff.

§ 59.

**BONIFACE VIII.** (December 24, 1294 – October 11, 1303), **BENEDICT XI.** (October 22, 1303 – July 7, 1304).

Combining, in a remarkable degree, ambition, boldness, and craft,<sup>1</sup> Boniface VIII. had gradually made his way to the papal throne,<sup>2</sup> and seemed now determined to establish its absolute supremacy. But the attempt to bring France under his yoke, proved beyond his strength, and, in the end, was the means of betraying the popes into the power of the French kings.

On his accession the affairs of the world presented a most favorable opportunity of papal interference. The Holy Land was in the hands of the Infidels, the Sicilian question unsettled, in Germany, Adolphus of Nassau, a comparatively feeble prince, had succeeded the powerful Rudolph († A. D. 1291), whilst a deadly feud had arisen between Philip the Fair of France, and Edward I. of England, each aided by numerous allies, the king of Scotland taking part with the French, and Adolphus, as well as the Count of Flanders, with the English.<sup>3</sup> In this feud Boniface wished to play the part of arbitrator, and his legates having been repulsed by the French king,<sup>4</sup> thought to intimidate him by the prohibition of all extraordinary taxes on the

<sup>1</sup> Even the papal writers of the time take the same view of Boniface's character: *Ptolemaeus Luc. hist. eccl.* XXIV. c. 36 (*Murat.* T. XI. p. 1103): *Hic longo tempore experientiam habuit Curiae, quia primo Advocatus ibidem, inde factus postea Notarius Papae, postea Cardinalis, et inde in Cardinalatu expeditor ad easus Collegii declarandos, seu ad exteros respondendum. Nec in hoc habuit parem, sed propter hanc causam factus est factuosus, et arrogans, ac omnium contemptivus.* *Bernardus Guido in vita Bonifacii* (*Murat.* T. III. P. I. p. 670): *Incepit autem quadam singulari via suam potentiam et papalem magnificentiam dilatare. Cujus Praedecessor Cœlestinus miracula operatus est in vita sua et post mortem. Ipse vero Bonifacius fecit mirabilia multa in vita sua, sed ejus mirabilia in fine mirabiliter defecerunt.*

<sup>2</sup> See *Ptolem. Luc.* l. c. cap. 31 seq. p. 1200 seq., whose account is, however, to be compared with *Platina* (A. D. 1475) *de vitis Pontiff.* ed. 1645. 12mo. p. 539 and 541.

<sup>3</sup> On the disputes between Boniface and Philip, the chief authorities are: *Histoire du differend de Philippe le bel et de Boniface VIII.* (par *Pierre Du Puy*). Paris. 1655. gr. fol. with documents appended (*Preuves*) from the *Trésor des chartres du Roi* and *Histoire des demeuz du Pape Boniface VIII. avec Philippe le bel*, par *Adrien Baillet*. Paris. 1718. 12mo.

<sup>4</sup> See the instructions to the ambassadors sent to Philip and Edward, February 18, 1295, in *Rayn.* ad h. a. no. 41. They were to induce the two kings, ut super hujusmodi negotio, quod Romana ecclesia veluti pia mater specialiter cordi gerit, nostris et Apostolicæ sedis beneplacitis — acquiescant. To this end they received power relaxandi juramenta quælibet super negotio ipso a quibuscumque prestata, necnon confederaciones — et pactiones quascumque super hoc factas dissolvendi, — contradicentes quoque quoslibet et rebelles, cujuscumque fuerit ordinis, — sive status, per censuram ecclesiasticam appellatione postposita compescendi. Philip's decided answer in *Du Puy*, p. 3. At the same time king Adolphus was exhorted in two letters, June 27, 1295, to keep the peace (*Rayn.* l. c. no. 44).

clergy (Bull *Clericis laicos*, February 24, 1296).<sup>5</sup> But the blow was met and so skilfully returned by Philip,<sup>6</sup> and the interference of the

<sup>5</sup> This is the date of the bull, which is also found in the *Liber sextus Decretall.* Lib. III. T. XXIII. cap. 3. in *Th Rymer loderia, conventiones etc. inter Reges Angliae et alios denuo ed. A Clarke et F. Holbrooke*, Vol. I. P. II. (Lond. 1816, fol.) p. 836 : Clericis laicos infestos oppido tradit antiquitas, quod et presentium experimenta temporum manifeste declarant, dum suis finibus non contenti nituntur in vetitum, ad illicita frena relaxant, nec prudenter attendunt, quam sit eis in clericos, ecclesiasticas personas et bona interdicta potestas : — et (quod dolenter referimus) nonnulli ecclesiarum prælati — trepidantes, ubi trepidandum non est, — plus timentes majestatem temporalem offendere quam eternam, talium abusibus — adquiescent, sedis apostolicae auctoritate seu licentia non obtenta. Nos igitur, talibus iniquis actibus obviare volentes, de fratribus nostrorum consilio apostolicae auctoritate statuimus, quod, quicunque prælati, ecclesiasticæ personæ — collectas vel tallias, decimam, vicesimam seu centesimam suorum et ecclesiarum proventuum — laicis solverint vel promiserint, aut quamvis aliam quantitatem — sub adjutorii, mutui, subventionis, subsidiæ vel doni nomine, seu quovis alio titulo, modo, vel quæsito colore, absque auctoritate sedis ejusdem ; neconon Imperatores, Reges seu Principes, — qui talia imposuerint, exegerint vel receperint, aut apud aedes sacras deposita ecclesiarum — arrestaverint, saisiverint, seu occupare præsumserint, nec non omnes, qui scienter dederint in prædictis auxilium — publice vel occulte, eo ipso sententiam excommunicationis incurant. Universitates quoque, quæ in his culpabiles fuerint, ecclesiastico supponimus interdicto. — A supradictis autem excommunicationum et interdicti sententiis nullus absolví valeat, præterquam in mortis articulo, absque sedis apostolicae auctoritate et licentia speciali. To the same intent as the ordinance of Innocent (see § 63, note 13), only more strict.

<sup>6</sup> Philip's prohibition (17 Aug. 1296) to carry any gold or silver out of the country in *Du Puy Preuves*, p. 13. — The Pope's complaints on the subject Sept. ibid. p. 15, and in *Rayn. ann. 1296*, no. 25, U. A. Ipsi quidem suū ideo sunt diversi oneribus aggravati, quod eorum ad te solita et subiecta multum putatur refuguisse devotionem. — Si, quod absit, fuerit [constitutionem] cudentis intentio, ut ad nos et fratres nostros, ecclesiarum prælatos — extendatur, hoc non solum fuisset improvidum, sed insanum, velle ad illa temerarias manus extendere, in quibus tibi secularibusque principibus nulla est attributa potestas; quin potius ex hoc, contra libertatem eandem temere veniendo, in excommunicationis sententiam promulgati canonis incidisses. — Leva in circuitu oculos tuos et vide : cogita et repensa Romanorum, Angliae ac Hispanorum regna, quæ quasi undique te circumdant, — et patenter agnosee, quod non fuit tempus acceptabile, non dies salutis, diebus istis nos et ipsam ecclesiam talibus punitionibus tangere ; — nec revocare debuisses in dubium, quod nostri et ecclesiæ adiutorii et favoris sola subtractio in tantum te debilitaret ac tuos quod, ut cætera tua perinde omittamus in commoda, persecutiones adversa ferre non posses. — Nonne Rex Romanorum fuisse occupatas a te tuisque prædecessoribus — civitates et terras — ad Imperium pertinentes cum instantia conqueritur, et specialiter Burgundia comitatum, quod notum est fore feudum descendens ab Imperio, et recognoscendum ab ipso ? Nonne — Rex Angliae illustris de nonnullis terris Gasconiae asserit illud idem ? Numquid super iis dicti Reges denegant stare juri ? Nunquid Apostolicæ sedis, quæ Christicoli omnibus præueninet, judicium vel ordinacionem recusant ? Dunque in eos super iis ipsi peccare te asserunt, de hoe judicium ad sedem eandem non est dubium pertinere. Comp. § 63, note 21. — To this Responsiones nomine Philippi R. *Du Puy Preuves*, p. 21, and in *Leibnitii mantissa codicis juris gentium diplom.* P. II. p. 288. Antequam essent clerici, Rex Franciæ habebat custodiæ regni sui, et poterat statuta facere. — Sancta Mater Ecclesia, sponsa Christi, non solum est ex Clericis, sed etiam ex laicis : — quam ipse — per mortem suam misericorditer liberavit : qua libertate gaudere voluit omnes illos, tam laicos, quam clericos. — Clerici — non debent, nec possunt, nisi forsitan per abusum, sibi appropriare, quasi alios excludendo, ecclesiasticam libertatem, loquendo de libertate, qua Christus nos sua gratia liberavit. Multæ vero sunt libertates singulares, non universalis ecclesiæ, — sed solum ejus ministrorum : — quæ pridem libertates

Pope so peremptorily rejected,<sup>7</sup> that Boniface found it for his interest to remove the prohibition,<sup>8</sup> and propitiate the king by any

per statuta Rom. Pontificum, de benignitate vel saltem permissione Principum secularium, sunt concessæ: quæ quidem libertates sic concessæ vel permisæ ipsi Regibus regorum suorum gubernationem ac defensionem auferre non possunt, nec ea, quæ dictæ gubernationi et defensioni necessaria seu expedientia — judicantur, dicente Domino Pontificibus templi: *Redlite ergo quæ sunt Cœsariorum Cœsari,* etc. Et quia turpis est pars, quæ suo non congruit universo, et membrum inutile et quasi paralyticum, quod corpori suo subsidium ferre recusat: quicunque sive Clerici sive laici, — qui capiti suo vel corpori, hoc est domino Regi et regno, — auxilium ferre recusant, semet ipsos partes incongruas et membra inutilia et quasi paralytica esse demonstrant. — Quis sapiens et intelligens hæc non incidit in vehementem stuporem, audiens Vicarium Jesu Christi prohibentem tributum dari Cœsari, et sub anathema fuliginantem, ne Clerici contra iniquas et injustas persecutions incursum (i. e. by the kings of England and Germany) domino Regi et regno — pro rata sua manum porrigant adjutricem? Dare vero histriónibus, et amicis carnalibus, et neglectis pauperibus expensas facere superfluas in robis, equitativis, comitativis, concessionibus, et aliis pompis sæcularibus, permittitur eisdem, inio conceditur, ad perniciose imitationis exemplum, etc. Still more impression was made probably by the *Supplicatio facta Papæ per Archiepisc. Remensem et suffraganeos suos (Du Puy Preuves, p. 26.)* because it was easy to see therein, humble as was its tone, that the Pope could not reckon on the French clergy.

7 Boniface issued a bull on the 13th Aug. 1296 (see *Rayn.* ad h. a. no. 18 seq.): treugas dudum ad instanti tune festo nativitatis b. Joannis baptistæ proximo præterito usque ad annum uniuia completum præfatis Romanorum, Franciæ ac Angliæ Regibus auctoritate apostolica sub pena excommunicationis — indiximus, which was however communicated only to the king of Rome, the legates hoping that the truce would be concluded between the kings of France and England, without the interference of the Pope. But this bull was followed by one to this effect: treugas ab instanti festo nativ. b. Jo. Bapt. proximo futuro — usque ad biennium completum eadem auctoritate jam dictis Rom. Franc. ac Angliæ Regibus programus, et de novo indicimus, easque precipimus inviolabiliter observari sub eadem excommunicationis pena, quam ex nunc in illos, qui scienter contravenerint, promulgamus. The legates however were reluctant to communicate this to Philip (cf. *Instrumentum Legatorum de treugis indictis et Régis Philippi protestatione* 21 April 1297 in *Leibnitii Mantissa* P. II. p. 290 seq.: quas treugas publicare et dictas litteras presentare Francorum et Angliæ Regibus ipsis distuleramus ex causa,) and negotiated in the first place a truce between the two kings (see the documents ad 6 Febr. 1297 in *Rymer-Clarke*, Vol. I. P. II. p. 838 seq.). When at length they brought the bull to Philip, he forced them first to take a protocol of a formal protest to the following effect (this is the above-mentioned *Instrumentum* ad 21 Apr.): regimen temporalitatis regni sui ad ipsum regem solum et neminem alium pertinere, seque in eo neminem superiorum recognoscere, nec habere, nec se intendere, supponere vel subiecere modo quoconque viventi alicui super rebus pertinentibus ad temporale regimen regni. — Quatenus autem ipsis Regis tangit animam, et ad spiritualitatem attinet, idem Rex — paratus est, monitionibus et præceptis sedis Apostolice devote ac humiliter obedire, in quantum tenetur et debet, etc.

8 In interpretation of the bull, Boniface now issued (on the 7th Feb. 1297) the following explanations (see *Rayn.* ad h. a. no. 49 *Baillet* p. 322): Quia ejus est interpretari, cuius est condere, ad cautelam tnam — humana declaracione decernimus, quod si prælatus aliquis etc. voluntarie — donum aut mutuum tibi dare — voluerit, dum tamen sub exactionis nomine — hoc non fiat generaliter —, licet ad id forsitan tua — requisitio — procedat, te, prælatos etc. ipsa constitutio non astringat; quodque ad feuda sive regalia, quæ iudicem prælati — sub tuo dominio tenere noscauntur, in his, quæ tibi de illis tenentur et debent, et clericos uxoratos, prout sani juris intellectus admittit, ac illos, qui in fraudem causa vitandorum munerum clericale schema recipiunt, se ipsis constitutionis sententia non extendat: et in necessitatibus articulo, — ubi evidens esset in mora periculum per te vel tuos nuntios et ad sedem Apostolicam recurrendi, si a prælatis — subsidium competens petas et

means in his power.<sup>9</sup> Philip now consented to submit the quarrel between him and England to the arbitration of Boniface, though not in his right as Pope. The decision was published on the 30th of June, 1298; but Philip was not satisfied with it,<sup>10</sup> and the protracted

habeas, te ac ipsos ex ejusdem constitutionis verbis, vel sententia declaramus lucide non teneri. In the accompanying letter, dated the same day (see *Rayn.* l. c. no. 47), he insists, on the other hand, on the king's withdrawing the prohibition mentioned in the last note: to his legates he wrote on the same day (ib. no. 48): Fraternitati vestra per apostolica scripta mandamus, quatenus, cum ad habendam pecuniam nostram — ad partes ultramontanas mittamus ad praesens, et hoc procurari solicite per vestrum ministerium praeceps confidamus; si forte — per — Philippum — vel officiales ejus — pecuniae de regno Francie prohiberetur — extractio; vos — eundem Regem, officiales ipsius — denunciatis publice in sententiam promulgati canonis incidisse: et nihilominus in eum et eos de novo excommunicationis sententiam proferatis etc. On the 13th July of the same year however he gave another so-called Interpretation (*Rayn.* l. c. no. 50. *Du Puy*, p. 39): Adiicimus insuper hujusmodi declarationi nostra, quod si praefatis Regi et successoribus suis pro universalis vel particulari ejusdem regni defensione periculosa necessitas imminaret, ad hujusmodi necessitatis casum se nequaquam extendat constitutio memorata: quin potius idem Rex ac successores ipsius possint a praefatis — petere ac recipere pro hujusmodi defensione subsidium vel contributionem, illudque vel illam praefati — Regi, — inconsulto etiam Romano Pontifice, teneantur et valeant — impertiri, non obstantibus constitutione predicta, seu quovis exemptionis aut alio quolibet privilegio; — quodque necessitatis declaratio supradictæ ipsius Regis et successorum suorum conscientiis, dummodo successores illius vigesimum etatis annum exegerint, relinquatur, etc.

<sup>9</sup> Thus he permitted the tithing of the French clergy for three years (*Baillet* p. 55), canonized Louis IX. (the Acts in *Du Chesne hist. Francor. Scriptt.* T. V. p. 481 seq.), and promised the imperial throne to Charles of Valois (*Villani istor. Fiorent. lib. VIII. c. 62.*)

<sup>10</sup> The bull known before only in the extract, *Rayn.* ann. 1298, no. 2 seq., was first published entire by *Rymer* (in the ed. of *Clarke*. Vol. I. P. II. p. 894 seq.). The Pronuntiation is dated 27 June, and the Pope says at the outset, the two kings in nos — tamquam in privatam personam, et Dominum Benedictum Gaytanum, tamquam in arbitrum, arbitratorem, laudatorem, diffinitorem, arbitralem sententiatorem, amicabilem compositorem, preceptorem, ordinatorem, disponentem et pronuntiatorem super reformanda pace et concordia inter ipsos Reges, — absolute ac libere compromittere curaverunt, and he decides throughout as a private person and Benedictus Gaytanus: this instrument however he published in a bull of 30th June, in which he gives the papal sanction to the decision he had given as a private person. (In the beginning: Quam pronuntiationem, et que in ea continentur, auctoritate Apostolica valere volumus, et plenam habere decernimus roboris firmitatem.) This artifice might well provoke Philip, but the account of certain contemporary historians (*Villani VIII. 56* etc.) that Philip was condemned by this decision to restore to the Count of Flanders all the captured cities, and his daughters whom Philip held captive, also to make an expedition to Palestine, confounds with this what happened afterwards. The integrity of the bull as given in *Rymer* from the original cannot be doubted (see *Gaillard* in the *Mémoires de l'Acad. roy. des Inscript.* T. XXXIX. Paris 1777. p. 642 seq.). The decision provides first that the marriage before negotiated between Edmund and Philip's sister Margaret shall take place, also of the heir of the English throne, Edward, with Philip's daughter Isabella, and here Benedictus Gaytanus suddenly appears as the Pope (decernimus auctoritate Apostolica, quod terra Regis illius, cuius culpa vel inalitia steterit, quominus contrahantur predicta sponsalia — ecclesiastico subjaceat interdictio). Then that all bona mobilia ablata on either side shall be restored. The main point however, the contested territory, remained to be hereafter adjusted: diffiniimus, quod idem Rex Anglie de omnibus terris etc., quae ipse nunc habet et tenet in regno Francie, seu tenebat ante motam guerram praesentem, habeat illam quantitatem etc., quam sibi ex virtute compromissorum predicatorum landaverimus et mandaverimus assignari, vel inter ipsos Reges fuerit

negotiations on the subject were all in vain;<sup>11</sup> the old grudge revived on either side, and was expressed in various ways. The Pope renewed his complaints against Philip's oppression of the church,<sup>12</sup> whilst Philip not only received the two most bitter enemies of the Pope, Stephen and Sciarra Colonna, who had been driven from Italy,<sup>13</sup> but entered into close alliance<sup>14</sup> with the newly elected king of Germany, Albrecht I. (A. D. 1298), whom Boniface had decidedly rejected (A. D. 1299).<sup>15</sup>

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concordatum. To this end all the English possessions, which were in the hands of the French, and vice versa, were to be given over to the Pope's agents, till it was decided with regard to them. If the kings could agree de ipsi terris et bonis it was well; otherwise the Pope would decide. Finally he reserves to himself plenaria potestatem, prout ex forma compromissorum praedictorum nobis competit, super omnibus et singulis, quae inter eosdem Reges ex compromissis praedictis arbitrandis — diffinienda et pronuntiandarestant, — arbitrandi — diffiniendi arbitraliter sententiandi, etc. This decision was not partial, neither did Philip reject it, as is seen in the negotiations which followed: still the king might well be discontented with the Pope, inasmuch as he naturally was reluctant to give up the advantage he had won over Edward, and saw that his hands were tied by the unexpected introduction of the Pope's authority in the matter.

<sup>11</sup> *Rymer-Clarke*, Vol. I. T. II. p. 902 seq. is full of Acts and negotiations of peace, all on the basis of this papal decision. See *Bonif. Epist. ad Eduardum*, 26 Febr. 1301 (l. c. p. 929): Confidimus anxietibus, — quod inter te ac Philip-pum — pacis — per nos sata semina speratum fructum — non producent, siue spes praeteritis data temporibus reprobavit: hoe proveniente præsertim, prætextu illius particula regni Franciæ, ad quam rehabetam sub periculosa contentione conari. After long exhortations to peace: licet ipse [Rex Franciæ] fervore juventutis impulsus, pravis seductus consiliis, et adulatorum malitia insti gatus, se nimis in hæ parte tenacem exhibeat atque durum: tu tamen, in quo maturitas et circumspectio plenior ac magis moderata requiritur, acquiescere sibi, ut juveni, satis condecenter potes, saltem ad tempus, donec Deus Omnipotens, qui errata corrigit et reformat, tibi et sibi de meliori consilio et salubrioribus fructibus duxerit providendum.

<sup>12</sup> Namely against his abuse of the right de la Regale (see § 63, note 6). *Bonif. ep. ad Phil.* Oct. 1298 (*Rayn. ad h. a. no. 24*) complaining that during the suspension of the Bishop of Laon prætextu cuiusdam consuetudinis, quam appellas regalia, administrationem eandem temporalium, ac si vaearet ecclesia — cepisti. See ib. ad ann. 1299, no. 23, 25, where the king is accused of exercising the right too long, even after a successor had been chosen, and too oppressively; ad ann. 1300, no 17, of exercising it in churches where he had no such right.

<sup>13</sup> Concerning the Pope's dispute with the Colonnae, who amongst other things denied the validity of Celestine's abdication and Boniface's accession (see their instrumentum publicum in *Raynaldis T. XIV.* in App. p. 635) vid. Schröckh Th. 26 S. 528 ff. Planck Bd. 5 S. 81 ff.

<sup>14</sup> See the documents in *Leibnitii codex juris gentium diplom.* p. 39 seq., especially the promise in the *Confederatio Strasburg.* the 5th Sept. 1299, p. 41: quod ex nunc in antea erimus ad invicem veri et fideles amici, ac in nostris et regnum nostrorum et Imperii honoribus, libertatibus et juribus mutuo conservandis *contra omnem hominem* veri et validi adjutores.

<sup>15</sup> *Ptolomæus Luc. hist. eccl. XXIV. 37* (*Murat. XI.* p. 1204): Albert sent ambassadors to the Pope, A. D. 1299, pro confirmatione electionis sua, quam Bonifacius P. primo multis juris et facti rationibus allegatis repulit prima vice, et asservuit nullam esse. So too *Bern. Guido* in vita Bonif. (*Murat. III.*, I. p. 671). *Albert. Argent.* in *Urtis.* T. H. p. 111: Quem Papa Bonifacius diu odio prosecutes et læsæ majestatis crimine reum dicens, etc. (see note 17). He makes the Pope say: "Non fiet vivente ista Jesabel," denotans Elizabet reginam, quæ ex

The wounded pride and disappointed ambition of the pontiff now hurried him into the greatest imprudencies. He had estranged Edward I. of England by his presumptuous interference in the differences between England and Scotland,<sup>16</sup> and Albrecht by opposing his election.<sup>17</sup> At the same time he sent Bernhard of Sais-

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matre soror exxit Chunradini (and daughter of Count Mainhard of Tyrol, therefore not of the race of the Hohenstaufen, or Ghibelines). The *Gesta Archiepisc. Trerir.* (in Martene ampliss. Coll. T. IV. p. 376) relate that Boniface appointed Diether of Nassau, brother of the former king Adolphus, Archbishop of Trier (A. D. 1299), quo pertinacius Alberto Regi resisteret, contra quem Papa, tum quod uxorem haberet de riperali genimine seminis Friderici Imp., tum aliis de causis rigidas exercebat sententias.

<sup>16</sup> At first the Pope tried to persuade Edward to make peace with Scotland (see his letter to Edward of 10 Jul. 1298 in *Rymer-Clarke*, Vol. I. P. II. p. 897): afterwards however he wrote to him on the 27th June, 1299 (in *Leibn. Mantissa*, P. II. p. 277. *Rymer-Clarke*, I. c. p. 907): Sane ad Celsitudinem regiam potuit pervenisse, et in tuae libro memoriae nequaquam ambigimus contineri, qualiter ab antiquis temporibus regnum Scotiae pleno jure pertinuit, et adhuc pertinere dignoscitur ad ecclesiam Romanam. — Si vero in eodem regno Scotiae, vel aliqua ejus parte, jus aliquod habere te asseris: volumus quod tuos procuratores — infra sex menses — ad nostram presentiam mittere non omittas. — Nos enim nihilominus ex nomine lites — quaslibet, inter te dictumque regnum Scotiae — subortas, — ad cognitionem et determinationem sedis ejusdem, praesentium tenore reducimus, et etiam reservamus: decerentes irritum et inane, si secus scienter vel ignoranter a quocquam in hac parte contigerit attentari. Edward was wise enough to leave the matter to his parliament, from whom the Pope received the following answer dd. 12 Febr. 1301 (*Leibn.* I. c. p. 287. *Rymer-Clarke*, I. c. p. 926): Scimus, et notorium est, — quod a prima institutione regni Angliae Reges ejusdem regni — superius et directum dominium regni Scotiae haberunt; — nec ullis temporibus ipsum regnum in temporalibus pertinet vel pertinet quovis jure ad ecclesiam supradictam [Romanam]. — Neque Reges Angliae super juribus suis in regno praedicto, aut aliis suis temporalibus coram aliquo judice ecclesiastico vel seculari — responderunt, aut respondere debebant. Unde — concors et unanimis omnium et singulorum consensus fuit, est, et erit inconcusse, Deo propitio, in futurum; quod praefatus Dominus noster Rex super juribus regni sui Scotiae, aut aliis suis temporalibus, nullatenus judicialiter respondeat coram vobis, nec judicium subeat quoquomodo: aut jura sua praedita in dubium questionis deducat: nec ad praesentiam vestram procuratores aut nuncios ad hoc mittat. — Nec etiam permittimus, aut aliquatenus permittemus, sicut nec possumus, nec debemus, praemissa tam insolita, indebita, prejudicia, et alias inaudita prælibatum Dominum nostrum Regem, etiamsi velle, facere seu quoniodolibet attentare. Comp. Schlosser, B. 3. Th. 2. Abth. 2. S. 398 ff.

<sup>17</sup> Boniface wrote to the three ecclesiastical Electors on the 13th April, 1301 (*Rayn.* ad h. a. no. 2): In publicam devenit notitiam, quod clarae memoriae Adulpho Romanorum Regem electo — Albertus — vassalagium et ligium homagium ut Romanorum Regi fecit, — et tandem — contra ipsum superbe rebellans, ipso Rege Adulpho vivente, — se in Romanorum Regem eligi procuravit — et — de Rege triumphavit eodem, ipso occiso in prælio. — Now therefore nos, ad quos jus et auctoritas examinandi personam in Regem Romanorum electam, — seu ratione dignitatis persona vel formæ nominatio regia, seu ratione indignitatis persona vel formæ reprobatio pertinere noseuntur; fraternitatì vestra — mandamus, quatenus vos — denuntiare curetis, — quod nisi Albertus, qui pro Romanorum Rege se gerit, per suos solemnes nuntios — infra sex mensium spatium — compareat coram nobis, ostensurus — suam innocentiam; et propositurus rationabiles excusationes, si quas habet, super suis impedimentis notoriis, crimen videlicet læsa majestatis commisso, — nec non excommunicatione publica, etc.; et expositus ius, si quod sibi competit; — et ad faciendum, — qua justitia suadebit — sibique duxerimus injungendis, ac nostris beneplacitis pariturus: nos principibus — districtius injungemus, ut nullus sibi ut Romanorum Regi obediatur vel intendat;

set, bishop of Pamiers (A. D. 1301), who had already provoked the enmity of Philip on a former occasion,<sup>18</sup> to set forth his grievances to that monarch. The arrogant legate was quickly sent back, and after his return to his bishopric was thrown into prison for circulating injurious and discreditable reports concerning the king.<sup>19</sup> At this Boniface could restrain himself no longer, but showered upon Philip a storm of decrees, all dated December 5, 1301, in which he went so far as to summon the French clergy to a council at Rome on the 1st of November, 1302, there to devise remedies for the existing disorders in France.<sup>20</sup> Philip, on his part, assembled the States General (April

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quin potius omnes recedant ab eo; ac omnes et singulos ab homagiis factis ipsi Alberto ut Romanorum Regi, et fidelitatis praestitis juramentis absolvemus, etc. Albrecht, however, forced those Electors to obedience, and this invitation remained unnoticed, see Heinrich's *Reichsgeschichte*, Th. 3. S. 625 ff.

<sup>18</sup> Of former transactions between him and Philip, see *Baillet*, p. 77. *Velly* histoire de France, T. VII. p. 150.

<sup>19</sup> Documents in *Martene thesaurus*, T. I. p. 1319. Especially the *Articuli contra Episc. Apamiarum*, p. 1330: that he had often said openly, quod S. Ludovicus, dum viveret, dixit, — quia temporibus istius domini Regis, qui nunc est, regnum Francie debebat destrui, — et quod dictum regnum tempore ipsius dicti domini Regis debebat ad alios devenire. — Item — quod dominus noster Rex nihil omnino valebat, etc. Dicit etiam plures idem Episcopus Apamiensis, quod civitas Apamiensis non erat in regno Francie, nec de regno, et quod dominus Rex in ea nihil omnino habebat. A treasonable connexion with the Count de Foix was also alleged against him.

<sup>20</sup> I. ad Regem Franc. (*Rayn.* ann. 1301, no. 28. *Bulæ hist. Univers. Paris. T. IV.* p. 13. *Du Puy* Preuves, p. 661) a command to set free the bishop of Pamiers. II. ad Archiepsice. Episce. et Capitula regni Francie, ac doctores in theologia, et magistros in jure canon. et cirili de regno natos eodem. (*Rayn.* l. c. no. 29. *Bulæus*, l. c. p. 11.) On account of the numerous complaints super excessibus, cupidis, insolentias, injuriis atque dannis, quæ prelatis, ecclesiis — per — Philippum Regem — inferuntur, ac etiam paribus, comitibus, aliisque nobilibus, universitatibus et populo dicti regni; he invited them to a council in Rome, ut super præmissis — vestra possimus habere consilia, — nec non tractare, dirigere, et statuere, procedere facere, et ordinare, quæ ad honorem Dei et Apostolicæ sedis, augmentum catholicæ fidei, conservationem ecclesiasticae libertatis, ac reformationem Regis et regni, correctionem præteritorum excessuum, et bonum regimen regni ejusdem viderimus expedire. III. The bull *Salvator mundi* (*Bulæus*, l. c. p. 5. *Du Puy*, p. 42): Nos attentes, quod nonnulla privilegia, indulgentias et gratias — Philippo Regi — duximus concedenda, — quorum privilegiorum — occasione per abusum ecclesiis — magna dispendia et gravamina sunt illata et gravia scandala sunt exorta, et in antea possent oriri. — providimus super hoc salutare remedium adhibere. Unde illa omnia quantum ad omnem ipsorum effectum — usque ad predicta Sedis beneficium duximus suspendenda. — Cæterum quia — ipsi Regi se corrigenti et habitanti ad gratiam prouerendam, libenter — complacemus, — Kal. Nov. proximo venturas pro peremptorio termino assignamus, ut omnia privilegia, etc. — dictæ Sedis conspectui præsententur, ut consideratis ipsis et visi provideri possit, si dicta suspensio fuerit in aliquo vel in aliquibus moderaenda: IV. A letter of admonition to Philip (*Rayn.* l. c. no. 31, where however the most important part is wanting, complete in *Bulæus*, l. c. p. 7. *Du Puy*, p. 48): Ausulta, fili carissime, præcepta patris, et ad doctrinam magistri, qui gerit illius vices in terris, qui solus est Magister et Dominus, aurem tui cordis inclina. — Christi Vicarius, Petriique successor — sibi collatis clavibus Regni cœlorum, iudea a Deo vivorum et mortuorum constitutis agnosceitur, ad quem sedente in solo judicij dissipare pertinet sui intuitu omne malum. — Constituit enim nos Deus, licet insufficientibus meritis, super Reges et Regna, imposito nobis jugo Apostolicæ servitutis ad evellendum, destruendum, disperdendum, dissipandum, ædificandum atque plantandum sub ejus nomine et doctrina. — Quare, fili carissime, nemo tibi

**10, 1302)** to ascertain the sentiments of his people; which were soon distinctly enough expressed, not only in the rough addresses of the barons and the tiers-état to the cardinals,<sup>21</sup> but also by an embassy and a warning letter of the clergy to the Pope.<sup>22</sup>

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suadeat, quod superiorum non habeas, et non subsis summo Hierarchæ ecclesiastica Hierarchia. Nam desipit, qui sic sapit, et pertinaciter hæc affirmans convincitur infidelis. — Then long complaints of Philip's oppressions in the church and of his subjects, which had occasioned the summons to a council at Rome. Si tuam itaque rem agi putaveris, eodem tempore per te vel per fideles viros — iis poteris interesse: alioquin tuam vel ipsorum absentiam divina replete præsen'tia, in præmissis, — prout nobis superna ministraverit gratia, et expedire videbitur, procedemus. Tu autem audies, quid loquetur in nobis Dominus Deus noster, etc. — V. The celebrated *short letter* (*Bulaeus*, I. c. p. 7. *Baillet*, p. 103): Bonifacius Episc., servus servorum Dei Philippo Francorum Regi. Deum time, et mandata ejus observa. Scire te volumus, quod in spiritualibus et temporalibus nobis subes. Beneficiorum et Præbendarum ad te collatio nulla spectat: et si aliquorum vacantium custodiam habeas, fructus eorum successoribus reserves; et si quæ contulisti, collationem hujusmodi irritam decernimus, et quantum de facto processerit, revocamus. Aliud autem credentes hæreticos reputamus. Datum Laterani Non. Dec. Pontificatus nostri an. VII. The genuineness of this letter was denied first by Henr. *Spondanus* Annall. Eecles. ad ann. 1301, no. 11, chiefly on the ground that Boniface had declared in the Consistory of A. D. 1302, that it was interpolated by Peter Flotte (comp. *de Marca* de conc. Sacerd. et. Imp. lib. IV. c. 16. § 3 seq. Planck Bd. 5. S. 96. A.) But this was not Boniface's meaning, as may be seen below, note 24. That all the historians of the time believed it genuine is shown by *Bulaeus*, I. c. p. 14: nor only so, but the contemporary writings of *Egidius de Columna* (see note 34) and the petition of the French people, A. D. 1303 (see note 36) refer to it: and it is difficult to see why such deception should be practised, or how it should escape rebuke. According to *Joannes de s. Victore* (*Bulaeus*, I. c. p. 15) this letter was not delivered to the king till circa Purificationem (2 Febr.), and it is possible that this legate was provided with different letters for different cases. The king's answer was (*Bulaeus*, I. c. p. 11. *Baillet*, p. 111): Philippus D. G. Francorum Rex Bonifacio se gerenti pro summo Pontifice salutem modicam, seu nullam. Sciat maxima tua fatuitas, in temporalibus nos alicui non subesse; Ecclesiarum ac Præbendarum vacantium collationem ad Nos jure Regio pertinere; fructus earum nostros facere; collationes a nobis hactenus factas et in posterum faciendas fore validas in præteritum et futurum; et earum possessores contra omnes viriliter nos tueri: secus autem credentes fatuos et dementes reputamus. Datum Parisius. Concerning the rights here brought into dispute, see § 63, note 9.

<sup>21</sup> Philip first proposed to the prelates the question (*Continuator Guil. de Nangiaco* ad ann. 1301): “a quo suum temporale Ecclesiasticum, et Barones et Milites sua tenere foeda adgnoscabant?” Timebat etenim Regia Majestas, ne propterhoc, quod Papa mandaverat, tam sibi in temporalibus quam in spiritualibus se subesse, vellet idem Rom. Pontifex eniti, quod Regnum Franciæ a Rom. Ecclesia in foedum teneretur. Et etiam omnes a Francorum Regibus tenuisse, ac de cætero se tenere dicentes universa, Rex eidem gratias reddidit, et promisit, quod corpus et omnia, qua' habebat, exponeret pro libertate Regni conservanda. Similiter autem Barones et Milites per os Atrebatis Comitis Roberti postea responderunt dicentes, quod ex toto robore prompti erant pro corona Regni Franciæ contra omnes adversarios decertare. Sic illo soluto consilio edici fecit Regia Majestas, ne aurum aut argentum aut mercatura quæque de Regno Franciæ veherentur; quod qui contra faceret, totum amitteret, et grandi nibilominus emenda, vel gravi pœna corporis puniretur. Et tunc deinceps fecit omnes exitus, passus et introitus Regni Franciæ cautissime custodire. This consequence which seemed to follow from the expressions made use of by the Pope in his letter was what most enraged the king. See the letter of the barons to the cardinals (*Bulaeus*, I. c. p. 22 seq.): Premierement entre les autres choses, que audit Roy notre Sire furent envoyées par Messages et par lettres, il est contenu, que du Royaume de France, que nostre Sire li Roy et les Habitans du Royaume ont toujours été dit soubjets

But all these representations were disregarded,<sup>23</sup> and the ambassadors of the French clergy were forced to listen to the most extravagant assertions concerning the temporal power of the Pope,<sup>24</sup> which

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en temporalité de Dieu tant seulement,— il en devoit estre sujet à lui [above: qui en présent est ou siège du Gouvernement de l'Eglise] temporellement, et de lui le deroit et doit tenir, etc. The letter of the Tiers-Etat is lost.

<sup>22</sup> The letter of the clergy to the Pope in *Bulæus*, l. c. p. 19 seq. That the king had represented to them in their assembly, sibi ex parte vestra fuisse— intimatum, quod de Regno suo, quod a Deo solo ipse et prædecessores sui tenere haec teniuntur sint, temporaliter vobis subesse, illudque a vobis tenere debebet: nec contenti verbis hujusmodi sic mirabilibus siue novis et inauditis a sæculo apud incolas dicti Regni, sed ea perducere satagentes executionis in actum, Praefatos — pro corrigendis excessibus — ad vestram præsentiam evocasti. They then recount to the Pope all the charges brought against him in that assembly, and state that, being urged by the king and the barons for a direct answer they had been obliged to say, quod ipsi Domino nostro Regi in conservatione personæ suæ suorumque et honorum ac libertatis et juriū dicti regni, prout quidam nostrum, qui — membra nobilia dicti regni tenemus, ex forma juramenti, et cæteri, qui omni debito sibi sumus fidelitatis adstricti, adessemus eidem debitibus consiliis et auxiliis opportuni.

<sup>23</sup> Answer of the cardinals to the barons (*Bulæus*, l. c. p. 26. *Du Puy*, p. 63), and others: Volumus vos pro certo tenere, quod predictus Dom. noster Summus Pontifex nunquam scripsit Rezi prædicto, quod de *Regno suo* sibi subesse temporaliter, illudque ab eo tenere deberet. — Unde propoſitio, quam fecit Petrus Flote — animosum et falsum habuit fundamentum, et ideo necesse est, quod cadat adiūcium. — The answer to the *Tiers-Etat* (*Bul.* p. 27. *Du Puy*, p. 71) is to the same purpose, but shorter. — The answer of the Pope to the clergy (*Bulæus*, p. 24. *Du Puy*, p. 65, more correct in the Notices et extraits des MSS. de la bibl. du Roi. T. II. p. 270): Verba deliranti filia, quantumcumque desideriis maternis infesta, quantaque sint enormitate fœdata, nequeunt tamen puritatem insicere piæ matris, etc. e.g. Nonne duo principia nituntur ponere, qui dicunt temporalia spiritualibus non subesse?

<sup>24</sup> See *Bulæus*, p. 28, and *Du Puy*, p. 72. In the speech of *Cardinalis Portuensis*, he denies that the Pope had ever asserted, quod D. Rex deberet recognoscere Regnum suum ab ecclesia. On the other hand: Scriptum est: fecit Deus duo luminaria magna, luminare majus ut præcesset diei, et luminare minus ut præcesset nocti: sunt enim duæ Jurisdictiones, spiritualis et temporalis. Jurisdictionem spiritualiæ principaliter habet summus Pontifex, — juri-dictionem temporalem habent Imperator et alii Reges: tamen de omni temporali habet cognoscere summus Pontifex et judicare ratione peccati. Unde dico, quod jurisdictio temporalis potest considerari prout competit alicui de jure. Unde jurisdictio temporalis competit summo Pontifice, qui est Vicarius Christi et Petri, de jure. Unde qui dicit contrarium, impinguji in illum articulum: “*judicaturus est rivos et mortuos;*” et in illum etiam predictum “*Sanctorum communionem.*” Sed jurisdictio temporalis quantum ad usum, et quantum ad executionem actus non competit ei unde dictum est Petro: “*Converte gladium in raginam.*” Then the Pope's speech: “Quod Deus conjunxit homo non separat:” hæc verba — convenienter applicantur ad Ecclesiam istam et Regnum et Reges Francorum, quos conjunxit semper, etc. — Quis est homo iste? — iste est Archiphel, — scilicet *Petrus Flote*, homo acetosus — homo haëreticus censendus, etc. — Et volumus, quod hic Archiphel, iste Petrus, puniatur temporaliter et spiritualiter: sed rogamus Deum, quod reservet nobis eum puniendum, siue justum est. Iste Petrus litteram nostram — Regi falsavit, seu falsa de ea confinxit, quia nescimus bene, an litteram falsaverit: — imposuit Nobis, quod Nos mandaveramus Regi, quod recognosceret Regnum a Nobis. — Dicimus, quod in nullo volumus usurpare Jurisdictionem Regis: — non potest negare Rex, seu quicunque alter fidelis, quin sit nolis subjectus ratione peccati (an interpretation much abused already by Innocent III., see § 63, note 21, as well as note 6, by Boniface). Si vero per omnia ista Rex non resipiscat; nolit nos ponere ad ripam, quod non sustineremus, sed pro tempore futuro respondemus ei juxta stultitiam suam. Nos scimus secreta Regni: nihil latet nos: omnia

were soon after published to the world in the famous Bull "Unam Sanctam" (November 18, 1302).<sup>25</sup> Soon after, indeed, a papal legate was sent to France with an offer of pardon, but on such conditions that Philip would not listen to them,<sup>26</sup> and was thereupon put to the ban, April 13, 1303.<sup>27</sup>

The breach was now incurable, and both parties sought to strengthen themselves by new alliances. Philip made peace with Edward (May 20, 1303).<sup>28</sup> Boniface, forgetting that inflexible consistency by which, chiefly, the popes had hitherto made themselves respected, confirmed the peace between Charles, king of Naples, and Frederick,

*palpavimus: et nos scimus, quomodo diligunt Gallieos Alamanni et illi de Linga-doch et Burgundi, qui possunt dicere illis, quod b. Bernardus dixit de Romanis: "Amantes neminem amat vos nemo." Unde parcatur in hoc nobis, fratres nostri, quod si Rex non resipiscat et nolit desistere a neciptis, nec permittat venire Prae-latos, in hoc non eredemus eis quomodo puniremus. Praedecessores nostri de-posuerunt tres reges Francie: — et licet Nos non valeremus pedes nostrorum prædecessorum, tamen cum Rex commisit omnia, que illi commiserunt et majora, nos deponeremus Regem ita sicut unum Garcionem, licet cum dolore et tristitia magna, etc.* Thus it seems that here and in note 23, the expressions Regem de regno suo Papæ subesse temporaliter, recognoscere debere Regnum suum a Papa, are rejected on the papal side as interpolations of P. Flotte, but the expression Regem in temporalibus subesse Papæ scil. ratione peccati, adopted; whence no argument can be drawn against the genuineness of the letter beginning *Deum time* (note 20, V). *Baillet*, p. 143, and *Schröckb.* Th. 26. S. 565, 570, suppose that the two expressions are equivalent, and thus make the Pope deny at one time what he affirms at another; but *de Marea de cone. Sac. et Imp. lib. IV. c. 16, § 5*, gives the right explanation.

<sup>25</sup> See *Bulæus*, I. c. p. 36. *Raynald* ann. 1302, no. 13, and in the *Extrava-gantl. comm.* lib. I. tit. 8, c. 1 (in corp. jur. can. ed. Bochmer T. II. p. 1139): *Unam sanctam Ecclesiam catholicam et ipsam Apostolicam urgente fide eredere cogimur et tenere. — Igitur Ecclesia unius et unice unum corpus, unum caput, non duo capita, quasi monstrum, Christus videlicet et Christi Vicarius Petrus, Petriique successor. — In hac ejusque potestate duos esse gladios, spiritualem videlicet et temporalem, Evangelicis dictis instruimur. Nam dicentibus Apostolis "Ecce gladii duo hic," in Ecclesia scilicet: cum Apostoli loquerentur, non respondit Dominus, nimis esse, sed satis. — Uterque ergo est in potestate Ecclesiæ, spiritualis scil. gladius et materialis. Sed is quidem pro Ecclesia, ille vero ab Ecclesia exercendus. Ille Sacerdotis, is manu Regum et militum, sed ad nutum et patientiam Sacerdotis (according to *Bernard de couisid.* IV. c. 3, see § 54, note 1). Oportet autem gladium esse sub gladio, et temporalem auctoritatem spirituali subjici potestati; nam cum dicat Apostolus "Non est potestas nisi a Deo, quæ autem sunt a Deo ordinatae sunt (Rom. xiii. 1); non autem ordinatae essent, nisi gladius esset sub gladio. — Nam veritate testante spiritualis potestas terrenam instituere habet, et judicare, si bona non fuerit. Sic de Ecclesia et ecclesiastica potestate verificatur vaticinium Hieremie: "Ecce constitui te hodie super gentes et regna" et cetera qua sequuntur (Jer. i. 10). Ergo si deviat terrena potestas, judicabitur a potestate spirituali: sed si deviat spiritualis minor, a suo superiori; si vero suprema, a solo Deo, non ab homine poterit judicari, testante Apostolo: "Spiritualis homo judicat omnia, ipse autem a nemine judicatur" (1 Cor. ii. 15). — Quicunque igitur huius potestati a Deo sic ordinata resistit Dei ordinationi resistit; nisi duo, sicut Manichæus, fingat esse principia. — Porro subesse Romano Pontifici, omni humanae creatura declaramus, dicimus, definitus et pronuniamus omnino esse de necessitate salutis.*

<sup>26</sup> See the conditions in *Du Puy*, p. 89 seq. *Raynald* ann. 1303, no. 34.

<sup>27</sup> The sentence of excommunication in *Du Puy*, p. 98. *Bulæus*, p. 38.

<sup>28</sup> As early as the 8th of November, 1302, Philip protested (in *Dumont* corps universel diplomatique T. I. p. 333) against all further interference of the Pope between them. The treaty itself in *Rymer-Clarke*, vol. I. P. II. p. 952 seq.

king of Sicily (June 12, 1303), and thus gained in the latter a new vassal.<sup>29</sup> At the same time he hoped to raise up a powerful opponent to the French king by confirming the election of Albrecht I. king of Germany (April 30, 1303), which he had so long obstinately rejected.<sup>30</sup>

<sup>29</sup> Comp. § 58, note 16. After Alphonso's death († 1291), he was succeeded by James, king of Sicily, who having given up Sicily to Charles II. of Naples, in a treaty of peace made with him 1295, the Sicilians chose his brother Frederick for their king. After long and ineffectual wars, Charles was forced to make peace with him A. D. 1302 (*Rayn.* ad h. a. no. 2 seq.); this Boniface refused at first to ratify, though he released Frederick from the ban (*Rayn.* I. c. no. 5 seq.). Now, however, the treaty of peace was ratified, *Rayn.* ann. 1303, no. 24: *Fredericus Sicilie insulam — in vita sua habebit, tenebit et possidebit a nobis et sub nobis, — sub anno censu trium millium unciarum auri, — et sub servitio centum militum equis et armis munitorum decenter et bene, quodcumque nos vel successor noster — asseruerit, eis ecclesiam indigere Romanam, — Fredericus tenebit et habebit inimicos nostros et Romanæ ecclesie pro inimicis suis, — quinimo — ad nostrum — mandatum intendit persequiri toto posse.* After Frederick's death the island was to revert to Charles II.

<sup>30</sup> *Boniface epist. ad Albert.* dd. 30 April. 1303, in *Rayn.* ad h. a. no. 2 seq. auctoritate apostolica et apostolica plenitudine potestatis te in specialem filium nostrum recipimus et ecclesie Romane, ac in Regem Romanorum assumimus, in Imperatorem, auctore Domino, promovendum, — supplentes omnem defectum, si quis aut ratione formæ, aut ratione tue vel tuorum electorum personarum, seu ex quavis alia ratione vel causa, sive quoconque modo in hujusmodi tua electione, coronatione ac administratione fuisse necatur. Omnia insuper et singula, per te vel alios de mandato tuo facta et habita in administratione praedicta, que alias justa et licita exitissent, ita valere decrevimus et tenere, sicut si administratio ipsa tibi competitissima legitime nosceretur. In making known Albrecht's confirmation, the Pope brought forward an entirely new view of the laws of states (ed. *Baluzius* annexed to *P. de Marca de conc.* *Sac. et Imp. Lib.* II. c. 4, in Böhmer's ed. p. 103 seq.): *Fecit Deus duo luminaria magna, etc. (Gen. i. 16) — seil. Solem i. e. ecclesiasticam potestatem, et Lunam h. e. temporalem et imperialem, ut regeret universum. Et sicut Luna nullum lumen habet, nisi quod recipit a Sole, sic nee aliqua potestas aliquid habet, nisi quod recipit ab ecclesiastica potestate. Licit autem ita communiter consueverit intelligi, nos autem accipimus hic Imperatorem Solem, qui est futurus, et hoc est Regem Romanorum, qui promovendus est in Imperatorem, qui est Sol, sicut Monarcha, qui habet omnes illuminare, et spiritualem potestatem defendere. — Vicarius Iesu Christi et successor Petri potestatem imperii a Graecis transiit in Germanos, ut ipsi Germani — possint eligere Regem Romanorum, qui est promovendus in Imperatorem et Monarcham omnium Regum et Principum terrenorum. Nec insurgat hic superbia Galliana, quæ dicit, quod non recognoscit superioriem. Mentiuntur: quia de jure sunt et esse debent sub Rege Romano et Imperatore. Et nescimus, unde hoc habuerint, vel adinvenerint, quia constat, quod Christiani subditii fuerunt Monarchis Ecclesie Romanae et esse debent. — Et nos volumus, quod quicunque evangelizaverit aliud, anathema sit. — Then follows the confirmation. Venit quidem tempus, ut constituamus cum super gentes et regns, ut evellet et destruet, dissipet et disperget, et adficiet et planitet. — Sicut enim pater dedit filio potestatem non in tempore, sed in æternitate, sic Christus homini et Christi vicario dedit potestatem in tempore, ut ipse habeat jus constituendi Imperatorem, et imperium transferendi. Et attendant hic Germani, quia, sicut translatum est imperium ab aliis in ipso, sic Christi Vicarius, successor Petri habet potestatem transferendi imperium a Germanis in alios quoconque si vellet, et hoc sine juris injuria. The hope that Albrecht would imitate his father Rudolph: Si autem ipse vellet contrarium facere, non posset: quia nos non habemus alas nee manus ligatas, nec pedes compeditos, quin bene possimus eum reprimere et quemque alium Principem terrenum. Quidam enim Principes faciunt colligationes suas. Et audacter dicimus, quod si omnes Principes terreni essent hodie colligati contra nos et contra Ecclesiam istam, dum tamen nos haberemus veritatem, et*

Philip now called together the States General a second time (**June 13, 1303**), for the purpose of laying before them the necessity of a general synod, to which a solemn appeal might be made from the present Pope.<sup>31</sup> By the heavy charges brought against the Pope at

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staremus pro veritate, appretiaremus eos unam festueam. Et sine dubio si veritatem et justitiam non haberemus, bene timeremus. — Igitur faciat bene Rex. Quia si bene defendet et recuperet jura sua et jura regni et imperii, audacter dicimus, quod nos defendemus plus jura sua quam nostra, et hoc contra quocunque de mundo, et per nos firmabitur sententia sua et non flectetur. By a special decree, the Pope annulled all alliances which Albrecht might have made with other potentates (*Rayn*, ad a. 1303, no. 7). On his part Albrecht gave in writing at dd. Nürnberg the 17th of July, a most humble profession of obedience, formally acknowledging, quod Romanum Imperium per sedem Apostolicam de Gracis translatum est in personam magnitudini Caroli, and renewed all the oaths of his father Rudolph (see § 58, note 8), only in a new form, prescribed, no doubt, by the Pope, and with the important addition: paratum me offero, vos et Apostolicae sedis primum ac jura, et libertates vestras ac dicta sedis contra omnem hominem defendere et tueri, et esse contra quocunque hostes et rebelles, adversarios seu inimicos sedis ejusdem, cojuscunque fuerint praeminentiae, ordinis, dignitatis et status, etiam si regali vel imperiali praefulgeant dignitate: nec cum talibus — fedus ineam, nec servabo, si quod forsitan inivi; — quin potius ad mandatum vestrum — successorumque vestrorum — talibus guerram movebo, et pro posse impugnabo cosdem. Still, however, he did not allow himself to be seduced into making war on France, which was undoubtedly the Pope's object. According to *Trithemii Chron. Hirsaug.* ad ann. 1301 (Tom. II, p. 86), he even answered the Pope, who offered him the French throne: antiqua Regum provisione cavitum, ne post divisionem regni Francorum, quæ facta est post mortem Caroli Imp. magni, Rex Francorum Orientalem i. e. Theutonicorum sibi violenter regnum usurpet vel inquietet Gallorum, nec quisquam Regum Gallie — regnum Theutonicorum, aut Imperium sibi quomodolibet usurpet Romanum. Unde cum ea Principum constitutio eatenus permanerat inviolata, sibi non videretur honestum, si primus ipse eam temeraverit.

<sup>31</sup> On the 20th of March, the new minister, Wilh. de Nogaret, had brought a formal charge against the Pope (*Du Puy*, p. 56), and asked that the States General should be called together for the purpose of a great ecclesiastical council. At this convocation of the States, there appeared four barons, of whom Guil. de Plessejano was the speaker, as complainants against the Pope. The twenty-nine points in *Du Puy*, p. 101. *Bulaeus*, p. 41 seq.). The Pope was represented as a heretic. 1. Quia non credit immortalitatem — animarum rationalium. — 4. Item quod fideliter non credit, quod verbis a Christo institutis, a fidei et recte ordinato Presbytero dictis in forma Ecclesie super hostiam, fit ibi corpus verum. Et hinc est, quod nullam reverentiam vel modicam ei facit, cum elevatur a Sacerdote, nec ei assurgit, imo vero tergo assistit, et magis se honorari, et locum ubi sedet, ornari facit, quam altare ubi hostia consecratur. — 9. Item ut suam damnatissimam memoriam perpetuam constituat, fecit imagines suas argenteas erigi in Ecclesiis, per hoc homines ad idolatriandum inducens. — 12. Item publice prædicavit, Papam Rom. non posse committere simoniam, quod est haereticum dicere. — 18. Item compulit Sacerdotes aliquos, ut sibi revelarent confessiones hominum, et eas postea absque confitentium voluntate — publicavit. — 20. Item statum et Ordinem Cardinalium deprimit et depressit, et Ordinem Monachorum migrorum et alborum, fratrum Minorum et Prædicatorum, de quibus dixit multotiens, quod mundus perdebat per ipsos, et quod falsi hypocrite erant, etc. — 21. His hatred to France, even before his accession he had said, quod, si esset Papa, potius vellat totam Christianitatem subvertere, quin Nationem destrueret, quam appellat superbiam Gallicorum. — 22. Hence he had sought to hinder the peace between England and France, and to ally himself with Frederick of Sicily against Charles II. of Naples. Confirmavit etiam Regem Alemaniae in futurum Imperatorem, et publice prædicavit, quod hoc faciebat, ut destrueret Nationem, quam vocat superbiam Gallicorum, qui dicebant, se non subesse aliqui temporaliter, dicens quod de hoc meniebantur per gulam, declarando, quod quicunque, etsi Angelus de cœlo descendens sit, dixerit, quod non subsint eidem et Regi Alema-

this assembly, any religious scruples which might have existed amongst the French people, were removed, and the whole nation prepared to stand by their king in the approaching contest.

William de Nogaret, keeper of the seals, was now sent to Rome to report the proceedings of the States General, whilst from his place of refuge, Anagni, the Pope issued bull after bull against France.<sup>32</sup> But on the 7th of September, 1303, he was surprised by Nogaret and Sciarra Colonna in his retreat, made prisoner, and by the latter personally mishandled. Though rescued by the inhabitants of Anagni, this insult threw him into a fever, under which he soon sank (October 11, 1303).<sup>33</sup>

It was not the least evil which the popes brought upon themselves in this contest, that it first led men to inquire into the relation of the papal to the royal power.<sup>34</sup> At the same time it strengthened the

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niæ, quod Anathema sit (see note 30). Et tamen antea saepius dixerat publice, — quod ille erat proditor Domini sui, et quod ipsum proditionaliter interfecerat, et non erat dignus dici et nominari Rex, nec debite electus (see notes 14 and 17). Et inter eundem et Regem Francie accordata pro bono pacis, in quibus jus utriusque salvaretur, dissolvit, etc. The other charges refer to his incontinence, practice of magic, Sodomy, cruelty, his conduct towards his predecessor, Celestin, &c. — On this the king caused to be presented a writing of appeal (*Du Puy*, p. 107. *Bulæus*, p. 45: ad predictum generale Concilium, quod instanter convocari petimus, et ad verum legitimum futurum summum Pontificem vel alios, ad quem vel ad quos fuerit appellandum, provocamus et appellamus). This was subscribed by all the three estates, and all the corporations; also by the prelates, the universities and convents, in more than seven hundred additional acts (see *Bulæus*, p. 46 seq.).

<sup>32</sup> Bulls *dl. Anagnia* 18 *Kal. Sept.* I. The right of bestowing academical honors was suspended in the universities, *Rayn.* ann. 1303, no. 38. *Du Puy*, p. 163. *Bulæus*, p. 54. — II. The ecclesiastical corporations were deprived of the right of election, II. ec. — III. Against the charges and appeals of France, *Du Puy*, p. 166. *Bulæus*, p. 55 seq. — IV. Suspension of the archbishop of Nicosia, qui ipsum Regem callidis commentis ad hujusmodi rebellionem instigat, *Rayn.* I. c. no. 37. *Du Puy*, p. 162. — V. Vid. *Rayn.* I. c. no. 40. *Du Puy*, p. 161: statuimus, ut citationes auctoritate apostolica de quibuscumque personis, undecunque et ubiquecumque sint, cuiuscumque status, — etiam si imperiali aut regali fulgeant dignitate, praesertim si impediunt, — ne citationes ipsæ ad eos perveniant, — factæ in audiencia literariorum aut in aula nostri palatii, postmodum affigendæ januis majoris Ecclesiae loci, in quo Romana — residuebit curia, — arcent citatos, — sicut si ipsas personaliter apprehendissent. — On the 8th of September, the bull of deposition, already drawn up (see *Du Puy*, p. 181. *Bulæus*, p. 57), was to have been published, when Nogaret's arrival prevented.

<sup>33</sup> *Villani* hist. Fiorent. lib. VIII. c. 63. *Bern.* *Guido* in vita Bonif. VIII. in Murat. T. III. P. I. p. 672. Nogaret (Literæ super excusationibus Dom. Guil. de Nog. in *Du Puy*, p. 249) cites as a prophecy current during Boniface's lifetime: morietur ut canis. After his death this prophecy was put in the mouth of his predecessor, Celestinus (see *Matthæus Westmonasteriensis*, about 1377, flores historiarum, p. 447):

Vulpes intravit, tanquam leo pontificavit,  
Exiit utque canis, de divite factus inanis).

<sup>34</sup> First done by *Egidii de Columna* (of Rome, hence called also *Eg. Romanus*, an Augustine monk, from 1296 archbishop of Bourges, † 1316) *questio in utramque partem disputata de potestate, regia et pontificia* accompanied by the two letters of the Pope and of the king (see note 20, V.) in *Goldasti Monarchia sancti Romani Imperii* T. II. (Francof. 1614. fol.) p. 95 seq. He proposes to answer the question: utrum summus pontifex plenam jurisdictionem et ordinariam potestatem habeat tam in temporalibus quam in spiritualibus, ita quod omnes Principes

conviction, not only in France but amongst other nations, that temporal power could not safely be trusted in priestly hands.<sup>35</sup>

Even in Rome the feeling was universal that Boniface had gone too far; and as Philip, with the French, persisted in their demand of a council,<sup>36</sup> Benedict XI. found it expedient, one by one, to repeal the decrees of his predecessor against France.<sup>37</sup>

temporales subsint ei quantum ad temporalia? and shows, on the contrary, 1) Quod utraque potestas spiritualis et temporalis a Deo est instituente et ordinante; 2) quod iste due potestates distinctae sunt et divisae; 3) quod Deus spirituale potestatem instituens, nullum contulit ei dominium terrenorum; 4) in quibus terrena potestas sit subjecta spirituali potestati, et in quibus non. 5) Libertas et exemptio Regis Francie, quare et qualiter nullum superiorem in temporalibus recognoscit. — Still more full *Johannis de Parrhisiis* (a Dominican in Paris, † 1304) *tractatus de potestate, regia et papali*, in *Goddast*, I. c. p. 108, seq. in 25 Capp. e. g. *Cap. VIII.* quod Papa non habet jurisdictionem a Christo in bonis laicorum, quia Christus non habuit eam. — *Cap. XI.* Evasiones quorundam dicentium potestatem secularis esse a Papa et in Papa, cum eorum reprobatione. — *Cap. XII.* — *XXI.* Rationes dicentium, Papam habere jurisdictionem in temporalibus bonis with answers thereto. *Cap. XXII.* de Donatione Constantini, on which the Pope's party founded their proof, quod summus Pontifex Imperator est, et dominus mundi, et quod potest reges constituere et desistere, sicut Imperator. Amongst other arguments brought forward, quia dicta donatio nihil valuit propter quatuor, quae in Glossa juris civilis ponuntur (*Egid. Rom.* de ista donatione Constantini dicunt Juristæ communiter, quod non valuit multiplici ratione) especially 1) quia Imperator ideo dicitur semper Augustus, quia ejus est augere Republicanum et non minuere, and 3) quia si donare lex est, — lex facta per unum — revocari potest per successorem, quia pars in parem non habet imperium. — Quod vero [donatio illa] Deo displicerit, ex hoc sumitur argumentum, quod legitur in *rita b. Sylvestri Papæ*, quod in donatione illa audita est vox angelorum dicentium in ære: “*Hodie in ecclesia venenum effusum est.*” Item b. Hieronymus dicit de isto Constantino, quod *ab ipso usque in praesens tempus ecclesiarum rupinae et totius orbis discordia secuta est*. Dicit etiam Hieron. de eodem, quod *in tantam crudelitatem postea versus est, ut filium suum Crispum interficeret, et uxorem suam Faustum*: extremo etiam tempore vitae sua ab Eusebio Nicomediae baptizatus est: et sic bis baptizatus fuit, et amplius in Arianum dogma declinavit, etc — Moreover, that though Gaul belonged to the imperium occidentale, the Franks did not, but were descended from the Trojans, having come with Antenor to Pannonia.

<sup>35</sup> See the contemporary poets: Dante Alighieri († 1321) and Ottokar von Horneck, of the Steiermark, about A. D. 1309, in his *Reimchronik* Cap. 448.

<sup>36</sup> cf. *La Supplication du Peuple de France au Roy contre le Pape Boniface le VIII.* not long after the death of this last (*Bulæus*, I. c. p. 15. and *Preuves des Libertez de l'eglise Gallicane*, T. I. p. 108): A vous, tres-Noble Prince, nostre Sire par la grace de Dieu Roy de France, supplie et requiert le peuple de vostre Royaume, pour ce qu'il li appartient, que ce soit fait, que vous gardiez la souveraine franchise de vostre Royaume, qui est telle, que vous ne recognossez de vostre Temporel Souverain en terre hors que Dieu, et que vous faciez declarer, si que tout le monde le sache, que le Pape Boniface erra manifestement et fist peché mortel notoirement, en vous mandant par lettres Bullées, qu'il estoit vostre Souverain de vostre Temporel, et que vous ne pouvez prevedes donner, ne les fruits des Eglises Cathedrales vacans retenir, et que tous ceux qui croient le contraire, li tenoit pour Hereges.

*Item*, que vous faciez declarer, que l'en doit tenir ledit Pape pour Herege, — pour ce qu'il ne veut cette erreur rappeller, ayant dit moult de fois, qu'en cette creance vivroit et mourroit, et que ja pour nul homme ce ne rappelleroit, etc. Then follows an interesting historical exposition to prove that the spiritual and temporal power had always been kept distinct. Ce fut grand abomination a ouïr, que ce Boniface, pour ce que Dieu dist a saint Pierre “*ce que tu tierras en terre, sera lié au Ciel,*” cette parole de spirituellement, entendit mallement, comme Boulgare, quant au Temporel, se il mit un homme en prison temporelle, le mist

On the death of Benedict XI. (July 7, 1304), the French party amongst the Cardinals succeeded, after a protracted conclave, in choosing for his successor, Bertrand d'Agoult, archbishop of Bordeaux (Clement V.), between whom and Philip a secret contract already existed. He assumed the papal power on the 15th of June, 1305,<sup>38</sup> which thus came entirely under French influence, and therewith began a new era in its history.

II. DEVELOPMENT OF THE ECCLESIASTICAL RELATIONS OF THE POPES.

§ 60.

CANON LAW.

Schröckh, Th. 27. S. 1. ff. — Planck, Bd. 4. Abschnitt 2. S. 238 ff. — Eichhorn's deutsche Staats-und Rechtsgeschichte, Th. 2. S. 199 ff.  
[Hallam's Middle Ages, ch. VII. — Tr.]

The old canon law was now entirely superseded by the system which the popes had built up on the foundation of the Pseudo-Isidorian Decretals. These having been mixed promiscuously with the canons in various compilations,<sup>1</sup> and thus invested with the same authority, the Benedictine<sup>2</sup> Gratian of Bologna (then the seat of the study of the law), attempted to reconcile all the inconsistencies thus occasioned in a concordantia discordantium canonum, libb. III.,<sup>3</sup> A. D. 1151, deciding, of course, uniformly in favor of the new papal law.<sup>4</sup> After this the canon law became a separate subject of study<sup>5</sup>

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pour ce Dieu en prison en Ciel. At the close: Pourquoi il pert raisonnablement, qu'il fut Herege, et en cette herreur mourut, et s'aucun vouloit ledit Boniface excuseur de tout cest esclandre, etc. — Parquoy que aucun autre ne preigne exemple à faire ainsi, et pourceque la peine de luy face paour aux autres, — vous, Noble Roy sur tous autres Princes Defenseur de la Foy. destructeur des Boulgres, pouez et devez et estes tenus requerer et procurer, que ledit Boniface soit tenu et jugiez pour Herege, et punis en la maniere, que l'en le pourra et devra, et doit faire apres sa mort: si que nostre souveraine franchise soit gardée, etc.

<sup>37</sup> See all the bulls issued on this occasion in *Du Puy Preuves*, p. 207.

<sup>38</sup> See the account of the contemporary, *Ferreti Vicentini* (about 1328) hist. suorum temporum in *Muratori Script. Rer. It. T. IX.* p. 1014, and *Giovanni Villani* († 1348) histor. Fiorentine lib. VIII. c. 80. in *Muratori T. XIII.* p. 415 seq.

<sup>1</sup> The most remarkable amongst them is that of Ivo, bishop of Chartres, († 1115) *Excerptio[n]es ecclesiasticarum regularium*, commonly called *Decretum* (ed. du Moulin. Lovan. 1561. fol.) and the *Pannornia*, an extract from the same work (ed. Melchior de Voismedian. Lovan. 1557. 8vo.)

<sup>2</sup> According to Spittler's treatise (note 4) a *Camaldulensis*.

<sup>3</sup> Called also *Codex decretorum*, *Decreta Grat.* commonly *Decretum Gratiani*, see Spittler, S. 12.

<sup>4</sup> It forms the first part of the *corpus juris canonici* (best ed. by *J. H. Boehmer*, Tomi II. Halæ 1747. 4to.) — History thereof: *J. H. Boehmeri* diss. de varia decreti Gratiani fortuna prefixed to his *Corpus jur. can.* Tom. I. (Spittler's) *Beiträge zur Geschichte Gratians und seines Decrets*, in Abele's *Magazin für Kirchenrecht u. Kirchengesch.* St. 1 (Leipz. 1778. 8vo.) S. 1 ff. (*Sartii*) de claris

at Bologna and Paris, and Gratian, like Justinian, was illustrated by a multitude of commentators.<sup>6</sup> But, by this very circumstance, the contradictions between the old and new law, which Gratian had very imperfectly reconciled,<sup>7</sup> came so frequently to light, that the popes were incessantly called upon for new decisions. These countless Decretals<sup>8</sup> threatened, by their daily increasing mass, to lead to the greatest confusion,<sup>9</sup> till, at last, Gregory IX. caused a compilation to be made by the Dominican Raimund da Pennafort (*Decretarium Gregorii P. IX. bb. V. A. D. 1234*), almost entirely from the rescripts of the later popes. To this Boniface VIII. now added a sixth book (*liber sextus*), compiled from the decretals since the time of Gregory IX., and divided also into five parts (A. D. 1298).<sup>10</sup> From his time

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Archigymnasi Bononiensis professoribus (ed. *M. Fattorini*, PP. II. Bonon. 1769 and 72) P. I. p. 247 seq. Savigny *Gesch des röm. Rechts im Mittelalter* Th. 3. S. 475 ff. — Of the mistakes, incorrect citations, and spurious documents therein contained, see *Antonius Augustini* (Archbishop of Tarragona) de emendatione Gratiani dialogorum libb. II. Tarrac. 1587. 4to. (cum not. St. Baluzii et G. Maastricht in *Gallandii de vetustis canonum collectionibus dissertationum sylloge*. Magont. 1790. 4to. T. II. p. 185 seq.). Best work on the subject: *C. S. Berardi* *Gratiani Canones genuini ab apocryphis discreti, corrupti ad emendationum codicum fidem exacti, etc.* Taurini Tomi IV. 1752. 4to. *Jod. le Plat* diss. de spuriis in *Gratiano canonibus* (in *Gallandii syll.* T. II. p. 801 seq.) *J. A. de Rieger* diss. de *Gratiani collectione canonum, illiusque methodo et mendis* (in *Oblectam. hist. et jur. eccl. P. I. n. 1*).

<sup>5</sup> Decretistæ and Doctores decretorum as contradistinguished from the Legistæ and Doctores legum. The pretended confirmation of the decree by Eugenius III. 1152 is probably a fiction, Spittler, S. 14 ff. Eichhorn's *Rechtsgesch.* Th. 2. S. 207, note 2. The Pope however appealed to it, Bochmer diss. p. XVIII.

<sup>6</sup> See *Guido Pancirolus* de claris legum interpretibus (Lips. 1721. 4to.) lib. III. c. 6. The most important amongst them is *Johannes Semecu* Provost in Halberstadt (Magister Teutonicus † 1243) the originator of the *glossa ordinaria*, which was last edited by Barthol. of Brixen († 1258).

<sup>7</sup> Hence the decree of a Cistercian chapter, A. D. 1188 (*Martene* thesaur. anecdot. T. IV. p. 1263): *Liber, qui dicitur canonum, sive decreta Gratiani, apud eos qui habuerint secretius custodiantur, ut cum opus fuerit proferantur. In communis armario non residant propter varios, qui inde provenire possent, errores.*

<sup>8</sup> Mostly by Alexander III. and Innocent III.

<sup>9</sup> The seven collections made before Gregory IX. (*Bochmer de decretarium pontificum Romanorum variis collectionibus et fortuna prefixed to his Corpus juris can.* T. II. p. 23 seq. Eichhorn, S. 210 ff.) were soon incomplete again. To this was added the frequent interpolation of the Decretals, see *Innocent III. lib. I. epist. 349.* (comp. *Decret. Gregor.* Lib. V. Tit. 20. *De criminis falsi* and Lib. II. Tit. 22. *De fide instrumentorum.*) Hence the complaints of Stephen, bishop of Tournay (from 1192 † 1200) *epist. 251 ad Celestimum P. III.*: *si ventum fuerit ad judicia, quæ jure canonico sunt tractanda, — profertur a venditoribus inextricabilis silva Decretalium epistoliarum, quasi sub nomine sanctæ recordationis Alexander Papæ: et antiquiores sacri canones abjiciuntur, respuuntur, expununtur. Hoc involveto prolate in medium ea, quæ in conciliis SS. PP. salubriter instituta sunt, nec formam concilii, nec finem negotiis imponunt, præalentibus epistolis, quas forsitan advocant, et conductitii, sub nomine Romanorum Pontificum iam prophetae in cubiculis suis configunt et conscribunt. Novum volumen ex eis compactum, et in scholis solemniter legitur, et in foro venaliter exponitur, applaudente easu notariorum, qui in conserbendis opusculis suspectis et labore suum gaudent immixti, et mercedem angerei.*

<sup>10</sup> This with the subsequent decrees compose the second part of the *Corp. jur. canon.* — The history thereof in Bochmer's diss. — (See note 9.)

these Decretals became a favorite branch of study at the universities,<sup>11</sup> which was much patronized by the popes, who had thus a convenient means of giving a wide and rapid circulation to their new enactments. The Decretum of Gratian, in the mean time, became more and more obsolete, and with it disappeared all trace of the old canon law.

## § 61.

### NEW VIEWS OF THE PAPAL OFFICE.

The Pseudo-Isidorian notion of the Pope, as the universal bishop (*episcopus universalis*) of the church,<sup>1</sup> was now carried to an extent before unthought of. The bishops were considered only his vicars.<sup>2</sup> The legislative authority in the church was so exclusively his,<sup>3</sup> that

<sup>11</sup> Decretalistæ as distinguished from the Decretistæ. The *Decretales Gregor.* were accompanied by a gloss by *Bernardus de Batono* of Parma, a canon in Bologna († 1266), the *Liber sextus* by *Joannes Andreus Decretalis* in Bologna († 1348).

<sup>1</sup> See p. 66, note 4.

<sup>2</sup> *Anonymi Apolog. Conc. Rom.* ann. 1074, cap. XXIII. (see p. 157, note 2). *Innocent III. Lib. I. Epist.* 350: Sic apostolica sedes inter fratres et coepiscopos nostros pastoralis dispensavit oneris gravitatem, sic eos in credita sibi solicitudinis partem assumpsit, ut nihil sibi subtraheret de plenitudine potestatis, quo minus de singulis causis ecclesiasticis inquirere possit, et cum voluerit judicare. *Ibid. Epist.* 495 ad *Archispisc. et Decanum Senonensem* and *Epist.* 496 ad *Pictav. et Cenoman. Episcopos*: Potestatis apostolicae plenitudo longe lateque diffusa, licet ubique praesens potentialiter habeatur, tamen quia ea, quæ ad tantum officium pertinent, per se, prout singulis expediret, non valet praesentialiter exercere, tam vos quam alios ministros Ecclesiarum in partem solicitudinis advocavit, ut sic tanti onus officii per subsidiarias actiones commodius supportetur. *Comp. Innocent III. in Decretal. Gregor. Lib. III. Tit. 8. cap. 5*, wherein he calls the office of the bishops commissari nostræ solicitudinis partem. *Concil. Lateran. IV. ann. 1215. cap. 5* (Decret. Gregor. Lib. V. Tit. 33. cap. 23): Romana ecclesia disponente Domino super omnes alias ordinariae potestatis obtinet principatum, utpote mater universorum Christifidelium et magistra. In the address of Cardinal Portuensis held in the papal Consistory, A. D. 1302 (see § 59, note 24), he says, see *Bulaeus*, T. IV. p. 30: A summo Pontifice Episcopi, etiam Archiepiscopi habent determinatam provinciam, et sunt assumpti in partem solicitudinis: unde habent certam potestatem, summus Pontifex habet plenissimam: nullus est, qui possit eam limitare.

<sup>3</sup> Shown even in the corruption of the passage, *Augustini de doctr. Christ. lib. II. cap. 8. § 12. in Gratian. I. Dist. 19. c. 6*: In canonicis scripturis ecclesiarum catholicearum quamplurimum divinarum scripturarum solertissimus indagator auctoritatem sequatur, inter quas sane illæ sint, quas apostolica sedes habere, et ab ea alii meruerunt accipere epistolas. (The genuine text: In canonicis autem scripturis ecclesiarum catholicearum quamplurimum auctoritatem sequatur: inter quas sane illæ sunt, quæ apostolicas sedes habere, et epistolas accipere meruerunt). To observe the gradual development of these views, compare the passages: *Urbanus II. in Gratian. II. caus. XXV. Qu. 1. c. 6*: Sunt quidam, dicentes, Romano Pontifici semper lieuisse novas condere leges. Quod et nos non solum non negamus, sed etiam valde affirmamus. Sciendum vero summopere est, quia inde novas leges condere potest, unde Evangelistæ aliquid et Prophetæ nequaquam dixerunt. Ubi vero aperte Dominus vel ejus Apostoli et eos sequentes sancti Patres sententialiter aliquid definierunt, ibi non novam legem Romanus Pontifex dare, sed potius, quod prædicatum est, usque ad animam et sanguinem confirmare

only a ratifying power was attributed to the councils.<sup>4</sup> Instead of the vicar of St. Peter,<sup>5</sup> the Pope was now the vicar of Christ,<sup>6</sup> and such was his supremacy over the laws, that he could give a dispensation from their observance *ante factum*.<sup>7</sup> The doctrine of the infallibility of the Pope, also, was now gradually brought forward.<sup>8</sup>

*debet. Bonifacius VIII. Decretal. Sexti Lib. I. Tit. 2. c. 1:* Romanus Pontifex jura omnia in scrinio pectoris sui censemur habere.

<sup>4</sup> *Paschalis II. ad Archiep. Poloniae*, ann. 1102 (see § 62, note 1) Ajunt in concilii statutum non inveniri, namely, the new oath for the metropolitans. To this he answers: quasi Romanae ecclesiae legem concilia ulla praefixerint, cum omnia concilia per Romanae ecclesiae auctoritatem et facta sint, et robur acceperint, et in eorum statutis Romani pontificis patenter excipiatur auctoritas. From the time of Innocent III. all the Acts of Councils where the Pope was present were made in his name, sacro adprobante concilio, or sacro præsente concilio, e. g. *Council. Lateran. IV. ann. 1215. cap. 5:* sacra universali synodo approbante saucimus ut, etc.

<sup>5</sup> See p. 11, note 6; p. 23, note 8. So as late as Gregory VII. See p. 168, note 37, and even Alexander III. See p. 192, note 22.

<sup>6</sup> See especially the letters of *Innocent III. Decretal. Greg. I. Tit. 7*, in which he tries to prove, l. c. cap. 2: non humana, sed potius divina potestate conjugium spirituale dissolvitur, cum per translationem, depositionem aut etiam cessionem auctoritate Romani Pontificis, quem constat esse Vicarium Jesu Christi, episcopus ab ecclesia removetur: et ideo tria haec, que premisimus, non tam constitutione canonica, quam institutione divina, soli sunt Romano Pontifici reservata. So also *Lib. I. Epist. 326 ad Faventin. Episc.* Sunnus Pontifex non hominis puri, sed veri Dei vere Vicarius appellatur. Nam quamvis sumus Apostolorum Principis successores, non tamen ejus aut alicuius Apostoli vel hominis, sed ipsius sunnus Vicarii Jesu Christi. Unde quos Deus spirituali coniunctione ligavit, non homo, quia non Vicarius hominis, sed Deus, quia Dei Vicarius, separat, cum Episcopos a suis sedibus per eorum cessionem, depositionem et translationem aliquando removemus. — *Lib. I. Epist. 335 (Deer. Greg. I. Tit. 7. c. 3)*: Romanus Pontifex non puri hominis, sed veri Dei vicem gerit in terris. Gloss to *Deer. Greg. I. Tit. 7. c. 1*: in hoc differt a Papatu Imperium, quia Imperator habet suam jurisdictionem a populo, — sed Romana ecclesia voce Domini tantum prælata est.

<sup>7</sup> (Formerly dispensations were given not canonis infringendi but infraicti, and given also by bishops, see *de Marca*, L. III. c. 14, especially *Thomassinus*, P. II. L. III. c. 24—28.) *Innocentius III. Lib. XVI. Epist. 154* (cited by *Raumer*, Bd. 6. S. 243 from the *Regestis Honor. III. inedit.*): Ascitis alis in partem solitudinis sunnus Pontifex assumpsus est in plenitudinem potestatis: qui cum moderator sit canonum, juri non facit injuriam, si dispensat. *Idem (Decretal. Gregor. III. Tit. 8. c. 4)*: secundum plenitudinem potestatis de jure possumus supra jus dispensare. To this the gloss: Nam contra Apostolum dispensat (*Dist. 34. c. 18*) et contra canones Apostolorum (*Dist. 82. c. 5*), item contra vetus testamentum in decimis non dandis (*Decret. Greg. III. Tit. 30. c. 10*), item in voto (*Decret. Greg. III. Tit. 34. c. 1*), item in juramento (*Caus. XV. Qu. 6. c. 2. Deer. Greg. I. Tit. 3. c. 19*). — Tamen contra universalem Ecclesie statum dispensare non potest (*Caus. XIV. Qu. 1. c. 10*), nec potest dispensare, quod monachus habeat proprium (*Deer. Greg. III. Tit. 35. c. 6*), nec contra quatuor Evangelia (*Dist. XIV. c. 2*), nec contra praeceptum Apostoli (*Caus. XXV. Qu. 1. c. 6*), quod intelligo in iis, quæ spectant ad articulos fidei. So also the gloss to *Caus. XV. Qu. 6. c. 2*: Deo enim, quod contra jus naturale [Papa] potest dispensare, dum tamen non contra Evangelium vel contra articulos fidei: tamen contra Apostolum dispensat (*Dist. 31. c. 18. Dist. 82. c. 5*). Especially the gloss to *Deer. Greg. I. Tit. 7. c. 3*, to the words *veri Dei vicem gerit in terris*: Unde dicitur habere celeste arbitrium (*Cod. de sum. tri. l. I. in fi.*), et ideo etiam naturam rerum immutab, substantialia unius rei applicando alii (arg. *C. communia de leg. l. 2*) et de nullo potest aliquid facere (*C. rei uxori. act. l. unica in prin. et De Consecr. Dist. 2. c. 69*), et sententiam, quæ nulla est, facit aliquam

§ 62.

ASSUMPTION OF NEW RIGHTS.

By degrees, the popes began to carry into effect this idea of an episcopus universalis, in all its applications. In this they were materially aided by the oath which Gregory VII. had introduced for the Metropolitans;<sup>1</sup> for, after it had become customary for the popes to

(*Caus. III. Qu. 6. c. 10*) ; quia in his, que vult, ei est pro ratione voluntas (*Instit. de jure natu. § sed quod principi*). Nec est, qui ei dicat, cur ita facis? (*De Pæn. Dist. 3. c. 22*). Ipse enim potest supra jus dispensare (*infra. Lib. III. Tit. 8. c. 4*), idem de iniustitia potest facere justitiam corrigendo jura et mutando (Lib. II. Tit. 28. c. 59. Lib. IV. Tit. 14. c. 8), et plenitudinem obtinet potestatis (*Caus. II. Qu. 6. c. 11*). Hence from the time of Innocent IV, the Popes introduced the form at the close of their bulls *non obstante*, by which all rights, laws, or prohibitions which might interfere therewith were suspended (see *Roberti Ep. Lincoln. Epist. § 62*, note 16).

<sup>8</sup> Founded chiefly on *Luc. 22. 32. Ego autem rogavi pro te, ut non deficiat fides tua.* So *Leo IX. Epist. 55*: Quae oratio obtinuit, quod hactenus fides Petri non defecit, nec defectura creditur in throno illius usque in sæculum sæculi, etc. *Gregorius VII. lib. II. Ep. 1*: Ecclesia Romana per b. Petrum, quasi quodam privilegio, ab ipsis fidei primordiis a SS. PP. omnium mater ecclesiæ adstruitur, et ita usque in finem habebitur semper: in qua nullus haereticus præfuisse dignoscitur, nec unquam præficiendum, præsertim Domino promittente, confidimus. Ait enim dominus Jesus: *Ego rogari pro te*, etc. *Innocent III. de consecr.* *Pontificis Sermo 2*: Nisi enim ego solidatus essem in fide, quomodo possem alios in fide firmare, quod ad officium meum noscitur specialiter pertinere, Domino protestante: *ego, inquit, pro te rogari, Petre*, etc. Rogavit et impetravit, quoniam *erauditus est in omnibus pro sua reverentia* (*Hebr. v. 7*). Et ideo fides apostolicæ sedis in nulla unquam turbatione defecit, sed integra semper et illibata permanxit, ut Petri privilegium persistet inconcussum. So too *Thomas Aquinas, Secunda Secundæ Summae theologicæ Quest. I. art. 10*, maintained with reference to that passage: ad auctoritatem summi Pontificis pertinet finaliter determinare ea, quæ sunt fidei, ut ab omnibus inconcussa fide teneantur. — ideo ad solam auctoritatem summi Pontificis pertinet nova editio Symboli. — On the other hand, *Gratianus Dist. XL. c. 6. ex dictis Bonifacii martyris*: [Papa] cunctos ipse judicaturus a nemine est judicandus, nisi deprehendatur a fide dervius: pro cuius perpetuo statu universitas fidelium tanto instantius orat, quanto suam salutem post Deum ex illius incolumente animadverbit propensius pendere. (The gloss to this passage closes: Sed pro quo peccato potest Imperator deponi? pro qualibet: unde deponitur, si est incorrigibilis, si est minus utilis ut *Caus. XV. Qu. 6. c. 3*.) So too *Innocent. III. de consecr. Pont. Serm. 3*: In tantum nibi fides necessaria est, ut, cum in cæteris peccatis Deum judicem habeam, propter peccatum, quod in fide committitur, possim ab ecclesia judicari.

<sup>1</sup> The first trace of such an oath in A. D. 1073, when Wibert, Archbishop of Ravenna, at his ordination swore allegiance to Pope Alexander II. as follows (see *Bonizonis, liber ad amicum*, lib. VI. in *Æfelia rer. Boic. Script. T. II. p. 810*): Consecratione rite celebrata, sacramento se obligavit, se fidem esse Papæ Alexandro ejusque successoribus, qui per meliores essent electi Cardinales. We have four forms of this oath: 1. In the acts of the Synod at Rome, A. D. 1079, when it was taken by the Patriarch of Aquileia (see *Mansi XX. p. 525*): II. In an Epist. *Gregorii VII. ad Petrum Subdiae. III.* The oath taken by Archiepiscopus Trinovitanus, Primas totius Bulgariae in the *Gestis Innocentii III. c. 77. IV.* That of Edmund, Archbishop of Canterbury, A. D. 1233, in *Raynald, ad h. a. no. 65*. The following is a reprint of no. I. with the most important variations from the others: Ab hac hora et in ante fidelis ero b. Petro et Papæ Gregorio, suisque successoribus, qui per meliores cardinales intraverint. (II. IV. ejusque succes-

confirm every choice of a bishop,<sup>2</sup> and even in some cases themselves

*soribus canonice intrantibus*). Non ero in consilio, neque in facto, ut vitam, aut membra, aut papatum perdant, aut capti sint mala captione. Ad synodum, ad quam me vocabunt vel per se, vel per suos nuntios, vel per suas literas, veniam et canonice obediam; aut, si non potero, legatos meos mittam. Papatum Romanum et regalia s. Petri (H. *regulas seq. Patrum*) adjutor ero ad retinendum et defendendum, salvo meo ordine. Consilium vero, quod mihi crederint per se, aut per nuntios suos, sive per literas, nulli pandam ne sciente ad eorum damnum. Legatum Romanum eundo et redeundo honorifice traetabo, et in necessitatibus suis adjuvabo. His, quos nominotim excommunicaverint, scienter non communicabo. Romanum ecclesiam per secularem militiam fideliter adjurabo, cum invitatus fuero. Hæc omnia obserrabo, nisi quantum sua certa licentia remiserit (Instead of the three last sentences no. II has *Limina Apostolorum singulis annis aut per me aut per certum nuntium visitabo, nisi eorum absolvatur licentia. Sic me Deus adjuret, et hæc sancta evangelia.*) Compare this oath (see p. 89, note 11) with Boniface's oath (see p. 10, note 3). This was not without opposition however, see *Paschalis II. epist. ad Archiepisc. Poloniae* (from Cencii Camerarii lib. censuum in Baronius ann. 1102, no. 8. Mansi XX. p. 984. The *Decret. Greg.* Lib. I. Tit. 6. c. 4, there is an extract therefrom with the fictitious superscription *Panormitanus Archiepisc.*; for which is usually read *Colocensi Archiep.* principally because the princeps Hungaricus is expressly mentioned in the letter. See however Schmidt Kirchengeschichte, Th. 6. S. 138. Ann. i.): Significasti, frater earissime, Regem et regni majores admiratione permotus, quod pallium tibi ab apocrisiariis nostris tali conditione oblatum fuerit, si sacramentum, quod a nobis detulerimus, jurares. — Ajunt, omne jusjurandum a Christo Deo in evangelio esse prohibitum, nec ab ipsis Apostolis post Dominum, nec in conciliis inveniri posse statutum. Quid est ergo quod idem Dominus subsecutus ait: *Quod amplius est a malo est* (Matth. v. 37)? hoc enim amplius ut exigamus, malum nos, illo permittente, compellit. Nonne malum est ab ecclesiæ unitate, a sedis apostolicæ obedientia, resilire? — Nonne prædecessor tuus præter Romani Pontificis conscientiam damnavit Episcopum? — Quid super Episcoporum translationibus loquar, quæ apud vos non auctoritate apostolica sed nutu Regis præsumuntur? Propter hæc mala et alia evitanda hujusmodi juramentum exigitur. — Nunquid non ultra vos Saxones, Danie consistunt? Et tamen corum Metropolitani et idem juramentum asserunt, et legatos apostolicæ sedis honorifice tractant, et in suis necessitatibus adjuvant, et Apostolorum limina per legatos suos non tantum per triennium, sed annis singulis visitant. See in F. J. Zaccaria *de rebus ad hist. atque antiquitates ecclesiæ pertinentibus dissertt. latinae* (Tomi II. Fulginia 1781, 4to.). Tom. II. p. 296 seq. How the Popes sometimes availed themselves of this oath see in *Innocent. III. registr. de negotio Imperii Epist. 68*, where he commands the Archbishop of Triers debito fidelitatis, quo Ecclesiæ Romanæ teneris astriktus, et vinculo juramenti, quod super hoc specialiter præstisti, to acknowledge Otho IV. or else he shall be excommunicated as transgressor proprii juramenti. In like manner Alexander IV. with the Archbishop of Mayence (see p. 227, note 6). Gregory IX. in the case of the Archbishop of Lyon, see p. 214, went still further.

<sup>2</sup> As early as the *Council. Rom.* ann. 1089. c. 6 (Mansi XX. p. 533), it was established: clerici et populus — apostolicae sedis *rel* metropolitani sui consensu pastorem sibi secundum Deum eligat. — Electionis potestas omnis in deliberatione sedis apostolicae *sive* metropolitani sui consistat. It began now to be customary for the bishops to seek for the papal confirmation to make sure a doubtful election, cf. *Chron. Ursperg.* p. 235 on the time of Otho IV. and Philip: *vix remansit aliquis Episcopatus, sive dignitas Ecclesiastica, vel etiam parochialis Ecclesia, quæ non fieret litigiosa, et Romanam deduceretur ipsa causa, sed non manu vacua.* Gaude, mater nostra Roma, quoniam aperiuntur cataracta thesaurorum in terra, ut ad te confluant rivi et aggeres nummorum in magna copia. Latare super iniquitate filiorum hominum, quoniam in recompensationem tantorum malorum datur tibi pretium. Jocundare super adjutrice tua discordia, quia erupit de puteo infernalis abyssi, ut accumulentur tibi multa pecuniarum praemia. Habes, quod semper stisti, decanta canticum, quia per malitiam hominum, non per tuam religionem,

to make the nomination,<sup>3</sup> this oath became more and more common amongst the suffragan bishops also. Thus, then, in the first place, the rights already claimed in the false Decretals, were now fully exercised — the exclusive right of summoning councils and confirming their decrees, of transferring and deposing bishops,<sup>4</sup> and, in a new and most pernicious form, the right of hearing appeals from the sentences of other bishops in all matters whatsoever.<sup>5</sup> Besides these, the popes

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orbem vicisti. Ad te trahit homines non ipsorum devotio, aut pura conscientia, sed scelerum multiplicium perpetratio, et huius decisio pretio comparata. Still during this whole period, the confirmation of the bishops by the metropolitans was all that was required by law, see Anton Pereira v. Figueiredo Beweis vom Recht der Metropolitane über ihre Bischöfe, übers. in Le Breit's Magazin für Staaten u. Kirchengeschichte Th. 3. S. 395 ff. Th. 4. S. 490 ff. To England, however, 1257, was sent the Statutum Roma cruentissimum, quo oportet quemlibet electum personaliter transalpinare, et in suam lesionem, imo eversionem, Romanorum loculos imprægnare (*Matth. Par.* p. 956).

<sup>3</sup> See note 9. Besides the old form *Dei gratia Episcopus*, which we find from the 5th century, and since the 11th century very common, (*Hist. liter. de la France*, T. I. p. 233, 259), we now find another *Dei et Apostolicae Sedis gratia Episcop.* First A. D. 1093 (during the Schism), in the Testament of Amatus, bishop of Rusco, in *Ughelli Italia Sacra*, T. VII. col. 535, but more frequently in the 13th century. *Thomassin.* P. I. Lib. I. cap. 60. § 9 and 19, is very inaccurate on this subject. Compare especially *Zaccaria de rebus ad hist. atque antiquitates ecclesiæ pertinentibus dissert. lat.* Tom. II. Diss. XII. p. 232 seq.

<sup>4</sup> cf. § 61, notes 4 and 6.

<sup>5</sup> See p. 66, note 4. Comp. *Gratian. Caus. II. Qu. 6. Decretal. Greg. Lib. II. Tit. 28.* — Especially *Decr. Greg. I. c. e. 11 (Alexander III.)*: De appellationibus pro causis minimis interpositis volumus te tenere, quod eis, pro quaenque levi causa fiant, non minus est, quam si pro majoribus fierent, deferendum. c. 12 (*Idem.*) : sacri canones et ante et post litis contestationem, et in prolatione sententiæ, et post sententiam singulis facultatem tribuunt appellandi : leges autem sœculares appellationem, nisi in casibus, ante sententiam non admittunt. It is true that the same Alexander III. says (I. c. cap. 7), that an appeal from the civil authorities to the Pope, etsi de consuetudine ecclesiæ teneat, secundum tamen juris rigorem credimus non tenere : but the episcopal courts having absorbed almost entirely the administration of justice (see § 63, notes 20 and 21), complaints on such matters were also brought to Rome. cf. (*Horix*) tract. de appellationibus et evocationibus ad curiam Rom. in *Concordata Nationis German. integra variis additamentis illustrata* (Tomi III. Francos. 1771–73. 8vo.) Tom. II. p. 171 seq. — Murmurs thus excited: *Hildebertus Archiep. Turonensis Epist. 82 ad Honorium P. II.* about 1125 (Maxima Bibl. PP. Lugdun. T. XXI. p. 159) : Quaslibet appellationes in Romana vigere et suscipi Ecclesia, eis Alpes auditum non est, nec in sacris traditum institutis. Quodsi forte hujusmodi emersit novitas, ut placeat omnem indifferenter admittere appellationem ; Pontificalis censura peribit, et omnino conteretur Ecclesiastica robur disciplinæ. Quis enim raptor ad solam anathematis communionem non statim appellabit ? — quis Episcopus habebit in promptu, non omnem dico, at aliquam ulcisci inobedientiam ? Ejus virgam quævis appellatione quassabit, solvet constantiam, severitatem emollet, adducens et illi silentium, et reis impunitatem delictorum : sic fiet, ut sacrilegia ac rapinæ, fornicationes ac adulteria permitto inudent incremento, cum Præsul ad superfluous appellationes clauerit ora, et desierit persecuti piorum persecutores locorum, cum viduarum injurias desierit ulcisci et orphanorum. Dilatatione nimis censuræ facinoræ fovebuntur, etc. These fears were soon enough justified by the event, *Bernard. Claramallensis Epist. 178 ad Innocentium II.* about 1135: Vox una omnium, qui fidei apud nos cura populis præsumt, justitiam in Ecclesia deperire, annulari Ecclesiæ claves, epi-copalem omnino vilescre auctoritatem, dum nemo Episcoporum in propria habeat, ulcisci injurias Dei, nulli licet illicita quævis ne in propria quidem parochia castigare. Causam referunt in vos curiamque Roma-

laid claim also to new rights, the universal right of *absolution*<sup>6</sup> and *dispensation*,<sup>7</sup> the exclusive right of *canonization*,<sup>8</sup> and finally, in spite of all opposition, the right of disposing of all *benefices*,<sup>9</sup> and of

nam. *Recte gesta ab ipsis, ut aiunt, destruitis, juste destructa statutis.* Quique flagitosi et contentiosi de populo, sive de Clero, aut etiam ex monasteriis pulsati currunt ad vos: redeuntes jactant et gestiunt, se obtinuisse tutores, quos magis ultores sensisse debuerant. In particular *Ejusd. de considerat, ad Eugenium P. Lib. III. cap. 2. A. D. 1152.* e. g. *Quousque murmur universæ terra aut dissimulas, aut non advertis?* *Quousque dormitas?* *Quousque non evigilat consideratio tua ad tantam appellationum confusionem atque abusionem?* *Praeter jus et fas, prater modum et ordinem fiunt.* Non locus, non modus, non tempus, non causa discernitur, aut persona. *Præsumuntur leviter passim, plerunque et nequiter.* Volentes malignari, nonne his potissimum terri solebant? Nunc terrori ipsi ex his magis fiunt, atque id bonis. *Antidotum versum in venenum, non mutatio dexteræ Excelsi hæc.* Appellantur boni a malis, ut non faciant bona, et supercedent a voce tonitruis tui formidantes. — *Videas, — prorumpere ad appellandum non tam gravatos, quam gravare volentes, — Cur, inquis, male appellati non veniunt ostensuri suam innocentiam, malitiam convicturi?* Dico, quod dicere ad hæc solent: “*Nolumus vexari frustra. In curia esse, qui proclirius foreant appellantibus, foreant appellations: cessuris Roma, domi cedere satius.*” Fato me non omnino decredere his. Quem das mihi in tam crebris appellationibus, quæ hodie fiunt, qui pro expensis itineris vel numnum restituerit illi, quem forte apparbit? Mirum vero, si ita omnes et appellantes justi, et appellati rei vestro examine inventi sint! etc.

<sup>6</sup> *Gregor. VII. Lib. VI. Epist. 4 ad Henric. Leodiensem Episc.* Lectis fraternalitatis tuae literis non parum mirati sumus, — te — nos de absolutione illius parochiani tui, qui olim ad nos venit, mordaci invectione reprehendisse, *tamquam apostolicæ sedis non esset auctoritas, quosecumque et ubicumque vult ligare et absolvire.* The custom of voluntarily sending great offenders to Rome (examples *Jeo Carnot. Ep. 98, 160. Hildebert. Turon. Epist. 60*, writes to a certain bishop concerning his presbyter, who had committed murder: *Si simile aliquid in commissa mihi Parochia contigisset, reuni ad Apostolicam misissem audientiam*), led gradually to the establishment of certain *casus Papæ reservati* (first *Innocent II.* in concil. *Rhemens.* ann. 1131, can. 13, the murder of an ecclesiastic), the number of which considerably increased. e. g. *Synod. Baiocensis*, ann. 1300. c. 87:

Incestum faciens, corrumpens, aut homicida,  
Sacerilegus, patrum persecutor cum sodomita,  
Clerum percutiens, Romam petit. etc.

Still more of these reservations in *Syn. Arelatens.* ann. 1275. c. 12. cf. *Thomassin. P. I. Lib. II. c. 13.*

<sup>7</sup> See § 61, note 7.

<sup>8</sup> Till the year 1170, each bishop exercised this right in his own diocese: as late as 1153 the archbishop of Rouen canonized a monk. But Alexander III, wrote to a convent *Deer. Greg. Lib. III. Tit. 45. c. 1:* *Audivimus, quod quidam inter vos — hominem quandam in potionem et ebrietate occisum, quasi sanctum, — venerantur. Illum ergo non præsumatis de cætero colere: cum, etiamsi per eum miracula plurima fierent, non licet vobis ipsum pro sancto absque auctoritate Romanae ecclesie publice venerari.* Innocent III, extended this even to the reliques *Conec. Later. IV. gen. ann. 1215. c. 62:* *Reliquias inventas de novo nemo publice venerari præsumat, nisi prius auctoritate Romani Pontificis fuerint approbatæ.* cf. *Benedicti XIV. de servorum Dei beatificatione et beatorum canonisatione libb. IV. in Benedicti XIV. Opp. (Rom. 1747. voll. XII.) vol. I—IV.*

<sup>9</sup> *Thomassin. P. II. Lib. I. c. 43.* Planck, Bd. 4. Absch. 2. S. 713 ff. *Rauamer.* Bd. 6. S. 92 ff. Hadrian IV, began with letters of recommendation to the bishops (First, Epist. 13 ad Episc. Paris. A. D. 1154 for Hugo, chancellor of France: *Inde est, quod illum fraternitatii tuae duximus plurimum commendandum, rogantes* attentius, quatenus — primum personatum vel honorem, qui in tua vacabit Ecclesia, ei concedas, ut et ipse nostras sibi *preces* sentiat fructuosas, et nos de nostrorum precum admissione gratiarum tibi exsolvere debeamus actiones.), which,

exacting contributions from the churches.<sup>10</sup> To give full effect to these most pernicious invasions of episcopal and ecclesiastical rights, a swarm of papal legates, clothed with general commissions and unlimited authority,<sup>11</sup> and secure of the most vigorous support from the

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however, under Alexander III., assumed the tone of command (*Ipsum commendamus, rogantes et rogando mandantes, etc.*), and by Innocent III. were carried through against all opposition (*Innoc. III. Lib. I. 116, 127, 115. Lib. XVI. Epist. 177.* *Alioquin ven. fratri Episcopo NN. damus nostris literis in mandatis, ut vos ad id per censuram ecclesiasticam appellatione remota compellat;*) till at length it was maintained by Clement IV. that the plenaria dispositio of all benefices belonged to the Pope (see the end of this note). In the thirteenth century this was carried to a great extent; most of all in England. Gregory IX. A. D. 1240, commanded three English bishops (*Matth. Paris, ad h. a. p. 532*), *ut trecentis Romanis in primis beneficiis vacantibus providerent.* It was said in England that the Pope had promised the Romans, in order to keep them on his side against the emperor, *ut quoniam essent in Anglia beneficia conferenda, — Romanorum filii vel consanguinei ad mitrum eorum forent distribuenda.* See the complaints of the English legates at the council of Lyons, 1245 (*Matth. Par. p. 667*): *jam ditantur in Anglia Italici, quorum est jam numerus infinitus, ecclesiis, — qui rectores ecclesiarum dicuntur, — nullam curam animalium gerentes, etc.* Italici percipientes in Anglia sexaginta millia marcarum, et eo amplius annuatim: — plus emolumenti inci redditus de regno reportant, quam ipse Rex, etc.

The appointment to vacant bishoprics was not so generally claimed by the popes, though this too they did in some cases, especially 1) *jure devolutionis* according to the principles of Gregory VII, in *Cone. Rom. ann. 1080, c. 6.* is, qui ad pravam electionem declinaverit, eligendi potestate privatur, and Innocent III. in *Cone. Later. ann. 1215, can. 23:* *ut ultra tres menses cathedralis vel regularis ecclesia Praelato non vacet, infra quos eligendi potestas ad eum, qui proxime praesesse dignoscitur, devolvetur.* *Thomassin. P. II. Lib. I. c. 51.* 2) in relation to *beneficia in curia vacantia*, first insisted on by Clement IV. *Sexti Decretal. Lib. III. Tit. IV. c. 2:* *Licet ecclesiarum, personatum, dignitatum, aliorumque beneficiorum ecclesiasticorum plenaria dispositio ad Romanum noscatur Pontificem pertinere, ita, quod non solum ipsa, cum vacant, potest de jure conferre, verum etiam jus in ipsis tribuere vacaturis: collationem tamen ecclesiarum, personatum, dignitatum et beneficiorum apud sedem apostolicam vacantium specialius ceteris antiqua consuetudo Romanis Pontificibus reservavit.* cf. *Thomassin. I. c. cap. 48.*

<sup>10</sup> Which was much done in the thirteenth century, under the pretext of supplying the crusades, and the struggles with the imperial power. Comp. § 55, notes 12 and 26. The Pope also assumed the right of granting permission to the temporal authorities to tax the churches, § 56, note 16; § 57, note 2; § 59, notes 8 and 9. Of the income of the popes, see *Raumer*, Bd. 6. S. 159 seq.

<sup>11</sup> Concerning the legates, see especially *de Marca, Lib. V. c. 44–58. Lib. VI. c. 29–34.* Comp. *Planck, Bd. 4. Abschn. 2. S. 639 ff. Raumer, Bd. 6. S. 75 ff.* Legates, with the general commission, *ad visitandas ecclesias*, were first appointed in the time of Leo IX. and Victor II. (*Abth. I. S. 164*), not numerous, however, till after Gregory VII. (see S. 42), and from that time a regular officer. Those appointed to a particular commission were called delegates (*delegati iudicis*). Examples of the powers with which they were invested: *Gregor. VII. Lib. IV. Ep. 26* *quatenus — nostra vice, quae corrigenda sunt corrigat, quae statuenda constituant.* *Innocent. III. Libr. XVI. Ep. 104*, cui nos vices nostras commisimus, ut *juxta verbum propheticum evellat et destruat, aedificet et plantet, quae secundum Deum evellenda et destruenda, neenon aedificanda cognoverit et plantanda.* This soon led to what was first explicitly decreed by Clement IV. (*Sexti Decretal. Lib. I. Tit. 15, c. 2:* *Legatos, quibus in certis provinciis committitur legationis officium, ut ibidem evellant et dissident, aedificant atque plantent, provinciarum sibi commissarum, at instar proconsulium veterorumque praesidum, quibus certae sunt decretae provinciae moderandae, ordinarios reputantes, praesenti declaramus edicto, commissum tibi a predecessor nostro legationis officium nequaquam per ipsius obitum expirasse.* They were to take precedence of all bishops, see *Gregor. VII. Dictatus 4* (see p. 7). Comp. the account given by *Gervasii Dorob.* p.

pope,<sup>12</sup> infested the provinces, destroying the power of the bishops, and making themselves infamous by their shameless extortions.<sup>13</sup> The

**1663.** In the year 1125 a legate came to England. Post modicum idem Legatus, peragrata Anglia, celebravit Concilium apud Westmonasterium, et totam Angliam in non modicam commovit indignationem. Videres enim rem eatenus regno Anglorum inauditam, clericum scilicet presbyteri tantum gradu perfunctum Archiepiscopis, Episcopis, Abbatibus, totiusque regni nobilibus, qui confluxerant, in sublimi solio praeisdere, illos autem deorsum sedentes ad nutum ejus vultu et auribus animum suspensus habere. Die quoque Paschæ cum idem primo veniret in Angliam, officium dici loco summi Pontificis in matrice Ecclesia celebravit, eminenti cathedra præsidens, et *insigniis pontificalibus utens* licet non Episcopus, sed simpliciter fuerit Presbyter Cardinalis. Quæ res quam gravi multorum mentes scandalo vulneraverit, et inusitata negotii novitas et antiqui regni Anglorum detrita libertas satis indicat. Like the popes, they disposed of benefices. *Innocent III. (Decr. Greg. Lib. III. Tit. 3<sup>o</sup>, c. 28)* ordains according to the title of the act: Legatus de latere ecclesiam, cuius alia ecclesia est patrona, collationi suæ reservare potest, licet non vacet, et conferre, cum vacat. (The gloss to this: Item videtur, quod liberam electionem posset legatus auferre capitulo, and decides that at least tempore suæ legationis posset interdicere et reservare sibi electiones.) Comp. *Decr. Greg. Lib. I. Tit. 30, c. 6*, and the commission of Innocent III. to his legates in England, see § 54, note 22. *Thomassin. P. II. Lib. I. cap. 52.*

<sup>12</sup> cf. *Gregor. VII. Lib. I. Ep. 16 ad Giraldum.* Many complaints were brought to Rome of this Giraldus, who was legate in Spain, quorum alii injuste se excommunicatos, alii inordinate depositos, alii immerito interdictos conqueruntur; Gregory acknowledges that his legate is in the wrong, but is withheld from interfering by the fear of impairing his authority. Amongst other things, he mentions that a bishop, unjustly deposed, had come to Rome: sed honori tuo providentes nulla querelis ejus responsa dedimus. He directs the legate himself to repeal the decision. cf. *Innocent. III. Lib. XVI. Ep. 12.*

<sup>13</sup> The legates were empowered to demand their support (procuratio) from the churches, and soon began to take it at their own estimate in money. cf. the oath for metropolitans in note 1. *Innocentius III. Lib. I. Epist. 568 (Decr. Gregor. Lib. III. Tit. 39, c. 17)*, omnes ecclesiæ legatis et nuntiis sedis apostolice procurations impendere tenentur. — Nuntiis nostris in necessariis expensis exhibendis pareat, quicunque fuerit humiliiter requisitus et honeste. — Qui vero contumaciter eis duxerit resistendum, omni prorsus appellatione remota per ecclesiastica distinctionis sententiam compescatur. — Concerning their extortions see *de Marca*, Lib. V. c. 49 — 51. *Raumer*, Bd. 6. S. 79 ff. Of their extravagance, ibid. c. 52. — Contemporary complaints: *Ivo Episc. Carnotensis* († 1115) *Epist. 109 ad Paschalem II.*: Cum erim a latere vestro mittitis ad nos Cardinales vestros tamquam filios uterinos, quia in transitu apud nos sunt, non tantum non possunt curanda curare, sed nec curanda prospicere. Inde est, quod multi — dicunt, sedem apostolicam non subditorum quærere sanitatem, sed suam aut *lateralium suorum* quærere commoditatem. *Bernardus Epist. 290 ad Episc. Ostiensem* A. D. 1152: Pertransiit Legatus vester (Cardinal Jordanus, see *Baron. ann. 1151*, § 6) de gente in gentem, et de regno ad populum alterum, fœda et horronda vestigia apud nos ubique relinquens. A radice Alpium et regno Teutonicorum per omnes pene Ecclesiæ Franciæ et Normanniæ et circumquaque circumiens usque Rothomagum vir Apostolicus replevit non Evangelio, sed sacrilegio. Turpia fertur ubique commississe, spolia Ecclesiarum asportasse, formosulos pueros in Ecclesiasticis honoribus, ubi potuit, promovisse, ubi non potuit, voluisse. Multi se redemereunt, ne veniret ad eos. Ad quos pervincere non potuit, exegit et extorsit per nuntios, etc. *Joannes Saresburiensis* († 1182) *Polyeraticus seu de nugis Curialium*, lib. V. c. 16 (Bibl. PP. Lugdun. T. XXIII. p. 319): Sed nec legati sedis Apostolicae manus suas excutiunt ab omni munere, qui interdum in provinciis ita debaceantur, ac si ad ecclesiam flagellandam egressus sit Satan a facie Domini. Comp. *Friedrichs I. letter in note 17.* *Wichmann in epist. ad Urbanum III.* see § 53, note 6. *Petrus Blæsensis in epist. ad Clement. III.* § 53, note 16. At last Alexander IV. lent an ear to these complaints. cf. *Ejus Epist.*

numerous *court*,<sup>14</sup> also, which the multiplied affairs of the popes forced them to maintain, were distinguished by the same insatiable avarice and contemptible venality.<sup>15</sup>

*encyclica ad Archiepiscopos Gall.* (ed. Baluz. ap. *de Marca*, Lib. V. c. 51, § 14) — sicut ad audiētiam nostrām non sine animi turbatione p̄venit, horū [nuatio-rum] nonnulli, famae sue prodigi et salutis obliti — occasione procurationum hujusmodi a nonnullis Ecclesiis et ecclesiasticis personis — magnas et immoderatas pecuniarum summas, equos etiam et mulos — extorquere ausu sacrilegio pr̄sumserunt, diversas excommunicationum, suspensionum et interdicti sententias in quam plures ex personis et ecclesiis, nolentes et forsitan nequeentes eorum in his avaritiae satisfacere, temere promulgando, in animarum suarum periculum, nos-train et dictæ sedi infamiam, et scandalum plurimorum. Cūn igitur hæc et alia multa enormia de ipsis nuntiis jam sepius fuerint ad nos, clamante fama et clamore diffamante, delata, nos volentes talium insolentias — punire, frateritati tuæ — mandamus, — quatinus statim — in tua provinciæ — diligenter inquiras, quid, quantum et qualiter nuntii nostri procurationum suarum pr̄textu — receperunt, etc. Though apparently without effect.

<sup>14</sup> *Gerohi Reicherspergensis de corrupto Ecclesiæ statu ad Eugenium III. Papam* (*Boluzii miscellan.* lib. V. p. 63); Neque enim vel hoc ipsum carere macula videtur, quod nunc dicitur *Curia Romana*, quæ antehac dicebatur *Ecclesia Romana*. Nam si revolvantur antiqua Romanorum Pontificum scripta, nus-quam in eis reperitur hoc nomen, quod est curia, in designatione saerosanetæ Romane Ecclesiæ, etc.

<sup>15</sup> How this continued in Rome even during the great contest against Simony, see in *Ieronis Carnot. Epist. 94 ad Richard. Legatum* (*Baronius ann. 1104*, no. 9 seq.), in answer to the charge that Simony was still practised in his province: Si quæ autem adhuc sunt, quæ pro consuetudine antiqua publice exigant Decanus et Cantor et alii ministri ab his, qui Canonici fiunt, me contradicente et persequente: Romana Ecclesia consuetudine se defendunt, in qua dicunt Cubicularios et Ministros sacerdi Palati multa exigere a consecratis Episcopis vel Abbatibus, quæ oblationis vel benedictionis nomine palliantur, cum nec calamus, nec charta gratis, ut aiunt, habeatur: et hoc quasi lapide conterunt frontem meam, cum non habeam, quid respondeam, nisi Evangelicum illud: *Quod dicunt, ser-vate et facite: sed si id faciunt, secundum opera eorum nolite facere* (Matth. xxiii. 3). — *Joannes Saresbur. Polycrat. lib. VI. c. 24:* Memini me causa visitandi Dominum *Adrianum Pontificem quartum*, qui me in ulteriore familiari-tatem admiserat, profectum in Apulia, mansique cum eo Beneventi ferme tres menses. Cum itaque, ut fieri solet inter amicos, sæpe plurimis conferremus, et ipse, quid de se et Ecclesia Romana sentirent homines, a me familiarius et diligenter quæreret: ego apud eum usus spiritus libertate, mala, quæ in diversis provin-ciis audieram, patenter exposui. Sieut enim dieebatur a multis, Romana Ecclesia, quæ mater omnium Ecclesiarum est, se non tam matrem exhibet aliis, quam novercam. Sedent in ea Scriba et Pharisæi, ponentes onera importabilia in hu-meris hominum, quæ dixito non contingunt. — Conciunt Ecclesias, lites exci-tant, collidunt clerum et populum, laboribus et miseriis afflictorum nequaquam compatiuntur, Ecclesiarum latentur spoliis, et quæstum omninem reputant pietatem. Justitiam non tam veritati, quam pretio reddunt. Omnia namque cum pretio hodie, sed nec eras aliquid sine pretio obtinebis. Nocent sæpius, et in eo dæmones im-itantur, quod tunc prodesse putantur, cum nocere desistunt, exceptis paucis, qui nomen et officium pastoris implent. Sed et ipse Romanus Pontifex omnibus gra-vis, et fere intolerabilis est. — Palatia splendent sacerdotum, et in manibus eorum Christi sordidatur Ecclesia. Provinciarum diripiunt spolia, ac si thesauros Crœsi studeant reparare. Sed recte cum eis agit altissimus, quoniā et ipsi aliis, et sæpe vilissimis hominibus dati sunt in direptionem. Et, ut opinor, dum sic in invio erraverint, nunquam deerit eis flagellum Domini. Os siquidem Domini locutum est, quia *quo judicio judicaveriut, judicabuntur, et sua mensura remetietur eis*. Antiquus dierum mentiri non novit. Hæc inquam, Pater, loquitur populus, quandoquidem vis, ut illius tibi sententias proferam. Et tu, inquit, quid sensis? An-gustiæ, inquam, sunt undique. — Veruntamen quia *Guido Clemens S. Potentia-næ Presbyter Cardinalis* populo testimonium perhibet, ei usquequaque contradic-

Against these disorders, the complaints of the nations proved as ineffectual as the occasional opposition of the bishops,<sup>16</sup> and the

cere non præsumo. Asserit enim, in Romana Ecclesia quandam duplicitatis esse radicem et fomentum avaritiae, que caput et radix est omnium malorum. Neque id quidem in angulo, sed conscientibus fratribus, S. Eugenio præidente — publice protestatus est. — Comp. *Chronicon Ursperg.* p. 235, above, note 2. — Remarkable the acknowledgment of Honorius III. (*Math. Paris*, ann. 1226, p. 328). In a great assembly of English bishops and barons, the legate Otho laid before them a papal rescript. In quibus idem Papa allegavit scandalum sanctarum Romanarum Ecclesiarum et opprobrium vetustissimum, notum scilicet concupiscentiarum, quae radix dicitur omnium malorum; et in hoc præcipue, quod nullus potest aliquid negotium in Romana Curia expedire, nisi cum magna effusione pecuniarum, et donorum exhibitione. Sed quoniam scandali hujus et infamiae Romanae paupertas causa est, debent matris inopiam sublevare, ut filii naturales. The Pope proposed, therefore, that in each cathedral and each convent, two places should be given up to him. Of course the English had little confidence in this remedy. — In poems, also, the Pope's court were satirized. Comp. *Varia doctorum piorumque virorum de corrupto ecclesiæ statu poëmatum cum pref.* *Math. Flacii.* Basil. 1557. edit. 2. 1754. Svo. See especially Bernhard, a monk in Clugny, in the middle of the twelfth century, a poem *de contemptu mundi ad Petrum Abb. suum* (edit. 2. p. 226 seq.), e. g. p. 351 (also in *Bulaeus*, T. II. p. 53):

Roma dat omnibus onnia dantibus; omnia Romæ  
Cum pretio: quia juris ibi via, jus perit omne:  
Ut rota labitur, ergo vocabitur hinc rota Romana.  
Roma nocens nocet, atque viam docet ipsa nocendi,  
Jura relinquere, luera requirere, pallia vendi.

And *Gualtherus Mapes* from A. D. 1197 archdeacon in Oxford, a series of poems in *Flacius*. p. 121 seq. especially. *De his quæ rulant in Rom. Curia*, p. 148, and *In Papam et Curiam*, p. 420. In this last, e. g.

Roma capit singula, et res singulorum:  
Romanorum curia non est nisi forum:  
Romæ sunt venalia jura senatorum,  
Et solvit contraria copia nummorum.  
In hoc conistorio si quis causam regat  
Suam vel alterius, hoc imprimis legat:  
Ni-i det pecuniam, Roma totum negat;  
Qui plus dat pecuniarum, melius allegat.

See two passages from the Minnesingers, in L. Uhlands Walthier v. d. Vogelweide. Stuttg. 1822. S. 125 ff.

<sup>16</sup> For example of Maurice, bishop of Poitiers, to Innocent III., who had appointed a Prior as judge delegatus in a case of complaint against Maurice. *Innoc. III. Lib. XVI. Ep. 12.* adeo insolens effectus esse Episcopus dicatur sacerdictus, ut publice prædicans, quod in episcopatu suo esse vult Episcopus atque Papa, et asserens, quod per judices delegatos a nobis, quos Papæ judicellos appellat, in sua diocesi nihil fieri, etc. With more dignity two English bishops. First, *Robert Grossthead* (Grosse-tête) bishop of Lincoln (*Math. Paris*, ann. 1253. p. 876.) Domini Papæ et Regis redargutor manifestus, Prelatorum correptor, Monachorum corrector, Presbyterorum director, clericorum instructor, Scholarium sustentator, Populi præparator, Scripturarum sedulus perserutator diversarum, Romanorum malleus et contemptor, — in officio Pontificali sedulus, venerabilis, et infatigabilis, (*Roger. Bacon. opus maius*, p. 45. 48: qui solus novit scientias). Innocent IV. having required of him, quod ei videbatur injustum et rationi dissonum (according to *Heinr. Knighton*, in *Oudini commun. de Scriptt. Eccl. T. III.* p. 137, that he should appoint Canon a relative of the Pope who was yet a boy), he answered him with sufficient freedom (*Math. Paris*, ann. 1252. p. 870 seq.). e. g. Non est igitur prædictæ literæ tenor Apostolicae sanctitatib[us] consonus, sed absolum plurimum et discors. Primo quia de illius literæ — superaccumulato *Von obstante* (see § 61. note 7, at the end) — secat catastylmus inconstantiarum, audacia et proeacitatis, invercundie, mentiendi, fallendi, etc. — Praeterea post peccatum Luciferi — non est, nec esse potest alterum genus peccati tam adversum et contrarium Apostolo-

partial resistance of the princes.<sup>17</sup> The resistance of the Latin patri-

rum doctrina et Evangeliae, — quam animas curæ Pastoralis officii et ministerii defraudatione mortificare et perdere. Quod peccatum — committere dignoscuntur, qui in potestate curæ pastoralis constituti, de lacte et lana ovium Christi — salarium comparant, debita non administrant. — Sicut in bonis causa boni melior est suo causato, sic et in malis causa mali pejor est suo causato. Manifestum, quoniam talium — introductores ipsi: pessimis interemotoribus sunt pejores, Lucifero et Antichristo proximiores, et in hac pejoritate gradatim, quanto magis superexcellentes, qui ex maiore et diviniore potestate — magis tenerentur ab ecclesia Dei talis interemptores pessimos excludere et extirpare. Non potest igitur sanctissima sedes Apostolica — aliquid vergens in hujusmodi peccatum — mandare. Hoc enim esset sua potestatis evidenter sanctissima et plenissima vel defectio, vel corruptio, vel abusio. — Nec potest quis immaculata et sincera obedientia eidem sedi subditus et fidelis — [ejusmodi] mandatis — undecimque emanantibus, etsi a supremo Angelorum ordine, obtemperare, sed necesse habet totis viribus contradicere et rebellare. Propter hoc, reverendi Domini, ego ex debito obedientia et fidelitatis, qua teneor utriusque parenti Apostolica sedis sanctissimæ, — his que in prædicta litera continentur — filialiter et obediente non obedio, contradico et rebello. — Breviter autem recolligens dieo, Apostolicae sedis sanctitas non potest nisi que in adificationem sunt, et non destructionem: hæc enim est potestatis plenitudo, omnia posse in adificationem. Hæc autem, quas vocant *provisiones*, non sunt in adificationem, sed in manifestissimum destructionem. The Pope was enraged beyond all bounds, but the Cardinals advised him: Non expediret, Domine, ut aliquid durum contra Episcopum statueremus: ut enim vera fateamur, vera sunt, quæ dicit. Hence conilium dederunt Domino Papa, ut omnia haec coniunctibus oculis sub dissimulatione transire permetteret, ne super hoc tumultus excitaretur. Maxime propter hoc, quia securi, quod quandoque discessio est ventura. See Robert's complaints of ecclesiastical abuses on his death bed, ibid. p. 874 seq. Sewald, Archbishop of York, pursued a similar course, and was excommunicated (*Matth. Par.* ann. 1257. p. 956), but de solatio cœlitus mittendo minime desperavit, omnem Papalem tyrannidem patienter sustinendo. Nec optimos ecclesie sue reditus transalpinis indignis et incognitis conferre volebat, nec curavit voluntati Papali, relieto juris rigore, muliebriter obedire vel inclinari. Quapropter quanto magis precipiente Papa maledicebatur, tanto plus a populo benedicebatur, tacite tamen, propter metum Romanorum. He, too, wrote to the Pope, complaining of this persecution (l. c. ann. 1258 p. 969): Humiliter igitur in scripto suo et instanter, sicut memoratus Episcopus Lincolniensis Robertus fecerat, petiti, ut consuetas tyranides temperaret, humilitatem, seq. predecessorum secundo. Dixit enim Dominus Petro: *Pusce oves meas, non tonde, non excoria, non eviscera, vel devorando consume.* Sed Dominus Papa subsannans et contemnens indignationem concepit non minimam, et salubribus monitis renuit inclinare. Remarkable, that of both these men, even the excommunicated Sewald, legends were current after their death, which show a belief in their peculiar holiness (l. c. p. 876, s. 969).

<sup>17</sup> With regard to the legates, the kings both of France (*de Marca*, Lib. VI. c. 31) and England (l. c. Lib. V. c. 56. § 5 seq.) maintained that none should be sent without their consent. This was first made a condition by William II. of England, when Urban II. had sent a legate to that country, conventionem, ne Legatus' Romanus ad Angliam mitteretur, nisi quem Rex preciperet (*Hugo Flarin*, in Chron. Virdun. p. 241). This right was maintained up to the time of Henry III: who also insisting upon it, A. D. 1244, a certain Magister Martinus was sent (*Matth. Paris*, p. 641), habens novam et inauditam potestatem, videbatur ampliorum, quam unquam menuimus aliquem Legatum habuisse, but (l. c. p. 645) Legati vestibus *pro privilegio Regis sophistice salvando* non insignitus, whence *Matth. Paris* calls him the Legatus sophisticus. When however in 1264 the English barons reminded a legate of this right, he answered: Asseritis privilegium vestrum esse, quod ad vos Legatus non veniat non petitus. Sed absit, ut Romana Ecclesia lege propria se arctaverit, ne possit per alios visitare, quorum visitationem praesentialiter nequit adimplere. Nec potuit aliquis summus Pontifex legem ponere successori, quia non habet imperium par in parem, nec Papa unius præde-

archs in the East would have been more dangerous for the popes,<sup>18</sup>

cessoris heres est, sed successor. (*Ex. Ms. in de Marca*, Lib. V. c. 56, § 13) : and thus too Boniface VIII. maintained in opposition to Philip the fair (*Raynald*. ann. 1303, no. 34), quod Romanus Pontifex Legatos de latere ac Nuncios libere mittere potest ad quavis imperia, regna vel loca, prout vult, absque petitione cuiuslibet vel consensu, usu vel consuetudine contrariis nequaquam obstantibus. — In Germany little was done in this particular except by the Hohenstaufen. Frederick I. in his dispute with Hadrian IV. (see § 52, note 13) complains de Cardinalibus quoque sine permissione Imperiali libere per regnum transeuntibus, et regalia Episcoporum palatia ingredientibus, et ecclesias Dei gravantibus : de injustis appellationibus et cæteris quam plurimis brevitate superantibus (*Baronius*, ann. 1159, no. 15). cf. *Hadriani Ep. ad Imp.* (*Baron.* I. c. no. 5) : manifeste factus nobis contrarius, Cardinalibus a latere nostro directis non solum ecclesias, sed et civitates regni tui claudis. To this Frederick replies (I. c. no. 6) : Cardinalibus utique vestris clausæ sunt Ecclesiæ, et non patent civitates ; quia non videmus eos Cardinales, sed Carpinales ; non prædicatores, sed prædatores ; non pacis corroboratores, sed pecuniae raptiores ; non orbis reparatores, sed auri insatiabiles corrasores. Cum autem viderimus eos, quales requirit Ecclesia, portantes pacem, illuminantes patriam, assistentes cause humilium in æquitate, necessariis stipendiis et commeatu eos sustentare non differemus. Hadrian complains to the German bishops (*Goldast. constitt. Imper.* T. I. p. 266), [Imperator] facto edicto, ne aliquis de Regno vestro ad Apostolicam sedem accedat, per omnes fines ejusdem regni custodes dicitur posuisse, qui eos, qui ad sedem Apostolicam venire voluerint, violenter debeant revocare. The emperor explains this in his letter to the bishops (I. c.) thus : Introitum et exitum Italia nec clausimus edicto, nec claudere aliquo modo volumus peregrinantibus, vel pro suis necessitatibus rationaliter *cum testimonio Episcoporum et Prælatorum suorum* Romanam sedem adeuntibus : sed illis abusionibus, quibus omnes Ecclesiae Regni nostri gravatae et attenuatae sunt, et omnes pene claustralia disciplinae emortuæ et sepulta, obviare intendimus. See § 53, note 5, at the end, and note 17. Henry II. attempted to do the same thing in England (*Constit. Clarend.* VIII., see § 52, note 25) : but not only did the popes succeed in making him take back his decree (see § 52, note 27) : but moreover the German emperors, from the time of Otho IV. (see above, § 54, notes 15, 18; § 58, note 9), were bound by oath in such a way as to disarm them.

18 The Latin patriarchs were not forgetful of the original dignity of their see. The second patriarch of Antioch, *Rudolphus* maintained, utrumque Petri esse Cathedram, Antiochenam et Romanam, eamque quasi primogenitam insignem prærogativa, and called himself collega et frater Domini Papæ, but was obliged to yield (*Willem. Tyrius*, Lib. XV. c. 12, 13, who is not however an impartial historian, as between the sees of Antioch and Tyre there were territorial disputes. *Baronius*, ann. 1136, no. 26 seq.). Also *Egidii legati acerrima disputatio adv. Antioch. Patriarcham in Ludewig Reliquiæ Manuscriptt.* T. II. p. 452 seq.) : Still as late as 1198, *Innocent. III.* (Lib. I. Ep. 50. *Deer. Greg.* Lib. I. Tit. 7. c. 1) had to reprimand a patriarch of Antioch for interfering in the papal right of transferring bishops. — So too, A. D. 1208, (Lib. XI. Ep. 76) he complains of Thomas, first patriarch of Constantinople, for disobedience and disregard of the papal legate. His successor Everard is reproached by Honorius III. (*Raynald.* 1218. no. 26—28) : Sicut — acceperimus, tu supra te volens extendere alas tuas — legatos de tuo latere diriges cum ea plenitudine potestatis, qua legati sedis Apostolice diriguntur. Illi enim per Patriarchatum tibi commissum causarum audiencia, qua ad te, vel ad ipsos per appellationem minime deferuntur, sibi vendicare præsumunt, et inconsultis Prælati eorum subditos excommunicant, excommunicatos absolvunt, — appellationibus non deferunt, quas contingit ad Sedem Apostolicam interponi. — Ecclesiastica etiam beneficia conferunt, non expectantes, quod ad te potestas eadem conferendi juxta Lateranense concilium (see note 9) devolvatur (not very unlike to their brethren of Rome). Still more severely the following patriarch Matthäus (*Raynald.* ann. 1222, no. 22 seq.), and accuses him also : ut quasi velis ab aquilone tuum solium collocare, excommunicatos a legato Apostolice sedis passim ab olvis, et appellationibus legitime interpositis ad eandem deferre contemnis. According to *Raumer*, Bd. 3. S. 388. Anm. 3, there is more

had not their very existence depended too entirely on Rome and the West. In France alone, distinguished in this period above all other countries for knowledge of the ancient canon law, as well as political unity and vigor, were any bounds set to these abuses, by the *Pragmatic Sanction* of Lewis IX. A. D. 1269.<sup>19</sup> But it was not till the contest of Philip the Fair with Boniface, that not only separate consequences, but the general principles of the papal system were openly opposed,<sup>20</sup> and the extravagance of the papal pretensions universally felt.<sup>21</sup>

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on this subject in the *Regest Honorii inedit.* The patriarchs of Constantinople, however, who, according to *Matth. Paris*, ann. 1238, p. 181, excommunicated the Pope, were not as *Raumer* suggests, Bd. 6. S. 316, Latin prelates, but Schismatics, see *Raynold*, ann. 1238, no. 35.

<sup>19</sup> March, 1268, Old Style. See *Ordonnances des Roys de France de la troisième race recueillies par M. de Lauriere Paris, 1723, fol. vol. I.* p. 97. *Leibnitii mantissa cod. jur. gent.* p. 157. The chief points are: statuimus et ordinamus primo ut ecclesiasticorum regni nostri praefati, patroni, et beneficiorum collatorum ordinarii jus suum plenarium habeant, et unicuique sua iurisdictio debite servetur. II. Item ecclæ-sie cathedralæ et aliae regni nostri liberas electiones et earum effectum integraliter habeant. — V. Item exactiones et onera gravissima pecuniarum per Curiam Romanam ecclesie regni nostri impositas vel imposta, quibus regnum nostrum miserabiliter depauperatum exxit, sive etiam imponendas vel imponenda, levare aut colligi nullatenus volumus, nisi duntaxat pro rationabili, pia et urgentissima causa, et inevitabiliter necessitate, ac de spontaneo et expresso consensu nostro et ipsius ecclæ-sie regni nostri. The conclusion: Harum tenore universis justitiariis, officiariis et subletis nostris — mandamus, quatenus omnia et singula prædicta diligenter et attente servent — atque servari — inviolabiliter faciant: nec aliquid in contrarium quovis modo faciant vel attentent, seu fieri vel attentari permittant: transgressores aut contra facientes — tali pena plectendo, quod cæteris deinceps cedat in exemplum. The genuineness of this document, which is questioned chiefly by *P. Daniel*, is shown by *E. Richer hist. concill. general.* Lib. III. p. 189. *Libertés de l'église Gallicane*, edit. ann. 1771. T. III. p. 633, 667. *Velly hist. de France*, T. III. p. 239.

<sup>20</sup> *Johannes de Parrhisiis de potest. regia et Papali* (see § 59, note 34) cap. XI, in *Goldasti Monarchia*, T. II. p. 120: Potestas Praelatorum inferiorum non est a Deo mediante Papa, sed immediate a Deo, et a populo eligente vel consentiente. Non enim Petrus, cuius successor est Papa, misit alios Apostolos, quorum successores sunt alii Episcopi: nec LXXII discipulos, quorum successores sunt presbyteri Curati: sed eos Christus immediate misit (*Joann. 20. et Luc. 10.*). Nec Petrus insufflavit in alios Apostolos, dans eis Spiritum sanctum, et potestatem dimittendi peccata, sed Christus (*Joann. 20 et deinde 21*). *In novo* (i. e. *Gratiani Decr. Dist. XXI. c. 2*) dicitur, quod omnes a Christo simul eandem et æqualem acceperunt potestatem. Paulus etiam dicit, suum Apostolatum non accepisse a Petro, sed a Christo, seu a Deo immediate *ad Gal. 1*, etc.

<sup>21</sup> See the remarkable expressions of *Guilelmus Durandus*, bishop of Mende (Mimatum) in his *tractatus de modo celebrandi generalis concilii* (written 1311, on occasion of the council at Vienna) Part II. Tit. 7: Proverbium vulgare est: "qui totum vult, totum perdit." *Ecclesia Romana sibi vendicat universa: unde timendum est, quod universa perdat*: nam, siue Solomon ait Proverb. XXX [v. 33], "qui multum emungit, sanguinem elicit." Sicut habetur exemplum de ecclesia Græcorum, quæ ex hoc ab ecclesiæ Romanae obedientia dicitur recessisse.

## CHAPTER SECOND.

HISTORY OF THE HIERARCHY IN THE NATIONAL CHURCHES.

## § 63.

## THEIR RELATION TO THE STATE.

WHILST the popes were thus making themselves the heads of both church and state, the efforts of the hierarchs of the various national churches to make themselves entirely independent of the temporal power,<sup>1</sup> were impeded by the existing feudal relations.<sup>2</sup> The right formerly exercised by the temporal lords, of bestowing vacant benefices, had, indeed, been modified to a bare *jus primarum precum*; \* but the prelates, though chosen by the church, were still bound to take the oath of fealty,<sup>3</sup> to perform their feudal duties,<sup>4</sup> and, in all feudal matters, to abide by the decision of their feudal lords.<sup>5</sup> On these feudal relations were founded also the right of *Regalia* (*jus*

<sup>1</sup> See § 48, note 12. Comp. *Urbani II. Epist. 14, ad Rodulphum comitem* (Mansi XX. p. 659): *Nosse te volumus, quia nulli secularium domino potestatem in clericos habere licet; sed omnes clerici Episcopo soli esse debent subjecti. Quicumque vero aliter præsumperit, canonicea procul dubio sententiæ subjacebit.* See § 49, notes 14 and 15. § 50, note 8.

<sup>2</sup> See above, § 49, note 5. § 50, note 8.

\* The first trace of which in Germany is under King Richard, but with the expression: *vestigia prædecessorum nostrorum et imperatorum Romanorum inherentes* (*Arentin. antiqu. Altah. in Otfale scriptt. rer. Barar.* T. I. p. 728). Then in the letter of *Rudolph* of Hapsburg to an Abbot, in the *Paraleipomenis ad Chron. Ursperg.* ann. 1286, and thence *Goldast. Const. Imp.* T. III. p. 446: *Cum ex antiqua et approbata, ac a divis Imperatoribus et Regibus ad nos producta consuetudine qualibet Ecclesia in nostro Romano Imperio constituta, ad quam beneficiorum ecclesiasticorum pertinet collatio, super unius collatione beneficii precum nostrarum primariae admittere tematur. Devotionem tuam rogamus, quatenus huic clericu de ecclesiastico beneficio, quod ad tuam collationem attinet, ob reverentiam sacri imperii, studeas liberaliter providere.* cf. *Würdtwein subsid. dipl.* T. II., 1. On the whole subject see *Thomassinus*, P. II. Lib. I. c. 54.

<sup>3</sup> Conceded even by *Innocent. III. in Conc. Lateran.* ann. 1215, c. 43 (*Decr. Greg.* Lib. II. Tit. 24, c. 30).

<sup>4</sup> Comp. *Thomassin.* P. III. Lib. I. c. 45—48. *Hüllmann's Gesch. d. Ursprungs d. Stände in Deutschland*, Th. 2. S. 56 ff. *Montag's Gesch. d. deutschen staatsbürgerl.* Freyheit, Bd. 2. S. 447 ff.

<sup>5</sup> Conceded by *Alexander III. Decr. Greg.* Lib. II. Tit. 2. c. 6 (where the Rubrik reads: *Si quæstio feudalis est inter clericum et laicum, cognoscet dominus feudi*) and c. 7. Thus *Innocent III.* intercedes with King Philip II. of France, (Lib. XIII. Ep. 190) for the bishops of Auxerre and Orleans: *dum eorum saissiri fecisti regalia, immo etiam quedam alia præter illa, —levi occasione prætensa, quod quidam eorum milites in tuo exercitu constituti ad locum, quem eos adire præceperas, ire cum aliis noluerunt, absentibus eisdem Episcopis per licentiam a te liberaliter impetratain. Et cum — tibi humiliter supplicaverint, ut faceres eis reddi regalia sic subtracta, paratis postmodum curia tuae subire judicium, sicut in talibus fieri consuevit, tu supplicationes eorum admittere noluisti, etc.* cf. Lib. XIV. Ep. 52.

regaliæ), and of spoil (jus spolii, or jus exuviarum), claimed by the lords of the land,<sup>6</sup> and maintained (notwithstanding the opposition of the popes)<sup>7</sup> in Germany till the time of Otho IV.;<sup>8</sup> in France and England always.<sup>9</sup>

As late as the twelfth century, the clergy were often laid under contribution by their temporal lords, and sometimes in an oppressive and unjust manner.<sup>10</sup> But Alexander III. (A. D. 1179) made all such contributions to the support of the state voluntary, except where they arose out of their feudal relations,<sup>11</sup> and Innocent III. made

<sup>6</sup> Comp. *de Marca de Conc. Sac. et Imp.* Lib. VIII. c. 1 seq., esp. c. 17 seq. *Natalis Alex. hist. ecclesiast. ad Sac. XIII. et XIV.* Diss. VIII. *Planck*, Bd. 4. Absch. 2. S. 79 ff. *Eichhorn's deutsche Staats- u. Rechtsgeschichte*, Th. 2. S. 430. — These rights are not found to have existed anywhere till the 12th century. In Germany the first trace of the Regalia is probably in *Frider. Archiep. Coloni. epist. ad Otton. Bamb.* (see § 49, note 21). In the time of Frederick I. the right of spoil was already long established. See § 53, note 6. The grounds of the claim to Regalia given by Philip the Fair to the bishop of Auxerre (see *de Marca*, Lib. VIII. c. 22, § 6: *Sicut feodum vassallo vacans interim cum suis redditibus a domino liceit occupatur, et propter defectum hominis, ut vulgari nostræ patriæ verbo utamur, de jure et generali consuetudine regni nostri per dominum, quoisque superveniat persona, qua illi serviat, liceit detinetur: sic nos et nostri antecessores vacante Ecclesia Carnotensi et temporalem jurisdictionem et bona temporalia accipimus, et nos facimus omnes fructus, qui proveniunt ex eisdem.* Non solum autem nostram potestatem in bonis episcopalibus exercemus; immo bona temporalia præbendarum et dignitatum, sive sit jurisdictione temporalis, sive alia bona temporalia, quæ possint ad aliquem pertinere, cum vacante præbenda vel dignitate concedimus, et de eis, predicto tamen modo, disponimus nostro jure.

<sup>7</sup> *Cone. Claramont.* ann. 1095, can. 31. *Cone. Tolosan.* ann. 1119, can. 4.

<sup>8</sup> By Otho IV. see above, § 54, note 15; by Frederick II. see *ibid.* note 22, who also secured the same to the German prelates, in a document of A. D. 1220 (best ed. in *Schilteri Institutt. Jur. publ.* T. II. p. 110), and finally by Rudolph of Hapsburg, § 58, note 8.

<sup>9</sup> The *Cone. gener. Lugdun.* ann. 1274, can. 12, in *Mansi*, T. XXIV. p. 90, excommunicates those (according to the report of the eye-witness *Guil. Durandus sen.* in his *comm. ad canones Cone. Lugd.* ad clamorem Praetorum Francie et Angliae) qui regalia, custodiā, sive guardiam advocationis, vel defensionis titulū in ecclesiis, monasteriis, sive quibuslibet aliis piis locis, *de novo* usurpare conantes, bona ecclesiarum, monasteriorum, aut locorum ipsorum vacantium occupare præsumunt. On the other hand: Qui autem ab ipsarum ecclesiarum, ceterorumque locorum fundatione, vel ex antiqua consuetudine, jura sibi hujusmodi vindicant: ab illorum abusu sic prudenter abstineant, et suos ministros in eis solite faciant abstinere, quod ea, quæ non pertinent ad fructus sive redditus provenientes vacationis tempore, non usurpent; nec bona cætera, quorum se asservant habere custodiā, dilabi permittant, sed in bono statu conservent. Still an attempt was made by Boniface VIII. though ineffectual, to dispute the right to the Regalia with Philip the Fair, see above, § 59, note 12; *ibid.* note 21, no. V.

<sup>10</sup> On the taxes and the immunities of the clergy in this period generally, see *Thomassin*, P. III. Lib. I. c. 41–44. *Planck*, Bd. 4. Abschn. 2. S. 158 ff. *Bernhard* of Clairvaux, in his letter of thanks to the Duke of Lorraine for the remission of certain taxes (Epist. 119) says still, as did Ambrose long before (Vol. I. § 89, note 1): *Alioquin non renuiimus Domini nostri sequi exemplum, qui pro se non dignatus est solvere censem, parati et nos, libenter quæ sunt Cæsaris Cæsari reddere, et vectigal cui vectigal, et tributum cui tributum: presertim quia iuxta Apostolum non tam debemus requirere datum nostrum, quam vestrum lucrum* (*Phil. iv. 17*).

<sup>11</sup> *Cone. Lateran.* III. can. 19. in *Mansi*, XXII. p. 228 (*Decr. Greg.* Lib. III. Tit. 49. c. 4): in diversis partibus mundi rectores et consules civitatum necon et

them dependent on the papal permission.<sup>12</sup> This last regulation proved a serious drawback on the freedom from taxes,<sup>13</sup> which the clergy now began to claim.<sup>14</sup>

The clergy claimed, likewise, unconditional immunity from the jurisdiction of the temporal courts.<sup>15</sup> But the lenity of the ecclesiastical courts towards members of their own order, in cases of capital crimes,<sup>16</sup> threatened the greatest disorders, and the lay-courts some-

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ali, qui potestatem habere videntur, tot ecclesiis frequenter onera imponunt, et ita gravibus eas crebrisque exactionibus premunt, ut deterioris conditionis factum sub eis sacerdotium videatur, quam sub Pharaone fuerit, qui divinae legis notitiam non habebat. — Universa fere onera sua imponunt ecclesiis, et tot angariis eas affligunt, ut illud eis, quod Ieremias deplorat, competere videatur: *Principes provinciarum facta est sub tributo (Thren. 1. 1.)*. Sive quidam fossata, sive expeditiones, sive qualibet sibi arbitrentur agenda: de bonis ecclesiasticis, clericorum et pauperum Christi usibus deputatis cuncta volunt fere compilari. — Quocirca sub anathematis districione sevrius prohibemus, ne de eastero talia prasumant attentare, nisi Episcopus et clerici tantam necessitatem vel utilitatem aspexerint, ut absque ulla coactione ad relevandas communes necessitates, ubi laicorum non suppetunt facultates, subsidia per ecclesiias existiment conferenda.

<sup>12</sup> *Cone. Lateran.* IV. can. 46, in *Mansi*, XXII. p. 1030 (*Deer. Greg.* Lib. III. Tit. 49. c. 7) after referring to Alexander's ordinance above mentioned, proceeds: Verum si quando Episcopus simul cum clericis tantam necessitatem vel utilitatem prospexerint, ut, — subsidia per ecclesiias duxerint conferenda: praedicti laici humiliter et devote recipiant cum actionibus gratiarum. Propter imprudentiam tamen quorundam Romanum prius consulant Pontificem, cuius interest communibus utilitatibus providere.

<sup>13</sup> Examples of such permission given, (see above, § 56, note 16; § 57, note 2; § 59, note 9). cf. *Thomassin.* P. III. Lib. I. c. 41; § 6 seq. c. 43; § 5 seq.

<sup>14</sup> Many of the prelates, it is true, sought this freedom from their liege lords by conferring equivalent privileges (see *Hüllmann's Gesch.* d. Ursprungs d. Stände, Th. 2. S. 53 f.): others however demanded it as their right. cf. *Cone. Narbon.* ann. 1227, can. 12. in *Mansi*, XXIII. p. 24: Item statuimus, ut clerici occasione patrimonii sui vel persone nullatenus tallientur, etc. In like manner *Cone. Tolosan.* ann. 1229, can. 20, 21. *Cone. Bitterense*, ann. 1246, can. 22. *Cone. Nonnet.* ann. 1261, can. 7. *Cone. Colon.* ann. 1266, can. 8. *Cone. Budense*, ann. 1279, can. 59 et 60 (in *Mansi*, XXIV. p. 300.). Compare the attempts of Boniface VIII. See above, § 59, note 6, 20 seq.

<sup>15</sup> Most unreservedly claimed by Urban II. (see note 1) cf. *Cone. Nemausens.* ann. 1096, can. 14 (*Mansi*, XX. p. 936): Nullus — nec clericos, nec monachos in curiam suam ad secularre cogat venire judicium: quoniam hoc rapina esset et sacrilegium. Still as late as *Gratian*, appendix to *Caus. XI. Qu. 1. c. 30.* the custom of the times was: Ex his omnibus datur intelligi, quod in civili causa clericus ante civilem judicem convenientius est. — In criminali vero causa non nisi ante Episcopum est clericus examinandus. *Alexander III.* however, *Cone. Lateran.* ann. 1179, can. 14. decreed: Sane quia laici quidam ecclesiasticas personas, et ipsos etiam Episcopos, suo judicio stare compellunt; eos, qui de cetero id praeumpserint, a communione fidelium deceruimus segregandos. And *Innocent III.* (*Deer. Greg.* Lib. II. Tit. 2. c. 12.) reproached the Archbishop of Pisa: asseruisti, te usque ad haec tempora tenuisse, quod licitum sit euilibet clero renuntiare saltem in temporalibus causis juri suo, et sibi laicum judicem constitutum, præsumtum ubi aduersari voluntas accedit, and condemns this view, cum non sit beneficium hoc personale, cui renuntiari valeat, sed potius toti collegio ecclesiastico sit publice indultum, cui privatorum pactio derogare non potest. On this whole subject, see *Thomassin.* P. II. Lib. III. c. 112 — 114.

<sup>16</sup> The principle of the church as to the punishment of such of the clergy as were convicted of crimes is thus explained by *Cœlestinus III.* A. D. 1192 (*Deer. Greg.* Lib. II. Tit. I. c. 10): si clericus — in furto, vel homicidio, vel perjurio,

times demanded the restoration of their right to judge such cases;<sup>17</sup> which had, at least, the good effect of sharpening the severity of ecclesiastical law.<sup>18</sup>

seu alio mortali criminis fuerit deprehensus legitime, atque convictus, ab ecclesiastico judice deponendus est. Qui, si depositus incorrigibilis fuerit, excommunicari debet, deinde, contumacia crescente, anathematis mucrone feriri. Postmodum vero, si in profundum malorum veniens contempserit; cum ecclesia non habeat ultra, quid faciat, et ne possit esse ultra perditio plurimorum, per saecularem compromendus est potestatem, ita quod ei deputetur exsilium, vel alia legitima poena infatur. The temporal authorities were only allowed (*Conc. Herefordense*, ann. 1129 in *Thomassin*. P. II. Lib. III. c. 113, § 5) to imprison the clergy flagrante maleficio in furto, rapina, homicidio, vel raptu mulierum, vel eundendo falsam monetam, but non ut vindictam in ipsum exerceat, sed ut eundem reddat Ecclesiastico judicii. Such was the order of Richard Cœur de Lion in Normandy. (*Matth. Paris*, ad ann. 1190, p. 161). On the other hand Nicholas III. grants this right to Philip of France as a privilege (see *Rayn.* ann. 1278, § 37).

<sup>17</sup> For instance, Henry II. in England. Comp. the contemporary *Gulielmus Neubrig. Rerum Anglic. Lib. II. c. 16*: Regi circa curam regni satagenti, et malefactores sine defectu externuari jubenti, a judicibus intimatum est, quod multa contra disciplinam publicam, scil. furtæ, rapinæ, homicidia a clericis saepius committerentur, ad quos scilicet laicæ non posset jurisdictionis vigor extendi. Denique ipso audiente declaratum dicitur, plus quam centum homicidia intra fines Angliae a clericis sub regno ejus commissa. — Nempe Episcopi dum defendendis magis clericorum libertatibus vel dignitatibus, quam eorum vitiis corrigendis reseandisque invigilant, arbitrantur obsequium se prestare Deo et Ecclesie, si facinorosos clericos, quos pro officiis debito canonicae vigore censurae coercere vel nolunt vel negligunt, contra publicam tueantur disciplinam. Unde clerici — habentes per impunitatem agendi, quocunque libuerit, licentiam et libertatem, neque Deum — neque homines potestatem habentes reverenter, cum et episcopalis circa eos sollicitudo sit languida, et saeculari eos jurisdictioni sacri eximat ordinis prærogativa. To this the king sought to put a stop, A. D. 1164, by the ordinances passed at Clarendon, cap. 3, the history of which see above, § 52. More cautiously Philip Augustus of France, with his barons, in the *Capitulis de interceptionibus Clericorum adversus jurisdictionem Domini Regis* A. D. 1219 (*Ordonnances des Roys de France de la troisième race, recueillies par M. de Lauriere*. Paris. 1723 seq. fol. vol. I. p. 40, and *Nouvel examen de l'usage general des fiefs en France par M. Brussel*. Paris. 1750. 4to. T. II. Appendix. p. XXVII.). Secundum capitulum, quod quando Clericus capitur pro aliquo forisfacto, unde aliquis dicitur vitam vel membrum perdere, et traditur Clero ad degradandum, Clerici volunt degradatum omnino liberare. Ad quod respondemus: quod clerici non debent eum degradatum reddere curia, sed non debent eum liberare, nec ponere in tali loco, ubi capi non possit: sed Justitiarii possunt illum capere extra ecclesiam vel cimiterium, et facere justitiam de eo, nec inde possunt trahi in causam. — Si clericus deprehensus fuerit in raptu, tradetur Ecclesiæ ad degradandum; et post degradationem eum capere poterit Rex vel Justitiarius extra ecclesiam vel atrium, et facere justitiam de eo; nec poterit inde causari. — See finally, the laws of Frederick II. in Sicily, A. D. 1231, see above, § 55.

<sup>18</sup> Innocent III. *Decr. Greg. Lib. H. Tit. I. c. 17*: Præcipiatis ex parte nostra Prælati, ut laicis de clericis conquerentibus plenam faciant justitiam exhiberi, — ne pro defectu justitie clerici trahantur a laicis ad judicium saeculare, quod omnino fieri prohibemus. *Idem Decr. Greg. Lib. V. Tit. 39, c. 35*: cum Prælati excessus corrigere debeant subditorum, et publicæ utilitatis intersit, ne criminis remanent impunita, et per impunitatis audaciam fiant, qui nequam fuerant, nequiores: non solum possunt, sed debent etiam Superiores clericos, postquam fuerint de criminis canonice condemnati, sub arcta custodia detinere. The same to the bishop of Paris (*Decr. Greg. Lib. V. Tit. 40, c. 27, § 1*): Pro illo falsario clero scelerato, — hoc tibi duimus consulendum, ut in perpetuum carcerem ad agendum paenitentiam ipsum includas, pane doloris, et aqua angustiæ sustentandum, ut commissa defleat, et flenda ulterius non committat. The *Conc. Lambethense*, ann. 1261, threatens, it is true, all who should imprison the clergy, with excom-

On the other hand, the prelates usurped, in no small degree, the rights of the state (though for the preservation of public order and sound morals, always beneficially), partly by providing ecclesiastical remedies for the prevailing disorders and crimes,<sup>19</sup> and partly by assuming to themselves, more and more, the administration of justice; the list of matters reserved for the jurisdiction of the ecclesiastical courts being constantly increased,<sup>20</sup> and an appeal to them open in all

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munication and interdict (*Mansi* XXIII. p. 1065), but afterwards provides (p. 1072) : quod quilibet Episcopus in suo episcopatu habeat unum vel duos carcères — pro clericis flagitiis deprehensis in criminis, vel convictis, juxta censuram canonicanam detinendis. Item statuimus, quod si clericus aliquis adeo malitiosus et incorrigibilis fuerit, — quod, si esset laicus, secundum leges sæculi ultimum deberet pati supplicium, talis clericus carceri perpetuo addicatur.

<sup>19</sup> First by ecclesiastical laws. Thus we find laws, with penalty of the highest ecclesiastical punishments, for upholding the *treuga Dei* (see above, § 36). Conc. Claromont. ann. 1095, c. 1. Conc. Lateran. ann. 1102. Conc. Lateran. I. gen. ann. 1123, c. 13. Conc. Lateran. II. gen. ann. 1139, c. 12. Cone. Lat. III. ann. 1173, c. 21, etc.), against piracy (Conc. Lat. III. c. 24), the plunder of wrecked vessels (*ibid.* and still earlier Cone. Nannetense, ann. 1127), robbery and burning (Decr. Greg. Lib. V. Tit. XVII. De raptoribus, incendiariis et violatoribus ecclesiistarum. Conc. Herbipol. ann. 1287, c. 30: De spoliatoribus stratarum), usury (Decr. Greg. Lib. V. Tit. XIX. De usuris, though afterwards countenanced by the popes themselves, see above, § 55), forgery (Conc. Later. I. gen. c. 15), tournaments (Cone. Later. II. gen. c. 14. Conc. Lat. III. c. 20, detestabiles illas nundinas vel ferias, quas vulgo tornieamenta vocant cf. Decr. Greg. Lib. V. Tit. 13. De tornieamentis), against the before permitted ordeal (Decr. Greg. Lib. V. Tit. 35. De purgatione vulgari. See above, § 36): prohibitions also of new taxes (at first, it is true, with the condition, see Alexander III. in Cone. Lat. III. gen. c. 22: Nec quisquam alieni novæ pedagiorum exactiones sine auctoritate regum et principum consensu statuere, — aut veteres augmentare aliquo modo temere præsumat; afterwards, however, the condition is omitted. Cone. Monspeliense, ann. 1214, c. 43. Cone. Tolos. ann. 1229, c. 21. Cone. Biterrense, ann. 1246, c. 29, and the Cone. Herbipol. ann. 1287, c. 40, orders even: Cum impONENTES et exigentes nova passagia, vel antiqua seu concessa augmentantes singulis annis summus Pontifex in Cœna Domini anathematis vinculo denunciet subjacere: statuimus, ut ordinari locorum — singulis annis in Cœna Domini solemniter coram populo eosdem, sive sint archiepiscopi, etc. aut laici, seu sacerdotes personæ, quo-cumque nomine censemantur, pulsatis campanis et candelis accensis, excommunicatos denuncient, usque ad integrum restitutionem tanquam excommunicatos ab omnibus evitandos. See the assumptions of Boniface VIII. towards Philip the Fair, above, § 59, note 20) and even interference in military affairs (Cone. Lateran. II. gen. c. 29, in Decr. Greg. Lib. V. Tit. 15 c. unic: Artem autem illam mortiferam et Deo odibilem ballistariorum et sagittariorum adversus Christianos et catholicos exerceri de cætero sub anathemate prohibemus.). — This kind of jurisdiction was much exercised by the provincial synods (see § 35, note 16) which still continued, Comp. Montags Gesch. d. deutschen staatsburg. Freyheit. Bd. 2. S. 412 ff.

<sup>20</sup> *Innocent. III. lib. XII. Ep. 154 ad Comitem Tolosanum (Decr. Greg. lib. V. Tit. 40, c. 26)*: super universi capitulis, que pro pace servanda sunt, — item riduis, pupillis, orphanis et personis miserabilibus teneris in judicio ecclesiastico respondere (see Vol. I. § 89, § 113). — To the ecclesiastical tribunals belonged exclusively, also all complaints and offences of the crueesignati (*Conc. ad Castrum Guntherii*, ann. 1231, c. 22), all questions relating to wills, and oaths, and all complaints about usury. Vid. *Thomassin*. P. II. Lib. 3. c. 110. Planck, Bd. 4. Absch. 2. S. 219 ff. *De Pouilli sur la naissance et les progrès de la juridiction temporelle des églises in the Mémoires de l'Acad. des Inscr.* T. 39, p. 603. Finally it was allowed by Lucius III. ann. 1181 (Decr. Greg. Lib. II. Tit. II. c. 8) personis ecclesiasticis — malefactores suos — sub quo maluerint judice conuenire. Hence the clergy may possibly have sometimes purchased causes, that

cases whatever.<sup>21</sup> As late as the twelfth century, this extravagant assumption of power by the ecclesiastical courts,<sup>22</sup> was even rebuked

they might bring them before the ecclesiastical tribunals: forbidden by Gregory IX. (Decr. Greg. Lib. I. Tit. 12, c. 2) and Conc. *ad Castrum Guntherii*, ann. 1231, c. 19.

<sup>21</sup> The church maintained a right of supervision over the administration of justice in all cases. Thus the Conc. Lateran. II. gen. ann. 1139, c. 20 (Caus. XXIII. Qu. 8, c. 32) adds to certain ordinances concerning incendiaries: *Sane Regibus et Principibus facienda justitiae facultatem consultis episcopis et archiepiscopis non negamus* — hence appeals *in defectu justitiae sacerdotalis*, even in feudal matters (Alexander III. ad Archiep. Senonensem, in Decr. Greg. Lib. II. Tit. 2, c. 6, per dominum feudi causam jubicas terminari, et si ipse malitiose distulerit, tu ei debitum finem imponas, cf. c. 10 and 11). This was carried further by Innocent III. ad Prelatos Francie (Decr. Greg. Lib. II. Tit. 1. c. 13) in justification of his attempts to mediate between the kings of France and England: *Cum Dominus dicat in Evangelio: si peccaverit in te frater tuus, etc. Quod si non audierit, dic ecclesia: si autem ecclesiam non audierit, sit tibi sicut ethnicus et publicanus* (Matth. xviii. 15–17); et rex Angliae sit paratus sufficienter ostendere, quod rex Francorum peccat in ipsum, et ipse circa eum in correptione processit secundum regulam evangelicam, et tandem quia nullo modo profecit, dixit ecclesia: quomodo nos, qui sumus ad regimen universalis ecclesiae superna dispositione vocati, mandatum divinum possumus non exaudire, ut non procedamus secundum formam ipsius, nisi forsitan ipse coram nobis vel legato nostro sufficientem in contrarium rationem ostendat? Non enim intendimus judicare de feudo, — sed discernere de peccato: cuius ad nos pertinet sine dubitatione censura, quam in quemlibet exercere possumus et debemus. Non igitur injuriosum sibi debet regia dignitas reputare, si super hoc apostolico judicio se committat, cum *Valentinianus*, inclitus Imperator, suffraganeis Mediolanensis Ecclesiae dixisse legatur: *talem in pontificali sede constituere procureatis, cui et nos, qui gubernamus imperium, sincere nostra capita submittamus, et ejus monita, cum tamquam homines deliquerimus, suscipiamus necessario, velut medicamenta curantis.* Nec sic illud humilium omnittamus, quod *Theodosius* statuit Imperator, et Carolus innovavit de cuius genere rex ipse noscitur descendisse: *Quicunque videlicet litem habens — ad Episcoporum judicium cum sermone litigantium dirigatur* (see above, § 9, note 7). Cum enim non humanae constitutioni, sed divine legi potius inimitamur; quia potestas nostra non est ex homine, sed ex Deo: nullus, qui sit sanæ mentis ignorat, quin ad officium nostrum spectet de quoconque mortali peccato corripere quemlibet Christianum, et si correctionem contempserit, ipsum per distinctionem ecclesiasticam coercere. The Rubrik of this cap. is: *Judex Ecclesiasticus potest per viam denunciationis Evangelicae seu judicialis procedere contra quemlibet peccatorem etiam laicum, maxime rationis perjurii vel pacis fractae.* And the Gloss: executionem gladii temporalis imperatoribus et regibus commisit Ecclesia, et tamen jurisdictionem causarum civilium aliquando per sacerdotes exercuit. Comp. Bonifacii VIII. epist. § 59, and the speech of Cardinal Portuensis, ibid. note 24.

<sup>22</sup> *Bernard. de considerat.* lib. I. c. 3. Quæso te, quale est, istud, de mane usque ad vesperam litigare, aut litigantes audire? Et utinam sufficeret diei malitia sua, non sunt liberæ noctes, etc. c. 6: *Putasne hæc tempora sustinere, si hominibus litigantibus pro terrena hæreditate, et flagitantibus abs te judicium, voce Domini tui responderes: O homines, quis me constituit judicem super vos?* (Luc. xii. 14). In quale tu judicium mox venires? “ Quid dicit homo rusticanus et imperitus, ignorans primatum sumi, inhonoran summam et præcelsam sedem, derrogans Apostolice dignitati? ” Et tamen noui monstrabunt, puto, qui hoc dicent, ubi aliquando quispiam Apostolorum judex sederit hominum, aut divisor terminorum, aut distributor terrarum. — Mihī tamen non videtur bonus aestimator rerum, qui indignum putat Apostolis seu apostolicis viris non judicare de talibus, quibus datum est judicium in majora. — Quænam tibi major videtur et dignitas et potestas, dimittendi peccata, an predia dividendi? Sed non est comparatio. Habent hæc infima et terrena judices suos, reges et principes terræ. Quid fines alios invaditis? Quid falcem vestram in alienam messem extenditis? etc.

in the church itself by Bernhard; after that it was only occasionally attacked by the laity, and by the church obstinately defended.<sup>23</sup>

## § 64.

### INTERNAL RELATIONS OF THE DIOCESES.

Whilst the popes were encroaching on the rights of the bishops, on one side, the *cathedral chapters*, on the other, were constantly seeking to extend their own privileges,<sup>1</sup> and become independent of the episcopal authorities, especially since the choice of the bishops had been exclusively committed to them.<sup>2</sup> The increasing presumption of the

<sup>23</sup> There was now a growing enmity between the temporal and spiritual tribunals; hence the charge: *sæculares judices in exhibenda justitia personis ecclesiasticis sæpe in judicio sunt remissi* (Lucius III. ann. 1181, in Deer. Greg. Lib. II. Tit. 2. c. 8). See the complaints of the other side, especially in France: *Capitula de interceptionibus Clericorum adv. jurisdictionem Domini Regis*, A. D. 1219, above, note 17). New complaints of the barons at the diet of Melun, A. D. 1125. Comp. *Preuves des libertés de l'église Gallic*, ch. VII. nr. 5. In the reign of St. Louis this went so far that the barons leagued themselves together to oppose the usurpations of the church (*Math. Paris*, ann. 1246, p. 719), and, amongst other things, passed a resolution (p. 720), *ut nullus clericus vel laicus alium de cetero trahat in causam coram ordinario judice vel delegato, nisi super haeresi, matrimonio, vel usuris: amissione omnium bonorum suorum et unius membra mutilatione transgressoribus imminentie; — ut sic jurisdictio nostra resuscitata respiret, et ipsi hac-tenus ex nostra depauperatione ditati — reducantur ad statum ecclesiae primitivæ, et in contemplatione viventes nobis, sicut decet, activam vitam ducentibus ostendant miracula, quæ dudum a sæculo recesserunt*. Hence the acts of councils against those, qui, ut nullus conqueratur coram ecclesiastico judice, prohibit. Conc. Heribopol. ann. 1287, c. 36. Statuta Synodal. Joannis Ep. Leodiensis, ann. 1287, Tit. XVII. c. 9 (*Mansi XXIV.* p. 922). Conc. Compendiense, ann. 1301, c. 4, 5. Guil. Durandus de modo celebrandi concil. gener. P. II. Tit. 70. In Germany we find the emperors admonishing both parties to keep within their proper bounds. See *Sammlung der Reichsabschiede*, Th. I. S. 17. (A. D. 1322) S. 36. (Rudolph of Habsburg, 1282 and 1291) S. 38. (Adolph of Nassau, 1293, and Albrecht I. 1303). Hence the ecclesiastical pretensions seem sometimes to have been abandoned. Conc. Mogunt. ann. 1261, can. 18 (in *Hartzheim Concil. germ. T. III.* p. 600): *Ne Prelati vel quilibet judices ecclesiastici de causis, quas laici habent ad invicem, se ullenitus intromittant, nisi tales sint causæ, quas ad forum ecclesiasticum non sit dubium pertinere: ne ex hoc sæculare judicium, quod est valde incongruum, eneretur*. Conc. Colon. ann. 1266, c. 17 (l. c. p. 623). Conc. Mogunt. ann. 1310. Tit. de foro competente (ibid. T. IV. p. 184).

<sup>1</sup> (*Ickstadt*) disquisitio canonico-publica de Capitulorum origine, progressu, juri' us, etc. Amstelod. 1758. 4to. Planck, l. c. S. 565 ff. *Raumer*, Bd. 6. S. 29 ff. — The chapters became now a favorite mode of providing for the younger sons of the nobility. Thus the chapter of Strasburg, in 1232, in a remonstrance to Gregory IX. (Deer. Greg. Lib. III. Tit. 5. c. 37), appeal to consuetudinem antiquam, inviolabiliter observatam, juxta quam nullum, nisi nobilem et liberum, et ab utroque parente illustrem — in suum consortium hactenus admiserant; the Pope, however, rejected this custom on the ground, quod non generis, sed virtutum nobilitas vitæque honestas gratum Deo faciunt, etc. *Seufert's Geschichte des deutschen Adels in den hohen Erz. u. Doneapitein.* 1790. 8vo.

<sup>2</sup> The influence of the laity in the choice of bishops had, of course, been much less since the establishment of the principles developed in the dispute concerning investitures. It was, however, ordained by Innocent II. Conc. Later. ann. 1139, c. 28: *sub anathemate interdicimus, ne canonici de sede episcopali ab electione*

archdeacon<sup>3</sup> led, in the thirteenth century, to the appointment of new officers, called *officials*<sup>4</sup> and *punitiaris*,<sup>5</sup> to whom more and more of the duties of the archdeacon were transferred.<sup>6</sup> Since the thirteenth

Episcoporum excludant religiosos viros: sed corum consilio honesta et idonea persona in Episcopum eligatur. Hence *Gerodus* Præp. Reichersberg, lib. V. (*Baluz.* Miscell. lib. V. p. 88) determines the order of election as thus: Spiritales et religiosi viri habent consulere. Canonici eligere, populus petere, honorati assentire, with the clause, however, that even if these last withhold their consent, non propter hoc irrita erit electio, si alias est canonica. After the choice of the Pope had devolved upon the Cardinals exclusively (see above, § 52), the chapters imitated the example, and it was ordered by Innocent III. Conc. Later. IV. ann. 1215, c. 21 (Decr. Greg. Lib. I. Tit. 6. c. 42), without reservation, as already in the oath administered to Otho IV. A. D. 1209 (see above, § 54, note 13), ut is collatione adhibita eligatur, in quem omnes, vel major, vel senior pars capituli consenserit: and by Gregory IX. (Decr. Greg. I. c. c. 56): Edicto perpetuo prohibemus, ne per laicos cum canoniciis Pontificis electio presumatur. Quæ si forte præsumpta fuerit, nullam obtineat firmatatem: non obstante contraria consuetudine, quæ dici debet potius corruptela. cf. *Thomassinus*. P. I. lib. II. c. 33. Planck, Bd. 4. Absch. 2. S. 588 ff. Raumer, Bd. 6. S. 21 ff.

<sup>3</sup> Of their duties and rights, see Decr. Greg. Lib. I. Tit. 23. *De officio Archidiaconi*. Thus cap. I. Ut Archidiaconus post Episcopum sciat, se vicarium esse ejus in omnibus. The jurisdiction delegata passed gradually into an ordinaria; and the archdeacons abused their power to oppress the lower clergy and bid defiance to their bishops. *Thomassin*. P. I. lib. II. c. 20. J. G. Pertschens Abhandl. v. d. Archidiaconen, bischöfl. Officialen u. Vicarien. Hildesheim. 1743. Svo. Planck, I. c. S. 598 ff.

<sup>4</sup> Some instances of such an office in the twelfth century (*Thomassin*. P. I. lib. II. c. 8, § 3. Pertsch. S. 271): in the thirteenth century they became more and more common (Conc. Paris, ann. 1212, P. III. c. 11, and Conc. Rotomag. ann. 1214, P. III. c. 11: [Episcopi] Officiales fideles habeant et prudentes sine personarum acceptione gratis justitiam exhibentes.) In the Decret. Greg. the officials are not mentioned in the Lib. I. Tit. 28, *De officio ricarii*: but the Lib. Sextus Decretarium, Lib. I. Tit. 13, *De officio ricarii*, on the other hand, refers to them exclusively.—Different names for them: *Officiarius* (Conc. Cicestren. ann. 1289, c. 10), *Vicarius in spiritualibus et temporalibus* (Conc. ap. Nobiliacum, ann. 1290), *Tenens vices Episcopi* (Conc. Pergam. ann. 1311, Rubr. 22), *Vicarius in spiritualibus* (I. c. Rubr. 23), *Vicarius seu officialis* (I. c. Rubr. 24).—The first trace of a distinction between the *Vicarius in spiritualibus* and the *Officialis*, seems to be in the Conc. Colon. ann. 1280. See Pertsch. S. 273. Comp. Joh. Wolff's hist. Abhandl. v. d. geistl. Kommissarien im Erzstift Maynz. Göttingen. 1797. Svo.

<sup>5</sup> First created by Innocent III. in the decree Conc. Later. ann. 1215, cap. 10 (Decr. Greg. Lib. I. Tit. 31, c. 15): Generali constitutione sancimus, ut Episcopi viros idoneos ad sanctæ prædicationis officium salubriter exequendum assumant, potentes in opere et sermone, qui plebes sibi commissas vice ipsorum, cum per se idem nequierint, sollicite visitantes, eas verbo adiicient et exemplo. Unde præcipimus, tam in cathedralibus quam in aliis conventionalibus ecclesiis viros idoneos ordinari, quos Episcopi possint coadjutores et cōp̄eratores habere, non solum in prædicationis officio, verum etiam in audiendis confessionibus, et pœnitentiis injungendis, ac easteris, quæ ad salutem pertinent animarum. Si quis autem hoc adimplere neglexerit, districtæ subjaceat ultiōni. cf. *Thomassin*. P. I. Lib. II. c. 10, § 5 seq. To this officer were referred the *causas Episcopo reservati*, concerning which cf. *Thomassin*. P. I. Lib. II. c. 14.

<sup>6</sup> By provincial synods of the thirteenth century. e. g. Conc. apud Vallem Guidonis, ann. 1242, cap. 4: Sane quia nonnulli, quos ecclesiasticus ordo ad relevamen et subsidium Episcoporum elegit, et ss. patrum canones decreverunt, ut quod per seipso non possent, facilius cognoscentes per alios, explicarent, falcam suam in messem alienam mittentes, ad illicita manus suas et prohibita mittere non verentur: statuimus, ut Archidiaconi et alii de causis matrimonialibus, simoniæ,

century, every rich bishop had so many *suffragans*<sup>7</sup> under him, that he could leave to them entirely the performance of his duties.

## § 65.

### MORALS OF THE CLERGY.

The disciplinary laws for the clergy were, in this period, made considerably more severe, and often enough repeated, but were rendered ineffectual by the absence of all true moral culture. In the chapter-houses, an effort was made from the end of the eleventh century to revive the old canonical rules, and even in greater rigor than ever (the so-called *regula S. Augustini*),<sup>1</sup> but it soon proved

vel aliis, quæ degradationem vel amissionem beneficij, vel depositionem exigant, nisi de speciali mandato sui Pontificis, nullatenus cognoscere vel diffinire praesumant: nec Officiales habere, excepto civitatis Archidiacono qui alias officiales habere consuevit. Comp. Pertsch, S. 81, 190, 197.

<sup>7</sup> There had been *Episcopi in partibus infidelium*, or *Episcopi titulares* in Spain (*Thomassin*, P. I. Lib. I. c. 27, § 8 seq.), and in the Byzantine empire (I. c. c. 28, § 4 seq.) ever since the irruptions of the Saracens. In the thirteenth century certain wealthy bishops in the West, began to employ their exiled brethren from the East as *Vicarii in pontificalibus*, or *Suffraganei*. The first suffragans we hear of are: in *Trier* Henricus Ostiensis Episc. A. D. 1241 (Honthem. hist. Trevir. T. I. p. 640); in *Mayence* 1248, Theodericus Ep. Vironensis (*Memoria Propontificum Moguntinorum* [by J. Seb. Severus] Mogunt. 1763. 4to. p. 42); soon after in *Cologne* (J. H. Heister *Suffraganei Colonienses*. Colon. 1641. 8vo. p. 65); about 1255 in *Cambrai*. After the Saracens had completely overrun Palestine, the fugitive bishops wandered about in the West, offering their services on all sides, especially to the privileged convents, which led to great abuses. Clement V., at the Cone. Viennense, ann. 1311 (Clementin. lib. I. Tit. III. c. 5), states: In plerisque ecclesiis — clero carentibus et populo Christiano multos frequenter, et religiosos præsertim, improvida superiorum provisio ad pontificatus adsumit honorem, qui nec, ut expediret, prodesse, nec præesse, ut deceret, valentes, instabilitate vagationis et mendicitatis opprobrio serenitatem pontificalis obnubilant dignitatis. He therefore orders, ut nullus de cætero, quantacumque dignitate præpollens, nisi speciali super hoc auctoritatib[us] sedis apostolicae fulciatur, de pastore provideat cathedrali ecclesiæ, sibi qualitercumque subjectæ, quæ clero careat et subditis Christianis: nullusque religiosus a suo umquam, quod provisioni tali consentiat, licentietur prælato. cf. Cone. Ravennate II. ann. 1311, Rubr. 24 *De excessibus Prælatorum*: — Valde indignum est, juri ecclesiæ et honestati contrarium, quod admittantur et recipiantur ad episcopalia exercenda ignoti et vagabundi Episcopi, et maxime lingua et ritu dissoni: ex quorum ordinatione, sicut experientia docuit, proveniunt duo mala, quia promoventur incogniti, inhabiles et indigni, et etiam de ipsorum rita ordinatione dubitatur, etc. Cone. Ravenn. III. ann. 1314, Rubr. 4: Item exhortamur, — ac attentius requiri mus omnes et singulos exemptos, — ut nullos Episcopos peregrinos vel ignotos, et populum subditum extra mare non habentes, invitent, seu admittant ad ordinationes tenendas, seu alia pontificalia exercenda in ipsorum ecclesiis, monasteriis vel locis. It was not till the fourteenth century that these wanderers were more commonly received by the bishops as *Vicarii in pontificalibus*, especially in Germany, Spain, and Portugal; in France, on the other hand, suffragans never became usual. cf. *Thomassin*, P. I. Lib. I. c. 27 seq. F. A. Durr diss. de Suffraganeis s. vicariis generalibus in pontificalibus Episcoporum Germanie. Mogunt. 1782. 4to. Planck, Bd. 4. Absch. 2. S. 604 ff.

<sup>1</sup> cf. *Thomassinus*, P. I. Lib. III. c. 11 and c. 21. The efforts to revive the old canonical life began with the Popes Nicholas II. in Cone. Rom. ann.

abortive.<sup>2</sup> The celibacy of the clergy, now extended also to the lower orders in the church,<sup>3</sup> was, in many countries, so strenuously resisted, that it could not be carried through till late in the thirteenth century; <sup>4</sup> whilst its consequences were made dreadfully pernicious<sup>5</sup> by

1056, and Alexander II. Conc. Rom. ann. 1063, can. 4. *Petrus Damiani* was the first to refer the origin of this institution to Augustine; proving (Lib. I. Ep. 6 ad Alexandrum P.) from his *sermones II. de moribus Clericorum*, quia Clericus, qui pecuniam possidet, ipse Christi possessio vel hereditas esse, vel Deum hereditate possidere non potest. Quod tamen non de Clericis omnibus dicimus, sed de his specialiter, qui Canonico censetur nomine, et vivunt in congregatione. At the same time he condemns the *regula Aquisgrensis* (see above, § 8), according to which the canons were still allowed to have private property, as well as those who avail themselves thereof. This led to the notion of a *rigida s. Augustini*, and such a one was really made out from those two sermons (see in *Luc. Holstenii codex regularum monasticarum et canonicarum* ed. Marian. Brockie, T. II. p. 120). Thus too the new canonici, who had given up all right of possessing property, called themselves canonici regulares, but the others can. saeculares. *Bernaldus Const.* ad ann. 1091 (in Monum. res Alamannicas illustrant. T. II. p. 147), first mentions three canonobia clericorum juxta regulam s. Augustini communiter viventium, founded by Altuan, bishop of Passau, ad ann. 1095 (l. c. p. 170), and another founded by Lutolfus, bishop of Toul, the charter of which dd. Vt. Idus Oct. 1091, see in *Gallia christ.* T. XII. App. p. 172. Violent abuse of the Reg. Aquisgr. in *Gerholhus de corrupto ecclesiae statu lib. V.* in *Baluz.* miscell. lib. V. p. 180 seq. e. g. p. 198: illa — aulica regula, de aula Regis egressa, multa in suo contextu habet sana patrum documenta; — sed illis premisis adulterina quedam sunt admixta, quibus priorum puritas ita est infecta et turbata per nescio quos aulicos dictatores, veris falsa, bonis mala perniscientes, etc. p. 199: contra quam [regulam] nunc tantopere disputare illud cogit, quod etiam quidam canonici vitam communem secundum regulam b. Augustini professi — candem sic acceptant, ut in conventibus suis eam recitari faciant quasi authenticam et nullius erroris permixtione infectam, etc. — Quæ namque ratio est, ut majores et plures clericorum congregations regulam profliteant aulicam nulla sedis apostolice auctoritate canonizatam, etc.?

<sup>2</sup> Planck, Bd. 4. Abschn. 2. S. 570 ff.

<sup>3</sup> First, namely, the *ordines majores* were made an *impedimentum matrimonii dirimens*. First at the Conc. Rhemens., ann. 1148, at which Pope Eugene III. presided, can. 7: Quia continentia et Deo placens munditia in ecclesiasticis personis et seq. Ordinibus *dilatanda* est, — statuimus quatenus Episcopi, presbyteri, subdiaconi, regulares canonici, monachi atque conversi professi, qui sacrum transgredientes propositum, uxores sibi copulare presumperint, separantur. Hujusmodi namque copulationem, quam contra ecclesiasticam rationem constat esse contrac-tam, matrimonium non esse censeimus. cf. Greg. decretall. Lib. IV. Tit. 6. *Qui clerici vel vorentes matrimonium contrahere possunt.* *Thomassin.* P. I. Lib. II. c. 63, § 4. — 2) In the eleventh century, after an ineffectual attempt to forbid the marriage of the lower orders of the clergy (*Thomassin.* l. c. § 1 seq.), it was at last ordered by Alexander III. Decr. Greg. Lib. III. Tit. III. *De clericis conjugatis*, c. 1: Si qui clericorum infra subdiaconatum acceperint uxores, ipsos ad relinquenda beneficia ecclesiastica et retinendas uxores districione ecclesiastica compellatis. See below, note 7. *Thomassin.* l. c. cap. 66.

<sup>4</sup> 1) In Spain cf. Paschalis II. Epist. ad Didacum Episc. Compostell. ann. 1103 (Mariana de rebus Hispan. Lib. X. c. 11): Si qui [presbyteri et diaconi] sane ante Romanæ legis susceptionem secundum communem Patriæ consuetudinem conjugia contraxerunt, natos ex eis filios neque a sæculari, neque a dignitate ecclesiastica repellimus. — 2) In England, the marriage of priests, which Lanfranc had tolerated (see above, § 47), was vehemently opposed by Anselm (archbishop of Canterbury, 1093 — 1109), especially at the Concill. Londinn. ann. 1102 and 1108, but not entirely done away with. In the year 1125 the cardinal legate Johannes Cremensis (see concerning him § 62, note 11) held a new Synod in London to take this subject into consideration. Of the private character of this man, see *Henricus Huntingdoniensis* (about 1150) histor. lib. VII.: Sed quia Moyses Dei secretarius in historia sancta parentum etiam suorum ut virtutes seripsit et vitia:

the indulgence often shown to the most licentious excesses.<sup>6</sup> In addition to these vices, by which the reflecting were already made distrustful of celibacy,<sup>7</sup> the complete worldliness of the clergy, their

seil. facinus Lot, scelus Ruben, proditionem Simeon et Levi, inhumanitatem fratrum Joseph: nos quoque veram historiæ legem de bonis et malis sequi dignum est. Quod si alicui Romano vel Prælato displiceret, taceat tamen, ne Johannem Cremensem sequi velle videatur. Cum igitur in concilio severissime de uxoribus sacerdotum tractasset, dicens summum scelus esse a latere meretricis ad corpus Christi confidendum surgere: cum eadem die corpus Christi confecisset, cum meretrice post vesperam interceptus est. Res apertissima negari non potuit, celari non decuit. Summus honor ulique halitus in summum dedecus versus est. Repedavit igitur in sua Dei judicio confusus et inglorius. So also Roger von Hoveden, Matthew Paris, &c. The ordinances prohibiting the marriage of the clergy were, however, passed at the Synod of London A. D. 1127 and 1129; but it is remarkable to observe the manner in which the English historians, Henricus Huntingd., Matthew Paris, and Thomas of Walsingham (about 1440), speak of the celibacy of the clergy under Gregory VII. and Anselm. — 3) In the northern countries the celibacy of the priests was not enforced till the thirteenth century. For Sweden see Innocent, lib. XVI. Ep. 118 ad Archiep. Lundensem: postulasti per sedem apostolicam edoceri, — utrum sacerdotes Suethiae in publicis debeas tolerare conjugii, qui super hoc se asserunt ejusdam summi Pontificis privilegio communitos: — non possumus dare responsum, nisi viderimus privilegium quod prætendunt. cf. Lib. X. Ep. 147. In Denmark it was introduced after many efforts of the legate, by the Synod of Schleswig, 1222 (*Pantoppidans Annales Eccles. Dan. Th. I. S. 637 ff.* Münster Mag. f. Kirchengeschichte u. Kirchenrecht des Nordens, Bd. I. S. 35 ff.); in Sweden by the cardinal legate William, bishop of Sabina, at the council of Skeninge A. D. 1248 (Münster, l. c. S. 183 ff., where also see, S. 192 ff., the Constitutiones Schenningenses, which in the acts of council are wanting). — 4) In Hungary, Syn. Szabolchensis (of Szabolcs), ann. 1092, cap. 3: Presbyteris autem, qui prima et legitima duxere conjugia, indulgentia ad tempus datur propter vinculum pacis et unitatem Spiritus Sancti, quounque nobis in hoc Domini Apostolici paternitas consilicetur. Syn. Strigoniensis (at Gran), ann. 1114, can. 31: Presbyteris uxores, quas legitimis ordinibus accepint, moderatius habendas, prævisa fragilitate, indulsimus (see this canon, which in *Mansi XXI. p. 105*, is omitted, in Peterffy Cone. Hungar. P. I. p. 57). The Decreta Hungarorum, quæ de Guidone Cardinale suscepunt, ann. 1267 (*Mansi XXIII. p. 1183*), first established the prohibitory law (Engels Gesch. v. Ungarn, Bd. I. S. 388). — 5) In Silesia, where Franciscus, bishop of Bre-lau, wrote against celibacy, *de clericorum et laicorum matrimonio* (see Hanke de Silesiis indigenis eruditis, p. 14) as late as the twelfth century, in Bohemia, where the archbishop of Prague himself was accused to Innocent III., quod uxorem evidenter haberet, de qua filios generavit (Innoc. Lib. V. Epist. 28), and in Poland, the celibacy of the clergy was not introduced till the middle of the thirteenth century (see Worbs in Städtliins u. Tschirners Archiv für Kirchengeschichte, Bd. 3. St. 3. S. 719 ff. Raumer Gesch. d. Hohenst. Bd. 6. S. 236). — 6) Even in the neighbourhood of Liege, the canons were married as late as 1220, cum solemnitate, que solet in matrimonio observari (*Raumer*, l. c. from the Regest. Honorii III.), and in Zürich we find married priests about 1230 (J. J. Hottingers Helvetische Kirchengeschichte, Th. 2. S. 30).

<sup>5</sup> Comp. Schröckh, Th. 27. S. 184 ff., especially the long catalogue of decrees against the concubinae, focariae and pedisseque of the clergy, S. 206. *Raumer*, l. c. S. 235 ff.

<sup>6</sup> Not unfrequently, as is seen Cone. Lateran. IV. ann. 1215, can. 14, and also Constitut. Edmundi Archiep. Cantuar. ann. 1236, maxime obtentu pecuniae vel alterius commodi temporalis. The number of the offenders, too, made it necessary to be indulgent. Thus Dist. LXXI. c. 6, it is ordered, with regard to those notoriously irregular in their lives, ut a sacerdotali removeantur officio, but the Gloss adds: Communiter autem dicitur, quod pro simplici fornicatione quis deponi non debet, *cum pauci sine illo rito inveniantur*.

<sup>7</sup> Thomas Aquinas (in Summa, quæ incipit *Commiserationes Domini*, etc.

frivolity,<sup>8</sup> avarice, and venality,<sup>9</sup> drew upon them continually both grave rebuke<sup>10</sup> and biting satire.<sup>11</sup> Their moral influence over the

cap. 165, in *Flacii catal. test. verit.* no. 262): Dicit Canon, quod, si Clerici in minoribus ordinibus constituti se continere non possunt, et matrimonium contrahere vulerint, debet eis assignari sustentatio sua de beneficiis suis extra ecclesiam, ita quod de cetero non ministrarent in ecclesia in ordine suo, sed censuram habeant, et libertate gaudeant Clericorum. Contra hanc canonicanam institutionem hodie obtinet consuetudo, quod statim ex quo acolytus contrahit matrimonium, omni ecclesiastico beneficio privatur (see above, note 1), cum canon, ut dictum est, praecipiat, de beneficio sustentari. Si autem acolytus in secreta confessione ad discretum Sacerdotem veniat, et se nullo modo continere posse dicat, non multum peccat Sacerdos, dando ei consilium, ut cum aliqua occulte matrimonium contrahat, et occulte sui Episcopi oculos fallat. Minus enim credimus esse peccatum, beneficium cum occulto conjugio retinere, quam fornicariam contra divinam prohibitionem habere. Si vero postea ad sacros ordines a suis Praefatis cogatur accedere, credimus minus esse peccatum uxore uti, quam cum alia fornicari, si ex toto noluerit continere. *Guilielmus Durandus tract. de modo gener. conc. celebr.* (see above, § 62, note 21.) P. II. Rubr. 46: Quum pene in omnibus conciliis et a plerisque Romanis Pontificibus super cohibenda et punienda clericorum incontinentia, et eorum honestate servanda multa haec tenet emanaverint constituta, et nullatenus ipsorum reformati quiverit correctio morum: — videretur pensandum, an expediret et posset provideri, quod in ecclesia Occidentali, quantum ad votum continentiae, servaretur consuetudo ecclesiae Orientalis, quantum ad promovendos, potissimum quum tempore Apostolorum consuetudo ecclesiae Orientalis servaretur.

<sup>8</sup> Schröckh, Th. 27, S. 159 ff. Raumer, Bd. 6, S. 223 ff. Of their frequently engaging in wars and battles, see Schröckh, l. c. S. 165 ff.

<sup>9</sup> Schröckh, l. c. S. 175 ff. Raumer, l. c. S. 193 ff.

<sup>10</sup> Especially from *Bernhardus Clarav.* e. g. Epist. 152, ad Innoc. P. II. A. D. 1135: Insolentia Clericorum, cuius mater est negligentia Episcoporum, ubique terrarum turbat et infestat ecclesiam. — Alienis nimis laboribus locupletantur Clerici, comedunt fructum terra absque pecunia: et prodit quasi ex adipi iniqitas eorum. *In Psalm. Qui habitat Sermo VI.* no. 7 (ed. *Mabill.* T. II. p. 61): Ipsa quoque ecclesiastica dignitatis officia in turpum quastum et tenebrarum negotium transiere: nec in his salus animalium, sed luxus queritur divitiarum. Propter hoc tendentur, propter hoc frequentant ecclesias, missas celebrant, Psalms decantant. Pro Episcopatibus et Archidiaconatibus impudenter hodie decertatur, ut ecclesiarum redditus in superfluitatis et vanitatis usus disipentur. Superest jam, ut revulet homo peccati, filius perditionis, etc. *In conuers.* *Pauli Sermo I* (T. II. p. 126): Conjurasse videtur contra te [Deum] universitas populi Christiani a minimo usque ad maximum: a planta pedis usque ad verticem non est sanitas ulla: egressa est iniqitas a senibus judicibus, vicariis tuis, qui videntur regere populum tuum. Non est jam dicere: *ut populus, sic sacerdos;* quia nec sic populus, ut sacerdos. Heu, Heu, Domine Deus, quia ipsi sunt in persecutione tua primi, qui videntur in ecclesia tua primatum diligere, gerere principatum! Arcem Sion occupaverunt, apprehenderunt munitiones, et universam deinceps libere et potestate tradunt incendio civitatem. Misera eorum conversatio, plebis tuae miserabilis subversio est, etc. *In Cantica Sermo 33.* no. 15 (T. III. p. 61): Ministri Christi sunt, et serviunt Antichristo. Honorati incedunt de bonis Domini, qui Domino honorem non deferunt. Inde is, quem quotidie vides, meretricius nitor, histrionicus habitus, regius apparatus: inde aurum in frenis, in sellis et calcaribus, et plus calcaria quam altaria fulgent. Inde splendidæ mensæ et cibis et scyphis, inde commissariorum et ebrietates, inde cithara et lyra et tibia, inde redundantia torcularia, et promptuaria plena eructantia ex hoc in illud. Inde dolia pigmentaria, inde referta marsupia. Pro hujusmodi volunt esse et sunt ecclesiarum Prepositi, Decani, Archidiaconi, Episcopi, Archiepiscopi. *Ibid. Sermo, 77* (p. 131): Quem dabis mihi de numero Prapoitorum, qui non plus invigilet subditorum vacuandis marsupiis, quam vitis extirpandi? *Sermo de conversione ad clericos espec.* e. 20 (T. IV. p. 112): Curritur passim ad sacros Ordines, et reverenda ipsis quoque spiritibus Angelicis ministeria homines apprehendunt sine

laity was now entirely lost,<sup>12</sup> their presumptuous pretensions borne with so much the more impatience, and occasionally not even the sanctity, with which ordination was supposed to invest them, could repress the ebullitions of the fierce hatred with which they were regarded.<sup>13</sup>

reverentia, sine consideratione. Neque enim signum regni occupare cœlestis, aut illius timent imperii gestare coronam, in quibus avaritia regnat, ambitio imperat, dominatur superbia, sed et iniquitas, luxuria etiam principatur: in quibus et pessima forte appareat intra parietes abominatio, si juxta Ezechielis prophetiam (*Ezech.* viii. 8) parietem Iodiam, ut in domo Dei videamus horrendum. Siquidem post fornicationes, post adulteria, post incestus, nec ipsæ quidem apud aliquos ignominiae passiones et turpidinis opera desunt, etc. — Compare Bernhard's contemporaries Gerhohus de corrupto ecclesiæ statu (in *Baluzii Miscellan.* lib. V. p. 1) and Potho *Mon. Prumiensis de statu domus Dei* libb. V. (in Bibl. PP. max. T. XXI. p. 489). For the 13th century in particular, *Alexandri*, P. IV. Ep. ad Archiep. *Saltzburgensem et Suffraganeos* (in *Mansi* XXIII. p. 827) A. D. 1258. After admonishing them to vigilance in their duty, the Pope complains: Sed ecce letalis incuria sopor pastoralis vita: vigilantiam, quod gentes dicimus, oppressisse videtur in plurimis, prout testatur nimia de plerisque regionibus clamans christiani populi corruptela: qua cum deberet ex sacerdotalis antidoti curari medclis, invalescit, proh dolor, ex malorum contagione, quod procedit a clero, ita ut aliebi verum sit, quod et prophethia querela testatur, *Factus est, inquiens, sicut populus sic sacerdos* (*Ies. xxiv. 2*). Malitia namque dierum labentium, qua cum tempore corruptit et mores, dante quam plurimis ex impunitate audacem semper et in deteriora proclivem infræni licentie libertatem, nonnulli clericie præcipiti lubricæ voluptatis arbitrio laxas committentes habenas, post carnis sua concupiscentiam abierunt, et relegata pene penitus a conversatione vita sua clericalis munditi et honestate, tenent etiam in conspectu populi concubinas, cum quibus impudicæ frontis irreverentij induentes, fedas manus et fœtidas — non erubescunt — sacris ministeriis immuniscere. — Per tales maxime nomen Domini blasphematur in terris; per tales ergo perdit religionem catholicam devotio reverentia Christianæ: per tales decipitur populus in Divinis, et ecclesiastica substantia dissipatur: hinc detrahitur verbo Dei, dum immundis labiis talium nunciatur, hinc hæretici mussitant et insultant, hinc tyranni sœviant, hinc perfidi persecuntur, hinc grassantur audaciis in Christi patrimonio sacrilegi exactores: a quibus, proh pudor, ob hujusmodi carnes putridas, quas disciplinalis mœcro non resecat, sicut decet, sincerum catholice matris corpus in ostentum ducitur et contemptum.

<sup>12</sup> Such are the poems of *Gualtherus Mapes* (see above, § 62). From the 13th century we have in France numerous satires on the manners, which are frequently directed against the vices of the clergy, see *Wachlers Gesch. d. Literatur*, 2te Ueberarbeit. Th. 2. S 164 f. In England we have in the Satire *the Land of Cokayne*, a description of the luxury of the clergy, (see Th. *Campbell's History of English Poetry*).

<sup>13</sup> Thus to the Troubadour *Gui d'Uisel*, a Canonicus (about 1200), it was said: *Vous êtes un noble homme; quoique vous soyez clerc, vous êtes aimé et estimé* (*Millot hist. litter. des troubadours*, T. III. p. 4).

<sup>13</sup> As is acknowledged by Boniface VIII. in the passage *Clericis laicos infestos oppido tradit antiquitas*, (see above, § 59, note 5.) See especially the Troubadours: Bertrand Carbonel, about 1200 (*Millot*, T. II. p. 439): Ah faux clergé, traître, menteur, parjure, voleur, débauché, mécréant, tu commets chaque jour tant de désordres publics, que le monde en est dans le trouble et la confusion. S. Pierre n'eut jamais rentes, ni chateaux, ni domaines; jamais il ne prononça excommunications ou interdits: il tint droite la balance d'équité. Vous ne faites pas de même, vous qui pour de l'or excommuniez sans raison; vous qui nous mettez des empêchemens, dont on ne peut se tirer qu'à force d'argent, etc. Guillaume Figueira about 1214 (*Millot*, T. II. p. 451): S'ils s'en vont passer la nuit avec une femme perdue (les faux prédicateurs), ils vont le lendemain toucher avec des mains impures le corps de notre Seigneur. Et c'est une hérésie mortelle, de dire, qu'un prêtre ne doit pas se souiller avec sa concubine, la veille du jour qu'il doit toucher

## § 66.

## ESTATES OF THE CLERGY.

It was to no increase of personal consideration, but solely to the circumstances of the time, that the clergy were indebted for the increase of their wealth in this period:—accruing partly from advantageous purchases and mortgages (in particular from the nobles when about to depart for the Holy Land),<sup>1</sup> and partly from contracts with the smaller lay-proprietors, who, to escape oppression, adopted the expedient of holding their lands in copy-hold from the clergy.<sup>2</sup>

But with their bailiffs, or prefects, the prelates had now more trouble than ever.<sup>3</sup> To escape from their encroachments, they had

le corps de Dieu. Si vous criez contre ce désordre, ils seront vos délateurs, et vous feront excommunier, ne vous laisseront point de repos, que vous ne l'achetiez à prix d'argent. *Sainte Vierge, faites-moi voir le jour, où ils ne seront plus si redoutables!* — Pierre Cardinal, about 1270 (*Millot*, T. III, p. 247): Les mauvais ecclésiastiques ont réuni tout l'orgueil, toute la cupidité, et toute la trahison du monde. Ils font prêcher, que le vol est défendu, après avoir tout envahi eux mêmes. Vous les voyez sortir tête levée des mauvais lieux, pour aller à l'autel. Rois, empereurs, ducs, comtes et chevaliers avoient coutume de gouverner les états. Mais les clercs ont usurpé sur eux cette autorité, soit à force ouverte, soit par leur hypocrisie et leurs prédications. *Grand Dieu, qui nous as racheté, vois à quel point ton église s'est corrompue!* on n'y obtient ni dignité ni prébende, si on ne l'achète des distributeurs à force de services, ou si on n'est leur fils ou le complice de leurs iniquités. On a beau savoir l'écriture; on n'a de considération auprès d'eux, qu'autant qu'on se prête à leur commerce, *en perdant tout sentiment d'honneur et de justice.* — p. 249. Les gens d'église sont prompts à prendre, et lents à bien faire, beaux de visage, laids par leur péchés; defendant aux autres ce qu'ils font le plus volontiers. — Caïphe et Pilate obtiendroient Dieu plutôt qu'eux.

<sup>1</sup> Planck, Bd. 4. Absch. 2. S. 345 ff. Examples above, § 51, note 12. Hülmann's Gesch. des Ursprungs der Stände in Deutschland. Th. 2. S. 49. Raumer, B. 6. S. 312. Thus Eberhard, Archbishop of Salzburg says, 1159 (*Monumenta boica*, Vol. III, p. 540): *Tempore quo expeditio Jerosolymitana fervore quadam miro et inaudito a saeculis totum commovit fere occidenteum, cœperunt singuli, tanquam ultra non reddituri, vendere possessiones suas, quas Ecclesiæ secundum facultates suas suis prospicentes utilitatibus emerunt.*

<sup>2</sup> Montags Gesch. d. deutschen staatsbürgerl. Freiheit. Bd. 2. S. 655 ff. (Hallam's Middle Ages, ch. VII. Tr.)

<sup>3</sup> Especially therein that the stewardships or bailiwicks were handed down as family possessions, cut up into small portions, and given as fiefs, see Hülmann, l. c. S. 69 ff. Montag, l. c. S. 450, 508. Raumer, Bd. 6. S. 383. The strongest case is probably that of *Vicedominus Ludovicus*, the bailiff of Gottfried, Archbishop of Trier (1124–1128), related by the contemporary *Baldricus in his vita Alberonis* (in *Honthemii hist. Trevir.* T. I. p. 468): D. Godefridum Archiepiscopum suis artibus in tantum sibi subegerat, quod dicebat, se in beneficio tenere palatum atque omnes redditus episcopales in illud deferendos, et quod ipse pascere deberet Episcopum cum suis Capellanis, et cætera omnia ad Episcopatum pertinentia de suo esse beneficio. Ad Episcopum autem dicebat pertinere missas, et ordinationes clericorum, et consecrationes ecclesiarum celebrare: sui vero juris dicebat esse terram regere, omniaque in Episcopatu disponere, et militiam tenere. Unde per singulos dies ad prandium Episcopi sextarium vini et duos sextarios cerevisiae administrabat, ipse vero cum multitudine hominum in mensa sua quasi magnus princeps quotidie epulabatur splendide, stipatus cæterva militum ubique incedebat, et omnibus modis toti terræ principabatur.

recourse either to the protection of the territorial prince,<sup>4</sup> or else, following the example of the Cistercians, who allowed no such office in their convents,<sup>5</sup> they sought, by various means, to rid themselves of the bailiff's altogether.<sup>6</sup>

## CHAPTER THIRD.

### HISTORY OF MONACHISM.

#### § 67.

##### MONASTIC ORDERS TO THE TIME OF INNOCENT III.

See General References, vol. I. prefixed to § 93, and § 117.

THE regular succession of new orders and their decay, this again leading to the establishment of other orders, which marks the whole history of Monachism, was in no period more remarkable than in this. In the early part of this period there appeared in France, one after the other, five new orders, all seeking to restore the ancient severity of monastic discipline. These were the *Order of Grammont* (*Ordo Grandimontensis*), founded by Stephen of Thiers, A. D. 1073—1083,<sup>1</sup> the *Carthusians* (*la grande Chartreuse*, near Grenoble. *Ordo Cartusianus*), founded by Bruno of Cologne, A. D. 1084,<sup>2</sup> the *Order of Fontenay* (*Ordo Fontis-Ebraldi*), founded by Robert of Arbriselles, A. D. 1094,<sup>3</sup> the *Order of St. Antony* (*Hospitalarii S.*

<sup>4</sup> See the efforts of the Popes in this matter, above, § 53, 54. The often repeated ordinances of the Popes concerning the Bailiffs in *Hullman*, S. 64. *Montag*, S. 488. *Raumer*, S. 384.

<sup>5</sup> *Montag*, S. 514 ff.

<sup>6</sup> *Hullman*, S. 80. *Eichhorn's deutsche Staats- u. Rechtsgeschichte*, Bd. 2. S. 423. *Raumer*, S. 125.

<sup>1</sup> *Vita S. Stephani* by Gerhard, seventh prior of Grammont, in *Martene et Durand ampliss. collectio*, T. VI. p. 1050 seq. — *Mabillon. Annal. Ord. S. Ben.* T. V. p. 65 seq.; 99 seq. *Ejusd. Prof. ad Act. SS. Ord. Ben.* T. VI. P. II. p. 34 seq.

<sup>2</sup> *Mabillon Annales*, T. V. p. 202 seq. *Ejusd. Acta SS. Ord. Ben.* T. VI. P. II. p. 52 seq. — *Acta SS. Antwerp.* Mens. Oct. T. III. p. 491 seq. ad d. 6. Oct. The legend of the miraculous call of St. Bruno to forsake the world is first found at the end of the 13th century, and was expunged even from the Breviar. Romanum under Urbanus VIII. *Jo. Launoi defensa breviorii Rom. correctio circa hist. S. Brunonis, s. de vera causa secessus S. Brunonis in eremum.* Paris, 1646. 8vo. (in *Laun. Opp.* T. II. P. II. p. 324 seq.)

<sup>3</sup> *Mabillon Ann.* T. V. p. 314 seq. *Acta SS. Antwerp.* Febr. T. III. p. 593 seq. ad d. 25 Febr. See the life of Robert by his contemporary, *Baldricus Abb. Burgulicensis* in *Act. SS.* l. c. He renewed the long since forgotten practice mentioned in Vol. I. (see § 71) as is seen in the warnings in *Godefridi Abb. Vindocicensis*, Lib. IV. Ep. 47. *ad Robertum* (in *Sirmondi Opp.* III. p. 549. Bibl.

Antonii Abbatis), founded by Gaston, A. D. 1095,<sup>4</sup> and the *Cisterciens* (so called from Citeaux. *Ordo Cisterciensis*), founded by the abbot Robert, A. D. 1098.<sup>5</sup> To these were added, in the twelfth century, the *Premonsiratensians*, founded by Norbert, a canon of Prémontré (*Praemonstratum*), A. D. 1120,<sup>6</sup> and the *Carmelites*, founded by a certain Berthold, a native of Calabria, A. D. 1156.<sup>7</sup>

In the two older orders, on the other hand, the Benedictines and the Cluniacensians, increasing wealth had, as usual, been attended with the increasing desire of independence, honor, and the pleasures of life. This tendency was much strengthened by the popes, who, from the time of Gregory VII., were constantly granting the convents new exemptions,<sup>8</sup> and investing the abbots with the episcopal insignia

PP. max. T. XXI. p. 49. That this is not interpolated, as the Bollandists would have us believe, is shown by *Mabillon*, l. c. p. 424,) and the letter of Marbod, bishop of Rennes, to Robert (*Mabillon*, l. c. p. 125).

<sup>4</sup> *Acta SS. mens. Januar.* T. II. p. 160. *J. E. Kappii diss. de fratribus S. Antonii Lips.* 1737. 4to.

<sup>5</sup> cf. *Relatio, qualiter incepit Ordo Cisterciensis*, by an anonymous author, first published in *Juberti Mirai chron. Cisterciensis Ordinis. Colon. Agrripp. 1614.* Svo. p. 8-30, and there more complete than in Rog. Dodsworthii et Guil. Dugdale monasticum anglicanum, Vol. I. See *Holstenii cod. regul. ed. Brockie*, T. II. p. 386 seq. — *Mabillon Ann. T. V.* p. 219, 393 seq. *Angeli Manriquez Annales Cistercienses. Ludg. 1612. Vol. IV.* in fol. *Pierre le Nuin Essai de l'histoire de l'ordre de Citeaux.* Paris, 1696 s. Vol. IX. in Svo.

<sup>6</sup> *Acta SS. Jun.* T. I. p. 804 seq. ad d. 6 Jun. *Chrysost. van. der Sterre vita S. Norberti.* Antverp. 1656. Svo. *La vie de S. Norbert (par le P. Louis Charles Hugo).* Luxemb. 1704. 4to.

<sup>7</sup> This order grew up so unmarked that we are indebted for the first notice of it to the accidental remark of a Greek writer. *Johannes Phocas*, 1185, in his description of the holy land (in *Leon. Allatii Symmicta. Colon. 1654.* 8 P. I.) first mentions the hermitage of Elias on Mount Carmel, in the ruin of an ancient convent, and then adds: Ήρε δι των χρόνων ἀνήρ μοναχός, ἥριες τὴν ἄγιαν, — ἐξ ἀποκαλύψεως τοῦ Προφήτου τῷ τόπῳ ἐποιημένας, — ἀπελφίσις ὡστὶ δεκά συνεζήσας, νῦν τὸν ἄγιον χῶρον ἐκεῖνον αἰκεῖ. As late as the year 1211 the order was so unimportant that *Hilibrandus ab Oldenburg* in his *Itinerarium terrae sanctæ* (by *Allatius*, l. c.) though he mentions the Manio Elias, takes no notice of it. On the other hand, *Jacobus de Vitriaco* (1218) in his *hist. Hierosol.* c. 52 (*Gesta Dei per Francos*, p. 1075): Alii ad exemplum et imitatione sancti viri et solitarii Eliæ Prophetæ in monte Carmelo — juxta fontem, qui fons Eliæ dicitur — vitam solitariam agebant, etc. In the mean time the order (probably 1209) received its rules from Albert Patr. of Jerusalem (in *Holsten. codex regul. ed. Brockie*, T. III. p. 18 seq.) and these were confirmed by Pope Honorius III. 1226, with the name *Frates Eremitæ de monte Carmelo*, also *Eremitæ S. Mariæ de Carmelo*, cf. *Dan. Papebrochius in Actis SS. April.* T. I. p. 774 seq.

<sup>8</sup> See *Thomassin*, P. I. Lib. III. c. 37 seq. *Planck*, Bd. 4. Abschn. 2. S. 542 ff. *Montag*, Bd. 2. S. 532 ff. *Raumer*, Bd. 6. S. 363 ff. 374 ff.: how far these exemptions went in some cases, cf. *Urbani II. Ep. X. ad Abbatem Cavensem* (*Mansi XX.* p. 652), in which after having bestowed on the convent various important privileges: *Apostolica ergo memorie prædecessoris nostri Gregorii VII. institutis tenacius adhærentes, Cavense cœnobiū, — nos quoque hujus nostri privilegii pagina communimus, et ab omni tam sacerdotali quam ecclesiastica personæ jugo liberum esse omnino decernimus. — Concedentes et edicto perpetuo confirmantes, ut tam tu quam successores tui per terras tui monasterii habitas et habendas libere possis ecclesiæ construere, cum cruce signare, aliaque pontificalia et spiritualia exercere: sacrorum ordinum collationis, basilicarum et altarium consecrationis, ac chrismatis confectionis, tibi tuisque successoribus dumtaxat abdicata*

and rights.<sup>9</sup> For, in proportion as the convents were withdrawn from the superintendence of the bishops, the decline of their discipline was accelerated.<sup>10</sup>

penitus potestate. Decernentes, ut tam ipsius cœnobii caput, quam ecclesiæ, quas nunc habet, sive plebanæ fuerint, vel rurales, in civitate et diœcesi tantummodo Salernitana situatæ, ab omni jure et jurisdictione episcopali sint exemptæ, de plenitudine potestatis et gratia speciali; ita ut nullo jure seu foro contentioso tu vel tui successores, fratres ipsius monasterii, seu clerici sæculares in predicta civitate et diœcesi, per Salernitanum presulem ac capitulum aliquatenus constringantur, quinquo ecclœ-ia cum omnibus suis juribus et pertinentiis pleno jure ipsi monastério sint subditæ. Si vero aliquos de tuis monachis, seu clericis sæculares in ecclesiis civitatis predictæ et diœcesi commorantes ad sacros elegeris ordines promoveri, liceat tibi tuisque successoribus quemcumque malueris episcopum convocare, dummodo catholicus fuerit, sed in aliis diœcesibus requisito dumtaxat primitus diœcesano. De quibus ecclesiis, sitis in iam dicta civitate et diœcesi, nihil diœcesanus exigere præsumat, immo potius tam monachi, si clerici defuerint, quam ipsi clerici absque quorumlibet contradictione totum officium sacerdotiale, quod animarum cura exigit et requirit, exercant. From legates, who might happen on the convent, the bishop was not to demand quartam vel tertiam partem. The convent had power to give right of burial in its cemeteries to whomsoever should desire it, etc.

<sup>9</sup> The use of the Dalmatica and the Sandals had before been granted to several Abbots (Montag, Bd. 2 S. 238); the bi-hop's mitra and chirotheca (hence *Abbates mitrati s. infulati*) were first allowed to the Abbot of St. Maximin in Trier by Gregory VII. (Aubert, *Mirai hist. diplom. Belgic. e. I.*); then to the Abbot of Clugny by Urbanus II., (confirmed by Paschal II. Epist. 74 in Mansi XX. p. 1043); to the Abbot of Fulda mitra and annulus by Innocent II. A. D. 1137 (*Schannat Cod. Prob. hist. Fuld.* p. 174). Comp. *Petri Blesensis*, Ep. 90, below, note 10) *Thomas Cantipratensis* (about 1255) *bonum universale de Apibus*, Lib. I. e. 6. no. 2, 3, says that at first these insignia were very rare, but afterwards were procured by many of the abbots at great expense. Gregory IX. permitted, 1136, the Abbo<sup>t</sup> of the Benedictine convent, *S. Facundi*, indumenta sacerdotalia benedicere, ac monachos, et clericos sæculares monasterio ipsi pleno jure subjectos usque ad Acolytatus ordinem promovere (see the bull in *Emn. Roderici nova collectio privilegiorum mendicantium*, Antwerp. 1623. fol. p. 12.).

<sup>10</sup> See *Bernhardi tract. ad Henr. Senon. Archiep.* e. 9, and *de consider.* III., 4. below, note 14. *Petri Blesensis*, ep. 68, ad Alexandrum III. (see note 8) cites the words of the Abbot of Malmesbury: Viles sunt Abbates et miseri, qui potestatem Episcoporum prorsus non exterminant, cum pro annua auri uncia plenam a sede Romana possint assequi libertatem: and says: Adversus Primates et Episcopos intumescunt Abbates, nec est, qui majoribus suis reverentiam exhibeat et honorem. Evacuum est obedientiæ jugum, in qua erat unica spes salutis, et prævaricationis antiquæ remedium. Detestantur Abbates habere suorum excessuum correctorem, vagam impunitatis licentiam amplectuntur, claustralique militiæ jugum relaxant in omnem desiderii libertatem. Hinc est, quod monasteriorum fere omnium facultates date sunt in direptionem et prædam. Nam Abbates exterius curam carnis in desideriis agunt, non curantes, dummodo laute exhibeantur, ut fiat pax in diebus: eorum claustrales vero, tamquam acephali, otio vacant et vaniloquio: nec enim presidem habent, qui eos ad frugem vitae melioris inclinet. Quod si tumultuas eorum contentiones audiretis, claustrum non multum differre crederitis a foro. — Quid est eximere ab Episcoporum jurisdictione Abbates, nisi contumaciam ac rebellionem præcipere, et armare filios in parentes? Videant, quæso, ista, et judicent, qui judicant orbem terræ, ne inde emanare videantur injuria, unde jura sumuntur. — Scimus equidem, quod ob quietem monasteriorum, et Episcoporum tyrannidem has exemptions plerumque Romani Pontifices indulserunt: verumtamen in contrarium res versa est. Monasteria enim, quæ hoc beneficium damnatissima libertatis, sive Apostolica auctoritate, sive, quod frequentius est, bullis adulterinis adepta sunt, plus inquietudinis, plus inobedientiæ, plus inopie incurrerunt: ideoque et multæ domus, quæ nominatissimæ

In the order of the Cluniacensians, which, in France, was the most common, this was especially the case under the licentious abbot Pontius (at Clugny from A. D. 1169–1125),<sup>11</sup> at the very time that the Cistercensians had in Bernhard, their second founder (A. D. 1113, a monk of Citeaux, 1115 abbot of Clairvaux, † 1153),<sup>12</sup> so distinguished a chief, and began to develop a character entirely the reverse of the corrupt Cluniacensians.<sup>13</sup> Hence the incredible rapid-

sunt in sanctitate et religione, has immunitates aut nunquam habere voluerunt, aut habitas continuo rejeceunt. In the same strain he wrote to his brother, a certain Abbot William, Ep. 90: — Retulit mihi quidam nuncius vester, qualiter Dom. Papa vos mitra proprii capit, et aliis ornamentis Episcopalis insignivit. De benedictione gaudet: sed insignia Episcopalis eminentiae in Abbat nec approbo, nec accepto. Mitra enim, et annulus, atque sandalia in alio, quam in Episcopo, quedam superba elatio est, et presumptuosa ostentatio libertatis. — Nolite, queso, clarissime frater, detrectare obedientie jugum: nam per inobedientiam mors intravit, qua adhuc seminarie non cessat inter Episcopos et Abbates jurgiorum fomitem et materiam scandalorum. — Si Romanus Pontifex a jurisdictione vestri Episcopi vos exemit: nolite, queso, uti privilegio, quod materiam rebellionis inducit. — Putatis in susceptione mitrae, sandaliorum et annuli vestri monasterii dignitatem plurimum promovisse: in his tamen nihil video, nisi inobedientiae malum, seminarium odii, tumorem elationis, et superbie ventum. Superbia natione celestis est, semper in altum nititur, ut gravius eadat. Hodie autem in claustris imitatores ac sequaces suos inventi primus filius superbiae, ille Lucifer, aut potius tenebris, qui sibi sedem destinabat in lateribus Aquilonis, atque sibi similitudinem altissimi usurpabat. — Quid enim aliud est positio sedis in Aquilone, et usurpatio similitudinis altissimi, quam emancipatio, et in-ignium Episcopaliū acquisitio in Abbat? Per salutem itaque patris, qui vos genuit, et per ubera, quae sursumus in eadem matre, frater, unice vos adjuro et deprecor, ut in signum plena humilitatis Pontificalia resigentes insignia; aut, si hoc sine scandalo fieri nequit, renunciets in manu Doin. Papæ monasterii administrationem, etc. It appears from Ep. 93, that William really resigned his office.

<sup>11</sup> *Mabillon Annal.* T. V. p. 252, 530.

<sup>12</sup> *Bernardi opera* (Epistolæ, Sermones, ascetic works) best ed. by *J. Mabillon*, Tomi VI, Paris, 1690. fol. new ed. Paris, 1719. 2 volt. and Verona, 1726. 3 volt. fol. — His life by *Guilelmus*, Abbot of St. Thierry in Rheims, and *Gaufredus*, a monk in Clairvaux, both of them contemporaries, in *Mabillon's Ausgabe*, T. VI. by *Alanus de Insulis*, a monk in Clairvaux, († 1182) prefixed to T. I. of the same edition. — See *A. Neander der heil. Bernhard und sein Zeitalter*. Berlin, 1813. 8vo.

<sup>13</sup> The distinguishing characteristics of the Cistercensians were, 1. A severe and poor diet (comp. the *Instituta Mon. Cist.* under the second Abbot Alberich, about A. D. 1100, in the *Relatio*, etc., see the title in note 5: rejicientes a se, quicquid Regula [benedicti] fragabatur, froccus videlicet et pelliceas ac stamina, capucia quoque et femoralia, pectina et cooperatoria, straminia lectorum, ac diversa ciboruni in Refectorio fercula, sagimen et cætera omnia, quæ puritati Regula adversabantur, etc. In the code of the order made under the 3d Abbot Stephen, A. D. 1119, the *Charta charitatis* (in the *Bullario Romano*, T. I. appended to the bull of Eugenius III. Sacer Saneta Rom. Ecclesia: strangely enough wanting in Holstein-Brockie, we read § 2. Nunc ergo volumus, — ut Regulam S. Benedicti per omnia observent, sicuti in novo Monasterio observatur. Non aliud inducent sensum in lectione s. Regula, sed sicut antecessores nostri SS. Patres, Monachi videlicet novi monasterii intellexerunt et tenuerunt — ita et isti intelligent et teneant.) accompanied by the rejection of all display even in the churches (Under the third Abbot Stephen, from A. D. 1109, confirmaverunt, ne retingent cruces aureas aut argenteas, nisi tantummodo ligneas coloribus depictas, neque candelabra nisi unum ferreum, neque thuribula, nisi cuprea vel ferrea, neque casulas nisi de fustaneo vel lino, sine pallio aureo vel argenteo. Pallia vero omnia et cappas atque dalmaticas tunicasque ex toto dimiserunt, etc. See *Relatio*, l. c. p. 391.) 2. Subjection to bishops, (Thus the *Charta charitatis*, as is re-

ity with which this new order was propagated,<sup>14</sup> and the jealousy which long existed between it and that of Clugny.<sup>15</sup>

marked by Calixtus II. in his bull, confirming it, see Mansi XXI. p. 190, was made consensu episcoporum, in quorum parochiis eadem monasteria continentur: and Cisterciensian abbots always took the oath of allegiance to the bishops of the diocese, see *Honorius III.* in *Decr. Greg.* Lib. V. Tit. III. c. 43: Ego frater Abbas Cisterciensis Ordinis subjectionem et reverentiam et obedientiam, a ss. Patribus constitutam, secundum regulam s. Benedicti, tibi, Domine Episcope, tuisque successoribus, canonice substituendis, et sanctae sedi apostolicae, salvo ordine meo, perpetuo me exhibitum prouidito.) 3. The avoiding of all interference with the offices of the clergy. (See the *Statuta capitulorum generalium Ord. Cisterc.* in *Martene Thesaur.* T. IV. p. 1243 ff. and in Holstein-Brockie, T. II. p. 395 seq. e. g. *Statuta*, ann. 1152, no. 8: Nullus praeter Regem, sive Reginam, sive Archiepiscopos et Episcopos in nostris sepiantur Ecclesiis: and ann. 1157, no. 63: Ad sepiantur non nisi fundatores recipiantur, ann. 1182, no. 4: Pro paeto certo nulla fiat missarum promissio, quia simonia cum est. ann. 1185, no. 8. ann. 1186, no. 3: Nimis est grave, et contra canones et instituta Ordinis, quod Abbates nostri baptizare presumunt. A punishment was therefore laid upon them, with the addition: Idem patiatur, qui aquam consecraverit, vel puerum de saero fonte levaverit. ann. 1215, no. 20. and ann. 1234, no. 1: Districte inhibetur, ne monachi Ordinis nostri parochiales ecclesias regere, vel in eis deservire, aut curam animarum habere — permittantur.) 4. The peculiar form of government of the order, see below, note 16. 5. The exchange of the black habit, which had hitherto been worn by the Benedictines, for a white one, a peculiarity to the monks of no small importance, see *Petrus vener.* below, note 15. — In respect of the subjection to bishops, they were imitated by the Præmonstrateneians, see the resolve of the order as confirmed by *Innocent III.* Lib. I. Epist. 197: communis consilii Abbatum vestri ordinis statutis, quod nullus Abbatum vestrorum mitra vel chirothecis utatur, ne forsitan ex ipsis supercilium elationis assumat, aut sibi videatur sublimis, cum his uti se viderit, que Pontificibus et majoribus Ecclesiis Prælati a sede apostolica sunt concessa.

<sup>14</sup> The first four affiliated Abbeys (*Filiæ*) after that of Citeaux were *Firmitas* (la Ferte) founded 1113, *Pontiniacum* (Pontigny) 1114, *Claravallis* (Clairvaux) and *Morimundum* (Morimond) 1115, from each of which many more proceeded, so that in the 13th century there were already more than 1800 Cisterciensian abbeys.

<sup>15</sup> Bernhard wrote about A. D. 1125, the *Apologia ad Guilelmum S. Theoderici Abbatem*, Cluniacens, Abbot of St. Thierry, (in edit. Mabill. T. IV. p. 33 seq.) with the purpose namely (cf. *Prologus*), ut illis, qui de nobis tanquam detractoribus Cluniacensi Ordinis conqueruntur, satisfaciā, et Ordinem quidem laudabilem, et Ordinis reprehensores reprehensibiles doceam, et nihilominus tamen ipsius superflua reprehendam. He begins with expressing his respect for the order of St. Clugny, and blames those Cisterciensians, who on merely external and partial grounds prefer their own order to all others: *cap. 5.* Unde nunc mihi conveniēdū sunt quidam de Ordine nostro, qui — alii ordinibus derogare dicuntur, et suam justitiam solam volentes constituere, justitiae Dei non sunt subjecti. — Vobis ergo, inquam, fratres, qui etiam post auditam illam Domini de Pharisæo et Publicano parabolam, de vestra justitia præsumentes, ceteros aspernamini, dicitis (ut dicitur), solos vos hominum esse justos, aut omnibus sanctiores: solos vos monachorum regulariter vivere, ceteros vero regule potius existere transgressores. Then however he passes to the abuses prevalent amongst the Cluniacensians (*cap. 6.*) quæ quidem etsi fieri videntur in Ordine, absit tamen, ut sint de Ordine. — *cap. 7:* Miror etenim, unde inter monachos tanta intemperantia in comeditionibus et potationibus, in vestimentis et lectisterniis, et equitaturis, et construendis aedificiis inolescere potuit: quatenus, ubi hæc studiosius, voluptiosius atque effusius fiunt, ibi Ordo inclius teneri dicatur, ibi major putetur religio. Ecce enim parsitas putatur avaritia, sobrietas austeritas creditur, silentium tristitia reputatur. E contra remissio discretio dicitur, effusio liberalitas, loquacitas affabilitas, eachinnatio jueunditas, mollities vestimentorum et equorum fastus honestas, lectorum superflus cultus inmunditia. He goes on to describe *cap. 8.* their luxurious mode of

The mode of government amongst the Cistercians was remark-

life, *cap. 9*, the costliness of clothing, *cap. 10*, the expenses of the Abbots, (e. g. *Mentior, si non vidi Abbatem LX. equos et eo amplius in suo decreto comitatu.* Dicas, si videoas eos transentes, non patres esse monasteriorum, sed dominos castellorum, etc.), *cap. 11*, the splendor of their churches: Sed haec parva sunt: veniam ad majora, sed ideo visa minoria, quia usitationa. Omitto oratoriorum immensas altitudines, immoderatas longitudines, supervacuas latitudines, sumptuosas depositiones, curiosas depictiones: quæ dum orantiam in se retrouent aspectum, impediunt et afflectum, et mibi quodammodo representant antiquum ritum Iudaorum. Sed esto, fiant haec ad honorem Dei: illud autem interrogo monachus monachos, quod in gentilibus gentilis arguebat: *Dicite, ait ille, Pontifices, in sancto quid facit aurum?* (*Persii Sat. II. v. 69*) Ego autem dico: *Dicite pauperes — si tamen pauperes, in sancto quid facit aurum?* Et quidem alia causa est Episcoporum, alia Monachorum. Scimus namque, quod illi sapientibus et insipientibus debitores cum sint, carnis populi devotionem, quia spiritualibus non possunt, corporalibus excitant ornamenti. Nos vero, qui jam de populo exivimus, qui mundi quæque pretiosa ac speciosa pro Christo reliquimus, qui omnia pulchre lucentia, canore mulecentia, suave olentia, dulce sapientia, tactu placentia, cuncta denique oblectamenta corporeo arbitrati sumus ut stercora, ut Christum lucifaciamus: quorunq; quæso, in his devotionem excitat intendimus? — Et ut aperte loquer, an hoc totum facit avaritia, quæ est idolorum servitus, et non requirimus fructum, sed datum? Si queris, quomodo? miro, inquam, modo. Tali quadam arte spargitur æs, et multiplicetur. — Ipso quippe visu sumptuosa-rum, sed mirandarum vanitatum accenduntur homines magis ad offerendum, quam ad orandum. — Auro tectis reliqui saginatur oculi, et loculi aperiuntur. Ostenditur pulcherrima forma Sancti vel Sanctæ alicujus, et eo creditur sanctior, quo coloratior. Current homines ad osculandum, invitantur ad donandum, et magis mirantur pulchra, quam venerantur sacra. — Quid putas, in his omnibus quæritur? pœnitentiua compunetio, an intuentum admiratio? O vanitas vanitatum, sed non vanior quam insanior! — With like severity he speaks of the exemptions of the convents in the *Tractatus ad Henricum Senon. Archiepisc. de moribus et officio Episcoporum*, c. 9 (edit. Mabill. T. IV. p. 31, in the other edition, *Epist. 42*): Miror quosdam in nostro Ordine monasteriorum Abbates hanc humilitatem regulam odiosa contentione infringere, et sub humili (quod pejus est) habitu et tonsura tam superbe sapere, ut cum ne unum quidem verbum de suis imperiis subditos prætergredi patientur, ipsi propriis obedire contemnant Episcopis. Spoliavit Ecclesias, ut emancipentur; redimunt se, ne obediant. — Plus timeo dentes lupi, quam virgam pastoris. Certus sum enim ego monachus, et monachorum qualisque Abbas, si mei quandoque pontificis a propriis cervicibus excutere jugum tentavero, quod Satanae mox tyrannidi ineipsum subjicio. Advertens nimurum cruenta illa bestia, quæ circuit querens quem devoret, elongatam custodian: heu, statim insilit in præsumptorem. — Aperte indicant quidam horum quid cogitent, dum, multo labore ac prelio apostolicis adeptis privilegiis, per ipsa sibi vendicant insignia pontificalia, utentes et ipsi more pontificum mitra, annulo atque sandaliis. Sane si attenditur rerum dignitas, hanc monachi abhorret professio: si ministerium, solis liquet congruere pontificibus. Profecto esse desiderant, quod videri gestiunt, meritoque nequeunt esse subjecti, quibus jam ipso se comparant desiderio. Quid, si et nomen eis conferre privilegiorum posset auctor: quanto putas auro redimerent, ut appellarentur pontifices? Quo ista, O Monachi? Ubi timor mentis? ubi rubor frontis? etc. *Idem de Considerat, ad Eugenium P. Lib. III. c. 4:* Subrahuntur Abbates Episcopis, Episcopi Archiepiscopis, Archiepiscopi Patriarchis sive Primitibus. Bonane species hæc? Mirum si excusari queat vel opus. Sic factitando probatis, vos habere plenitudinem potestatis, sed justitiae forte non ita. Facitis hoc, quia potestis, sed utrum et debeatis, quæstio est. — Nolo autem prætendas mihi fructum emancipationis ipsius: nullus est enim, nisi quod inde Episcopi insolentiores, monachi etiam dissolutiores fiunt. Quid quod et pauperiores. Inspice diligenter talium ubique libertorum et facultates et vitas, si non pudenda admodum et tenuitas in illis, et in his sæcularitas invenitur. — Compare the letter of *Petrus venerabilis*, Abbot of Clugny (A. D. 1122–1156) to Bernhard. *Epistoll. Lib. I. Ep. 28.* (Bibl. Max. Patr. T. XXII. p. 841). He first enumerates the charges brought against the Cluniacensians by the Cistercians: Objicunt itaque nostris

able,<sup>16</sup> and Innocent III. made it the model for the chief chapters of

quidam vestrorum: non, inquit, vos regulam — sequimini, — patrum precepta pro vestris traditionibus abjecitis. — In suscepientis novitiis quomodo regulam servatis, cum non nisi post annum — eos suscipi praecipiat: vos autem ipso quo adveniunt, ut ita loquuntur, momento — eos suscipiatis? — Usum quoque pelliciarum, diversarum pellum qua auctoritate vobis defenditis, cum in eadem regula nihil de hujusmodi reperitur? Amongst many other such charges the most remarkable: Opus manuum, quo s<sup>r</sup>t Patri eremita et antiqui monachi semper usi sunt, — abjecitis. — Contra totius orbis morem proprium Episcopum habere refugitis. — Ecclesiarum parochialium, primitiarum et decimatarum possessiones, quæ ratio vobis contulit: cum haec omnia non ad monachos, sed ad clericos canonica sanctione pertineant? — Sed et de secularibus possessionibus a vobis more saecularium possessis, quid respondebitis? — Nam castra, villas et rusticos, servos et ancillas, et, quod deterius est, telonearia luera, et fere cuncta hujusmodi emolumenta inlustranter suscipitis, — contra infestantes modis omnibus defenditis. To this the Cluniacensians: O, O Pharisæorum novum genus, rursus mundo redditum! qui se a ceteris dividentes, omnibus preferentes, dicunt, quod Propheta dicturos eos prædicti: *Noli me tangere, quoniam mundus ego sum.* — Et vos sancti, vos singulares, vos in universo orbe vere monachi, aliis omnibus falsis et perditis — solos vos inter omnes constitutis: unde et habitum insoliti coloris prætenditis, et ad distinctionem cunctorum totius fere mundi monachorum inter nigros vos candidos ostentatis. Et certe haec vestrum nigredo, antiquitus humilitatis causa a Patribus inventa, cum a vobis rejicitur, meliores vos ipsis candorem inusitatum preferendo judicatis. Then a full answer to all the charges of the other party. Finally the charge: Nonne animarum salutem, atque idcirco charitatem negligitis, quando fratribus necessaria negatis, quando eos frigore, usu pelliciarum negato, affligitis, quando haec violentia (nam multi vestram hoc inviti sustinent) eos vel ad murmurationem, vel ad fugam compellitis? Sed et si sunt aliqui, qui hoc quoquomo sustineant, procedente tempore, corrupto corpore morbis, sanitatem frigore perdunt, et languidi saepe perpetuo facti, Deo servire nequeunt. Peter closes with the words: Haec tibi, frater carissime, — scripsi: in quibus aliorum verbis meum quoque intellectum expressi. Another letter of Peter to Bernhard, Lib. IV. Epist. 17, (found also amongst Bernhard's letters, as Epist. 229) warmly recommends peace and love, and investigates the causes of the division between the two orders, e. g. Fortassis vestes ista coloris diversi incentivum discordiae præstant, et multiformis varietas vestium varietatem quoque parit et mentium. Nam, ut pene assidue cerno, et omnibus ipsis quoque negligenter intuentibus adverte per facile est, niger, ut sic dicam, Monachus album fortuitu occurrentem obliquo sidere respicit: albus nigrum vix media oculi parte, et quando se ingerit, continetur, etc. He makes the Cluniacensian say: Quis pati potest, novos homines veteribus anteferri, eorum studia nostrorum actibus præponi, nostros viiores, illos cariores videri? Quis aequo oculo aspicere potest, mundum ex plurima sui parte a nostro veteri Ordine averti, ad ipsorum novum propositum converti: relinqui tritias a seculis vias, concursus fieri ad ignotas haec tenus semitas? Quis patiatur, novos veteribus, juniores senioribus, albos nigris monachis anteferri? *Hoc tu, inquam, niger, dicas.* Sed tu, albe, quid proponis? Felices nos, inquis, quos longe probabilior institutio commendat, quos beatiores aliis monachis mundus prædicat, quorum opinio aliorum existimationem, quorum dies aliorum lucernam, quorum sol aliorum sidus obsecurat. Nos religionis perditæ restauratores, nos eniuntur Ordinis resuscitatores, nos languentium, tepentium, sordientium monachorum justisimi condemnatores. Nos moribus, nos actibus, nos usibus, nos vestibus a cæteris divisi, et veterum tempore ostentui fecimus, et novum nostrorum fervorem præcellere approbamus. cf. Petri Ven. Lib. VI. Ep. 4, *ad Bernardum*, and Ep. 15, *ad Priors Ord. Cluniacensis*. That the dispute between the two orders did not end with the death of these two most worthy heads, is seen by the work of a German Cistercian against the Cluniacensians: *Dialogus inter Cluniac. Monachum et Cisterc. de diversis utriusque Ordinis observantiis*, written between 1153 and 1173 (in Martene thesaur. T. V. p. 1569 seq.).

<sup>16</sup> Described in the *Charta caritatis* (see note 13). Its peculiarity consisted therein that the monarchical relation of the Abbot of Citeaux was modified by joining with him in authority the four chief abbots after him, and by the general

all orders.<sup>17</sup> In the mean time, however, the expediency of having so many different orders began to be doubtful,<sup>18</sup> and the same Pope forbade, at length, the establishment of any new one.<sup>19</sup>

## § 68.

### THE MENDICANT ORDERS.

But scarcely had this prohibition been passed, when the popes saw occasion to suspend its operation in favor of a new form of Monachism, which promised to be useful to the papal power in a degree before unprecedented.

Capitulum Cisterciense, then that all the convents were annually visited, the filiae by the Abbas majoris ecclesie, Citeaux by those four abbots.

<sup>17</sup> Conc. Lateran. IV, ann. 1215, c. 12: *In singulis regnis sive provinciis fiat de triennio in triennium, salvo jure diocesorum pontificum, commune capitulum Abbatum atque Priorum Abbates proprii non habentium. — Advocent autem caritative in hujus novitatis primordiis duos Cisterciensis Ordinis Abbates vicinos, ad prestantium sibi consilium et auxilium opportunitum, cum sint in hujusmodi capitulis celebrandis ex longa consuetudine plenius informati. — Hujusmodi vero capitulum aliquot certis diebus continue juxta morem Cisterciensis ordinis celebretur, in quo diligens habeatur tractatus de reformatione Ordinis, et observatione regulari: et quod statutum fuerit, — ab omnibus inviolabiliter observetur, etc. Ordinetur etiam in codem capitulo religiose ac circumspecte persone qua singulas abbatias — vice nostra studeant visitari, corrigentes et reformatantes, quae correctio- nis et reformationis officio viderint indigere, etc.*

<sup>18</sup> *Anselmus Harelbergensis Episc. about 1150, says in a letter (in Flacii Catalogus testium veritatis, no. 266): Solent plerique mirari et in questionem ponere, et interrogando non solum oppugnare, verum etiam aliis scandalum generare. Dicunt et tanquam calumnio-i inqui itores interrogant: quare tot novitates in Ecclesia Dei sunt? Quare tot Ordines Clericorum? quis non miretur tot genera Monachorum? quis denique non scandalizetur, et infer tot diversas formas Religionum disceptantium tadiose non afficiatur scandalo? Immo quis non contempnere Christianam religionem, tot varietatibus subjectam, tot adventionibus immittam, tot novis legibus et consuetudinibus agitatam, tot regulis et moribus fere annuatim Monachorum fluctuantem? Quod modo, inquit, a quibusdam propter regnum coeleste prohibetur, quod modo tanquam sacrilegum inhibetur, subito tanquam sanctum et salubre conceditur. Tales homines odiosi sunt, inducunt questiones, et corda simplicium pervertunt, dicentes, omnem religionem tanto esse contemptioram, quanto mobiliorem. Quod enim, inquit, est tam mobile, tam variabile, tan instabile, quomodo alieni sapientum digne potest esse admirabile? — Propterea quippe sua varietate probat se respuendum esse. Ecce vidimus in ecclesia Dei, ut ajunt, quodam emerge, qui pro libitu suo insolito habitu induit novum vivendi ordinem sibi eligunt, et sive sub monastico professionis titulo, sive sub canonicae disciplina voto, quodcumque volunt, sibi assumunt, novum psallendi modum, et metas cibariorum sibi statuunt, et nec Monachos, qui sub regula S. Benedicti militant, nec Canonicos, qui sub regula Augustini apostolicam vitam gerunt, imitantur. Sed omnia pro libitu suo nova facientes, ipsi sibi sunt lex, ipsi sibi sunt auctoritas, et quos possunt in suam societatem sub pretextu nova legis colligunt. Et in hoc religiosiores videri putantur, si ab omni religio-iori habitu ac disciplina sequestrati inveniantur, et tanquam praeceteris notabiles digito demonstrentur. Haec et his similia dicunt, et crebris questionibus alios inquietant.*

<sup>19</sup> Conc. Lateran. IV, ann. 1215, c. 13: *Ne nimia religionum diversitas gravem in ecclesia Dei confusionem inducat, firmiter prohibemus, ne quis de cetero novam religionem inveniat: sed quicunque voluerit ad religionem converti, unam de approbatis assumat.*

The monks had hitherto been considered (theoretically, at least) in the light of penitents, cut off from the world, and renouncing all communication with men.<sup>1</sup> But this supposed apostolical mode of life had now become suspicious, whilst, in the Waldenses and other heretics, men had learned to value a kind of apostolic life and apostolic usefulness altogether different. By adopting this the new orders saved the church from an imminent danger, whilst they secured to themselves an influence such as no monastic order had ever yet possessed.

The first of these orders was founded by Francis of Assisi,<sup>2</sup> who began, in the year 1207, to gather a fraternity around him in the neighbourhood of a church in Portiuncula, dedicated to the Virgin, introducing amongst them a truly apostolic self-denial and activity, combined with the strictest subjection to the apostolic see.<sup>3</sup> His overstrained enthusiasm was at first taken for insanity, but soon be-

<sup>1</sup> Hence the pastoral duties were forbidden them, Conc. Pietav. ann. 1100, c. 11: Ut nullus monachorum parochiale ministerium presbyterorum, id est, baptizare, praedicare, pœnitentiam dare, prasumat. Calixtus II. in Conc. Lateran. I. ann. 1123, c. 17: Interdicimus Abbatibus et monachis publicas pœnitentias dare, et infirmos visitare et unctiones facere, et missas publicas cantare.

<sup>2</sup> Amongst the numerous biographies, the most important are: that of *Thomas de Celano* (the author of the hymn *Dies ira, dies illa*, see Mohrike Kirchen-u. literarhistor. Studien, Bd. I. Hft. I. Stralsund. 1824. S. 3—100) a companion of St. Francis, written about A. D. 1229, by order of Gregory IX. (prim. ed. in Act. SS. Octobr. T. II. p. 683 seq.), the sequel thereto *trium sociorum*, namely, Leo, Angelus, and Rufinus, written A. D. 1240 (prim. ed. I. c. p. 723), and that of Bonaventura compiled A. D. 1261, from the earlier histories, and afterwards adopted exclusively by the order (I. c. p. 742 seq.). cf. Acta SS. Octobr. T. II. p. 545 seq. ad d. 4 Oct. — *Luc. Waddingi Annales Minorum s. trium Ordinum a S. Francisco institutorum*. Lugd. 1625—1654. Tomi VIII. fol. (reaches to 1540). The new ed. with many additions: Ronæ. 1731—1741. Tomi XIX. fol. reaches to 1564.

<sup>3</sup> *Thomas Celanus* in vita Francisci, lib. I. c. 3. § 22: Sed cum die quadam Evangelium, qualiter Dominus miserit discipulos suos ad praedicandum, in eadem eccllesia [b. Mariae Virg. in Portiuncula] legeretur, et Sanctus Dei assistens ibidein verba Evangelica intellexisset, celebratis missarum solemniis, a sacerdote sibi exponi Evangelium suppliciter postulavit. Qui cum ei cuncta enarrasset, audiens s. Franciscus, discipulos non debere aurum, sive argentum, vel pecuniam possidere, non peram, non sacculum, non panem, non virgam in via portare, non calceamenta, non duas tunicas habere; sed regnum Dei et pœnitentiam praedicare: continuo exultans in Spiritu Dei, hoc est, inquit, quod volo; hoc est, quod quero; hoc totis medullis cordis facere concupisco. Festinat proinde Pater sanctus, superabundans gaudio, ad impletionem salutaris auditus. Solvit protinus calceamenta de pedibus, baculum deponit et manus, etc. — Cap. 4, § 23: Exinde cum magno fervore spiritus et gaudio mentis cœpit omnibus pœnitentiam praedicare, verbo simplici, sed corde magnifico ædificans audientes. Erat verbum ejus velut ignis ardens, penetrans intima cordium. Et omnium mentes admiratione replebat. Totus alter videbatur, quam fuerat, et cælum intuens, dignabatur respicere terram. — § 29: When he had collected eight followers: Tunc b. Franciscus omnes ad se convocavit, et plura eis de regno Dei, de contemptu mundi, de abnegatione propriæ voluntatis et proprii corporis subjectione pronuntians, binos illos in partes quatuor segregavit, et ait ad eos: Ite cautissimi, bini et bini per diversas partes orbis, annunciantes pacem hominibus, et pœnitentiam in remissionem peccatorum. Et estote patientes in tribulatione, securi, quia propositum suum et promissum Deus adimplebit. Interrogantibus humiliter respondeite, persequenter bene dicte, vobis injuriantibus et calumniam referentibus gratias agite: et pro his regnum vobis paratur æternum.

came the object of an almost idolatrous adoration.<sup>4</sup> Having been sanctioned by Innocent III. A. D. 1209, and formally confirmed by Honorius III. A. D. 1223,<sup>5</sup> the order (Ordo fratrum minorum) numbered many thousands even before the death of St. Francis (October 4, 1226).<sup>6</sup> To it belonged, also, the female *Order of St. Clara*

<sup>4</sup> *Thomas Celanus*, lib. I. c. 8, § 62: Tanta erat fides virorum et mulierum, tanta mentis devotione erga Sanctum Dei, ut felicem se pronuntiaret, qui saltem vestimentum ejus contingere potuisset. Ingrediente ipso civitatem letabatur clerici, pulsabantur campanae, exultabant viri, congaudebant femine, applaudebant pueri, et saepe ramis arborum sumptis psallentes i obviam procedebant. Confundebatur haeretica pravitas, extollebatur fides ecclesie, et fidelibus vigilantibus haeretici latitabant. — Inter omnia et super omnia fidem s. Romanae ecclesiae servandam, venerandam et imitandam fore censebat, in qua sola salus consistit omnium salvandorum.

<sup>5</sup> *Regula Francisci in Holstenius-Brockie*, T. III. p. 30 seq. cap. 1: Regula et vita Fratrum Minorum haec est, scil. Domini nostri Jesu Christi sanctum Evangelium observare, vivendo in obedientiam, sine proprio, et in castitate. Frater Franciscus promittit obedientiam et reverentiam Dom. Papae Honorio ac Successoribus ejus canonice intrantibus et Ecclesie Romanae. Et alii Fratres teneantur Fratri Francisco et ejus successoribus obedire. Cap. 4: Praecipio firmiter Fratribus universis, ut nullo modo denarios vel pecuniam recipiant, vel per se, vel per interpositionem personam. Cap. 6: Fratres nihil sibi approprient, nec domum, nec locum, nec aliquam rem. Sed tanquam peregrini et adveni in hoc saeculo, in paupertate et humilitate Domino familiantes, vadant pro eleemosyna confidenter. Nec oportet eos verecundari, quia Dominus pro nobis se fecit pauperem in hoc mundo. Haec est illa celsitudo altissime paupertatis, quae vos charissimos Fratres meos haeredes et reges regni celorum instituit, pauperes rebus fecit, virtutibus autem sublimavit. Haec sit portio vestra, quae perducit in terram viventium. Cap. 9: Fratres non praeudent in Episcopatu alicuius Episcopi, cum ab eo illis fuerit contradictum. — In the will of St. Francis (see *Wadding*, ad ann. 1226, no. 36. Aeta SS. I. c. p. 663) is to be remarked: Praecipio firmiter per obedientiam fratribus universis, quod, ubicumque sunt, non andeant petere aliquam litteram in curia Romana per se, nec per interpositam personam, nec pro ecclesia, nec pro alio loco, neque sub specie praedicationis, neque pro persecutione suorum corporum: sed ubicumque non fuerint recepti, fugiant ad aliam terram, ad faciendum penitentiam, cum benedictione Dei. — Et omnibus fratribus meis, clericis et laicis, praecipio firmiter per obedientiam, ut non mittant glossas in regula, nec in istis verbis [i. e. in testamento] dicendo: Ita volunt intelligi. Sed siue dedit mihi Dominus pure et simpliciter dicere, et scribere regulam et ista verba, ita simpliciter et pure sine glossa intelligatis, et cum sancta operatione usque in finem observetis. — The heads of the order are called *Ministri*, namely *Custodes* (Guardians), *ministri Provinciales*, *minister Generalis*. Every three years *capitulum generale*.

<sup>6</sup> See *Jacobus de Vitriaco* (bishop of Acco, afterwards Cardinal, about A. D. 1220) *histor. orient. et occident.* lib. II. c. 33: Prædictis tribus, Eremitarum, Monachorum et Canonorum religionibus, ut regulariter viventium quadratura fundamenti in soliditate sua firma subsisteret, addidit Dominis in diebus istis quartam religionis institutionem, Ordinis decorum et regulæ sanctitatem. Si tamen ecclesie primitivæ statum et ordinem diligenter attendamus, non tam novam addidit regulam, quam veterem renovavit, relevavit jacentem, et pene mortuam suscitavit religionem in vespera mundi tendentis ad occasum, imminentem tempore filii perditionis, ut contra Antichristi periculosa tempora novos athletas præpararet, et Ecclesiam præmuniendo fuliereat. Haec est religio vere pauperum Crucifixi, et Ordo prædicatorum, quos fratres minores appellamus, vere Minores, et omnibus hujus temporis Regularibus in habitu et nuditate et mundi contemptu humiliiores. — Regulam autem ipsorum dominus Papa confirmavit, et eis auctoritatem prædicandi, ad quasenque venient ecclesias, concessit; Prælatorum tamen loci ob reverentiam requisito consensu. Mittuntur autem bini ad prædicandum, tanquam ante faciem Domini, et ante secundum ejus adventum. Ipsi autem Christi pauperes neque sacculum in via portant, neque peram, neque panem, — neque calcia-

(founded A. D. 1212 — adopted the Franciscan rules 1224),<sup>7</sup> and most important of all for the influence of the Franciscans, the *tertius ordo de paenitentia* (*Tertiarii fratres conversi*), the members of which observed rules prescribed by St. Francis, without withdrawing from the world.<sup>8</sup>

Nearly at the same time, Dominicus,<sup>9</sup> a canon of Osma, gathered a fraternity at Toulouse, devoted to the conversion of the Albigenses, in which he had been engaged from the year 1205. Here he introduced the rules of St. Augustine, at the recommendation of Innocent III. to which he added some rules of his own.<sup>10</sup> In 1216 this fraternity was constituted a separate order (*fratres Prædicatores*) by a bull of Honorius III.,<sup>11</sup> and finally at the general chapter held at

menta in pedibus suis habentes: nulli enim hujus Ordinis fratri licet aliquid possidere. Non habent monasteria vel ecclesias, non agros vel vineas vel animalia, non domos vel alias possessiones, neque, ubi caput reclinent. Non utuntur pellibus, neque lineis, sed tantummodo tunicis lanceis caputatis; non cappis vel palliis, vel eucallis, neque aliis prorsus induuntur vestimentis. Si quis eos ad prandium vocaverit, mandueant et bibunt, quæ apud illos sunt. Si quis eis aliquid misericorditer contulerit, non reservant in posterum. — Non solum autem prædicatione, sed et exemplo vite sanctæ et conversationis perfectæ multos, non solum inferioris ordinis homines, sed generosos et nobiles ad mundi contemptum invitant: qui, relictis oppidis et casalibus et amplissimis possessionibus, temporales dvitias et spirituales felici commercio commutantes, habitum fratrum Minorum, i. e. tunicam vilis pretii, qua induuntur, et fumem, quo aeinguntur, assumpserunt. Tempore enim modico adeo multiplicati sunt, quod non est aliqua Christianorum provincia, in qua aliquos de fratribus suis non habeant; — praesertim eum nulli ad religionem suam transeunti gremium claudant, nisi forte matrimonio vel aliqua religione fuerit obligatus. — Alios autem omnes in amplitudine religionis sua tanto confidentius — suscipiunt, quanto divinæ munificentiae et providentiae sese committentes, unde eos Dominus sustentare debeat, non formidant. Ipsi enim funieulum cum tunica venientibus ad se largientes, quod reliquum est, supernæ procurationi relinqunt.

<sup>7</sup> Which see in *Holstenius-Brockie*, T. III. p. 34 seq.

<sup>8</sup> *Bonarentura in vita Franc.* c. 4: Nam prædicationis ipsius fervore succensi quam plurimi utriusque sexus in conjugali pudicitia Domino famulantes secundum formam a Dei viro acceptam, novis se paenitentia legibus vinciebant, quorum vivendi modum idem Christi famulus Ordinem fratrum de penitentiæ nominari decrevit. Nimurum sicut in celum tendentibus penitentiæ viam omnibus constat esse communem, sic et hic status clericos et laicos, virgines et conjugatos in utroque sexu admittens, quanti sit apud Deum meriti, ex pluribus per aliquos ipsorum patratis miraculis innotescit. Their rules in *Holstein-Brockie*, T. III. p. 39 seq.

<sup>9</sup> Amongst the various biographies of Dominicus, the oldest is by *Jordanus*, the successor of Dominic (in the Act. SS. August. Tom. I. p. 545 seq.), the one used in the Order that by *Humbertus de Romanis*, the fifth general of the Order, about A. D. 1254. — cf. Acta SS. August. T. I. p. 358 seq. ad d. 4 Aug. — Annales ordinis Prædicatorum (by *Th. M. Mamachius* and others). Roma, vol. I. 1746. fol.

<sup>10</sup> The *Constitutiones fratrum Ord. Prædicatorum* (in *Holstenius-Brockie*, T. IV. p. 10 seq.) were compiled from the decrees of the different chapters by the third general of the Order, *Raymundus de Penaforti*. See the *Prolog.* c. 3: Ordo noster specialiter ob prædicationem et animarum salutem ab initio noscitur institutus fuisse, et studium nostrum ad hoc debet principaliter intendere, ut proximorum animabus possimus utiles esse. The heads of the Order are called *Priores*, some *Priores conventuales*, some *provinciales*: the general *magister Ordinis*. Every third year a *capitulum generale*.

<sup>11</sup> This Bull is in the prologue to the constitutions: Honorius — Dominico, etc. Nos attendentes fratres Ordinis tui futuros pugiles fidei, et vera mundi lumina, confirmamus Ordinem tuum cum omnibus easbris et possessionibus habitis et habendis, et ipsum Ordinem ejusque possessiones et jura sub nostra gubernatione et protectione suscipimus.

Bologna A. D. 1220, adopted the Franciscan principles of evangelical poverty.<sup>12</sup>

To these two mendicant orders were afterwards added that of the Carmelites (transplanted to Europe A. D. 1238 — adopted the Franciscan rules 1245),<sup>13</sup> and the Augustin-Eremites (Eremitæ S. Augustini, A. D. 1256).<sup>14</sup> Like the Franciscans, the other mendicants also established Tertiaries.<sup>15</sup> Further multiplications of these new orders were, however, forbidden by Gregory X.<sup>16</sup>

## § 69.

### INFLUENCE OF THE MENDICANT ORDERS.

Never yet — as was soon seen in the papal feuds of the thirteenth century — had the popes possessed instruments so well fitted to work upon the mass of the people, as now in the mendicant monks, and it was natural, therefore, that they should seek to increase their

<sup>12</sup> *Jordanus in vita S. Dominici*, cap. 4: *Tunc etiam ordinatum est, ne possessiones vel redditus de cætero tenerent fratres nostri; sed et iis renuntiarent, quos habuerant in partibus Tholosanis.* The Dominicans in Toulouse at first opposed this resolution, see Act. SS. I. c. p. 494. — *Constantinus Episc. Urbevetanus*, who wrote a life of Dominic between 1242 and 1247, relates therein, no. 45 of the declarations of the saint on his death-bed: *Illud vero qua potuit districione prohibuit, ne quis unquam in suo Ordine possessiones induceret temporales, maledictionem Dei omnipotenti et suam terribiliter imprecans ei, qui Prædicatorum Ordinem, quem præcipue paupertatis decorat professio, terrena substantia veneno respergere laboraret.* Against the later Dominicans, who wished to consider this as a fiction, see Act. SS. I. c. p. 518. — In the *Constitut. Fratr. Prædicatorum Dist. II. cap. I, constit. 3*, we find the following: *Mediocres domos et huniles fratres nostri habeant: nec faint, aut permittant fieri in dominibus nostris curiositates et superfluitates notabiles in sculpturis, picturis, pavimentis et aliis similibus, que paupertatem nostram deformant.* In *Ecclesiis tamen permitti poterunt.* *Si quis vero contra fecerit, pœnæ graviori culpæ debitæ subjacebit.* Item *possessiones, seu redditus nullo modo recipiantur, nec Ecclesiæ, quibus animarum cura sit annexa.*

<sup>13</sup> Honorius III. is said to have issued the Bull *Ex officii nostri*, 1229 (see *Bullarium Carmelitanum*. Romæ. 1715 seq. fol. P. I. p. 4), which in that case must have been word for word repeated by Innocent IV. 1245 (I. c. p. 5), in which the Carmelites are forbidden, *ne in proprietatem eremi vestra loca, vel possessiones, seu domos, aut redditus alios recipiatis ullo modo, vel præsumatis habere, prater asinos masculos, et aliquod animalium seu volatilium nutrimentum.* By the Bull *Quæ honorem*, 1248 (I. c. p. 8), issued by Innocent IV., the rules of the order (see above, § 67, note 7) received some modifications.

<sup>14</sup> It originated in the union of several hermit companies in Italy, brought about by Alexander IV. in the Bull *Licet ecclesie* (in *Bullar. Rom. no. VI.*) A. D. 1256. In this Bull, § 6: *Vos universos et successores vestros a baculis vel fernulis deportandis, et quod non cogamini ad recipiendas possessiones alias vel habendas, decernens perpetuo liberos et exemptos.*

<sup>15</sup> According to *Raymundus Capuanus*, general of the Dominicans from 1380 (*in vita s. Catharina Sénensis*, c. 8, Act. SS. April. T. III. p. 871 seq.) the fratres de pœnitentia s. Dominicæ originated after the death of St. Dominic in the fratres de militia Jesu Christi, which he had instituted (cf. Act. SS. August. T. I. p. 418 seq.). The Augustines received the confirmation of their third order from Boniface IX. in 1401; the Carmelites in 1476, from Sixtus IV.

<sup>16</sup> In *Congr. Lugdun.* ann. 1274, c. 23.

consequence by conferring on them various privileges.<sup>1</sup> Thus these monks, as the favorites of the popes, stood opposed to the episcopal clergy, whose influence they more and more drew to themselves,<sup>2</sup> in

<sup>1</sup> *Emm. Roderici nova collectio privilegiorum Apostolicorum Regularium Mendicantium et non mendicantium.* Edit. nova Antverp. 1623, fol. e. g. p. 11. Gregorius IX., 1237, to all prelates (also in *Matth. Paris*, ann. 1246, p. 693 seq.): Quoniam abundavit iniquitas, et refixit charitas plurimorum, sacrum Ordinem dilectorum fratrum Minorum Dominus suscitavit, qui non quæ sua, sed quæ sunt Christi querentes, tam contra profligandas haereses, quam contra pestes alias mortiferas extirpandas, se dedicaverunt evangelizationi Verbi Dei in abjectione voluntaria paupertatis. Then the command, quatenus filios fratres ejusdem Ordinis memorati, pro reverentia divina et nostra, ad officium praedicandi, ad quod sunt ex professione sui Ordinis deputati, benigne recipere procuretis; ac populos vobis commissos, ut ex ore ipsorum Verbi Dei semen devote suscipiant, admonentes, etiam in suis necessitatibus personaliter assistatis; nec impediatis, quo minus illi, qui ad prædicationem eorum accesserunt, tunc eorum sacerdotibus valeant confiteri, etc. *Idem*, 1240, p. 7, ut nullus ex Prælatis a fratribus Minoribus obedientiam manualem præsumat exigere. Innocentius IV. 1249, p. 15, to the Minorites: sepulturam ecclesiarum vestrarum liberam esse decernimus, ut eorum devotioni, et extremæ voluntati, qui se illie sepeliri deliberaverint, nullus obsistat.

<sup>2</sup> The most lively picture of the influence of the mendicant monks in *Matthæus Paris*, e. g. ann. 1243, p. 612: Et quod terrible est, et in triste præsagium, per trecentos annos, vel quadringentos, vel amplius, Ordo Monasticus tam festinanter non cepit præcipitum, sicut eorum Ordo, quorum fratres jam vix transactis viginti quatuor annis primas in Anglia construxere mansiones, quarum ædificia jam in regales consurgunt altitudines. Hi jam sunt, qui in sumptuosis et diatim ampliatis ædificiis, et celsis muralibus thesauros exponunt impreciosas; paupertatis limites, et basim sua professionis, juxta prophetiam Hildegardis Alemannicæ (interpolated cf. Act. SS. Sept. T. V. p. 675 seq.), impudenter transgredientes. Morituris Magnatibus et duxibus, quos norunt pecunias abundare, diligenter insistunt, non sine Ordinariorum injuriis, et jacturis, ut emolumentis inhic, confessiones extorquent et occulta testamenta, se suum Ordinem solum commendantes, et omnibus aliis præponentes. Unde nullus fidelis, nisi Prædicatorum et Minorum regatur consiliis, jam credit salvari. In acquirendis privilegiis solliciti; in euriis Regum et potentum consiliarii, et cubicularii, et thesaurarii, paronymphi, et nuptiarum præloquatores; Papalium extortorum executores; in prædicationibus suis vel adulatores, vel mordacissimi reprehensores, vel confessionum detectores, vel incœti redargutores. Ordines quoque authenticos, et a ss. Benedicto et Augustino, et eorum professores contenentes (prout in causa ecclesiæ de Scardeburæ, in qua Minoræ turpiter occiderunt, patuit), suum Ordinem aliis præponunt. Rudes reputant, simplices, et semilaicos, vel potius rusticos, Cistercienses: Nigros vero superbos, et Epicureos. Ad ann. 1246, p. 694. After having detailed the privileges of the mendicant orders, he continues: His igitur laetificati et magnificati Prædicatores varios ecclesiarum Prælatos — proeaciter alloquentes, indulta sibi talia privilegia in propatulo demonstrarunt, erecta cervice ea exigentes recitari, et in eorum ecclesiis veneranter recipi et commendari, et ad prædicandum populo, sine aliqua contradictione, vel in synodis, vel in ecclesiis Parochianis, quasi legatos vel etiam Dei angelos admitti. Et se ingerentes nimis impudenter regitabant singulos, etiam saepè viros religiosos: “esne confessus?” quibus si responsum fuisset: *etiam*: “a quo?” *A sacerdote meo.* “Et quis ille idiota? nunquam theologiam audivit, nunquam in Decretis vigilavit, nunquam unam questionem didicit endicare. Cœci sunt, et dueces eacorum: ad nos accedite, qui novimus lepram a lepra distinguere, quibus ardua, quibus difficilia, quibus Dei secreta patuerunt. Nobis confitemini importerriti, quibus tanta, ut Jane videtis et auditis concessa est potestas.” Multi igitur præcipue nobiles et nobilium uxores, spretis propriis sacerdotibus et Prælatis, ipsis Prædicatoribus confitebantur: unde non mediocriter viluit Ordinarioem dignitas et conditio; et de tanto sui contemptu non sine magna confusione dolerunt, nec sine evidenti causa. Videbant enim ordinem Ecclesiæ jam enomiter perturbari. — Videbant insuper parochianos suos audacter jam peccare et impudenter, scientes se coram Presbytero proprio non

spite of their complaints and the hatred of all the older orders.<sup>3</sup> At

erubescere, sua enormia peccata confitendo; quod magnum reputatur periculum, cum rubor et confusio in confessione pars sit maxima et potissima penitentiae. — Dicebantque susurrantes peccatum ad invicem: *Perpetremus que nobis voluptuosa ridentur et placentia: aliquibus enim Prædicatorum vel Minorum per nos transitum facientibus, quos nunquam vidimus vel unquam visuri sumus, cum consummatum fuerit quod desideramus, sine aliqua mora confitebimur.* Ad ann. 1247, p. 727: Fratres Minores et Prædicatores, ut credimus, invitatos jam suos fecit dominus Papa, non sine ordinis eorum hostione et scandalo, telonarios et bedellios. p. 734: Verum non cessavit dominus Papa pecuniam aggregare, — faciens de fratribus Prædicatoribus et Minoribus, etiam invitos, non jam piseatores hominum, sed nummorum. Ad ann. 1239, p. 518: Et facti sunt eo tempore Prædicatores et Minores Regum consiliarii et nuncii speciales: ut, sicut quondam mollibus induiti in dominibus Regum erant, ita tune, qui vilibus vestiebantur, in dominibus, eameris et palatiis essent Principum. Comp. the satirist *Rutebeuf* (about 1270) in the extract in Schlossers *Vincent v. Beauvais*, Th. 2, S. 158 ff.

<sup>3</sup> True, Innocent IV, shortly before his death, 1254, abolished the offensive privileges of the Mendicants, see *Waddingi Ann. Minor*, ann. 1254, no. 2 seq. and from him, *Raynald*, ad ann. eund. no. 70 seq. The documents then wanting, are, 1. *Innocentii IV. litteræ ad Episc. Constantiensem*, of the 10th May, 1254 (in *J. H. Hottingeri histor. ecclesiast.* Tom. VIII, p. 1246 seq.), occasioned by the complaints of the Chapter in Zürich. This complaint was: Parochiani irrequitis sacerdotibus, immo potius damnablem vilipendia ad quosdam religiosos, velut apud ipsos resinam dñntaxat salutis inveniant, se temere transientes, — nexus vitorum in confessione deponunt. — Porro tamquam parum sit propriis tales sacerdotes despiciere, nisi eorum Ecclesia pariter contemnantur, iudeum Parochiani — cum in præfatis Ecclesiis tam in officiis divinis, quam sacrae prædicationis eloquuis aurea devotionis vocem sui deberent suscipere sacerdotis, ipsis ecclesiis contra SS. canonum statuta contemptis, ad corundem religiosorum divertunt ecclesiæ. — Si Parochianorum — [uni] contingat in aggritudinis lectum decidere, statim confluent religiosi prædicti, et plerunque infirmum, invitatione præventa sub pietatis specie, visitantes, ipsius testamentum componunt et ordinant, magno tandem adscribentes muneri, si executores mereantur ipsius fieri testamenti. Quid plura? blandis ipsorum infirmis illuctis sermonibus, omissis avitis et paternis sepulchris, apud eos eligens sepeliri, ampla ipsis, prædictis vero ecclesiis nulla vel modica legata largitur, etc. The Pope commands the bishop therefore, quatenus præfatos parochianos, ne, contemptis ecclesiis prædictis, pro divinis audiendiis officiis, et recipiendis, temporibus congruis, ecclesiasticis sacramentis ad alienas accedant ecclesiæ; necnon et ipsos religiosos, cujuscunq; sint ordinis, ne in aliorum præjudicium parochianos præfatos ad hujusmodi officia seu sacramenta recipient, nec confessores audiant eorundem, nisi petita prius et obtenta licentia a sacerdote proprio, juxta statuta concilii generalis, nec etiam nisi apud eos ex devotione animi elegerint tumulari, ipsos ad sepulcrum admittant, — auctoritate nostra per te vel per alium attentus moneas. And 2. A bull to the same effect directed to all orders of monks, dd. 21 Nov. 1254 (in *Bulæ hist. Univ. Paris*, T. III, p. 270 seq.). Soon after this Innocent IV. died, and immediately the Mendicants began to say (see the contemporary *Thomas Cantipratanus*, a Dominican monk, de apibus lib. II. c. 10, no. 21): cum — litteras dedisset —, eadem die paralysi percessus obmutuit, nec unquam postea invaluit, aut surrexit. — Manifestissime visus est mortuus dari Sanctis Dei Francisco atque Dominico; and also, as is said by the monk *Patavinus* (1270) in *Chron. Lib. II.* (in *Muratori rer. Ital.* T. VIII.) that the prayers of the Mendicants had prevailed with the Virgin to intercede with her Son for them: whence it became a proverb at court: A litaniis Prædicatorum libera nos Domine (*Wadding*, l. e. *Bulaeus*, l. c. p. 273 seq.). Thus Alexander IV. found it expedient, a few days after his succession to the papal chair, dd. 31 Dec. 1255, to revoke the decree of his predecessor (the bull in *Wadding*, in *Regest. Pontific. Bulaeus*, p. 273. *Rodericus*, p. 19, bulla II.); and even, 1259, to declare (*Rodericus*, p. 27): Cum olim quidam temere sentientes, et ad sobrietatem sapere nescientes impudenter assererent, quod de licentia et commissione diœcesanorum Episcoporum libere non poteratis exercere officium et confessiones audire, sine parochialium sacerdotum licentia et assensu: nos ad

the university of Paris the Dominicans obtained a cathedra magistralis in theologia A. D. 1230, and soon after the Franciscans also. In the year 1251 their attempts to get possession of the other chairs of instruction, brought them into a violent dispute with the university.<sup>4</sup> Their chief opponent, *Gulielmus de Sancto Amore*, doctor of the Sorbonne, was led, in the course of the controversy, to an attack upon the orders themselves, and their operations.<sup>5</sup> He was answered chiefly by Thomas of Aquino, and Bonaventura,<sup>6</sup> the victory, through the influence of the Pope, being on the side of the latter, at least in appearance.

To keep alive the charity of the people, on which they had to depend for their subsistence, the mendicant monks were led to support the claims of their various orders by the most extravagant fictions, and thus became the chief promoters of the prevailing superstition.

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tollendam et confutandam assertionem hujusmodi, et dilucidandam in talibus veritatem, dudum in quibusdam nostris literis determinando expressimus, quod vos de licentia, vel commissione, aut concessione Legatorum Sedis Apostolice, vel Ordinariorum locorum libere potestis praedicare populis, audire confessiones, aut paenitentias injungere, *sacerdotum parochialium assensu minime requisito*. Bonaventura (from 1256 General of the Minorites) in his Circular to all the chiefs of the orders, dd. Paris, 23 April, 1257 (*Wadding*, ad h. a. § 9) saw deeper: Sane perquirenti mibi causas, cur splendor nostri Ordinis quodammodo obscuratur,— occurrit negotiorum multiplicitas, qua pecunia, nostri Ordinis paupertati super omnia iniuncta, avide petitur, et incaute recipitur, et ineautius contrectatur. Occurrit quorundam fratrum otiositas, qua sentina est omnium vitiorum, qua plurimi sopiti, monstruosum quandam statum inter contemplatiyan et activam eligentes, non tam carnaliter, quam eruditeliter sanguinem comedunt animarum. Occurrit evagatio plurimorum, qui propter solatium suorum corporum gravando eos, per quos transeunt, non exempla post se relinquunt vita, sed scandala potius animarum. Occurrit importuna petitio, qua omnes transeuntes per terras adeo abhorrent fratrum occursum, ut eis timeant quasi praeponibus obviare. Occurrit adficiorum constructio sumptuosa et curiosa, qua fratrum pacem inquietat, amicos gravat, et hominum perversis judiciis multipliciter nos exponit. Occurrit multiplicatio familiaritatum, quam regula nostra prohibet, ex qua suspiciones, infamations et scandala plurima oriuntur. Occurrit improvida commissio officiorum, qua fratribus nondum usquequaque probatis, nec carne maceratis, nec spiritu roboratis, impognuntur officia vix portanda. Occurrit etiam sepulturarum et testamentorum avida quædam invasio, non sine magna turbatione Cleri, ex maxime sacerdotum parochialium. Occurrit mutatio locorum frequens et sumptuosa, cum quadam violentia et perturbatione terrarum, cum nota inconstantie, non sine prejudicio paupertatis. Occurrit tandem sumptuositas expensarum. Nam cum fratres paucis nolint esse contenti, et charitas hominum refrigeruerit, *facti sumus omnibus onerosi, magisque fierimus in posterum, nisi remedium celeriter apponatur.*

<sup>4</sup> cf. *Bulæi*, hist. Univ. Paris, T. III, p. 240 seq. *Crevier*, hist. de l'université de Paris, T. I, p. 396 seq. *Cramers Fortselz*, v. Bossuet's Weltgeschichte, Th. 7, S. 131 ff. *Schlossers Vincent* v. Beauvais, Th. 2, S. 140.

<sup>5</sup> In the work *De periculis novissimorum temporum*, 1256 (ed. *Edw. Browne* in *Append. ad Fasciculum rerum expetendarum et fugiendarum*, p. 43. and in *Guil. Opp. [ed. de Flavigny] Constantiae [Paris]* 1632, 4to.), so entitled with reference to 2 Tim. iii, 1, soon condemned by Alexander IV. (the bull in *Bulæus*, I. c. p. 310 seq.). In the year 1266, however, William sent Pope Clement IV. a new version of the same work, with the title: *Collectiones catholicæ et canonicae contra pericula imminentia Ecclesia universali per hypocritas, pseudoprædicatores, et penetrantes domos, et otiosos, et curiosos, et ggravagos.*

<sup>6</sup> *Thomæ opusculum XIX. contra impugnantes Dei cultum et religionem* and *Bonaventura lib. Apologeticus in eos, qui Ordini FF. Min. adversantur. Ejusd. de paupertate Christi contra Mag. Guilelmum*, etc.

The Franciscans rested their claims partly on the high sanctity of their founder,<sup>7</sup> and partly on the indulgence connected with the church at Portiuncula.<sup>8</sup> The Carmelites, on the other hand, turned their obscure oriental origin to the best account (vid. page 281), claiming Elias as their founder, and the fratres b. Mariae de monte Carmelo, as brothers of their order.<sup>9</sup> The fiction concerning the Scapulary was, likewise, of great advantage to them.<sup>10</sup> The Dominicans, on their part, made the same use of the rosary.<sup>11</sup>

<sup>7</sup> See below, § 70, notes 1 – 3.

<sup>8</sup> In the older biographers, even in Bonaventura, we find no notice of this: the first information we have on the subject is in the testimony of two Franciscans, Benedictus de Aretio and Raynerius de Mariano, before a notary, dd. 31 Oct. 1277 (in *Wadding ad h. a. § 19. Baluzii Miscellan. Lib. IV. p. 490. Acta SS. Octobr. T. II. p. 887 seq.*), that they had frequently heard a quodam sociorum b. Francisci, qui vocabatur frater Massenus de Marignano, quod ipse fuit cum b. Francisco apud Perusium, ante præsentiam domini Papæ Honorii, cum petivit indulgentiam omnium peccatorum pro illis, qui contriti et confessi convenienter ad locum sanctum Mariae de Angelis, qui alio nomine Portiuncula nuncupatur, prima die Kal. Augusti, a vespere dicti diei usque ad vespertas sequentis diei. Quæ indulgentia cum fuisset tam humiliiter quam constanter a b. Franciso postulata, fuit tandem a summo Pontifice liberalissime concessa: quamvis diceret ipse Pontifex, non esse consuetudinis Apostolica sedis talem indulgentiam facere. Another Franciscan, Michael Angelus, adds to this in his testimony (first found in *Mansi*, in his ed. of *Baluz. Misc. T. II. Acta SS. I. c. p. 892*): Et cum b. Franciscus exiret a D. Papa, audivit post concessionem vocem dicentem: Fili Francise, scias, quod sicut haec indulgentia data est in terra, ita confirmata est in celo. In each following version of the legend new wonders were added. *Ubertinus de Casali* (about 1312) in his *Arbor vitæ crucifixæ*, Lib. IV. c. 40, at the end: Cui etiam ecclesia [s. Mariae de Portiuncula] secunda die Augusti Virgo beatissima a filio suo obtinuit in caelis, et Franciscus a Papa in terris indulgentiam remissionis plenaria omnium peccatorum. Hence in the work of Theobald, bishop of Assisi, A. D. 1327 (*Act. SS. I. c. p. 880*) the story is introduced with a vision: Cum staret b. Franciscus apud S. Mariam de Portiuncula, fuit sibi de nocte revelatum a Domino, quatenus ad summum Pontificem, Dominum Honorium, qui pro tempore erat Perusii, accederet pro indulgentia impetranda pro eadem ecclesia s. Mariae de Portiuncula, etc. The saint obeyed, and after long negotiations obtains his request. Tunc b. Franciscus inclinato capite egrediebatur de palatio. Dom. Papa videns eum abire, vocans eum, dixit: *O Simplexone, quo radis? Quid tu portas de hujusmodi indulgentia?* Et b. Franciscus respondit: *Tantum sufficit mihi verbum restrum. Si opus Dei est, ipse suum opus habeat manifestare. De hujusmodi ego nolo aliud instrumentum, sed tantum sit charta b. Virgo Maria, notarius sit Christus, angeli sint testes* (An artful turn, the purpose of which was to account for the absence of any document). Finally, it was solemnly published in the church by St. Francis, in the presence of seven bishops: *Ego volo vos omnes mittere ad paradisum, et annuntio vobis indulgentiam, quam habeo ab ore summi Pontificis, et omnes vos, qui venistis hodie, et omnes qui veneriunt annuatim tali die, bono corde et contrito, habent indulgentiam omnium peccatorum suorum.* In the account by Corradus, bishop of Assisi, A. D. 1335 (*Act. SS. I. c. p. 882 seq.*) is related two appearances of Christ with the Virgin mother, and two journeys to the Pope are mentioned, cf. *Act. SS. I. c. p. 879 – 919. Cypriand. J. (Jac. Danzer's) krit. Gesch. d. Portiuncula-Ablasses, 1794. Svo.*

<sup>9</sup> According to *Papebrochius* (Act. SS. April. T. I. p. 794, from the *Capitulum Aylesfordense*, 1245.) — So much did the order pride itself on these distinctions, that when they were called in question by Papebrochius in this work (l. c. p. 774 seq.) they were most deeply offended, and Innocent XII. 1698, could only put an end to the dispute by commanding both parties to hold their peace.

<sup>10</sup> According to the tradition of the order, Simon Stock, Prior Generalis, 1251, received the scapulary from the holy Virgin. They appeal for proof to this pretended

It could not well be but that the continually conflicting interests of the various mendicant orders must lead to controversies amongst themselves. Between the Franciscans and Dominicans, especially, there was a constant jealousy,<sup>12</sup> which was afterwards much increased by doctrinal differences.

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account of a contemporary, *Petrus Swaningtonus. Papebrochius* (Act. SS. Maj. T. III. p. 653) very justly objects to them, that after the tradition had been much questioned, they still refused to publish this work. An extract from it in the *Speculum Carmelitanum* (Antwerp. 1680. fol.) Tom. I. P. III. lib. 5. c. 2. p. 518, Simon Stoek is made to relate himself the appearance of the Virgin: Apparuit mihi cum grandi comitatu, et tenendo habitum Ordinis dixit: *Hoc erit tibi et cunctis Carmelitis privilegium: in hoc moriens aeternum non patietur incendium.* cf. *Launoji dissertt. V. de Simonis Stockii viso*, etc. in his *Opp. Tom. II. P. II.* p. 385 seq.

<sup>11</sup> After it became a peculiar merit to multiply prayers, it was natural that means should be sought of counting them with certainty. Thus an Egyptian monk is related to have marked the number of his prayers by little stones (*Palladii hist. Lusiaca*, e. 23), an English Countess Godiva, about A. D. 1040, on a string. Little credit is due to Alanus de Rupe, a Biographer of St. Dominic in the 15th century (Act. SS. August, T. I. p. 364), who asserts that Dominic was the first to recommend the use of the rosary: for such accommodation, as well as the absolution promised for the use of it, is not found till the 15th century. Still as the rosary, with the appropriate name Pater noster, is found first amongst the Dominicans, and that as early as 1270, we may safely consider it as belonging peculiarly to that order, and about as old. About 1270 it is called by a Dominican, Nicolas: *Pater noster, quod personaliter quatuor annis portaverat* (See *Quetif et Echard Scriptt. Ord. Prædicatorum*, T. I. p. 411). *Mabillon, Acta SS. Ord. Bened. Sæc. v. Praef.* p. 76. *Acta SS. Aug.* T. I. p. 422 seq.

<sup>12</sup> *Math. Paris.* ad ann. 1243, p. 611: *Et ne mundus turbinibus undique multiplicatis vacare videretur, inter fratres Minores et Prædicatores controversia eisdem temporibus ventilata, multos, eo quod viam perfectionis, videlicet paupertatis et patientie, videbantur elegisse, movit in admirationem. Aserentibus enim Prædicatoribus, se fuisse priores et in hoc ipso digniores, habitu quoque honestiores, a prædicatione merito nomen et officium se sortiri, et Apostolica dignitate verius in digniori respondent Minores: se arctiore vitam et humiliorem pro Deo elegisse, et idcirco dignorem, quia sanctiores, et ab Ordine Prædicatorum ad Ordinem eorum fratres posse et licenter debere, quasi ab inferiori ad Ordinem arctiore et superiore, transmigrare. Contradicunt eis in faciem Prædicatores, asserentes, quod, licet ipsi Minores nudi pede et viliter tunicati, cinetique funiculis incedant, non tamen eis esus carnium, etiam in publico, vel dieta propensior dengatur, quod fratribus est Prædicatoribus interdictum: quapropter non licet ipsis Prædicatoribus ad Minorum ordinem, quasi arctiore et dignorem, avolare, sed potius e converso.* In the year 1255 the generals of the two orders united in an admonition to peace, induced probably by their common interest against the university of Paris (*Wadding ad h. a. § 12*), from which we see what were the points of dispute: *Proinde cavendum est, ne nostrum aliquis propriam adeo sequatur commoditatem, quo cum gravi turbatione aliorum loca nimis notabiliter eis vicina recipiat: — ne conceptum transeundi ad alterutrum nostrorum Ordinum, quem aliquis invenerit in aliquo, debilitet vel extinguat, zelo ipsum atrahendi ad suum Ordinem: — ne familiares et benefactores alterius Ordinis aliquis a sua devotione audeat avertere, et ad ordinem suum convertere: — ne loca, que aliqui pro dominibus construendis accipere proponunt, praesentientes hoc aliis caute surripiant, alios excludendo. Item ne eleemosynas, quas devotio fiduciam aliquibus facere proponit, alii impedian, ut ipsi habeant: — Item ne alii sermones impedian aliorum, vel auditores subtrahant, aut ipsos sermones sibi subripiant alternatim. — Cavendum est, ne quis nostrum sic sanctos suos, sic statum suum imprudenter extollat, quod in aliorum depressionem laus taliter fieri videatur. Item ne quis obloquatur de aliis, non solum coram multis in publicum, sed nec in clanculo coram externis, nec inter fratres proprios in secreto. Item ne, si sinistrum aliquid alii sciverint, aliis denudent, ubi nulla est utilitas nec fructus: — ne quis mala sibi relata de*

## § 70.

## HISTORY OF THE FRANCISCANS.

The fanatical veneration of the Franciscans for their founder (Pater Seraphiens),<sup>1</sup> led them very early to the notion that his life was the accurate copy of the life of Jesus,\* and to the application to

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aliis, facta vel dicta, vel injuriam aliorum leviter eredat, vel hujusmodi inter fratres suos referat, et referendo aggravet, corda fratrum concitet, etc. The peace was renewed in 1278 (*Wadding* ad h. a. § 25): but the very necessity of this shows how insecure it was.

<sup>1</sup> Amongst the fanatical practices of the early Franciscans was that mentioned in Vol. I. § 71, of the *συνεσάκτου γυναικει*, revived in a very gross form, see *Raumer's Gesch. d. Hohenstaufen*, Bd. 3. S. 625, from the Ms. Chron. of *Salimbenus*, a Franciscan of the 13th century. Compare *Robert v. Arbrissel*, § 67, note 3.

\* Some symptoms of this already in the biography by *Thomas Celanus*, see above, § 68, notes 3 and 4. Also Lib. I. cap. 6, § 45: Deprecati sunt eum fratres tempore illo, ut doceret eos orare. — Quibus ipse ait: Cum orabitis, dicite: *Pater noster adoramus te Christe cæt.* § 48: Et quidem manifestis indiciis sæpius hoc probarant, et experti fuerant, occulta cordis eorum Patrem sanctissimum non latere. — Most remarkable the *sacra stigmata*, the origin of which is thus related by *Thomas Celanus*, Lib. II. cap. 1. § 94: Faciente ipso moram in eremitorio, quod a loco, in quo positum est, Aunna nominatur (others call it the *mons Alverna*), duobus annis antequam animam redderet cælo, vidit in visione Dei virum unum, quasi Seraphim, sex alas habentem, stantem supra, manibus extensis ac pedibus conjunctis cruci affixum. — Cogitabat sollicitus, quid posset hæc visio designare, et ad capiendum ex ea intelligentia sensum anxibatur plurimum spiritus ejus. Cuunque liquido ex ea intellectu aliiquid non perciperet, et multum ejus cordi visionis ejus novitas insideret; cœperunt in manibus et pedibus ejus apparere signa elavorum, quemadmodum paulo ante Virum sanctum supra se viderat erucifixum. The earliest accounts differ much from each other: *Gregory IX*, however, sanctioned this legend in three bulls, all dated dd. II. Kal. April. 1237. In the first: *ad universas Christifideles (Raynald*, ann. 1237, § 60. *Wadding*, ad h. a. *Bullarium Rom.*): — Igitur cum id ab universis fidelibus credi firmiter cupimus, devotionem vestram rogamus et hortamur in Domino Jesu Christo, in remissionem vobis peccatum injungendo, quatenus ab assertione contrarii aures de cætero penitus avertentes. Confessorem eundem apud Deum pia vobis reddatis veneratione propitium cæt. The second *ad Episc. Olomucensem (Wadding*, l. c. *Rodericus*, l. c. p. 10), a severe reproof to this bishop, who had sent forth literas exhibendas universis Christifidelibus in which he maintained quod, cum solus Patris aeterni filius fuerit pro humana salute erucifixus, et ipsius duntaxat vulnera devotione supplie adorare debeat religio Christiana, nec b. Franciscus, nec Sanctorum aliquis cum stigmatibus sit in Ecclesia Dei depingendus, et quod peccat contrarium asserens, nec illi, tamquam inimico fidei, credulitas adhiberi ulla debet. The third *ad Piores et Provinciales Ordinis fratrum Prædicatorum (in Rodericus and Wadding*, II. cc. The latter has, perhaps from delicacy, only *ad Superiores cuiusdam sacri Ordinis*) directed against a Dominican, who, cum pervenisset Opaviam Moraviae civitatem, — in communī dieere non expavit, quod in laudem b. Francisci per quosdam ex discipulis suis pie proposita deberent haberi pro reprobis, quod in ejus corpore stigmata non fuissent. — Dicti fratris elatio in tantam prorupit insaniam, quod discipulos, memoratos coram populo quæstuarios et falsos prædictores appellans, impudenter asseruit, quod in ipsis et consimiles auctoritate nostra excommunicationis posset sententiam promulgare. cf. *Acta SS. Octobr. T. II. p. 648 seq.*

him of certain prophecies;<sup>2</sup> and this was constantly carried to more and more extravagant lengths.<sup>3</sup>

<sup>2</sup> *Bonarentura in vita Francisci, in Prologo:* Apparuit gratia Dei Salvatoris nostri diebus istis novissimis in Servo suo Franciseo omnibus vere humilibus et sanctæ paupertatis amicis, qui superadfluentem in eo Dei misericordiam venerantes, ipsius erudiuntur exemplo, — Christo conformiter vivere. — Hic etenim, quasi stella matutina in medio nebula, claris vita mœans et doctrinæ fulgoribus, sedentes in tenebris et umbra mortis irradiatione præfulgida direxit in lucem, et tamquam arcus resulgens inter nebulas glorie, signum in se Dominici fœderis representans, pacem et salutem evangelizavit hominibus, existens et ipse angelus vera pacis. Secundum imitatorum quoque similitudinem Praecursoris destinatus a Deo, ut viam parans in deserto altissimæ paupertatis, tam exemplo quam verbo pœnitentiam prædicaret: primum superne gratia præventus donis, debine virtutis invictæ aduentus meritis, prophetali quoque repletus spiritu, necnon et angelico deputatus officio, incendioque Seraphico totus ignitus, et ut vir hierarchicus curru igneo sursum vectus, sicut ex ipsis vita decursu luculententer apparet, rationabiliter comprobatur venisse in spiritu et virtute Eliae. Ideoque alterius amici sponsi, Apostoli et Evangelistæ Johannis, vaticinatione veridica sub similitudine angeli, ascendentis ab ortu solis, signumque Dei vivi habentis, adstruitur non iniurioso designatus. Sub apertione namque sexti sigilli, *Vidi*, ait Joannes in Apocalypsi [vii. 2] *alterum angelum ascendentem ab ortu solis, habentem signum Dei vivi.* Hunc Dei nuncium amabilem Christo, imitabilem nobis, et admirabilem mundo, servum Dei fuisse Franciscum, indubitabili fide colligimus cæt.

<sup>3</sup> See in particular *Ubertinus de Casali* (about 1312) *Arbor vitæ crucifixæ* (libb. V. ed. Venetiis, 1485, fol.) in lib. Vtus. Especially cap. 3: Abundantibus in fine quinti [*status s. temporis*] jumentis lasciviae, reptilibus avaritiæ, bestiis superbiae, et his omnibus tota deturpata conversatione ecclesiæ peregrinæ, ac per hoc ipsum corrodente hypocritali caterva impietatis hæreticæ: — [Jesus] ultimum citationem ad ecclesiam quinti temporis destinavit, suscitans in medio ejus viros veritatis excelsæ, cupiditatē extirpantes, voluntatem exterminantes — ac Christum Jesum singulariter præ cæteris imitantes: qui et exemplo sua vita fortissime arguerunt deformatam ecclesiam, et verbo prædicationis excitaverunt plebem ad pœnitentiam, et argumento defensionis confuderunt pravitatem hæreticam, et patrocinio orationis placaverunt iram divinam. Inter quos in typo Heliae et Enoch Franciseus et Dominicus singulariter claruerunt, quorum primus seraphico calculo purgatus, et ardore cælico inflammatus totum mundum incendere videbatur, secundus vero ut Cherub extensus et protegens lumine sapientiæ clarus et verbo prædicationis fecundus super mundi tenebras clarius radiavit. — Quia vero totum malum quinti temporis fuit in depravatione vanitatis multiplicis, qua ex cupiditate et abundantia temporalium trahit somentum: idecirco ille, qui temporalia radicalius a se et a suo statu exclusit, ille principalis dicitur hujus temporis reformator. Et quia in ipso sexto status ecclesiæ inchoatur, in quo debet esse reformatio Christi vitæ: ideo potest dici, quod ipse per illum primum hominem figuratur, quem Deus deliberato consilio post quinque dierum opera fecit ad imaginem similitudinis suæ, ut cunctis temporibus dominetur. — Idecirco ad istum singulariter convertemus sermonem, cui et singularius potest dici, quod ipse fuit signaculum similitudinis vite Christi, tam *vestigio conversationis*, quam *fastigio contemplationis*, quam *prodigio admirationis* quam etiam *privilegio consignationis vulnerum passionis* sacratissimæ Jesu Christi. He then considers these four points in order. Of the third: Tertio fuit similis hic evangelicus vir Franciseus benedicto Jesu prodigo admirationis, unde convenit sibi illud *Eccles. XLV.* (*Sirac.* xlv. 2) Similem illum fecit in gloria sanctorum. Gloria Sanctorum in hac vita est claritas miraeolorum, in quibus b. Franciseus Jesu similis singulariter fuit. — Hic sicut Jesus aquam in vinum convertit, panes multiplicavit, et de navicula in medio fluctum maris miraculose immota, per se a terra abducta, docuit turbas audientes in littore. Huic omnis creatura quasi ad nutum videbatur parere, ac si in ipso esset status innoeuctus restitutus. Et ut cætera taceam: cæcos illuminavit; surdos, claudos, paralyticos, omnium infirmatum generibus laborantes curavit; leprosos mundavit; dæmones effugavit; captivos eripuit; naufragis succurrerit, et quam plures mortuos suscitavit. In quibus omnibus vix est inventus similis illi, qui tot miraculis in

So much the more painful was it, therefore, to the strict Franciscans (Spirituales or *Zelatores*), that the rule of poverty, which they regarded as sacred, should be in any way modified, as it was even in the life-time of their founder, by brother *Elias*, whose party had been constantly gaining strength.<sup>4</sup> As the popes seemed to favor this party by their explanation of the rules,<sup>5</sup> they also drew upon themselves the

vita et in morte claruerit, jam a statu ecclesiae primitiva. And at the close : Fuit ergo filio Dei similis, non similitudine æqualitatis, qua Lucifer esse voluit similis altissimo, *Esai.* XIV.; sed similitudine conformitatis, qualis et similitudo addiscentis ad instruentem, acquiescentis ad consulentem, obedientis ad imperantem, imitantis ad exemplantem.—Sed ultra has similitudines fuit in Francisco corporalis consignationis singularitas, ut propter singularitatem incommunicabilem, et primis temporibus inexpertam, possit de Deo admirative interrogare personis: *Quis similis Deo in filii Dei?* Hic nempe fuit singulariter filius Dei benedicti Jesu, etc. Thus the Liber conformitatum of *Bartholomaeus Albicius*, or *Barth.* de Pisis, written A. D. 1385, and approved 1399 by the general Chapter at Assisi (Baumgarten's Rachr. v. einer Hall. Biblioth. Bd. 1. S. 300), according to which Christ in most respects was surpassed by St. Francis, was only the climax of notions long current in the order. The only complete edition is that Mediolani, 1810, fol. There is an extract from it by Erasmus Alberns with a preface by Luther: *Der Barfüßer Mönche Eulenspiegel und Alcoran*, 1531, after the model of which *Alcoran des Cordeliers* and *Alcoranus Franciscanorum* were made, and published in several editions. The author was afterwards included under the strange title *Bartholomaeus Conformi* in the Index lib. prohibit, but the Franciscan *Henr. Sedulius*, in his Apologeticus adv. Alcoranum Franciscanorum pro libro conformitatum, Antwerp. 1607. Ito. says in the Prolegomenis: *Pudere nos libri conformitatum, tam hoc est falsum, quam quod scribit Lutherus, verum, nos pro hac abominatione needum pœnitentiam agere, hanc non recantare.* Compare Baumgarten, l. c. S. 286—359.

<sup>4</sup> See the Pragmat. Gesch. der vornehmsten Mönchsorden. Bd. 2. (Leipz. 1775) S. 288 ff.

<sup>5</sup> Gregory IX's. Bull *Quo elongati* A. D. 1231 (*Rodericus*, p. 7 seq.) decrees amongst other things, 1. That the testamentum Francisci is not binding, quod sine consensu fratrum, et maxime ministrorum,—obligare nequivit, nec successorem suum quodammodo obligat, cum non habeat imperium par in parem. 2. With reference to *Cap. 4.* of the Rules (see above, § 68, note 5): si rem necessariam velint fratres emere, vel solutionem facere pro jam empta, possunt vel nuntium ejus, a quo res emitur, vel aliquem alium voluntios sibi eleemosynari facere (nisi iidem per se, vel per proprios nuntios maluerint) præsentare. Qui taliter præsentatus a fratribus, non est eorum nuntius, licet præsentetur ab ipsis, sed illius potius, cuius mandato solutionem facit, seu recipientis eandem. Idem nuntius solvere statim debet, ita quod de pecunia nihil remaneat penes eum. Si vero pro aliis eminentibus necessitatibus præsentetur, eleemosynam sibi commissam potest, sicut et Dominus, apud spiritualem anicium fratrum deponere, per ipsum loco et tempore pro ipsorum necessitatibus, sicut expedire viderit, dispensandum. 3. Ad *Cap. 6.* of the Rules: Dicimus, quod neque in communi, nec in speciali debent proprietatem habere; sed utensilium, et librorum, et eorum mobilium, quæ licet habere, eorum usum habeant; et fratres, secundum quod generalis minister vel provinciales duxerint, iis utantur: salvo locorum et donorum dominio illis, ad quos noscitur pertinere. Innocent IV. Bull *Quanto studiosius: ad Generalem et Provinciales Ministros fratrum Minorum*, A. D. 1245 (*Rodericus*, p. 13): Cum —de rebus omnibus Ordini vestro concessis vel in posterum concedendis per vos ipsos —disponere nequeatis: —ne vobis odiosa vagandi tribuatur materia, si oporteat vos semper in hoc ad sedem Apostolicam, ad quam rerum ipsarum spectat proprietas, habere recursum: nos —præsenti vobis auctoritate concedimus, quantum, ut singulis vestrum licet in provinciis eis commissis—constituere aliquos viros idoneos Deum timentes, qui pro locorum indigentia singulorum res hujusmodi, tam concessas, quam etiam concedendas, auctoritate nostra petere, vendere, et commutare, alienare, tractare, expendere, permutare, et in fratrum usum con-

indignation of the Spirituales. Under these circumstances the writings of Joachim, abbot of Flore († 1202),<sup>6</sup> were seized upon with avidity by the more rigid party, his complaints of the corruption of the church, and his prophecies of an approaching renovation,<sup>7</sup> being thought strictly applicable to the origin and fortunes of their order.

Thus arose amongst the more rigid Franciscans an Apocalyptic party, who not only declared the existing state of the church to be entirely corrupt, but considered the whole work of Christ to have

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vertere valeant; quodque vobis liceat eosdem viros sic constitutos removere, aliosque ad illa exequenda sine difficultate qualibet subrogare, quoties videbitur opportunum.

<sup>6</sup> Concerning him see especially the *Acta SS. Maji*, T. VII. p. 89 seq. ad 29th May. *Joh. Wolfii Lectionum nemorabilium*, T. I. p. 443 seq.

<sup>7</sup> Concerning his writings see the *Acta SS.* I. c. p. 103, 129 seq. Especially *De concordia utriusque testamenti libb.* V.; *Expositio Apocalypsis* (prod. Venet. 1519); *Psalterium decem chordarum* (prod. Venet. 1527. 4to.). Besides this the *Comm. in Jeremiam* (Venet. 1525. Colon, 1577. 8vo.); in *Isaiam* (Venet. 1517. 4to.) in *Ezechielem*, *Danielem*, etc. Extracts from his prophecies in *Wolf*, I. c. e. g. p. 489: Apoc. 17. Mulier auro inaurata indifferenter cum terrae principibus fornicatur. Romana Ecclesia ista est, quæ in Babylонem vitæ confusione transusa mœchatur, p. 491: Quan vero longe sit omnis moderna religio a forma primitivæ ecclesiæ, ex multis intelligi potest, p. 493 (from the *Comm. in Jerem ad Jer. iii. 6 – 10*): per Israel intelligitur Ecclesia Græcorum, et per Juda Ecclesia Latinorum, quarum prima dicitur adversatrix, secunda vero prævaricatrix: nam aliud est averti a fide, et aliud est prævaricari in opere. *Ibid.* (ad *Jer. iv. 5 seq.*): propter malitiam clericorum et prælatorum terram corrumptimentum sorde sua, justo Dei judicio permittitur, Leone, i. e. Imperatore Allemanniæ ascendere contra Ecclesiam Latinam, qui eam desolatam faciet et absque habitatore, scilicet prælatis et cultoribus fidei, et Ecclesiæ vastabit incredibili contritione. — Ecclesia Latina et Romana graviora quam Græca passura est in proximo, quia nequiora commisit. p. 494 (ad *Jer. 8*). a b. Gregorio usque ad hæc tempora, in quibus revelandus est novus ordo prædicantium in Jeremia designatus, nemo comparuit, qui populum Domini erudit, vel recte ingredetur ad Evangelium veritatis. (Ad *Jer. 12*): auferetur regnum a malis prælatis, et auctoritas et potestas prædicandi, et dabitur genti facienti fructum dignum penitentia, ut quod dicunt ore etiam opere compleant. p. 496 (ad *Jer. 18*): in diebus istis novissimis, in quibus cadet superbia Prælatorum ambulantium in deliciis, et cathedra doctorum carnalium subvertentur, et erunt viri seu rivi annunciatores Evangelii circumquaque per totam Ecclesiæ generalem fortes in fide, veraces in doctrina et vita. Of the prophecies which the Mendicants applied to themselves: see *Acta SS.* I. c. p. 140 seq. Some of them are perhaps genuine, e. g. *Concordiæ*, Lib. IV. c. 39: Necesse est, ut succedit similitudo vera Apostolica vita, in qua non acquirebatur possessio terrenæ hæreditatis, sed vendebatur potius cæt. Others are evidently spurious or interpolated, e. g. in *Comm. Isaiam*, cap. 13. In dueatu isto (Spoleto) et in territorio Hispano duo Ordines, ac si stellæ lucidæ orientur ad prædicandum regni Evangelium. Of his tres Status see the *Act. SS.* I. c. p. 142 seq. e. g. *Concordiæ*, Lib. II. tract. I. c. 5: Aliud tempus fuit, in quo vivebant homines secundum carnem, hoc est usque ad Christum, cuius initatio fuit in Adam (in another place: status conjugatorum, sub tempore legis, in quo præcesserunt significantia); aliud in quo vivebant inter utrumque, h. e. inter carnem et spiritum, usque ad præsens tempus (in another place: status secundus s. status clericorum, qui fructilicavit in Christo, qui verus est Rex et Sacerdos. In this the significantia et significata); aliud, in quo vivitur secundum spiritum usque scilicet ad finem mundi, cuius initatio a diebus b. Benedicti (in another place: tertius status s. status monachorum, cuius præcelens claritas expectanda est circa finem, in quo amotis significantibus sequuntur tantummodo significata). *Concordiæ*, Lib. II. tract. 2. c. 4: Scimus, quod primus Ordo, qui institutus est primo, vocatus est ad laborem legalium præceptorum; secundus, qui institutus est secundo, vocatus est ad laborem passionis; tertius, qui procedit ex utroque, electus est ad libertatem contemplationis.

been only a preparation for a more perfect period of the Holy Ghost. These views having been made known in the *Introductorius in Evangelium aeternum*,<sup>8</sup> published at Paris A. D. 1254, were violently attacked by the theologians there, and formally condemned by Alexander IV. (A. D. 1255),<sup>9</sup> though the party still continued to exist.

<sup>8</sup> The author is not certainly known. The contemporaries, *Matth. Paris*, ad ann. 1256, p. 939, and *Richerius*, in *Chron. Senonensi*, Lib. IV. c. 37 (in d'Achery Spicileg. T. II.), attribute it to the Dominicans. The contents however show it to have been the work of Franciscans; and thus on the authority of *Nicolaus Eymericus* (about 1356) in the *Directorio Inquisitorum*, P. II. Qu. 9, no. 4. *Joannes Parmensis*, General of the Franciscans, A. D. 1247–1256, was universally held to be the author (*Wadding*, ann. 1256, no 13), only contradicted by the Franciscans (c. f. *Oudini Comit. de scriptoribus eccles. antiquis*, T. III. p. 240 seq.); and he in fact was called to trial by his successor Bonaventura for his partiality to Joachim (*Wadding*, l. c. no. 6). But it has been shown by *Jac. Echardus Scriptor. Dominic.* T. I. p. 202 seq. from the *Actis Ms. Processus in Evangelium aeternum* of the Sorbonne, that *frater Gerhardus* was the author, who, as *socius* of *Joh. Parm.* was brought to trial with him, and incarcerated for 18 years on account of his adherence to Joachim (*Wadding*, l. c. no. 5). — As to the title of the book, it is called by Alexander IV. in his letter (in *Bulae hist. Univ. Paris*, T. III. p. 292, 293, 302.) *libellus quidam, qui in Evangelium aeternum seu quosdam libros Abbatis Joachim Introductorius dicebatur*; by *Richerius*, l. c. liber quidam *Evangeliorum*; by *Matth. Paris*, l. c. *Evangelium aeternum*; and in le Roman de la Rose (*Bulaeus*, l. c. p. 299) *l'evangile perdurable*. *Evangelium aeternum* was properly the apocalyptic announcement of the *status tertius*, which originated with Joachim: Compare *Guil. de S. Amore (Bulaeus*, l. c. p. 299): *Jam sunt anni LV. quod aliqui laborant ad mutandum Evangelium, quod dicunt fore perfectius, melius et dignius, quod appellant Evangelium spiritus sancti s. Evangelium aeternum: quo adveniente evacuabitur, ut dicunt, Evangelium Christi: ut parati sumus ostendere in illo Evangelio maledicto.* *Ricobaldus Ferrarensis* (about 1390) hist. Pontif. Rom. ad ann. 1254 (in *Eccardi corp. hist. med. ævi*. T. I. p. 1218) gives the contents of the *Introductorius* as follows: asserebat, *Evangelium Christi* — *evacuari debere, et debere inchoari doctrinam Jochahim, quam conditor libri Evangelium aeternum nominavit.* Compare note 9, below. It follows therefore that the *Evang. aetern.* was not, as is supposed by *Mosheim*, instit. hist. eccl. p. 523, note c, a book falsely ascribed to Joachim. The *Introductorius*, however, was sometimes improperly so called, because it contained the same doctrine.

<sup>9</sup> The university of Paris sent (A. D. 1254) extracts from the *Introductorius* to Rome: on which, 1255, Alexander IV. commanded the archbishop of Paris (*Bulaeus*, l. c. 292, 293, 302) *quatenus libellum ipsum et omnes scedulae supradictas* (because therein multa, quæ in libello non continentur eodem, nequieri sibi adscripta fuisse dicuntur) *auctoritate nostra facias aboleri, generalem excommunicationis sententiam proferens in omnes eundem libellum et scedulae ipsas habentes, nisi infra certum terminum, quem ad hoc præfixeris, illa duxerint penitus abolen- da.* Still extracts from the *Introductorius* were preserved, without doubt the above-mentioned *scedulae*, which were probably decried as untrue only by the Franciscans. cf. *Excerpta pertinentia ad librum, quod Evangelium aeternum inscribitur*, from a Cod. Sorbonicus in *C. du Plessis d'Argentré collectio judicio- rum de novis erroribus* (Paris. 1728–36. Tomi III. fol.) T. I. p. 163 seq., written about 13<sup>50</sup>. The most important part of it has been extracted by Hermannus Cornerus, a Dominican in Lubeck about 1435, in his *Chronicon* (in *Eccardi corpus histor. medii ævi*, T. II. p. 849 seq.), with additions taken from other sources. The chief heresies are these: *Quod circa millesimum ducentesimum annum Incarnationis Dominicæ exivit Spiritus vitæ, de duobus testamentis ut fieret Evangelium aeternum. Quod liber Concordiarum — appelletur primus liber Evangelii aeterni. Et quod liber iste Concordiae sit Joachim.* So the *Apocalypsis nova*, *liber secundus*, and *Psalterium X chordarum, tertius.* — Comparat *vetus testamentum claritati stellarum, novum claritati lunæ*, *Evangelium aeternum s. Spiritus Sancti*

The new explanation of the rules of St. Francis, given by Nicholas III. A. D. 1279,<sup>10</sup> only raised up new zealots. At their head was

claritati solis. Item comparat vetus testamentum Sanctuario, novum Sancto, aeternum Sancto Sanctorum. Item dicit, Evangelium aeternum esse spirituale, Evangelium Christi litterale; et quod Evangelium aeternum est illud, de quo Jereni. xxii. 33, *Dabo legem meam*, etc. — Quod alia est scriptura divina, quae data est fidelibus eo tempore, quo Deus Pater dictus est operari; et alia, quae data est Christianis eo tempore, quo Deus Filius dictus est operari; et alia, quae danda erit eo tempore, quo Spiritus Sanctus proprietates Mysterii Trinitatis operabitur. — Quod tertius status mundi, qui proprius est Sancti Spiritus, erit sine anigmate, et sine figuris. — Unde [Apostolus] dicit (1 Cor. xiii. 9, 10): *Ex parte cognoscimus, ex parte prophetamus: cum autem venerit, quod perfectum est*, etc. Quasi dicat: Tune cessabunt omnes figura, et veritas duorum Testamentorum sine velamine apparebit. — Quod, sicut in principio primi status apparuerunt tres magni viri, scil. Abraham, Isaac et Jacob, quorum tertius, scil. Jacob habuit XII.; et, sicut in principio novi apparuerunt tres, scil. Zacharias, Johannes Baptista, homo Christus Jesus, qui similiter secum habuit duodecim; sic in principio tertii erunt tres similes illorum, scilicet vir indutus linceis [Joachim], et Angelus quidam habens faleam acutam [Dominicus], et alias Angelus habens signum Dei vivi [Franciscus]. Et habebit similiter Angelus XII., inter quos ipse fuit unus, sicut Jacob in primo, Christus in secundo. — Quod Evangelium aeternum traditum sit et commissum principaliter illi Ordini, qui integratur et procedit aequaliter ex Ordine Laicorum et Clericorum, — quem Ordinem appellat Independentium. — Quod novum Testamentum, sicut vetus, evanescendum est. — Quod novum Testamentum non durabit in virtute sua, nisi per sex annos proxime futuros, scilicet usque ad annum 1260. — Quod adveniente Evangelio Spiritus Sancti, sive clarescente opere Joachim, quod dicitur Evangelium aeternum s. Spiritus Sancti, evanescatur Evangelium Christi. — Quod spiritualis intelligentia novi Testamenti non est commissa Papæ Romano, sed tantum intelligentia litteralis. Et per hoc datur intelligi, quod Ecclesia Romana non habet judicare de spirituali intelligentia novi Testamenti. Et, si judicat, temerarium est judicium ejus, et non est acquiescendum ejus judicio, quia Ecclesia Romana litteralis est, et non spiritualis. — Quod Papa Græcus magis ambulat secundum Evangelium, quam Papa Latinus. — Et per hoc datur intelligi, quod magis est propinquus statui salvandorum, et quod magis adhaerendum est ei, quam Papæ Roinano sive Ecclesiae Roinanæ. Also the Concilium Arelatense A. D. 1260 (see *d'Argentré*, l. c. p. 166 seq. *Mansi T. XXII. p. 1002*), condemns, can. I, the errors of the Joachimitici, which are set forth in the preface, praesertim cum in partibus provinciarum, quibus — praesideamus, jam plurimos etiam litteratos hujusmodi phantasis intellexerimus eatenus occupatos et illectos, ut plurima super iis commentaria facta descriperint, et de manu ad manum dando circumferentes, ad externas transfuderint nationes.

<sup>10</sup> In the Bull *Exit* (in the Sextus Decretal. Lib. V. Tit. 12, c. 3) with reference to the former explanations of Gregory IX. and Innocent IV. (see note 5, above). In particular on Cap. 6 of the rules: *Cum in rebus temporalibus sit considerare præcipuum, proprietatem, possessionem, usumfructum, jus utendi, et simplicem facti usum; et ultimo tamquam necessario egeat, licet primis carere possit vita mortalium: nulla prorsus potest esse professio, quæ a se usum necessariæ sustentationis excludat.* Verum condecentis fuit ei professioni, quæ sponte devotus Christum pauperem in tanta paupertate sectari, omnium abdicare dominium, et rerum sibi concessarum necessario usu fore contentam. Nec per hoc, quod proprietatem usus, et rei cuiusque dominiuni a se abdicasse videtur, simplici usu omnis rei renuntiasse convincitur, qui, inquam, usus, non juris sed facti tantummodo nomen habens, quod facti est tantum, in utendo præbet utentibus nihil juris: quiniam necessariarum rerum — moderatus usus — concessus est fratribus — durante concedentis licentia. — Ad haec cum fratres ipsi nihil sibi in speciali adquirere, vel eorum ordini possint etiam in communī; et cum aliquid propter Deum ipsis offertur, — ea — offertenſis — verisimiliter credatur intentio, ut rem hujusmodi — perfecte concedat ac in alios transferre cupiat propter Deum; nec sit persona, in quam loco Dei congruentius hujusmodi rei dominium transferat, quam — persona Rom. Pontificis, Christi Vicarii; — ne talium rerum sub incerto videatur esse dominium: — omnium utensilium et librorum, ac eorum mobilium

Peter John Olivi († A. D. 1297),<sup>11</sup> who, by his commentary on the Apocalypse, in which he mixed bitter censures of the popes with the fanatical hopes of his party,<sup>12</sup> gained many followers, and, after his

praesentium et futurorum, quae et quorum usumfructum scilicet Ordinibus vel fratribus ipsis licet habere, proprietatem et dominium (quod et f. l. record. Innocentius P. IV. predecessor noster fecisse dignoscitur) in nos et Romanam ecclesiam plene et libere pertinere hac praesenti constitutione, in perpetuum valitura, sancimus. Amongst other explanations: Licet autem continetur in regula, quod fratres habeant unam tunicam cum caputio, et aliam sine caputio: — declaramus, quod possint fratres de licentia ministrorum et custodum conjunctim et divisim in administrationibus sibi commissis, cum eis videbatur, — uti pluribus, nec per hoc videantur a regula deviare: cum etiam in ipsa dicatur expresse, quod ministri et custodes de infirmorum necessitatibus, et fratribus induendis sollicitam curam gerant, secundum loca et tempora et frigidas regiones.

<sup>11</sup> Concerning him see *Oudini* comm. de scriptt. eccles. T. III. p. 534 seq. Olivi was tried several times by his superiors in the Order, for censuring the milder construction that had been put upon the rules (see *Wadding*, ann. 1282, no. 2; 1283, n. 1; 1285, n. 5; 1290, n. 11; 1292, n. 13); and we have still his defence at the first trial A. D. 1283, in which he denies many of the heresies with which he is charged (in *d'Argentré* collectio judiciorum, T. I. p. 226 seq.); but we find here no trace of his Apocalyptic dreams. His postilla in *Apocalypsin* is first mentioned in *Ubertinus de Casali's* Defence of him about 1297, and thus seems to have been a late work of his. His views concerning the rule of poverty he has left in a Professio made on his death-bed (*Wadding*, ann. 1297, no. 33, and *Bulæi* hist. Univ. Paris, P. III. p. 535 seq.): *Dico* abdicationem omnis jurisdictionis temporalis, et pauperem rerum usum esse de substantia vitæ nostræ Evangelicæ. Pauperem vero usum hunc ita explico, ut omnibus consideratis censeatur potius pauper quam dives, seu declinet potius ad paupertatem, quam ad opulentiam. *Dico* etiam, quod defendere pertinaciter transgressiones paupertatis, et imperfectiones regulæ contrarias, tamquam bonas, vel cogere ad eas fratres, persecundo illos, qui regulæ puritatem observant, peccatum est mortale, a quo non excusat crassa vel affectata ignorantia. *Dico* 3, quod eo gravius est introducere hujusmodi relaxations in universum corpus religionis, quain peculiares quosdam ad easdem alliceret, etc. (evidently directed against Boniface VIII.). *Dico* 4, notabiles excessus, in ædificiis, — pro quibus construendis multiplices et importuni sunt quæstus, periculosos esse. — *Dico* 5, litigare vel causas movere coram judicibus circa funeralia, aut legata pia nobis relicta, impunitas est maxima contra regulam: neque obstat, quod per sæculares seu fratrum amicos hæc fiant; si tamen fratres eos ad hoc excitaverint, sumptus aut scripturas ministraverint. — Idemque censendum est de iis, qui procurant suis monasteriis annuos reditus, et determinatas vel statutas sub singulis annis provisiones, prævenientes nimia solitudine omnes necessitates, etc.

<sup>12</sup> Of his Postilla super *Apocalypsi*, only sixty articles remain, concerning which eight doctors of theology gave their opinion to Pope John XXII. in *Baluzii* Miscellan. lib. I. p. 213 – 267. e. g. p. 214: Quantum ergo ad primum, qui scilicet sint septem status Ecclesiæ in his visionibus descripti, sciendum, quod *primus* est fundationis Ecclesia primitiva in Judaismo sub Apostolis factæ. *Secundus* fuit probationis et confirmationis ejusdem per martyria. *Tertius* fuit doctrinalis expositionis tñlei rationabiliter confutantis et convincentis insurgentes hæreses. *Quartus* fuit anachoreticæ vitæ. *Quintus* fuit vitæ communis, partim zeli severi, partim condescensivæ sub Monachis et Clericis temporales possessiones habentibus. *Sextus* est renovationis evangelicæ vitæ, et expugnationis antichristianæ, et finalis conversionis Judæorū et gentium, seu iteratæ reædificationis Ecclesiæ simul primæ. *Septimus* vero, prout spectat ad vitam istam, est quædam quieta et mira participatio futuræ gloriæ, ac si celestis Jerusalem videatur descendisse in terram: prout tamen spectat ad aliam vitam, est status generalis resurrectionis, et glorificationis sanctorum, et finalis consummationis omnium. — *Primus status* propriè cœpit a Spiritu sancti missione, licet alio modo cœperit a Christi prædicatione. *Secundus* vero proprie cœpit a persecutione Ecclesiæ facta sub Nerone Imp. quamvis alio modo cœperit a Stephani lapidatione vel Christi passione. *Tertius*

vero cœpit a tempore Constantini Imp. ad fidem Christi conversi, s. a tempore Silvestri P., s. Concilii Niceni contra Arianorum hæresim celebrati. *Quartus* vero proprie cœpit a tempore magni Antonii anachoretæ, s. a tempore Pauli primi eremitæ, vel secundum Joachim a tempore Justiniani Augusti. *Quintus* vero proprie cœpit a tempore Karoli Magni. *Sextus* vero aliqualiter cœpit a tempore b. viri Patris nostri Francisci. Plenius tamen debet incipere a damnatione Babylonis meretricis magnæ, quando præfatus angelus Christi signo signabit per suos futuram malitiam [leg. *militiam* cf. Apoc. vii. 3] Christi. *Septimus* autem uno modo inchoat ab interfectione illius Antichristi, qui dicet se Deum et Messiam Iudaeorum. Alio modo inchoat ab initio extremi judicij omnium reproborum et electorum. — p. 221: Sicut etiam in sexta aetate rejecto carnali Judaismo et vetustate prioris seculi venit novus homo Christus cum nova lege, vita et cruce: sic in sexto statu rejecta carnali Ecclesia et vetustate prioris seculi renovabitur Christi lex, et vita, et crux. Propter quod in ejus primo initio Franciscus apparuit, Christi plagiæ characterizatus, et Christo totus concrucifixus et configuratus. — p. 228 ad Apoc. vi. 12: patet Franciscum vere esse angelum apertionis sexti signaculi. — p. 229: Est adhuc notandum, a quo tempore debeat sumi initium hujus sextæ apertionis. Videtur enim quibusdam, quod ab initio ordinis et regulæ s. Patris præfati; alii vero quod a solemní revelatione tertii status generalis, continens sextum et septimum statum Ecclesiæ, facta Abbatii Joachim et forte quibusdam aliis sibi contemporaneis; alii vero quod ab exterminio Babylonis et Ecclesiæ carnalis per decem cornua bestiæ i. e. per decem Reges fiendo; alii vero quod a suscitatione spiritus seu quorundam ad spiritum Christi et Francisci, tempore quo ejus regula est a pluribus nequiter et sophistice iapugnanda et condemnanda ab Ecclesia carnalium et superborum, sicut Christus condemnatus fuit a Synagoga reproba Iudeorum. Hoc enim oportet præire temporale exterminium Ecclesiæ, sicut illud praevit exterminium Synagogæ. — p. 235 ad Apoc. vi. 12: Tunc enim totus status Ecclesiæ in prælatis et plebibus et religiosis funditus subvertetur, præter id quod in paucis electis (namely, the Minorites) reinanebit occulæ. — Tunc plenius patebit, qualiter [ecclesia] fuerat luxuriis abominabiliter menstruata [*monstruata?*], et nefandis impietatibus et crudelitatibus plena. — Est enim tune nova Babylon sic judicanda, sicut fuit carnalis Hierusalem, quia Christum non recepit, immo reprobavit et crucifixit. Ad Apoc. vii. 2: Hic ergo angelus est Franciscus, evangelicæ vitæ et regula sexto et septimo tempore propagandæ et magnificande renovator, et summis post Christum et ejus matrem observator. — p. 236: Audivi etiam a viro spirituali valde fide digno, — quod b. Franciscus in illa pressura tentationis Babylonica, in qua ejus status et regula quasi instar Christi crucifigetur, resurget gloriosus; ut sicut in vita et in crucis stigmatibus est Christo singulariter assimilatus, sic et in resurrectione Christo assimiletur, necessaria tunc suis discipulis confirmandis et informandis, sicut Christi resurrectione fuit Apostolis confirmandis necessaria. — p. 248: Sicut enim — Apostoli — senserunt, non se ita prosperaturos seu prospere piscaturos in terra Iudeorum, sicut in mari paganorum, sic et iste angelus sentiet, non se ita prosperari in carnali Ecclesia Latinorum, sicut in Græcis et Saracenis et Tartaris et tandem in Judæis. — p. 257 ad Apoc. xvi. 10: Sicut post quatuor animalia quatuor primos status sanctorum designantia sublimata est generalis sedes Romanæ Ecclesiæ, ceteris patriarchalibus s. orientalibus Ecclesiis a Christo et ab ejus vera fide resectis, sic in eodem quinto tempore post quatuor bestias a Daniele visas, quatuor primis sanctorum ordinibus contrarias, sublimata est sedes bestiæ i. e. bestialis catervæ, ita ut numero et potestate prævaleat et fere absorbeat sedem Christi, cui localiter et nominaliter est commixta. Unde et sic appellatur Ecclesia fidelium, sicut et illa, quæ vere est per gratiam sedes et Ecclesia Christi. — Per hanc autem sedem bestiæ principaliter designatur carnalis clerici in hoc quinto tempore regnans et toti Ecclesiæ præsidiens, in quo quidem bestialis vita præcellenter et singulariter regnat et sedet sicut in sua principali sede, et longe plus quam in laicis et plebibus sibi subjectis. — p. 260: Unde et quidam putant, quod tam Antichristus mysticus quam proprius et magnus erit Pseudo-Papa caput Pseudo-prophetarum, etc. — p. 261 ad Apoc. xvii. 1: Nota quod haec mulier stat hic pro Romana gente et imperio, tam prout fuit quondam in statu paganismi, quam prout postmodum fuit in fide Christi, multis tamen criminibus cum hoc mundo fornicata. Vocatur ergo meretrix magna, quia a fideli cultu et a sincero amore et deliciis Dei Christi, sponsi sui, recedens adhæret huic seculo, et divitiis, et deliciis ejus, et diabolo propter ista, etc.

death, was warmly defended by his friend and pupil, Ubertinus de Casali.<sup>13</sup>

Under Coelestius IV. the divisions of the Franciscans seemed to be ended by the erection of the Spirituales into a separate fraternity, with the name of Coelestine-Eremites (A. D. 1294).<sup>14</sup> But this was broken up again by Boniface VIII. (A. D. 1302), and its members persecuted as heretics and schismatics,<sup>15</sup> which led eventually to their entire separation from the order and the church (Fraticelli).<sup>16</sup>

## § 71.

### BEGUINES.

See *J. L. a Mosheim de Beghardis et Beguinibus commentarius*, ed. *G. H. Martini*, Lips. 1790, 8vo.

As early as the eleventh century we find in the Netherlands traces of companies of females<sup>1</sup> living together for devotional purposes, but without conventional vows or conventional discipline<sup>2</sup> (*Beguinæ*, *Begutæ*).<sup>3</sup> Their houses were called beginagia.<sup>4</sup> Not long after, also, we

<sup>13</sup> An extract from his Defence of Olivi, on account of which he also was brought to trial under John XXII. A. D. 1317 (*Baluz.* Miscell. lib. I. p. 293 seq.), in *Wadding*, ann. 1287, no. 36 seq. In the Arborvite crucifixæ, however, all the Apocalyptic notions of Olivi are repeated; and in lib. V. c. 1, whole passages from his Postilla in Apocal. are given word for word. At about the same time the Franciscan Jacobus de Benedictis, or Jacoponus, the author of the Stabat mater dolorosa (see Mohnike's kirchen- und literarhist. Studien, Bd. 1. Heft. 2. S. 407 ff.), was imprisoned for his severe rebuke of Boniface VIII. (*Wadding*, ann. 1298, no. 24 seq. 1306, no. 7 seq. Mohnike, I. c. S. 335 ff.).

<sup>14</sup> Pauperes Eremitæ Domini Cœlestini. cf. *Raynaldus*, ann. 1294, no. 26. *Wadding*, ann. 1294, no. 9. An account of the persecutions they suffered from the other Franciscans, *ibid.* 1301, no. 1.

<sup>15</sup> *Wadding*, ann. 1302, no. 7, 8; 1307, no. 2 seq.

<sup>16</sup> Ubertinus de Casali, A. D. 1317 (see note 13), was accused (*Baluz.* I. c. p. 305), quod fuit defensor, sectator, et fautore Fratricelorum dicentium et tenentium, quod a tempore Cœlestini Papæ non fuit in Ecclesia Papa verus, et plures alios errores.

<sup>1</sup> The oldest, probably, in the Diploma, December, 1065, drawn up by the Magistra totusque conventus Beghinarum de solatio b. Marie juxta Filford in *A. Miræ* opp. diplomatico-hist. T. II. c. 26. See *Mosheim*, I. c. p. 80 seq.

<sup>2</sup> Of the causes of this phenomenon, see *Mosheim*, p. 133 seq. (Concerning the disparity in the numbers of the two sexes, occasioned by the holy wars and their consequences, see Spengels Gesch. der Arzneikunde, Th. 2. 3te Aufl. Halle. 1823. S. 522 ff.) Of the rules of these societies, see *Mosheim*, p. 147 seq.

<sup>3</sup> Of the erroneous derivations from S. Begga, grandmother of Charles Martel, from Lambertus Balbus s. le Begue, a priest in Liege, in the twelfth century, and the controversies on the subject in the seventeenth century, in the Netherlands, see *Mosheim*, p. 74 seq. *Mosheim*, p. 98 seq., derives the name from the Saxon *beggen*, in Ulphilas *bedgan beten*, therefore = sisters of prayer, cf. Robertus de Sorbona (about 1250) in his Iter Paradisi (in Bibl. Patr. max. T. XXV. p. 362): Aliquis incipit agere pœnitentiam, irridetur ab aliquo, qui dicit: iste est *Beguinus*. — Heretics, also, who were remarkable for external sanctity, were called *Beguini*. Thus Godofredus Mon. in the Chron. S. Pantaleonis, ad ann. 1209 seq.

find similar houses for noble ladies (Canonissæ sacerdotes).<sup>5</sup> In the thirteenth century the numbers of these Beguinæ were surprisingly increased,<sup>6</sup> and companies of men were collected on the same principle (Beguini, Beghards).<sup>7</sup> Being exposed, however, to various kinds of persecution,<sup>8</sup> they found it expedient to adopt the rules of the third order of the Franciscans and Dominicans.<sup>9</sup>

But an institution of this kind, cherishing a contemplative tendency, and yet without any strict discipline, offered a peculiarly favorable opportunity to heresies of every kind. Such had already been occasionally found amongst the Beguins,<sup>10</sup> when, at the end of the present period, the Apocalyptic party amongst the Franciscans were so successful in propagating their errors amongst them,<sup>11</sup> that from this time forward the terms Beguin and Heretic became nearly equivalent.

calls the Albigenses Beguini (*Mosheim*, p. 52), and in the vita Johannis II. Episc. Magalonensis (*Gallia Christiana*, T. V. p. 755) we have: *Petro Beguino ejusque asseclis anno 1176, impia dogmata spargentibus, etc.*

<sup>4</sup> See *Mosheim*, p. 34; also *Vineæ*, ibid. p. 141, or *Beguinarum curiæ*, p. 146, 172.

<sup>5</sup> Jacobus de Vitriaco, about 1220, in his hist. Orient. et Occident. lib. II. c. 31, describes them as very numerous in Germany and Brabant: *Canonicas sacerdotes s. Domicellas appellant, non enim Moniales nominari volunt. — Nonni si filias militum et nobilium in sua Collegia volunt recipere. Many of them, too, married, relictis Praebendis et Ecclesiis.* Thus, also, Boniface VIII. (Sext. Decret. lib. I. Tit. VI. c. 43, § 5) speaks of monasteriis, ubi sunt juxta quarundam provinciarum consuetudinem mulieres, que nec propriis renuntiant, nec professionem faciunt regularem, sed vivunt ut in sacerularibus ecclesis canonici sacerdotes. cf. *Thomassinus*, P. I. Lib. III. c. 63, § 6 seq. These, too, were sometimes called Beguinæ. *Mosheim*, p. 13 seq.

<sup>6</sup> *Matth. Paris*, ad ann. 1250, p. 805: *In Alemannia mulierum continentium, quæ se Beguinas volunt appellari, multitudo surrexit innumerable, adeo ut solam Coloniam mille vel plures inhabitarent.* So too ad ann. 1243, p. 611. Of the founding of several of these houses, see *Mosheim*, p. 107 seq. 123 seq.

<sup>7</sup> According to *J. B. Gramaye Antiquit. Brabant.* p. 31, A. D. 1215, *Mosheim*, p. 168. The oldest society of this kind that of Louvain, A. D. 1220, ibid. p. 175 seq. In France they were called, also, *Boni Pueri* or *Boni Valeti*. ibid. p. 36 seq.

<sup>8</sup> *Mosheim*, p. 139 seq.

<sup>9</sup> Thus Bonaventura in the *libellus apologet. in eos, qui Minoribus adversantur* Qu. 6, calls the Tertiaries of the Franciscans, Beguinæ. *Mosheim*, p. 38, 58, 172, 173.

<sup>10</sup> From the middle of the thirteenth century, the secta liberi spiritus was introduced amongst them, especially in Suabia and in Cologne. *Mosheim*, p. 198 seq.

<sup>11</sup> First trace of this Conc. Biterrense, ann. 1299, can. 4 (prim. ed. *Martene thes. Anecd.* T. IV. p. 226. *Mansi* XXIV. p. 1216): *Cum — ad nostram notitiam sit delatum, quod ad suggestionem quorundam, inter quos nonnulli fuerint, qui dicebantur plurimum literati, quorum aliqui fore noscebantur de religione laudabili, non inumerito inter religiones ceteras approbata, ponentium os in colum, et manus ad vota extendentium, prædicantium multis finem mundi instare, et jam adesse vel quasi tempora Antichristi, novosque penitentiae modos et abstinentias vestiumque colores utrinque sexus personis suggestantium, et nihilominus virginitatis ac castitatis vota recipientium a pluribus ex eisdem, ad hoc suis exhortationibus prius tractis, quæ vota a pluribus violata fuisse noseuntur: quam plures utriusque sexus ad novæ superstitionis cultum pertracti fuerint, Beguini seu Beguinæ vulgariter appellati, qui conventionalia prohibita facientes, et frequentes de nocte officium prædicationis verbi Dei temere usurparunt, in suam excusationem*

## § 72.

## MILITARY ORDERS.

The warfare against Infidels being considered the highest kind of Christian activity, and the surest expiation of sin, it was natural that men should seek to combine this with a monastic life, as the perfection of Christian duty.

The first military order was founded in Jerusalem A. D. 1119, by nine knights (fratres militiae templi, milites s. equites Templarii), under Hugo de Payens (de Paganis) as Grand-master.<sup>1</sup> The fame of these military monks was soon spread abroad in the West by St. Bernhard,<sup>2</sup> and having received the approbation of the church at the Synod of Troyes (A. D. 1128),<sup>3</sup> their numbers and their wealth increased with astonishing rapidity.<sup>4</sup>

fictitie prætententes, quod non prædicant sed loquuntur de Deo se invicem consolantes, et quasdam novas observantias custodiare conantur, a communī ritu ceterorumque fidelium discepantes, e quibus nonnulla scandala sunt suborta et non modica pericula huius provinciæ, quam hereticos olim publice frequentasse est certum, nec dubium est, licet clara, adhuc ab aliquibus frequentari, imminere noscentur. Sacro igitur approbante Concilio prohibemus cultum superstitionis præfatae — ulterius observari, etc. cf. Mosheim, p. 206 seq.

<sup>1</sup> *Willemus Tyrensis*, lib. XII. c. 7 (in Bongarsii *Gesta Dei per Francos*, T. I. p. 819 seq.), *Jacobi de Vitriaco hist. Hieros.* c. 65 (l. c. p. 1083), *Histoire des Templiers* par P. *Du Puy*. Paris. 1650. 4to. most complete Bruxelles. 1751. 4to. K. G. Anton's *Vers einer Gesch. des Tempelherrenordens*, 2te Aufl. Leipz. 1781. 8vo. *Histoire crit. et apologetique des Chevaliers Du Temple de Jérusalem, dits Templiers*, par M. J. *Prieur de l'Abbaye d'Estival*. Paris. 1789. 2 voll. 4to. Wilken's *Gesch. d. Kreuzzüge*, Th. 2. S. 546 ff. Raumers *Gesch. d. Hohenst.* Bd. 1. S. 487 ff.

<sup>2</sup> As early as 1125, in Epist. 31, he praises the entrance of Hugo, Count of Champagne, into this order. Especially, however, in his *tractatus de nova militia s. exhortatio ad milites templi* (in edit. *Mabillon*. T. IV. p. 98 seq.), and in his later letters, e. g. Ep. 173, 392.

<sup>3</sup> The *Regula pauperum Commilitonum Christi Templique Salomonici*, supposed to have been given by this council (prim. ed. *A. Miræus* in *Chron. Cisterciensi Colon.* 1614. p. 43 seq., and thence many times republished, e. g. in *Lucae Holstenii Codex Regularum*, ed. *Brockie*, T. II. p. 429 seq., and in *Mansi XXI.* p. 359 seq.), cannot have received its present form earlier than 1172; see Wilken, l. c. S. 558 Anm. — Besides the regular knights (milites), there were also Capellani, brother armor-bearers (armigeri), and servants (famuli, freres servans de mestier). Fr. Münter's *Statutenbuch des Ordens der Tempelherren*, Th. 1. Berlin. 1794. 8vo. (the second part has never appeared).

<sup>4</sup> *Bernardi tract. de nova militia*, cap. 5: *Hæc Jerosolymis actitantur, et orbis excitatur. Audiunt insulae, et attendunt populi de longe, et ebulliunt ab Oriente et Occidente tamquam torrens inundans gloria gentium, et tamquam fluminis impetus lætificans civitatem Dei. Quodque cernitur jucundius, et agitur commodius, paucos admodum in tanta multitudine hominum illo confluere videas, nisi utique sceleratos et impios, raptores et sacrilegos, homicidas, perjurios, adulteros: de quorum profectione sicut duplex quoddam constat provenire bonum, ita duplicatur et gaudium, quandoquidem tam suos de suo discessu lætitiant, quan illos de adventu, quibus subvenire festinant. Prosunt quippe utrobique, non solum utique istos tuendo, sed etiam illos jam non opprimendo. Itaque lætitatur Ægyptus in profectione eorum, cum tamen de protectione eorum nihilominus lætetur mons Sion, et*

The brethren of the hospital of St. John at Jerusalem (fratres Hospitalis J. Joh.),<sup>5</sup> under their second Guardian (Custos or Procurator), Raymund du Puy (de Podio),<sup>6</sup> were next incited by this example to combine this knightly service with their old duties.<sup>7</sup> By degrees these were dropped more and more completely, and the former attendants on the sick were converted into the Milites Hosp. S. Joannis Hierosolymitani or Hospitalarii, under a Magister Hospitalis.<sup>8</sup>

Both orders soon acquired regal wealth and power; but, in like measure, grew the complaints of their ambition and knightly arrogance.<sup>9</sup> After the fall of Acre (A. D. 1291), they retired first to

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exultent filii Iudeæ. Illa quidem se de manu eorum, ista magis in manu eorum liberari se merito gloriatur. Illa libenter amittit crudelissimos sui vastatores, ista cum gaudio suscipit sui fidelissimos defensores: et unde ista dulcissime consolatur, inde illa æque saluberrime desolatur. Sic Christus, sic novit uelisci in hostes suos, ut non solum de ipsis, sed per ipsos quoque frequenter soleat tanto gloriösius, quanto et potius triumphare, etc.

<sup>5</sup> Of the origin of this order since 1048, *Willem. Tyr.* lib. I. c. 10. XVIII. c. 4 seq. *Jac. de Vitriaco*, c. 64. Wilken, I. c. S. 539 ff. Raumer, I. c. S. 485 ff. — L'histoire des Chevaliers hospitaliers de S. Jean de Jérusalem par l'Abbé de Vertot. Paris (1726. 4 voll. in 4to.). 1761. 7 voll. in 8vo. Gesch. d. Maltheserordens nach Vertot von. R. (Riehamer). Jena. 1792. 2 Th. 8vo.

<sup>6</sup> In the year 1118 Raymund gave the society a new Rule (*Holstenius-Brockie*, II. p. 445 seq.), in which nothing is said, as yet, of the knightly life.

<sup>7</sup> *Jac. de Vitriaco*, c. 65, at the close: Prædicti autem Hospitalis fratres ad imitationem fratrum Militia Tempri armis materialibus utentes, milites cum servientibus in suo collegio receperunt. The year is unknown. As early as 1130, Innocent II. says in a Bull, in which he confirms the new institution (Vertot, T. I. p. 586): fratres ejusdem domus, non fornidares pro fratribus suis animas ponere, cum servientibus et equitaturis ad hoc specialiter deputatis et propriis sumitibus retentis, tam in cundo quam redeundo ab incursis Paganorum defensant.

<sup>8</sup> In the Rules of the order, 1118, Raymund still calls himself *Custos Hospitalis Jerosolymitani*, and in a document of 1130 (in *Andr. de Dandolo Chron. in Muratori Scriptt. Rer. Ital. T. XII. p. 276*), he subscribes himself as *Procurator Hosp. Hieros.*

<sup>9</sup> Of the Templars, *Willem. Tyr.* lib. XII. c. 7: Quorum res adeo crevit in immensum ut hodie trecentos plus minusve in conventu habeant equites, albis chlamydbus induitos: exceptis fratribus, quorum pene infinitus est numerus. Possessiones autem tam ultra, quam citra mare adeo dicuntur immensas habere, ut jam non sit in orbe Christiano provincia, que prædictis fratribus bonorum suorum portionem non contulerit: et regiis opulentis pares hodie dicantur habere copias. — Qui cum diu in honesto se conservassent proposito, professioni sua satis prudenter satisfacientes, neglecta humilitate — domino Patriarchæ Hierosolymitano, a quo et ordinis institutionem et prima beneficia suscepserant, se subiraxerunt, obedientiam ei, quam eorum prædecessores eidem exhibuerunt, denegantes: sed et Ecclesiis Dei, eis decimas et primicias subtrahentes, et eorum indebita turbando possessiones, facti sunt valde molesti. (Of the most important endowments see Wilken, S. 561 ff. Schlosser's Weltgesch. Bd. 3. Th. I. S. 183 ff.) Pope Innocent III. (lib. X. Ep. 121) reproaches them, A. D. 1208, with their presumption, quod — cuiuscunque civitatis interdicta — omnes ecclesia successive in eorum iucundo adventu debent aperiri, et ibidem divina officia celebrari, and that they gave out, quod quicunque, duobus vel tribus denariis annuis collatis eisdem, se in eorum fraternitatem contulerint, carere de jure nequeant ecclesiastica sepultura, etiamsi fuerint interdicti: ac per hoc adulteri, usurarii manifesti, et alii criminosi, suppositi ecclesiastico interdicto, ex hujusmodi insolentia in eorum cimiteriis quasi fideles et catholici tumulantur. Wherefore he informs them, per hac et alia nefanda, quæ idecirco plenius exaggerare subsistimus, ne cogamur gravius vindicare, apostolicis privilegiis, quibus tam enorriter abutuntur, essent merito spoliandi. Concerning

Cyprus, whence the Hospitallers removed to Rhodes (A. D. 1309), whilst the Templars withdrew to their estates in the West, their chief seat being at Paris.

In imitation of these great orders, various smaller ones were formed in the Pyrenean peninsula during the struggle with the Moors in the twelfth century. The close connexion between these orders and the Cistercensians is very remarkable.<sup>10</sup>

the Hospitallers, *Willem. Tyr.* XVIII. c. 3, complains that even under Raymund tam Domino Patriarche, quam ceteris ecclesiarum prelatis, multas tam super parochiali jure, quam super jure decimationum, euperunt inferre molestias: nam — excommunicatos — ad divinorum celebrationem — recipiebant. — Oh enormia vero commissa, si quando silentium ecclesiis universis — imponebatur, hi primum et campanarum pulsatione et vociferatione solito majore interdictos populos ad divina vocabant. — Sacerdotes suos nec admittentes — locorum episcopis praesentabant, nec abjicentes — hoc notum faciebant episcopis. De praedulis autem suis, et universis redditibus — omnino decimas dare negabat. — Insuper quotiescumque de more dominus Patriarcha, ut ad populum loqueretur, ad locum, in quo mundi Salvator pro salute nostra pependit (the church of the holy sepulchre, opposite which the Hospitallers lived) — ascendebat, ip-i — pulsatis campanis tot, tantis, tam studiose, et tam diu, ut nec domini Patriarchae sermo sufficeret ad clamandum, nec populus cum, licet multum laborantem, audire mereretur. — Usque ad eam temeritatem — pervenerunt, ut armis correptis, tamquam in dominum aliquius gregarii, irrumperent in predictam Deo amabilem ecclesiam, et sagittas tamquam in speluncam latronum jacularentur multas. — Hujus autem tanti mali primitivam originem Romana ecclesia, fiet fortasse nesciens, nec multo ponderans libramine, quid ab ea peteretur, diligenter considerantibus videtur intulisse: nam locum praedictum, a domini Patriarchae Hicro-solymitani juri-dictione, cui diu et merito subjacerat, emancipavit indebet: ut nec ad Deum timorem, nec ad homines, nisi quotiment, habeant reverentiam. The patriarch journeyed himself to Rome, to bring a complaint on this subject, but was scornfully repulsed, *Willem. Tyr.* I. c. cap. 6–8. Then cap. 7: Papa minoribus infinitis corruptus in partem Hospitaliorum diebatur se dedisse proclivem, qui jam ad eum multo ante prævenerant. — Illud tamen erat evidens, favorem suum et familiarium suorum Hospitalarii nimis familiariter induluisse; dominum vero Patriarcham cum suis, quasi adulterinos filios, fastu quadam et indignatione a se repellere, quasi indignos. Henry III. of England said to the Magister Hospitalis to his face (*Math. Paris*, ann. 1252, p. 854): Vos Pralati et Religiosi, maxime tamen Templarii et Hospitalarii, tot habetis libertates et chartas, quod superflue possessiones vos faciunt superbiare, et superbientes insanire. Revocanda sunt igitur prudenter, quæ imprudenter sunt concessa, et revocanda consulte, quæ inconsulte sunt dispersa. And he answered with equal boldness: Quam diu justitiam observas, rex esse poteris: et quam cito hanc infregeris, rex esse desines.

<sup>10</sup> Concerning which, see the *Histoire des ordres militaires* (Amsterd. 1721. 4 voll. Svo.), T. II. and III. To the Militia sacra Ordinis Cistertiensis (see their Origines, constitutiones et privilegia in *Chrysost. Henriquez* regula, constitutiones et privilegia Ordinis Cistertiensis. Antwerp. 1630. fol. p. 475 seq.) belonged 1) Ordo de Calatrava, founded by the Cistercensian abbot Raymund, Abbas S. Marie de Fitero, when Sancho III., king of Castile, presented to the order the city of Calatrava, then threatened by the Moors, A. D. 1158 (*Henriquez*, p. 484 seq. *Histoire des Ord. milit.* T. III. p. 1. seq.). 2) Ordo S. Juliani de Percyro, which was founded about 1156, by two knights, confirmed 1176 by Ferdinand II. of Leon, 1177 by the Pope, and took, from 1218, when the fortress Alcantara was given into its charge, the name Ord. de Alcantara (*Henriquez*, p. 505 seq. *Hist. des Ord. milit.* T. III. p. 50 seq.). These two orders observed all the monastic vows until Paul III., 1540, allowed them to marry, and imposed on them only the vows obedientiae, castitatis conjugalis et conversionis morum: it was otherwise, however, with the two following Orders in Portugal, the members of which were bound with the same vows as the Conversis of the Cistercensians: 3) In the year 1162, the Cistercen-

The Teutonic order (Equites Teutonici Hospitalis S. Mariæ Virg. Hierosolymitani)<sup>11</sup> was formed during the siege of Acre, A. D. 1190. As early as the year 1226, this order removed to Prussia on an expedition against the Heathen inhabitants of that country, and there united themselves, A. D. 1237, with the knights of the sword (fratres militiae Christi s. Gladiferi),<sup>12</sup> founded A. D. 1202 by Albrecht, bishop of Livonia, for the subjugation of the unbelieving Livonians.

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sian abbot, Johannes Eirita (see the original document in *Henriquez*, p. 481), established a militia Equitum, quibus munus sit, religionem defendere in bello, charitatem exercere in pace, *castitatem serrare in thoro*, et terram Maurorum continuo incursionibus vastare, et habitum portare signum religionis præ se ferentem, capitum scilicet parvæ magnitudinis, cum scapula taliter facta, quod in confliuctu pugnantes non impedit. For the security of the preëminence of the Cistercians it was provided: Si aliquis Militum, dum ambulat, invenerit aliquem Abbatem Ordinis Cisteriensis, relicto equo humiliiter accedat, et petat benedictionem, et comitem se offerat itineris. Si pertransierit per loca, castra s. civitates, ubi fuerint Milites hujus societatis, tempore pacis aut belli, Dux arcis offerat ei claves. Juxta dispositionem ejus gubernentur omnia tempore, quo ibi fuerit. Monachi Cistercienses tamquam fratres suscipiantur, et omnia charitatis officia exhibeantur eis. Alfonso I., king of Portugal, gave these knights (1166) the city of Evora (hence Milites Ebora): in 1181 they built the fortress Avis, and have thence the name Milites de Avis, Ordo Avisius. cf. Hist. des Ordres Milit. T. II. p. 384 seq. — 4) In the year 1166 Alfonso I. founded the Order of St. Michael (Milites S. Michaelis, s. Mil. de Ala), which he placed under the supervision of the Abbas Alcobacie. There was no votum castitatis, but the following rule: Milites hujus Societatis post primum matrimonium, si habuerint filios, vel filium heredem, non transient ad secundas nuptias post obitum primæ uxoris, sed vivent in continencia (cf. *Henriquez*, p. 483. Hist. des Ordre milit. T. III. p. 45 seq.). — Besides these orders connected with the Cistersians, there arose in the kingdom of Leon about A. D. 1170, for the protection of the pilgrims to Compostella, the Militia S. Jacobi (Cavalleria de Sant Jago de la Spada). Alexander III. A. D. 1175, confirmed their rules (see Epist. 20 in *Mansi* XXI. p. 1049 seq.: word for word, repeated and renewed by Innocent III. lib. XIII. Ep. 11): Eo utique moderamine propositum summ et ordinem temperantes, ut — habeantur in ipso ordine, qui eculibem ducant vitam; — sint etiam, qui juxta institutionem Dominicam ad procreandam sobolem, et incontinentiae præcipitum evitandum, conjugibus suis utantur. — Ad suscipiendam prolem, — qui continere nequerit, conjugum sortiatur, et servet inviolatam fidem uxori, et uxori viro, ne tori conjugalis continentia violetur.

<sup>11</sup> cf. *Petri de Dusburg* (about 1326) *Chronicon Prussiæ s. hist. Ord. Teuton.* (from 1190 — 1326) ed. *Christoph. Hartknoch*. Jenæ. 1679. 4to. — *Raym. Duellii* hist. Ord. Equitum Teutonic. Vindob. 1727. fol. — *Hist. de l'Ordre teutonique*. Par un Chevalier de l'Ordre. Paris et Rheims. 1784 seq. 8 voll. Svo. — See the rules of the Teutonic order. From the original copy (after the revision of A. D. 1442) ed. by E. Hennig. Königsb. 1806. Svo.

<sup>12</sup> Comp. the two contemporaries, *Arnoldi Lubec. Chron.* VII. c. 9, and *Henrici Letti (a Lettland)* *Origines Livoniæ sacrae et civiles*, ed. *J. D. Gruber*. Francof. et Lips. 1740. fol. p. 21 seq. — *H. A. G. de Pott* comm. de Gladiferis s. de fratribus militiae Christi in Livonia. Erlang. 1806. Svo.

## CHAPTER FOURTH.

### HISTORY OF THE THEOLOGICAL SCIENCES.

#### I. SCHOLASTIC THEOLOGY.

*Bossuet*: Discours sur l'Histoire Universelle (continued to 1700 — translated by *Richard Spence*. Lond. 1730). *Schröckh's Kirchengeschichte*, Th. 28. S. 371 ff. — See also *Tiedemann's Geist der speculatives Philosophie*, Th. 4 and 5. *Tennimann's Geschichte der Philosophie*, Bd. 8 and 9 (History of Philosophy. Lond. 1832. 8vo.).

#### § 73.

##### FIRST PERIOD OF THE HISTORY OF SCHOLASTIC THEOLOGY TO ALEXANDER HALES, ABOUT A. D. 1230.

SINCE the controversy between Lanfranc and Berengarius, concerning the Lord's Supper (see Div. II. § 29), the taste for philosophical studies had spread with astonishing rapidity amongst theologians, and there grew up a *scholastic*, as distinguished from *positive* or *traditional* theology,<sup>1</sup> which, for four centuries, continued to engage the attention of the most eminent men in the church. In the first of the periods into which the history of scholastic theology may be divided,<sup>2</sup> its disciples contented themselves with a dialectic treatment of the received system of the church. Anselm, the distinguished pupil of Lanfranc, and the first of the scholastics (A. D. 1063 prior, 1078 abbot of Bec, 1093 archbishop of Canterbury, † 1109),<sup>3</sup> though himself the earliest writer on natural theology,<sup>4</sup> was chiefly anxious to forbid all philosophical investigations of the established faith.<sup>5</sup> Ros-

<sup>1</sup> *Papias Vocabulista* (about 1053) in his *Vocabularium* explains *Scholasticus* by *eruditus, literatus, sapiens*. The dialectic theology was considered the climax of all wisdom, see *Heumann's præf. to Adami Tribbechovii de Doctoribus scholast. liber sing. vor der Ausg. Jenæ. 1719. 8vo.*

<sup>2</sup> Such a distinction was first made by *Lamb. Danæus* in his *Prolegg.* in *P. Lombardi Sentent. c. 2* (in *Ejusd. Opusec. theolog. Genev. 1583. fol. p. 1104 seq.*)

<sup>3</sup> Amongst his writings, the most remarkable, besides those to be cited in note 4, are: *Cur Deus homo?* libb. II. *De conceptu virginali et originali peccato*, etc. (Extracts in *Schröckh*, Th. 28. S. 376 ff.) *Epistoll.* libb. III. Opp. ed. *Gabr. Gerberon*. Paris. 1675, new ed. under the care of the Benedictines. ib. 1721. 2 voll. fol. — *Vita Anselmi*, libb. II. by his pupil *Eadmer* or *Edinerus*, prefixed to the Opp. and Act. SS. April. T. II. p. 866, which see from p. 685 seq.

<sup>4</sup> Comp. his *Monologium* and *Proslogion*, on the existence of God and the Trinity. — He defended himself against Gaunilos, a monk in Marmontier, *liber pro insipiente adv. Anselmi in Proslogio ratiocinationem* (in Anselmi opp.) in the *liber apologeticus contra Gaunilonem, respondentem pro insipiente*. — Cramer, l. c. Th. 5. Bd. 2. S. 352—383. Tiedemann, Bd. 4. S. 253 ff. Tenne-mann, Bd. 8. S. 114 ff.

<sup>5</sup> e. g. *Anselmi Lib. II. Ep. 41, ad Fulconem Ep. Belvac.* (also Mansi XX. p. 741): *Christianus per fidem debet ad intellectum proficere, non per intellectum*

cellinus, a canon of Compiegne, whose bold assertions seemed to threaten the doctrine of the Trinity, was met by him, and forced to a recantation at the council of Soissons (A. D. 1092).<sup>6</sup> The philosophical question concerning *universals*, involved in this controversy, gave rise to the parties of the Realists and Nominalists,<sup>7</sup> the latter of which having become suspicious as the party of Roscellinus, the Realists had for a long time the advantage.<sup>8</sup> Hildebert of Lavardino (A. D. 1097 bishop of Mans, 1125 archbishop of Tours, † about 1134) followed in the footsteps of Anselm, and compiled the first complete system of scholastic theology.<sup>9</sup>

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ad fidem accedere, aut si intelligere non valet, a fide recedere. Sed cum ad intellectum valere pertingere, delectatur: cum vero nequit, quod capere non potest, veneratur. *Prosligionem*, c. 1, in fine: Neque enim quero intelligere, ut credam; sed credo, ut intelligam. Nam et hoc credo, quia nisi credidero, non intelligam. De incarnatione verbi, c. 2, he is enraged with their presumption, corum præsumptionem, qui nefanda temeritate audient disputare contra aliquid eorum, quæ fides Christiana confitetur, quoniam id intellectu capere nequeunt: et potius insipienti superbia judicant nullatenus posse esse, quod nequeunt intelligere, quam humili sapientia fateantur, esse multa, quæ ipsi non valeant comprehendere. In like manner he complains (*cap. 3* de dialecticis modernis), qui nihil esse credunt, nisi quod imaginationibus comprehendere possunt. Thus Anselm held every where to the Augustine principle: fides præcedit intellectum, like him citing in defence thereof (De incarn. verbi, c. 2), the erroneous translation of the Vulgat, *Jes. vii. 9*: nisi credideritis non intelligetis an.

<sup>6</sup> Neither Roscellin's (or Ruezelin) writings, nor the Acts of the Synod of Soissons are now extant. The only authority on this controversy is *Joannis Mon. epist. ad Anselmum* (in *Baluz. miscell. lib. IV.* p. 478), in which he sends him the intelligence of Roscellin's heresy. Hanc de tribus deitatis personis quæstionem Roscellinus de compendio movet. Si tres personaæ sunt una tantum res, et non sunt tres res per se, sicut tres angeli, aut tres animæ, ita tamen ut voluntate et potentia omnino sint idem, ergo pater et spiritus sanctus cum filio incarnatus est. Dicit enim huic sententia dominum Lanfrancum Archiepiscopum concessisse, et vos concedere se disputante cf. *Anselmi. Lib. II. Ep. 35 ad Joannem*, and Ep. 41 *ad Fulconem Ep. Bellov.* It was not till the Synod of Soissons, as archbishop of Canterbury, that he wrote his *Liber de fide Trinitatis et de incarnatione verbi contra blasphemias Ruzelini*. In this he describes Roscellin's heresy in the words of the letter just quoted, (*cap. 1*), but remarks, *cap. 3*: Sed forsitan ipse non dicit: *sicut sunt tres animæ aut tres angeli*: sed ille, qui mihi ejus mandavit quæstionem, hanc ex suo posuit similitudinem: sed solum tres personas affirmat esse tres res sine additamento aliquujus similitudinis.

<sup>7</sup> Concerning Anselm's Realism, who seems to have changed from the universalibus ante rem to the universal, in re, see Cramer, Th. 5. Bd. 2. S. 412. He calls those Nominalists who taught the universalia post rem. De incarn. verbi, c. 2, nostri temporis dialectici, immo dialecticæ haæretici, qui quidem non nisi flatum vocis putant esse universales substantias, et qui colorem non aliud queunt intelligere nisi corpus, nec sapientiam hominis aliud quam animam. Of the connexion of Nominalism with Roscellin's theological heresy, see *Mosheim*, p. 439, note r. — Of Realism and Nominalism in general, see Cramer, Th. 5. Bd. 2. S. 401 ff. *Meiners de Nominalium ac Realium initiis atque progressu* (in *Comm. Soc. Götting. T. XII. class. hist. et phil.* p. 24 seq.) *Eberstein über die Beschaffenheit der Logik u. Metaphysik d. reinen Peripatetiker*. Halle 1800. *Auhang*, S. 91 ff. *Baumgarten-Crusius*, de vero Scholasticorum Realium et Nominalium discrimine, et sententia theologia (Pfingstprogramm). *Jena*, 1821. 4to. [Brown's Lectures on the Phil. of the Human Mind, vol. II. p. 188 seq. A. D. 1822. 8vo. — Tr.]

<sup>8</sup> *Joannes Surisbur.* in *Metalogico*, Lib. II. e. 17. p. 811: Alius ergo consistit in vocibus, licet haec opinio cum Roscellino suo fere omnino jam evanuerit, etc.

<sup>9</sup> *Tractatus theologicus*, extracts therefrom in Schröckh, Th. 28. S. 401 ff. and

From the beginning of the twelfth century Paris became the chief seat of the new science. Hitherto only the Trivium and Quadrivium had been taught in the schools, but the newly awakened zeal for philosophical theology now led distinguished men to establish courses of lectures on this subject, apart from the cathedral and convent-schools, though in a certain degree connected with them. To these were added, one after another, lectures on the canon law, on medicine, and the arts, and in this way the first university was formed by the congregating together of these various teachers (*studium generale s. universale*).<sup>10</sup> In the thirteenth century other universities were formed on the same model, of which that of Oxford was, after Paris, of the most celebrity for the study of scholastic theology (from A. D. 1200). In the beginning of the twelfth century, William de Champeaux lectured at the cathedral-school in Paris, on rhetoric, logic, and theology. His fame was very great till obscured by the greater eminence of his pupil, Abelard (A. D. 1108).<sup>11</sup> The farther Abelard pushed his speculations<sup>12</sup> the greater the enthusiasm of his scholars.

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in W. C. L. Ziegler's Beitrag zur Gesch. d. Glaubens an das Daseyn Gottes in der Theologie. Nebst einem Auszuge aus der Dogmatik d. Erzb. Hildebert v. Tours. Göttingen, 1792. 8vo. *Hild. opp. ed. I. Beaugendre*. Paris, 1768, fol.

<sup>10</sup> *Ces. Egasii Bulai hist. Universitatis Parisiensis*, 6 voll. Paris, 1665–1673, fol. *Crévier*, hist. de l'université de Paris, 7 voll. Paris, 1761, 12mo. *Savigny's Gesch. d. röm. Rechts im Mittelalter* Bd. 3. S. 314 ff. *Raumer's Gesch. d. Hohenstaufen* Bd. 6. S. 462 ff.

<sup>11</sup> *Abelardi et Heloise opera* (ed. J. Duchesne) Paris, 1616, gr. 4to. (Concerning this rare edition, cf. *Bayle* dict. s. voc. F. d'Amboise not. F. and Hämbergers Nachr. v. d. vornehmsten Schriftstellern Th. 4. S. 168 ff.). — Of Abelard's fate, cf. *Abelardi Epist. I. de historia calamitatum suarum*. — *P. Bayle* dictio. s. v. Abelard, Foulques and Heloise. *J. Gervaise la vie de P. Abeillard et de Heloise*, Paris, 1720, ed. 2. 1728. 2 Tom. 8vo. Hist. lit. de la France, concerning Abelard, T. XII, p. 86 seq., and concerning Heloise, p. 629 seq. *The history of the lives of Abeillard and Heloise by John Berington*, Lond. 1787. 4to. — *Abelard u. Dulcin. Leben u. Meinungen eines Schwärmers u. eines Philosophen* v. Fr. Chr. Schlosser, Gotha, 1807. 8vo. *H. Francke's Arnold v. Brescia* Zürich, 1825. S. 16 ff.; 87 ff.; 204 ff.

<sup>12</sup> His theological principles, *Introductio ad theologiam*, Lib. II. c. 1. (*Opp. p. 1046*): Nunc autem — pluribus de fide s. Trinitatis collectis atque expositis testimoniosis, superest aperire, quibus rationibus defendi possit, quod testimoniosis confirmatum est. — B. attestante Augustino in omnibus auctoritatē humanae anteponi rationi convenit: maxime autem in his, quae ad Deum pertinent, tutius auctoritate quam humano nimirū iudicio. Cap. 2. p. 1047: De diversitate personarum in una et individua penitus ac simplici divina substantia, et de generatione verbi seu processione spiritus quidem nos docere veritatem non prouidimus, ad quam neque nos, neque mortalium aliquem sufficere credimus: sed saltē aliquid verisimile atque humana rationi vicinum, nec sacrae fidei contrarium proponere libet, adversus eos, qui humanis rationibus fidem se impugnare gloriantur, nec nisi humanas curant rationes, quas noverunt, multosque facile assentatores inveniunt. Cap. 3. p. 1058: Quomodo ergo audiendi sunt, qui fidem rationibus vel adstruendam vel defendendam esse denegant? — Si enim cum persuadetur aliud, ut credatur, nil est ratione discutiendum, utrum ita scilicet credi oporteat vel non: quid restat, nisi ut æque tam falsa quam vera prædicantibus acquiescamus? p. 1059: Asserunt, nil ad catholicę fidei mysteria pertinens ratione investigandum esse, sed de omnibus auctoritatē statim credendum esse, quantumcumque hæc ab humana ratione remota esse videatur. Quod quidem si recipiatur, — coiisque populi fides, quantumcumque abstrusa falsitatem, refelli non poterit, et si in tantam devoluta sit cœcitatem, ut idolum quolibet Deum esse ac cœli ac terræ creatorem fateatur.

The condemnation of his *introductio ad theologiam*, libb. III.<sup>13</sup> (A. D. 1121) by the Synod of Soissons, only increased his fame,<sup>14</sup> and his students followed him in great numbers even in his retirement near Nogent.<sup>15</sup>

The bold development and rapid progress of the dialectic theology now received a check from Bernhard of Clairvaux and Norbert, two men who, even during their life-time, were honored as saints.<sup>16</sup> They

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True it was said by Gregory the Great, *nec fides habet meritum cui humana ratio præbet experimentum*. But p. 1069: At nunquam si fidei nostra primordia statim meritum non habent, ideo ipsa prorsus inutilis est judicanda, quam postmodum charitas subsecuta, obtinet, quod illi defuerat. — Unde et in Ecclesiastico scriptum est: *Qui credit cito, levis est corde et minorabitur* (*Sirac.* xix. 4). Cito autem sive facile credit, qui indiscrete atque improvide his quæ dicunt prius acquiescit, quam hoc, ei quod persuadetur ignota ratione, quantum valet discutiat, an scilicet adhiberi ei fidem conveniat. p. 1061: Nunc vero e contra plurimi solarium sua imperitiæ querunt, ut, cum ea de fide docere nituntur, quæ, ut etiam intelligi possint, disserere non sufficiunt, illum maxime fidei fervorem commendent, qui ea quæ dicantur antequam intelligat credit, et prius his assentit ac recipit, quam quæ ipsa sint videat, et an recipienda sint agnoscat, seu pro captu suo discutiat. Maxime vero id profitentur, cum ea pradicantur, quæ ad divinitatis naturam, et ad s. Trinitatis pertinent discretionem, quæ penitus in hac vita non posse intelligi asseverant, sed hoc ipsum intelligi vitam dicunt æternam, juxta illud veritatis: Hæc est autem vita æterna, ut cognoscant te Deum verum, et quem misisti Iesum Christum. Sed profecto aliud est intelligere seu credere, aliud cognoscere seu manifestare. Fides quippe dicitur existimat non apparentium, cognitione vero ipsarum rerum experientia per ipsam earum præsentiam. — Proprie quoque de invisibilibus intellectus dicitur secundum quod quidem intellectuales et visibles nature distinguuntur. Quisquis etiam in hac vita ea quæ de Trinitate dicuntur, non posse intelligi arbitratur, profecto in illum Montani hæretici labitur errorem, quem beatus damnans Hieronymus in prologo commentariorum Esiae sic ait: *Nèque vere, ut Montanus somniat, Prophetæ in extasi sunt locuti, ut nescirent quid loquerenter*, etc.

<sup>13</sup> This book is in his *Opp.* p. 973 seq., an extract therefrom in Cramer, Th. 6. S. 337 — 384. Of the Concil. Suessionense, the Acts of which are no more extant, a detailed account in *Abæl.* Epist. I. de calamitat. suis, cap. 9. p. 20 seq. More concise *Otto Frising.* de gestis Frid. Lib. I. c. 47: De s. Trinitate docens et scribens, tres personas — nimis attenuans, non bonis usus exemplis, inter cætera dixit: *Sicut eadem oratio est propoſitio, assumptio et conclusio, ita eadem essentia est Pater, et Filius, et Spiritus sanctus.* Ob hoc Suessionis provinciali contra eum synodo, sub præsencia Romanæ sedis legati, congregata, — libros, quos ediderat, propria manu ab episcopis igni dare coactus est, nulla sibi respondendi facultate, eo quod disputandi in eo peritia ab omnibus suspecta haberetur, concessa.

<sup>14</sup> *Abæl.* Epist. I. de calam. suis, c. 10. p. 25: Cum autem hoc tam crudeliter et inconsiderate factum omnes, ad quos fama delatum est, vehementer arguerent, singuli qui interfuerant a se culpam repellentes in alios transfudebant; adeo ut ipsi quoque amuli nostri id consilio suo factum esse denegarent, et Legatus coram omnibus invidian Francorum super hoc maxime detestaretur.

<sup>15</sup> *Abælardus,* l. c. cap. 11. p. 28: Quod cum cognovissent Scholares, cœperunt undique concurrere et relictis civitatibus et castellis soliditudinem inhabitare, et pro amplis domibus parva tabernacula sibi construere, et pro delicatis cibis herbis aggressibus et pane cibario victicare, et pro mollibus stratis culmum sibi et stramen comparare, et pro mensis glebas erigere.

<sup>16</sup> *Abælardus,* l. c. cap. 12. p. 31: Hoc autem loco me corpore latitante, sed fama tunc universum mundum perambulante, — priores amuli, cum per se jam minus valerent, quosdam adversum me novos Apostolos, quibus mundus plurimum credebat, excitaverunt. Quorū alter regularium Canoniconum vitam, alter Monachorum se resuscitasse gloriabatur. Hi prædicando per mundum disurrentes, et me impudenter quantum poterant corrodentes, non modice tam Ecclesiasticis

were inclined more to mysticism, and opposed all deviations from the traditional views of the received system of faith, on the ground that the mysterious doctrines of revelation did not admit of such accurate investigation, but must be received in moments of mystic contemplation.<sup>17</sup>

Abelard having given up the abbey of the Paraclete near Nogent, to his Heloise, was from A. D. 1126 – 1136 abbot of Ruits in Bretagne, and afterwards resumed his lectures in Paris. At length, however, certain writings of his<sup>18</sup> afforded Bernhard an opportunity of attacking him.<sup>19</sup> Having been condemned at the Synod of Sens

quibusdam quam secularibus Potestatibus contemptibilem ad tempus effecerunt, et de mea tam fide quam vita adeo sinistra disseminaverunt, ut ipsos quoque amicorum nostrorum praecepios a me averterent, et qui adhuc pristini amoris erga me aliquid retinerent, hoc ip-i modis omnibus metu illorum dissimularent.

<sup>17</sup> *Bernardi de diversis Sermo LX. no. 9* (ed. *Mabill.* T. II. p. 250). Et diabolus et homo, uterque ascendere prepostere voluit, hic ad scientiam, ille ad potentiam, anbo ad superbiam. Non sic ascendere velimus, quin potius audiamus prophetam querentem, quomodo ascendendum sit. *Quis, inquit, ascendet in montem domini, etc.* (*Ps. xxiv. 3, 4*). Ubi notandum, quod triplicem gradum ascendendi constituit. Primus gradus est innocentia operis, secundus munditia cordis, tertius fructus adificationis. De considerat. Lib. V. c. 3: Quæ supra sunt, non verbo docentur, sed spiritu revelantur. Verum quod sermo non explicat, consideratio querat, oratio expetat, mereatur vita, punitas assequatur. — Deus, — et qui cum eo sunt beati spiritus tribus modis — nostra sunt consideratione vestigandi, opinione, fide, intellectu. Quorum intellectus rationi innititur, fides auctoritati, opinio sola verisimilitudine se tuetur. Habent illa duo certam veritatem, sed fides clausam et involutam, intelligentia nudam et manifestam: cæterum opinio certi nihil habens, verum per verisimilia querit potius quam apprehendit. Ominus in his cavenda confusio, ne aut incertum opinionis fides figat, aut quod firmum fixumque est fidei, opinio revolet in quæstionem. Et hoc sciendum, quia opinio, si habet assertionem, temeraria est: fides, si habet hæsitationem, infirma est: item intellectus, si signata fidei tentet irruimpere, reputatur effractor, [non] scrutator majestatis. Multi suam opinionem intellectum putaverunt et erraverunt. — Possumus singula hæc ita definire: fides est voluntaria quædam et certa prælibatio nudum propalatum veritatis; intellectus est rei cuiuscunq[ue] invisibilis certa et manifesta notitia: *opinio* est quasi pro vero habere aliquid, quod falsum esse nescias. Ergo, ut dixi, fides ambiguum non habet: aut si habet, fides non est, sed opinio. Quid igitur distat ab intellectu? Nempe quod etsi non habet incertum non magis quam intellectus, habet tamen involucrum, quod non intellectus. Denique quod intellectisti, non est de eo quod ultra quæras: aut si est, non intellectisti. Nil autem malum scire, quam quæ fide jam scimus. Nil supererit ad beatitudinem, cum qua: jam certa sint nobis fide, erunt aequæ et nude. Cap. 14, at the end of a dissertation upon the being of God: Novimus hæc. Num ideo et arbitramur nos comprehendisse? Non ea disputatio comprehendit, sed sanctitas, si quo modo tamen comprehendendi potest, quod incomprehensibile est. — Quæris quomodo? Si sanctus es, comprehendisti et nosti: si non, esto, et tuo experimento scies. Sanctum facit affectio sancta, et ipsa gemina, timor Domini sanctus, et sanctus amor. His perfecte affecta anima, veluti quibusdam duobus brachiis suis comprehendit, amplectitur, stringit, tenet, et ait: *Tenui eum nec dimittam*. Compare Schmid der Mysticismus des Mittelalters in s. Entstehungsperiode Jena. 1824. S. 187 – 279.

<sup>18</sup> Namely, his *Theologia christiana*, libb. V. (in *Martene et Durand* thesausr. Anecdot. T. V. p. 1156 seq.). An extract in Cramer, Th. 6. S. 385 – 427), his *Sic et non* on the contradictions in the church fathers (never printed, an extract in the *Histoire liter. de la France*, T. XII. p. 131 seq.) and his *Ethica s. liber dictus*: scito te ipsum (in B. Pezii Anecdot. T. III. P. II. p. 627 seq.).

<sup>19</sup> See Neanders der heil. Bernhard u. s. Zeitalter, Berlin, 1813. S. 112 ff. Bernhard was incited to the attack by a letter of William, Abbot of St. Thierry,

(A. D. 1140),<sup>20</sup> and sentenced by the Pope to confinement,<sup>21</sup> he took

A. D. 1139 (in *Beruhard's Letters*, Epist. 391). His charges against Abelard : Epist. 188 ad Cardinales: Irridetur simplicium fides, eviscerantur arcana Dei, quæstiones de altissimis rebus temerarie ventilantur, insultatur Patribus, quod eas magis sopiaendas quam solvendas censuerint. Epist. 189 ad Innocentium P. Novum cuditur populis et gentibus Evangelium, nova proponitur fides, fundamentum aliud ponitur præter id quod positum est. De virtutibus et vitiis non moraliter, de Sacramentis Ecclesiæ non fideliter, de arcano sancte Trinitatis non simpliciter nec sobrie disputatur: sed cuncta nolis in perversum, cuncta præter solitum et præterquam accepimus, ministrantur. Epist. 192 ad Mag. Guidonem: Magister Petrus in libris suis profanæs vocum novitates inducit et sensuum, disputans de fide contra fidem, verbis legis legem impugnat. Nihil videt per speculum et in enigma, sed facie ad faciem omnia intuetur, ambulans in magnis et in mirabilibus super se. Melius illi erat, si juxta titulum libri sui scipsum cognosceret, nec egredieretur mensuram suam, sed saperet ad sobrietatem. Epist. 359 ad Hainericum Card. Maenavavit ecclesiam homo ille, rubiginem suam simplicium mentibus affricuit: cum ea ratione nititur explorare, que pia mens fidei vivacitate apprehendit. Fides piorum credit, non discutit. Sed iste Deum habens suspectum credere non vult, nisi quod prius ratione discusserit. Cumque Propheta dicat: nisi credideritis non intelligetis (see note 5, above): iste fidei voluntariam nomine redarguit levitatem, abutens isto Salomonis testimonio: qui credit cito, levis est corde (*Sirac.* xix. 4). Abelard's heresies are all given at length, and refuted by Bernhard in the *Tractatus de erroribus P. Abelardi ad Innocentium II.* (in edit. *Mabill.* T. IV. p. 114 seq. in the older ed. Epist. 190); more concisely XIX. capitula errorum Abel. see in *du Plessis d'Argentré collectio judiciorum de novis erroribus*, T. I. p. 21. e. g. I. Quod Pater sit plena potentia, filius quædam potentia, Spiritus sanctus nulla potentia. II. Quod Spiritus Sanctus non sit de substantia Patris aut Filii. III. Quod Spiritus Sanctus sit anima mundi. VI. Quod liberum arbitrium per se sufficit ad aliquod bonum. VII. Quod ea solumente possit Deus facere vel dimittere, vel eo modo tantum, vel eo tempore, quo facit, et non alio. X. Quod non peccaverunt, qui Christum ignorantes crucifixi sunt; et quod non culpæ adscribendum est, quicquid fit per ignorantiam. XII. Quod potestas ligandi atque solvendi Apostolis tantum data sit, non successoribus. XIII. Quod propter opera nec melior nec pejor officiatur homo. XIX. Quod nec opus, nec voluntas, neque concupiscentia, neque delectatio, cum movet eam, peccatum sit, nec debemus velle eam extinguere. On the other hand see *Abelardi Apologia s. Confessio*, or Epist. XX. (*Opp.* p. 330 — 333, and in *Bulæus*, II. p. 196). See Cramer, Th. 6. S. 428 ff.

<sup>20</sup> The Acts no longer extant, cf. *Episcoporum Gallie Ep. ad Innocentium II.* (written by Bernhard amongst his letters, Ep. 370): — Cum per totam fere Galliam in civitatibus, vicis et castellis, a Scholaribus non solum intra scholas, sed etiam triviatim; nec a literatis aut proiectis tantum, sed a pueris et simplicibus, aut certe stultiis, de s. Trinitate, quæ Deus est, disputaretur: insuper alia multa ab eisdem absonta prorsus et absurdâ, et plane fidei Catholicae, sanctorumque Patrum auctoritatibus olvidantia proferrentur: cuique ab his, qui sane sentiebant, — sepius admoniti corriperentur; vehementer convalescebant, et auctoritate magistri sui Petri Abældi — sese magis ac magis armabant. — Verum Dominus Abbas Clarævallis — hominem convenit, et ut auditores suos a talibus compesceret, librosque suos corrigeret, amicabiliter satis ac familiariter illum admonuit. — Quod Mag. Petrus minus patienter et nimium ægre ferens, crebro nos pulsare coepit, nec ante voluit desistere, quoad Dominum Clarævallensem Abbatem — Senonis ante nostram submonuimus venire præsentiam, quo se vocabat et offerebat paratum Mag. Petrus ad probandas et defendendas, de quibus illum Dom. Abbas Clarav. — reprehenderat, sententias. Cæterum Dominus Abbas nec ad assignatum diem se venturum, nec contra Petrum sese disceptaturum nobis remandavit. (cf. *Bernard.* Epist. 189 ad eundem: Abnui tum quia puer sum, et ille vir bellator ab adolescentia: tum quia judicarem indignum, rationem fidei humanis committi ratuunculis agitandum, quam tan certa ac stabili veritate constat esse submixam. Dicebam, sufficere scripta ejus ad accusandum eum, etc.) Still for the defence of the truth, he had resolved to do this, and the Council was opened in presence of King Louis. Quid multa? Dominus Abbas cum librum theologiae Mag. Petri proferret in medium,

refuge with the venerable Peter, abbot of Clugny,<sup>22</sup> and there died A. D. 1142.<sup>23</sup>

It was not long before Beruhard was called to meet a new antagonist. *Gilbert de la Porrat*, formerly a teacher at Paris, now bishop of Poitiers, having offended some of his clergy by his innovations,<sup>24</sup>

et quæ auctoraverat absurdia, imo haeretica plane capitula de libro eodem proponeret, ut ea magister Petrus vel a se scripta negaret, vel si sua fatetur, aut probaret, aut corrigeret: visus est diffidere Mag. Petrus Abæl. et subterfugere, respondere noluit, sed quamvis libera sibi daretur audiencia, tutumque locum et aquos haberet judicesset, ad vestram tamen, sanctissime Pater, appellans presentiam, cum suis a conventu discessit. Nos autem, licet appellatio ista minus canonica videretur (Epist. 189 appellans ab electis judicibus, quod non putamus licere), sedi tamen Apostolice deferentes, in personam hominis nullam voluimus proferre sententiam. Even in this account there is some ground for the description of the Council given in *Berengarii Scholastici*, a pupil of Abelard, *Apologeticus pro magistro contra Bernardum Clarævall.* (in *Abæl. Op.* p. 302 seq. *Bulæus*, T. II. p. 182 seq.) Denique post prandium allatus est liber Petri, et cuidam praecipuum est, ut voce clamosa Petri opuscula personaret. — Inter haec salutantur cyphi, poeula celebrantur, laudantur vina, Pontificum guttura irrigantur. — Denique cum aliquid subtile divinumque sonabat, quod auribus Pontificalibus erat insolitum, audientes omnes dissecabantur cordibus suis, et stridebant dentibus in Petrum — *hoc*, inquiunt, *sinceremus vivere monstrum?* — Vini calor ita inecesserat cerebris, ut in somni lethargium oculi omnium solverentur. Inter haec sonat lector, stertit auditor. Alius cubito innititur, ut det oenüs suis somnum, aliis super molle cervical dormitionem palpebris suis molitur, aliis super genua caput reclinans dormitat. Cum itaque lector in Petri satis aliquod reperiret spinetum, surdis exclamabat auribus Pontificum: *Dammatis!* Tunc quidam vix ad extremam syllabam exaspergasti, somnolenta voce, capite pendulo, *Dannamus*, ajebant. Atii vero dannantium tumultu exiebant, decipitata prima syllaba, *numus* inquiunt. Vere natis, sed natatio vestra procolla, natatio vestra mersio. — Qui vigilaverat in lege Domini die ae nocte, nunc damnatur a sacerdotibus Bacchi. — Intra tot itaque et tantas angustias deprehensus Abelardus ad Romani examinis confugit asylum.

<sup>21</sup> *Innoc.* Epist. ad Archiepise. et Epise. amongst Bernhard's Letters, Epist. 194; in *Abæl.* Opp. p. 299; in Mansi XXI. p. 564. Together with this public letter, private ones were sent to the Archbishops of Rheims and Sens (*Abæl.* Opp. p. 301; Mansi, I. e.) directing quatenus Petrum Abelardum et Arnaldum de Brixia, perversi dogmatis fabricatores, et catholicae fidei impugnatores, in religiosis locis, — separatis faciatis includi, et libros erroris eorum, ubique reperti fuerint, igne comburi. Postscript: Transcripta ista nolite ostendere cuiquam, donec ipsæ literæ in Parisiensi colloquio, quod prope est, præsentatae fuerint ipsi Archiepiscopis.

<sup>22</sup> *Petri Ven.* Epist. ad Innocentium II. (Lib. IV. Ep. 4. in Bibl. PP. max. XII. p. 907; in *Abæl.* Opp. p. 335; and in *Bulæus*, II. p. 198.) relates the reconciliation effected between Abelard and Bernhard by himself and the Abbot of Citeaux, and prays the Pope to leave the former undisturbed in Clugny.

<sup>23</sup> *Petri Ven.* Epist. ad Heloisam (Lib. IV. Ep. 21; in Bibl. PP. I. e. p. 922; in *Abæl.* Opp. p. 337) with the intelligence of Abelard's death, (ille tuus sape ac semper cum honore nominandus, servus ac vere Christi Philosophus Mag. Petrus). Heloise begged his body that she might bury it in the Abbey of the Paraclet (Epist. ad Petrum Ven. in *Abæl.* Opp. p. 343) with the request: Placeat etiam vobis mihi sigillum mittere, in quo Magistri absolutio literis apertis contineatur, ut sepulchro ejus suspendatur. Peter granted both requests (Ep. ad Helois. I. e. p. 344), the last with the words: Ego Petrus Cluniacensis Abbas, qui Petrum Abæl. in Monachum Cluniacensem recepi, et corpus ejus furtim delatum Heloisæ Abbatissæ et Monialibus Paracleti concessi, auctoritate omnipotentis Dei et omnium sanctorum absolvo eum pro officio ab omnibus peccatis suis.

<sup>24</sup> Concerning him cf. *Otto Frising.* de gestis Frid. Lib. I. e. 46, 50–54, 56, 57. *Gaufredi Mon. Clarævall.* Epist. ad Epise. Albanensem de rebus gestis in

was accused by them before the council of Rheims, A. D. 1148, and would have shared the fate of Abelard but for the jealousy of the cardinals toward Bernhard.<sup>25</sup>

Warned by these examples, the Schoolmen now began to support their dialectic speculations by authorities from the Scriptures and the

*causa Gilberti Porretani* in the Acts of the Conc. Rhem, in Mansi XXI. p. 728. Cramer, Th. 6. S. 530 — 552. *Reanders der heil. Bernhard*, S. 217 ff.; 305 ff. — The allegations brought against him by two of his Archdeacons (see *Otto Fris.* l. c. cap. 50. Amongst them reckoned as *minora*: *Quod meritum humanum attenuando, nullum mereri dicere* *preter Christum*; and *Quod ecclesiae sacramenta evacuando dicere, nullum baptizari nisi salvandum*) were not sustained at the Synod of Paris, 1147: Eugenius III. therefore deferred the matter till the Synod at Rheims, and in the mean time commissioned a certain Abbot, Gottschalk to examine Gilbert's work, *comm. in Boëtium de S. Trinitate* (to be found amongst the Opp. *Boëtii*. Basl. 1570.) with reference to these charges.

<sup>25</sup> The four chapters from the above mentioned *Comm.* which were laid before the Synod, are differently given by *Gaufredus*, l. c.; *Otto Fris.* l. c. cap. 50; *Matth. Paris*, ann. 1119. p. 67. Most accurately perhaps by *Vasquez* *comm. in Thomam*. P. I. disp. 120, cap. 2, from an old Cod., and from him by *Du Plessis d'Argentré coll. judic. T. I. p. 39*: I. *Quod divina natura, quæ divinitas dicitur, Deus non sit, sed forma, qua Deus est: quemadmodum humanitas homo non est, sed forma, qua est homo.* II. *Quod, cum Pater et Filius et Spiritus Sanctus unum esse dicuntur, nonnisi una divinitate esse dicantur: nec converbi possit, ut unus Deus, vel una substantia, vel unum aliquid Pater et Filius et Spiritus Sanctus esse dicantur.* III. *Quod tres personæ tribus unitatibus sint tria; et distinetæ proprietates tribus, quæ non sunt ipsæ personæ; sed sunt tres aternæ, et ab invicem a divina substantia in numero differentes (Matth. Paris: divisæ numero et divisæ substantia).* IV. *Quod natura divina non sit incarnata.* After long and inconclusive disputation on the subject, Bernhard, in the name of the French bishops, the following confession of faith was set forth in opposition to the above mentioned capitula by Bernhard (*Otto Fris.* l. c. cap. 56): (I.) *Credimus simpliciter naturam divinitatis esse Deum, nec aliquo sensu catholico posse negari, quin Divinitas sit Deus, et Deus Divinitas.* Si vero dicitur, *Deum sapientia sapientem, magnitudine magnum, aeternitate aeternum, unitate unum, divinitatem Deum esse, et alia hujusmodi: credimus nonnisi ea sapientia, quæ est ipse Deus, sapientem esse, nonnisi ea magnitudine, quæ est ipse Deus, magnum esse, nonnisi ea aeternitate, quæ est ipse Deus, aeternum esse, nonnisi ea unitate, quæ ipse est, unum esse, nonnisi ea divinitate Deum, quæ est ipse: id est seipso sapientem, magnum, aeternum, unum Deum.* (II.) *Dum de tribus personis, Patre et Filio et Spiritu sancto loquimur, ipsas unum Deum, unam divinam substantiam fatetur esse.* Et e converso, cum de uno Deo, una divina substantiam loquimur, ipsum unum Deum, unam divinam substantiam esse tres personas profitemur. (III.) *Credimus solum Deum Patrem, et Filium, et Spiritum sanctum aeternum esse, nec alias omnino res, sive relationes, sive proprietates, sive singularitates vel unitates dicantur, et hujusmodi alia adesse Deo, quæ sint ab aeterno, et non sint Deus.* (IV.) *Credimus ipsam Divinitatem, sive substantiam divinam, sive naturam divinam dicas, incarnatam, sed in Filio esse.* When this was presented to the Pope, the Cardinals were much incensed. Their remonstrances, see above, § 51, note 14. Further: *Sed quid fecit Abbas tuus et eum eo Gallicana ecclesia?* Qua fronte, quo ausu cervicem contra Romanæ sedis primatum et apicem erexit? *Hæc est enim sola, quæ claudit et nemo aperit, aperit et nemo claudit.* Ipsa sola de fide catholica discutere habens, a nullo, etiam absens, in hoc singulari honore præjudicium pati potest, etc. Bernhard was obliged to submit: on the three last capitula no resolution was taken: de primo tantum Romanus Pontifex definitivè, ne aliqua ratio in theologia inter naturam et personam divideret, neve Deus divina essentia diceretur ex sensu ablativi tantum, sed etiam nominativi; — *Episcopus vero præmissam summi Pontificis sententiam reverenter excipiens, archidiaconibus suis in gratiam receptis, eum ordinis integritate, et honoris plenitudine ad propriam diœcesim remeavit.*

Fathers. This method was followed by the two *Sententiarii*, Robert Polleyn (teacher of theology at Paris and Oxford, from A. D. 1124 cardinal, † about 1150),<sup>26</sup> and Peter Lombard, called Magister Sententiuarum (teacher of theology at Paris, from 1159 bishop of Paris, † 1164), whose work was for centuries the text book of theology.<sup>27</sup>

A school of a peculiar character was founded by William of Champeaux, the vanquished opponent of Abelard, in the convent of St. Victor at Paris, A. D. 1109.<sup>28</sup> This peculiarity consisted in the attempt to avoid the extravagances both of the Schoolmen and the Mystics, and, by uniting the two systems, to give warmth and practical usefulness to the one, and light to the other. It is best exemplified in the writings of Hugo of St. Victor († 1141), the most distinguished writer of his school (after Augustinus, *lingua Augustini*).<sup>29</sup> Richard of St. Victor, prior of the convent († 1173),<sup>30</sup> had a decided

<sup>26</sup> Whom even *Bernhard* praises, Ep. 205 ob sanam doctrinam (cf. Ep. 334). — His *Sententiuarum*, Libb. VIII, ed. *Hugo Mathoud* e Congr. S. Maur. Paris, 1655. 4to. A copious extract in Cramer, Th. 6. S. 442—529.

<sup>27</sup> Libri IV. *Sententiuarum*. Amongst the numerous editions, the best are those at Louvain, ex rec. *Joh. Aleaume*, 1546, fol.; 1553, 1576, in 4to.; extracts in Cramer, Th. 6. S. 586—751. The remarkable coincidence of this work with *Bandini sententiuarum*, Libb. IV. (ed. *Bened. Chelidonius*, Vienna, 1519, fol.; Lovan, 1557, 8vo.; extracted by Cramer, Th. 6. S. 851—878.) has led *Chelidonius* and Cramer, I. c. S. 846 ff. to conclude that Lombard had got the idea from Bandinus, whilst Pez (*Thesaur. Anecd.* T. I. diss. *isagog.* p. 45 seq.) and Schröckh (Th. 28. S. 48 ff.) suppose the latter was an epitome of the former. In the Prologus *Peter Lomb.* gives it as the aim of his works, *fidem nostram adversus errores carnalium atque animalium hominum — munire, vel potius munitam ostendere, ac theologicarum inquisitionum abdita aperire, ne non et sacramentorum ecclesiasticorum — notitiam tradere: and says: in labore multo ac sudore volumen — compiegimus ex testimonii veritatis in aeternum fundatis, — in quo majorum exempla doctrinamque reperies.* Still he was complained of by his scholars, *Johannes Cornubiensis* (especially in the Eulogium ad Alex. P. III, quod Christus sit aliquis homo in *Martene et Durand* thesaur. anecdot. T. V. p. 1655 seq. published about 1175) on account of the doctrine quod Christus non sit aliquid, secundum quod est homo (with what justice, see Cramer, Th. 7. S. 1 ff.): which doctrine was condemned by Alexander III. A. D. 1179, quia, sicut verus Deus, ita verus est homo ex anima rationali et humana carne sub-istens. and *Gualterus de S. Victore* who renews this accusation of Nihilism. *Joachim Abb. Florensis* was less fortunate with his accusations. In the year 1300, however, the Parisian theologians united in condemning XVI articulis, in quibus Magister Sententiuarum non tenetur communiter ab omnibus. cf. *d'Argentré collect. judic.* T. I. p. 112—119. Schröckh, Th. 28. S. 527 ff.

<sup>28</sup> See Schlosser's Abhandl. über den Gang d. Studien in Frankreich, vorzügl. v. d. Schule zu St. Viktor: in dess. *Vincent v. Beauvais Hand- und Lehrbuch* Frankf. a. M. 1819. Th. 2. S. 1 ff.

<sup>29</sup> Many of the numerous works attributed to him (best ed. *Rotomagi*, 1648. 3 voll. fol.) are not his (cf. *Oudin*, comm. de Scriptt. Eccl. T. II. p. 1138 seq. Hist. liter. de la France, T. XII. p. 7 seq.). His most important theological work is, *De Sacramentis Christianae fidei*, Libb. II., a complete body of divinity, extracts therefrom in Cramer, Th. 6. S. 792—845. Of the mystical part of his system, Schmid d. *Mysticismus d. Mittelalters*, S. 282—308. — cf. *Ch. G. Derling de Hugo a S. Vict. Helmst.* 1745 4to. Schlosser, I. c. S. 37 ff.

<sup>30</sup> Amongst his numerous works (ed. *Rotomagi*, 1650, fol.) especially *De statu interioris hominis tractt.* III.; *Benjamin minor de præparatione animi ad contemplationem*, s. de XII. Patriarchis; *Benjamin major de gratia Contemplationis*, s. de area mystica, libb. V.; *De trinitate*, libb. VI. Compare Schröckh, Th. 29. S. 275 ff. Schmid, I. c. S. 308—386.

mystical tendency, and was the first who attempted a scientific system of Mysticism. His successor, Walter of St. Victor, commenced a furious attack upon the most celebrated Scholastics (about A. D. 1180),<sup>31</sup> but made little impression on account of his manifest exaggerations.

John of Salisbury (a contemporary of Thomas a Becket, A. D. 1176 bishop of Chartres, † 1182)<sup>32</sup> was more successful in exposing the real faults of the Scholastics, their empty formalism;<sup>33</sup> but his comments, however just, produced no reformation in this respect.

<sup>31</sup> The title of his work is commonly given: *contra quatuor labyrinthos Galliae*: but it is properly: *Contra manifestas et damnatas etiam in conciliis haereses, quas Sophiste Abaelardus, Lombardus, Petrus Pietavimus et Gilbertus Porretanus libris sententiarum suarum acount, linant, roborant.* It is known only by the extracts in *Bulci hist. Univ. Paris*, T. II, p. 200 seq.; 402 seq.; 562 seq.; 629—660. In the Prologue (l. c. p. 402) we read: *Quisquis hoc legerit, non dubitabit, IV. labyrinthos Francie i. e. Abaelardum et Lombardum, Petrum Pietav. et Gilbertum Porret. uno spiritu Aristotelico afflatis, dum ineffabilia Trinitatis et incarnationis scholastica levitate tractarent, multas haereses olim vomuisse, et adhuc errores pullulare.* Further (p. 200): *Queris quid sit Labyrinthus, quo clausus fuit Minotaurus? Queris, quid sit [Minotaurus]?* Non homo, non pecus est; pecus est, homo est, neutrumque. *Queris, quorundam ista? talis Christus eorum, phantasticus est Deus ipsorum.* Non homo, non Deus est; Deus est, homo est, neutrumque. Atque unusquisque Samarita fabricat sibi Deum. Tu vero, Christiane, verus viri Dei Israelita, fuge vitulos aureos, quos isti de cordibus suis impie Christianis proponunt. *Exsufla, inquam, istorum disputationes subtilissimas quidem, ac si aranearum telas putidas et prorsus inutiles, in quibus cum vitulis Samaritae et Daemones ludunt, solaque musee gannientes i. e. filii perditionis illaqueantur ad mortem.* Lib. IV. at the close: (p. 659): *Nos tamen illorum Atomos et regulas Philosophorum et quid et aliquid et cetera hujusmodi ridicula contemniimus et excommunicamus, dicentes cum Apostolo: Si quis aliud dixerit, praeterquam evangelizavimus vobis, licet nos, licet Angelus, licet Petrus, anathema sit.* Non enim in divinis scripturis bujusmodi deliramenta aliquicui inveniuntur. Ideo licet nihil sit subtilius telis aranearum, nihil acutius acuminibus aristarum, qualia sunt ingenia et argumenta Demoniorum per ora hereticorum, tamen *Catholicis*, ut ait Ambrosius in Hexaem. *exsuflanda potius quam legenda, quoniam omne quod natum est ex Deo*, inquit, *vineat mundum.* Et haec est victoria, quae vineat mundum, fides nostra, qua Patrem, et Filium Iesum Christum cum pelle et carnisibus, ossibus et nervis, anima et mente et totius hominis veritate, et Spiritum sanctum non opinamur, sed ineunctanter credimus, tenemus, adoramus, unde Deus per omnia saecula saeculorum. Amen. Compare Schlosser, l. c. S. 69 ff.

<sup>32</sup> Amongst his writings are particularly to be remarked *Policraticus s. de nugis Curialium et vestigiis Philosophorum*, Libb. VIII.; *Epistolæ 303* (both with others in Bibl. PP. max. T. XXIII. p. 212 seq.); and *Metalogicus*, Libb. IV. (with the *Policrat.* ed. Paris, 1610.; and *Lugd. Bat.* 1610, in 8vo).

<sup>33</sup> *Metalog.* Lib. I. c. 3, describes the school of a certain Cornificius: Poëtæ, historiographi habebant infames, et si quis incumbebat laboribus antiquorum, notabatur, et non modo ascello Arcadiae tardior, sed obtusior plumbo vel lapide omnibus erat in risum. Suis enim aut magistris sui quisque incumbebat inventis. Nec hoc tamen diu licitum, cum ipsi auditores in brevi — spretis his, quæ a Doctoribus suis audierant, cederent et conderent novas sectas. Fiebant ergo summi repente Philosophi: nam qui illiteratus accesserat, fere non morabatur ulterius in scholis, quam eo curriculo temporis, quo avium pulli plumescunt. — Sed quid docebant novi Doctores, et qui plus somniorum quam vigiliarum in scrutinio Philosophie consumperant? — Ecce nova fiebant omnia: innovabatur Grammatica, immutabatur Dialectica, contemnebatur Rhetorica, et novas totius Quadrivii vias, evanuatis priorum regulis, de ipsis Philosophiæ adytis proferebant: solam convenientiam sine ratione loquebantur: argumentum sonabat in ore omnium, et asinum nominare vel hominem aut aliquid operum naturæ instar criminis erat, aut inceptum

§ 74.

SECOND PERIOD OF THE SCHOLASTIC THEOLOGY TO THE TIME OF  
DURAND OF ST. PORCIANO, ABOUT A. D. 1320.

The Schoolmen of the twelfth century were acquainted with no work of Aristotle except his *Organon*, of which Boethius had made a Latin translation, and their philosophy consisted entirely in the study of dialectics. In the mean time, however, the Arabs had translated all the writings of Aristotle, which had become a favorite study, especially since the time of Avicenna (Jhm Sina † A. D. 1036), not only in Arabia but in the Moorish schools in Spain.<sup>1</sup> From the middle of the twelfth century these schools were much resorted to from all the Christian kingdoms of the West, and it was natural that the veneration already felt for the dialectic writings of Aristotle, should lead these Christian scholars to study his writings on natural history, metaphysics, and other subjects.<sup>2</sup> Translations were now made of

nimir aut rude et a Philosopho alienum. — Ex arte et de arte agere idem erat. *Ibid.* Lib. II. c. 8: Ut ait Seneca in I. Declam. *Nihil est odibilis subtilitate, ubi nihil aliud est quam subtilitas:* et ad Lucilium: *Nihil est acutius arista, sed hæc ad quid utilis? tale utile est illud ingenium, quod sola subtilitate lasciviens, nulla residet gravitate.* *Unde,* ut idem scribit, c. 7, *fiant in puerilibus Academici senes: omnem dictorum aut scriptorum excutiunt syllabam, immo et litteram, dubitantes ad omnia, querentes semper et nunquam ad scientiam pervenientes, tandemque convertuntur ad vaniloquium: ac nescientes quid loquantur, aut de quibus asserant, errores condunt novos, et antiquorum aut nesciunt aut dedignantur sententias imitari.* On the same subject also in the *Policraticus*, Lib. VII. c. 7–14. Compare *Stephani Episc. Tornacensis* († 1200) *Epist. 251 ad Cœlestinum III.* (in ed. *Claud. du Molinet*, Paris, 1682. 8vo. p. 366 seq.): *Lapsa sunt apud nos in confusione officinarum sacrarum studia literarum, dum et discipuli solis novitatibus applaudunt, et magistri gloriae potius invigilant quam doctrinæ: novas recentesque summulas et commentaria firmantia super theologica passim conscribunt, quibus auditores suos demulcent, detineant, decipient, quasi nondum sufficerint sanctorum opusecula patrum, quos eodem spiritu sancto scripturam legimus exposuisse, quo eam composuisse credimus Apostolos et Prophetas.* — *Disputatur publice contra sacras constitutiones de incomprehensibili Deitate, de incarnatione verbi: verbosa caro et sanguis irreverenter litigat Individua Trinitas in trivis secatur et discriptitur, ut tot jam sint errores, quot doctores; tot scandala, quot auditoria; tot blasphemiae, quot plateæ.* Complaints of the perplexing multitude of the *Decretals* (see § 60, note 9, above). *Ut duo prædicta sunt, et ecce restat tertium, quod facultates, quas liberales appellant, amissa libertate pristina in tantam servitutem dejiciuntur, ut comatuli adolescentes eorum magisteria impudenter usurpent, et in cathedra seniorum sedeant imberbes; et qui nondum norunt esse discipi, laborant ut nomenirent magistri.* Omissis regulis artium, abiectisque libris authenticis, artificio muscas ignavium verborum, et sophismatibus suis, tanquam aranearum tendiculis includunt. Clamat philosophia, vestes suas scindi et disrupti, etc. Compare *Schlosser*, l. c. S. 64 ff.

<sup>1</sup> *Wachlers Gesch. d. Literatur, Th. 2. S. 95 ff. 113 ff.*

<sup>2</sup> cf. *Jo. Launoji de varia Aristotelis in Acad. Paris. fortuna*. Paris. 1662. 8vo. (denuo ed. J. H. ab Elswich. Vitemb. 1720. 8vo.). A wholly new light has been shed on these subjects by *Jourdain recherches critiques sur l'age et l'origine des traductions latines d'Aristote, et sur des commentaires grecs ou arabes employés par des Docteurs Scholastiques*. Paris. 1819. (Extract in the *Götting. gel. Anz.* 1819. Bd. 3. S. 1409 ff.)

these writings, also, together with their Arabic commentators, of whom the most distinguished was Averrhoës (Ebn Roshd † about A. D. 1217),<sup>3</sup> and gradually circulated throughout Christendom.<sup>4</sup>

The first effects of the philosophy of Aristotle, thus known only through the medium of an imperfect translation, and alloyed with a mixture of the Alexandrian Neo-Platonic fanaticism,\* were such as to bring it into very bad repute. In the beginning of the thirteenth century, three teachers of theology at Paris, Simon of Tournay,<sup>5</sup> Amalric of Bena, and his pupil, David of Dinant,<sup>6</sup> allowed themselves to be seduced by it into the grossest errors. This led to the strict prohibition of the writings of Aristotle at the Synod of Paris, A. D. 1209,<sup>7</sup> which was renewed by the papal legate A. D. 1215.<sup>8</sup> After-

<sup>3</sup> Concerning him see Tennemann, Bd. 8. Hälfte 1. S. 411 ff.

<sup>4</sup> Thus Raymund, archbishop of Toledo 1130 — 1150, caused several of the principal works of Aristotle and Avicenna to be translated. Gerhard v. Cremona († 1187) translated the Meteorologica of Aristotle, Avicenna, &c.

\* For instances of N. Platonic Philosophemes amongst the Mahomedans, see die speculative Trinitätslehre des späteren Orients, by A. Tholuck. Berlin. 1826. 8vo.

<sup>5</sup> Two different blasphemies are related of him, one by *Thomas Cantipratanus* (see § 55, above) and *Matthæus Paris*, ann. 1201, p. 206, namely: O Jesule, Jesule, quantum in hac quæstione confirmavi legem tuam et exaltavi: profecto si malignando et adversando vellem, fortioribus rationibus et argumentis scienciam illam infirmare, et deprimendo improbare. On the other hand, *Heurius Gandavensis*, about 1280 Doctor of the Sorbonne, in his Lib. de scriptt. eccles. c. 24 (in *Fabri- ci* biblioth. eccl. II. p. 121), says only: dum nimis — Aristotelem sequitur, a nonnullis modernis hæreses arguitur. Comp. Cramer, Th. 7. S. 98 ff.

<sup>6</sup> Concerning whom see especially the contemporary *Guilelmus Armoricus* hist. de vita et gestis Phil. Augusti, ad ann. 1209 (in *Duchesne Scriptt. Rer. Gall. T. V.* p. 87). In A. D. 1204 Amalrich was accused of having advanced the doctrine, quod quilibet Christianus teneatur credere, se esse membrum Christi (intelligebat, naturale membrum), nec aliquem posse salvari, qui hoc non crederet. He was forced to retract. After his death († 1207) errors much grosser came to light amongst his pupils, which were now all laid to his charge. They are thus enumerated by the Concil. Paris, ann. 1209 (in *Martene Thes. Anecd. T. IV.* p. 163): Pater a principio operatus est sine Filio et Spiritu Sancto usque ad ejusdem Filii incarnationem. — Pater in Abraham incarnatus, Filius in Maria, Spiritus Sanctus in nobis quotidie incarnatur. — Omnia unum, quia quicquid est, est Deus. — Deus visibilibus erat induitus instrumentis, quibus videri poterat a creaturis, et accidentibus videri poterat extrinsecis. Hoc siquidem errore decepti, corpus Christi ante verborum prolationem visibilibus panis accidentibus subesse conati sunt affirmare: cum e contra dicat Auctoritas: accedit Verbum ad elementum, et fit sacramentum. Quod sic exposuerunt: id quod ibi fuerat prius, formis visibilibus prolatione verborum subesse ostenditur. — Filius incarnatus, i. e. visibili formæ subjectus; nec aliter illum hominem esse [ac] Deum, quia unum ex eis cognoscere voluerunt. — Spiritus Sanctus in eis incarnatus, ut dixerunt, eis omnia revelabat: et haec revelatio nihil aliud erat, quam mortuorum resurreccio. Inde semetipsos jam resuscitatos asserebant; fidem et spem ab eorum cordibus excludebant, se soli scientiae mentientes subjacebant. — De meritis praesumentes, gratiae derogantes, mentiti sunt honorum baptismatis non egere parvulos ex eorum sanguinibus propagatos, si sua conditionis mulieribus carnali possent copula miseri. — Filius usque nunc operatus est, sed Spiritus sanctus ex hoc nunc usque ad mundi consummationem inchoat operari. cf. *d'Argentré collectio judic. de novis erroribus*, T. I. p. 126 — 132. Cramer, Th. 7. S. 104 ff.

<sup>7</sup> In the decree of that Synod, in which several priests were condemned to death (*Martene*, l. c. p. 166. *d'Argentré*, l. c. p. 129), we find: Quaternuli Magistri David de Dinant, infra Natale Episcopo Parisiensi afflantur et comburantur.

wards, however, a proper distinction began to be made between Aristotle and his Arabic commentators, and the prohibition was much modified by Gregory IX. A. D. 1231.<sup>9</sup>

But now a great change took place. Various princes, particularly the emperor Frederick II.<sup>10</sup> and Alphonso X., king of Castile, patronized new translations from the Arabic. The two mendicant orders, the Franciscans and Dominicans, having begun to lecture in Paris, sought to attract hearers by the zealous study of the philosophy of Aristotle; and, combining this with the theology of the church, they introduced the second era of Scholasticism,<sup>11</sup> in which Aristotle exercises the same undisputed authority in theology as in metaphysics.<sup>12</sup>

tur: nec libri Aristotelis de naturali Philosophia, nec commenta legantur Parisiis publice vel secreto. Et hoc sub pena excommunicationis inhibemus. On this *Rigordus de gestis Phil. Aug.* ad ann. 1209, remarks: in diebus illis legebantur Parisiis libelli quidam ab Aristotele, ut dicebantur, compositi, qui docebant Metaphysicam, delati de novo a Constantinopoli, et a Graeco in Latinum translati. Qui quoniam non solum praedicta haeresi, sententiis subtilibus, occasionem præbebant, immo et aliis nondum inventis præbere poterant, jussi sunt omnes comburi, etc. These were, however, not the genuine writings of Aristotle, but, as has been shown by *Jourdain*, i. e., works of Avicenna, Algazel, and Averrhoës, the book de causis, ascribed to Aristotle, and the *fons vita* of Avicébron, which were then all comprehended under the general name of the Natural Philosophy of Aristotle.

<sup>9</sup> See the Statutum Roberti Presb. Cardinalis, etc. in *Bulæus*, T. III. p. 81 seq. — Et quod legant libros Aristotelis de Dialectica, tam de veteri quam de nova, in Scholis ordinarie et non ad cursum. — Non legantur libri Aristotelis de Metaphysica et naturali Philosophia, nec Summa de eisdem, aut de doctrina M. David de Dinant, aut Almarici haeretici, aut Mauricii Hispani.

<sup>10</sup> Gregorii IX. bulla in *Bulæus*, T. III. p. 140 seq. — libris illis naturalibus, qui in Concilio Provinciali ex certa causa prohibiti fuere, Parisiis non utantur, quoque examinati fuerint, et ab omni errore suspicione purgati.

<sup>11</sup> He caused his astrologer, Michael Scotus, to translate the *Histor. animalium* (et ex eodem tempore magnifica est philosophia Aristotelis apud Latinos. *Roger. Bacon* opus magius, p. 37). Manfred, king of Sicily, made Bartholomew of Messina translate the *Ethics*, etc. Comp. Frederick's letter to the university of Bologna, accompanying the compilationes varias ab Aristotele aliisque Philosophis sub græcis arabicisque vocabulis antiquitus editas, translated into Latin by his command per viros electos et in utriusque lingue prælatione peritos, verborum fideliter servata virginitate, in *Petri de Vineis*, lib. III. Ep. 67 in *Bulæus*, ad ann. 1219, T. III. p. 102 seq.

<sup>12</sup> *Math. Paris*, ann. 1243, p. 612: Ipsis quoque temporibus, videlicet post festum s. Michaelis, ut moris est, studiis seholarum et scholarium reflorentibus, incipiebant magistri Theologie, præcipue tamen præcipui Prædicatorum et Minorum lectores, disputare et disserere subtilius et celsius, quam decuit aut expedivit. Qui non verentes tangere montes, a gloria Dei opprimendi, nitebantur secreta Dei investigabilia temere perscrutari, et judicia Dei, quæ sunt abyssus multa, nimis præsumptuose indagare, etc.

<sup>13</sup> In this unbounded respect for Aristotle, the Scholastics only followed their teachers, the Arabs. — Comp. Averrhoës' praises (*Acta Philosophorum*, Eilfes Stück, Halle. 1720. 8vo. S. 716): Aristoteles tres scientias invenit, Logicam, Naturalem, Divinam: et nullus error inventus in eo est usque ad hoc tempus, quod est MD annorum. Et talen esse unum hominem, potius est miraculosum, quam humanum. Aristoteles est regula et exemplar, quod natura invenit ad demonstrandam ultimam perfectionem humanam. Aristotelis doctrina est summa veritas, quoniam ejus intellectus fuit finis humani intellectus. Quare bene dicitur, quod fuit creatus et datus nobis divina providentia, ut sciremus, quiequid potest sciri. — The extravagance of the Scholastics shown in *Cornel. Agrrippa de Nettesheim de vanitate scientiarum*, cap. 54, in a poem written at the end of the fifteenth

The transition to this new era began with Alexander Hales at Paris (*Doctor irrefragabilis* † 1245).<sup>13</sup> Much greater use, however, was made of the writings of Aristotle in theology by the two Dominicans, Albertus Magnus (teacher in Paris and Cologne, from 1260 — 1262 bishop of Ratisbonne, † at Cologne 1280),<sup>14</sup> and his still greater pupil, Thomas Aquinas (*Doctor angelicus*, teacher in Paris and various Italian cities, † 1274),<sup>15</sup> whose system was adopted by the Dominicans.<sup>16</sup> The Franciscan Bonaventura, on the other hand (*Doctor*

century by a theologian of Cologne : *Poëma de vita et morte Aristotelis* (reprinted in the *Actis Philosoph.* 15tes Stück, S. 345 ff.), where it is said in a note (l. c. S. 369) : *Qui quidem Aristoteles adeo necessarius fuit ante verbi Dei incarnationem, sicut necessario collatio gratiae præsupponit conditionem ipsius naturæ : quia Aristoteles fuit leges naturæ maximus Doctor et inventor. Ex quo patet, quod Aristoteles fuit precursor Christi in naturalibus, sicut Johannes baptista fuit precursor Christi ad præparandum ipsi plebem perfectam in gratuitis. Nec obstat, Aristoteli fuisse ante legem gratiae, quia dicit Augustinus, quod aliqui erant homines veteris legis, qui per gratiam personalem fuerunt de nova lege, etc.*

<sup>13</sup> His chief work is *Summa universæ Theologiae*, in 4 Partt. ed. Venet. 1576. Colon. 1622. fol. voll. IV. Extracts in Cramer, Th. 7. S. 161 ff.

<sup>14</sup> Opera (commentaries to Aristotle, to the Bible, on Dionys. Areop. : with other writings on natural philosophy, metaphysics, and theology) ed. Petrus Jammy Ord. Prædic. Lugduni. 1651. XXI. Tom. fol. Amongst his theological writings the most important are his *Commentarius in IV. libb. Sententiarum* (also ed. Basil. 1506. fol.) and *Summa Theologiæ* (Basil. 1507. 2 voll. fol.).

<sup>15</sup> Of his life, see *Acta SS. Mart.* T. I. p. 655 ad d. VII. *Mart.* and *A. Touron Vie de S. Thomas d'Aquin* avec un *Exposé de sa doctrine et de ses ouvrages*. Paris. 1737. 4to. *Bern. de Rubens* dissert. crit. et apologet. de gestis et scriptis ac doctrina S. Thomæ Aquinatis. Venet. 1750. fol. His most important theological works are *Comment.* in IV. libros Sententiarum Mag. P. Lombardi ; — *Summa Theologiæ* in III. Partt. (Pars II. distinguished into *Prima* and *Secunda Secundæ*. Pars III. not complete : hence in the ed. of his works a *Supplementum tertiae Partis ex ejusd. S. Thomæ scripto in quartum lib. Sententiarum excerptum* is added. The genuineness of the latter, which was contested by *Jo. Launojs* veneranda Rom. Ecclesiæ circa Simoniam traditio. Paris. 1675. observ. 8vo., is proved by *Natalis Alex.* Disserrt. ad hist. eccl. XIII. et XIV. sæculi diss. VIIta, *Echard Scriptt.* Ord. Præd. T. I. p. 294 seq. *Oudinus de Scriptt. eccl.* T. III. p. 353 seq.). — *Summa catholicae fidei contra Gentiles* in IV. libb. Besides these, commentaries to Aristotle, to the books of the SS., etc. Often reprinted, both singly and in collections, e. g. Romæ. 1570. in XVII. Tom. Antverp. 1617. XVIII. Tom. Paris. 1660. XXIII. voll. fol.

<sup>16</sup> Immediately after Thomas' death the Dominicans had to defend him against the attacks of other theologians, as well in Paris, where his chief opponent was *Henricus Gandarensis*, as in Oxford, where the Dominican *Robertus Oxfordius* wrote his *Protectorium Thomæ Aquinatis* (*Bulaeus*, T. III. p. 409). In the year 1276, *Stephanus Tempier*, bishop of Paris, de consilio Magistrorum Theologie, condemned many things in Thomas' writings (*d'Argentré de novis erroribus*, T. I. p. 188. cf. *Observationes*, p. 204, 217) ; which condemnation was subscribed by the university of Oxford (*Bulaeus*, l. c. p. 418, 482) : and the Franciscan *Guilelmus de Lamare* in Oxford, wrote, 1285, a *Reprehensorium F. Thomæ* (*d'Argentré*, l. c. p. 218). On the other hand, the Dominicans united themselves at a chapter held in Paris, 1286 (*Martene thes. anecdot.* T. IV. p. 1817), no. 19, ut fratres omnes et singuli, prout sciunt et possunt, efficacem dent operam ad doctrinam ven. Magistri fratri Thomæ de Aquino recolenda memoria promoven- dam, et saltem *ut est opinio* defensandam. Et si qui contrarium facere attentaverint assertive, sive sint Magistri, sive Baccallarii, Priores et alii fratres etiam alteri sentientes, ipso facto ab officiis propriis et aliis Ordinis sint suspensi, etc., and several Dominicans wrote against the *Reprehensorium* (*d'Argentré*, l. c.). After Thomas had been sainted by John XXII. A. D. 1322, the bishop of Paris, *Ste-*

*seraphicus*, teacher at Paris, cardinal, † A. D. 1274),<sup>17</sup> sought once more to combine Scholasticism with Mysticism and unite the claims of both. At length appeared John Duns Scotus (*Doctor subtilis*, teacher at Oxford, Paris, and Cologne, † A. D. 1308),<sup>18</sup> so distinguished for the subtlety of his speculations, and the worthy antagonist of Thomas.<sup>19</sup>

The most distinguished man of the time, however, was the Franciscan friar, Roger Bacon (*Doctor mirabilis*, teacher at Oxford, † A. D. 1294),<sup>20</sup> whose searching glance the errors and defects of the existing systems of theology did not escape.<sup>21</sup>

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*phanus de Borreto*, was induced to repeal the sentence of his predecessor against him, A. D. 1325 (see the *Decretum in Bulæus*, T. IV. p. 204, *d'Argentré*, l. c. p. 222). On this it was decreed by the Dominicans in general chapter assembled, apud Carcassonam 1342 (in *Holstenii Codex Regularum* ed. *Brockie*, T. IV. p. 114) : Cum præclarissima Doctoris Angelici S. Thomæ Aquinatis doctrina in toto Orbe terrarum tanquam lux solis eluceat, et ut firmissima ac solidissima doctrinæ omnium a Sede Apostolica, et a principalibus Ecclesie Doctoribus cum testimonio Episcopi atque Universitatis Parisiensis honorifice approbata fuerit, et divinis laudibus ornata: imponimus Lectoribus et Studentibus, fit spretis et postpositis vanis et curiosis ac frivolis doctrinis, quarum plurimæ a veritate abdecent, ejusdem sanctissimi Doctoris doctrinae omnino dent operam, et assidue studeant, juxta quam quæstiones omnes et dubia determinant. That the theological faculty at Paris were not yet quite satisfied with Thomas, is evident from their letter to the Pope A. D. 1387, see *Launoy de varia Aristotelis in Acad. Paris, fortuna cap. 10* (ed. *Elsiech*, p. 213 seq.).

<sup>17</sup> Of his theological writings, the best *Commentarius in IV. libb. Sententiarum*; and two theological manuals, *Breviloquium* and *Centiloquium*, the last for beginners. Besides these, many mystical writings, e. g. *Itinerarium mentis in Deum*, *De VII. gradibus contemplationis*, etc. — *Opera*, *jussu Sixti V. emendata*. Romæ. 1588. VIII. Tomi. fol.

<sup>18</sup> Many philosophical writings, especially *Comm. to Aristotle*. Amongst his theological writings, especially *Quæstiones in libros IV. Sententiarum* (*Opus anglicanum s. Oxoniense*, as distinguished from the former incomplete *Opus Parisiense*, best ed. by *Hugo Carellus*. Antwerp. 1620. 2 voll. fol.), and *Quæstiones Quodlibetales XI.* — *Opera* ed. *Luc. Wadding*. Lugd. 1639 seq. XII. Tomi. fol.

<sup>19</sup> cf. *Waddingi Annales Minorum*, ann. 1308, § 64: In aliquot comitiis generalibus statutum est, ut lectores omnes et magistri, tam in cursu philosophico quam theologicō, ejus sententiam sequentur. When this began is not said in the above extract; but he is called *Ordinis Doctor* by Francis Oceam, his pupil.

<sup>20</sup> Concerning him, see *Sammlung v. merkw. Lebensbeschreibungen*, grösstenth. aus d. britann. Biographie, unter Baumgartens Aufsicht, Th. 4. (Halle. 1757. 8vo.) S. 616 – 709. His most important work *Opus Majus* (a collection of Essays made at the instance of Clement IV. A. D. 1266), ed. *Sam. Jebb*. Lond. 1733. fol. extracts in the Brit. Biogr. l. e. S. 627.

<sup>21</sup> e. g. *Praef. ad Opus majus*: Numquam fuit tanta apparentia sapientiae, nec tantum exercitium studii in tot facultatibus, in tot regionibus, sicut jam a XL annis: ubique enim Doctores sunt dispersi — in omni civitate, et in omni castro, et in omni burgo; præcipue per duos Ordines studentes (Dominic. and Francisc.): cum tamen numquam fuit tanta ignorantia, tantus error. — *Vulgus studentium* languet et asinat circa male translata, et tempus et studium amittit in omnibus et expensas. Apparentia quidem sola tenet eos, et non erunt, quid sciant, sed quid videantur scire coram multitudine insensata. And Lib. II. c. 8, p. 138: Si haberem potestatem super libros Aristotelis (the Latin, namely); ego facerem omnes cremari, quia non est nisi temporis amissio studere in illis, et causa erroris et multiplicatio ignorantiae ultra id quod valeat explicari. This accompanied by admirable propositions for the advancement of true learning, especially recommending the study of mathematics and the languages.

## § 75.

## ORIGIN OF THE THOMISTS AND SCOTISTS.

*J. Arala* Controversia theolog. inter s. Thomam et Scotum super IV. libros sententiarum, in quibus pugnantes sententiae referuntur, potiores difficultates elucidantur, et responsiones et argumenta Scotti rejiciuntur. Coloniae. 1620. 4to.

The two orders of the Dominicans and Franciscans having adopted, respectively, the opposite systems of Thomas Aquinas and Duns Scotus, were opposed to each other both in philosophy and theology, under the names of Thomists and Scotists. In philosophy the chief subject of dispute was the question of *Universals*,<sup>1</sup> Thomas adopting rather the notions of the Aristotelian,<sup>2</sup> Scotus of the Platonic philosophy.<sup>3</sup> In theology, amongst the controverted points,<sup>4</sup> the most important were the doctrine of free will and divine grace,<sup>5</sup> and the immediate conception of the Virgin.<sup>6</sup>

<sup>1</sup> Of other points of difference between them, see Tennemann, Bd. 8. Hälften 2. S. 723 f. 739, 750, 752, 772.

<sup>2</sup> cf. *Thomæ* opus. 55 et 56 de Universalibus. He adopts opus. 55 the explanations of Aristotle: quod universale est in multis et unum præter multa, and of Boëthius: universale dum intelligitur, singulare dum sentitur. He is, therefore, not so much a Nominalist as an Aristotelian Realist, see Tiedemann, Bd. 4. S. 549 f. Tennemann, S. 560 ff.

<sup>3</sup> Scotus in Sentent. lib. II. dist. 3, qu. 1. Tennemann, l. c. S. 728. Hence Scotus Sent. I. dist. 8, qu. 4, maintains a distinctio perfectionum *essentialium* in Deo, in contradistinction to the dist. perf. *attributalium*, held by Thomas, see Tennemann, S. 770.

<sup>4</sup> Thus Scotus Sent. lib. III. dist. 19 et 20, disputes Thomas' notion of an infinitas meriti Christi. Other differences on points of morals, see in Stäudlin's Gesch. d. Sittenl. Jesu, Bd. 4. S. 394 ff. 403.

<sup>5</sup> Thomas adopts implicitly, Augustine's doctrine of original sin and the necessity of the free grace of God (e. g. Summa theol. Prima Secundæ, Qu. 109, and in his Comment. ad Rom. c. 6, ad Ephes. c. 2, and ad Titum, c. 3): though he does not give up entirely the value of works. Comp. Prima Secundæ, Qu. 114, Art. 3: Opus meritorium hominis duplice considerari potest. Uno modo, secundum quod procedit ex libero arbitrio; alio modo, secundum quod procedit ex gratia Spiritus Sancti. Si consideretur secundum substantiam operis, et secundum quod procedit ex libero arbitrio: sic non potest ibi esse condignitas, propter maximam inæqualitatem; sed est ibi congruitas, propter quandam aequalitatem proportionis. Videtur enim congruum, ut homini operanti secundum suam virtutem Deus recompensem secundum excellentiam sue virtutis. Si autem loquamur de opere meritorio, secundum quod procedit ex gratia Spiritus Sancti; sic est meritorium vitæ aeternæ ex condigno. He then shows, Art. 5, indeed, quod nullus potest sibi mereri primam gratiam (or gratiam prævenientem, cf. Qu. 111, Art. 8); but yet Art. 8 answers the question, Utrum homo possit mereri augmentum gratie vel charitatis, in the affirmative: augmentum gratia cadit sub merito condigni.

Scotus, on the other hand, is a Semipelagian. In the Sentent. lib. II. Dist. 32, Qu. unic. § 7, he explains peccatum originale as only a carentia justitiae debite, so that the concupiscentia is the materiale peccati originalis. Lib. II. Dist. 28, Qu. unic. he answers affirmatively the question: *Magister sententiarum*: utrum liberum arbitrium hominis sine gratia posset caverre omne peccatum mortale? referring to Rom. ii. 14: ubi videtur Apostolus increpare Judeos in hoc, quod gentes sine lege data servabant legem: ergo cavebant ab omni peccato; et tamen

## II. HISTORY OF THE OTHER THEOLOGICAL SCIENCES.

## § 76.

Next to the systematic theology of the Schoolmen, the favorite study amongst theologians in this period was the *Canon Law*, which had been scientifically arranged by Gratian.<sup>1</sup>

*Ethics*<sup>2</sup> were treated of in a separate work by Abelard.<sup>3</sup> The later Schoolmen, beginning with Peter Lombard, touched on them only cursorily in their theological systems.<sup>4</sup> Best worthy notice are

(ut videtur) non habuerunt gratiam. Lib. III. Dist. 27, Qu. unic. against the Thomas dogmas, naturam intellectualem non posse diligere Deum super omnia sine habitu infuso, he maintains: quod ex puris naturalibus potest quaecunque voluntas saltem in statu naturae instituta diligere Deum super omnia. Lib. II. Dist. 37, Qu. 2, to the question: utrum voluntas creata sit totalis causa et immediata sui velle, ita quod Deus respectu illius non habeat aliquam efficaciam immediatam sed mediataam? he answers: potest dici, quod voluntas est totalis causa et immediata respectu sue voluntatis. Quod probatur per rationes: primo, quia aliter ipsa non esset libera; secundo, quia etiam aliter nihil contingenter causare posset; tertio, quia aliter non posset peccare; quarto, quia aliter omnino nullam actionem habere posset; quinto, ex comparatione ejus ad alias causas creatas. As to the conditions of grace, ibid. § 14: Universaliter quidquid Deus dat antecedenter, daret illud consequenter quantum est ex se, nisi esset impedimentum: dando autem voluntatem liberam, dedit antecedenter opera recta, que sunt in potestate voluntatis: et ideo quantum est ex parte sui, dedit rectitudinem omni actui voluntatis, et voluntati ex consequenti daret, si ipsa voluntas quemque actum elicetum recte ageret ex parte sui. Lib. I. Dist. 17, Qu. 3, § 28: Voluntas est quasi equus liber, et gratia quasi sessor per modum naturae inclinans ad objectum per modum determinatum. Secundum hujus inclinationem actus voluntatis placet, aliter non placebit: sicut quando est peccatum veniale, vel actus indifferens. Quando autem sessor abicitur, quod fit per peccatum mortale, omnino ipsa voluntas fit dislocans. Hoc etiam modo voluntas est pedissequa, quia non ex se ita determinante inclinat ad terminum, propter quam inclinationem actus acceptatur, sicut gratia inclinat: et voluntas potest illud participare a gratia, quia competit gratiae magis per essentiam, quam sibi, et in hoc ipsa erit causa secunda. Tamen in elicendo actum voluntas habet priuam rationem motivi, ita quod in causando aliiquid intrinsecum actus non sit voluntas secunda causa, sed in essendo, propter quod actus acceptetur: quod dicit respectum ejus ad extrinsecum, etc. — The account which both give of the Pelagian heresy not to be overlooked. *Thomas Summa theol.* P. I. Qu. 23, Art. 5: Posuerunt Pelagiani, quod initium bene faciendo sit ex nobis, consummatio autem a Deo. *Scotus in Sent.* lib. II. Dist. 28, Qu. unic. § 1: in hoc videtur esse haeresis Pelagiana, quod liberum arbitrium sufficiat sine gratia.

<sup>1</sup> Concerning which see below, § 78, notes 12 and 13.

<sup>2</sup> See above, § 60.

<sup>3</sup> Of the Scholastic Ethics generally, see de Wette Gesch. d. christlichen Sittenlehre (or Christl. Sittenlehre, Th. 2.) 2te Hälfte S. 116 ff. Stäudlin's Gesch. d. Moralphilosophie, Hannover, 1822, S. 466 ff. *Ibid.* Gesch. d. Sittenlehre Jesu, Bd. 4. (Göttingen, 1823) S. 298 ff.

<sup>4</sup> His Ethica with the title: *Scito te ipsum*, in B. Pezii thesaur. Aneidot. T. III. P. II. p. 627 seq.; in extracts in Cramer, Th. 5. Bd. 2, S. 384 ff.; and de Wette, I. c. S. 124 ff. Of its peculiarities, see Stäudlin's Gesch. d. Moralphilosophie, S. 478 ff. *Ibid.* Gesch. d. Sittenlehre Jesu, Bd. 4. S. 304 ff. Neander d. heil. Bernhard, S. 130, 174 ff. At the council of Sens, passages from his Ethics were brought in support of the charges against him. See the Capit. errorum Abel. Cap. XIII. and XIX. above, § 73, note.

<sup>5</sup> Joh. Sarisbur. Metalogie. Lib. II. c. 11: An voluntas bona sit, an praeligenda

the chapter *Summa de virtutibus et vitiis* in the work of the Dominican Gulielmus Peraldus (A. D. 1250),<sup>5</sup> and the *Secunda Secundæ* of Thomas Aquinas.<sup>6</sup> In connection with this subject stands the scientific work of Raymund da Pennaforti on *Casistry*,<sup>7</sup> which took the place of the old *libri penitentiales*. The Mystics, St. Bernhard, Hugo, and Richard of St. Victor, though they did little to advance the science of Ethics, were very zealous in developing and urging such incitements to morality as their mysticism could furnish.<sup>8</sup>

Whilst the criticism of the Old Testament was enriched by the contributions of such men as Rabbi Solomon Jarchi at Troyes († about A. D. 1170), R. Aben. Esra at Toledo († A. D. 1167), R. David Kimchi at Narbonne († about 1230), and R. Moses ben Mæmon at Corduba († at Cairo A. D. 1205),<sup>9</sup> the Christians in the West neither appreciated the importance of such studies<sup>10</sup> nor pursued them in the right way. The text of the Latin Vulgata, now exclusively used, was corrupted by false criticisms, and the attempt to restore it only increased the confusion.<sup>11</sup> The interpretation was

*virtus, an in summo bono habitudines, an sit in indigentia laborandum, purus et simplex dialecticus raro examinat.*

<sup>5</sup> Many editions, the last, Paris. 1629. 4to. extracts in Schröckh, Th. 29. S. 298 ff.; de Wette, I. c. S. 169 ff.

<sup>6</sup> Extracts in Schröckh, Th. 29. S. 111 ff.; de Wette, S. 137 ff.; Stäudlins Gesch. d. Moralphilos. S. 494 ff.; Gesch. der Sittenl. Jesu, Bd. 4. S. 337 ff.

<sup>7</sup> Summa de Pœnitentia et Matrimonio, commonly called *Summa Raymundiana*, many ed. e. g. cum glossis *Joannis de Friburgo*, Romæ, 1603. fol. A sketch of it in Schröckh, Th. 28. S. 116 ff. Of the science of casuistry in general, see de Wette, S. 206 f.

<sup>8</sup> See Schröckh, Th. 29. S. 263 ff. Stäudlins Gesch. d. Sittenlehre Jesu, Bd. 4. S. 406 ff.; de Wette, S. 208 ff.

<sup>9</sup> Of them see Rich. Simon hist. crit. du vieux Testam. p. 170 seq. *Wolfii* biblioth. hebræa, vol. I.

<sup>10</sup> cf. *Rogerius Bacon* in *Opus majus*, P. H. c. 4. p. 28; *Baccalaureus*, qui legit textum (the SS) succumbit lectori sententiarum, et [hic] ubique in omnibus honoratur et præfertur. Nam ille, qui legit sententias, habet principalem horam legendi secundum suam voluntatem, habet et socium et cameram apud religiosos: sed qui legit Bibliam, caret his, et mendicat horam legendi secundum quod placet lectori sententiarum. Et qui legit summas, disputat ubique, et pro magistro habetur; reliquus, qui textum legit, non potest disputare: sicut fuit hoc anno Bononiae et in multis aliis locis: quod est absurdum. Manifestum est igitur quod textus illius facultatis (the theological) subjicitur uni summæ magistrali. — *Omnis alia Facultas utitur textu suo solo, et legitur textus in scholis, quod seco textu scjuntur omnia, que pertinent ad Facultatem, propter quam textus sunt facti: et longe majus est, quod textus hic de ore Domini et Sanctorum allatus mundo est, ita magnus, quod vix sufficeret aliquis Lector ad perlegendum eum in tota vita sua.*

<sup>11</sup> cf. *Humphr. Hody* de *bibliorum textibus originalibus*. Oxon. 1705. fol. p. 416 seq. *Literarisches Museum* (Altorf. 1787), Bd. 4. St. 1. S. 1 ff.; St. 2. S. 77 ff.; St. 3. S. 344 ff.; L. van Ess pragmatisch, krit. Gesch. d. Vulgata. Tübingen. 1824. 8vo. About A. D. 1144, Cardinal Nicolaus (see *Hody*, p. 417) complains: exemplaria, — quæ a doctissimis viris dicebantur correcta, — adeo discrepabant, ut pene quot codices tot exemplaria reperirem. In the 13th century the various *Correctoria* biblæ became the subject of dispute with the Mendicant orders. Of the course pursued, cf. *Roger Bacon*, Epist. ad Clem. IV., in *Hody*, p. 429: Quilibet lector in Ordine Minorum corrigit, ut vult, et similiter apud Prædictores, — et quilibet mutat, quod non intelligit, etc.

taken almost entirely from the church fathers; though, for the most part, the critics of the day were content to take even this at second hand from the *Glossa ordinaria*,<sup>12</sup> and the *Glossa interlinearis* of Anselm, Decimus and Scholasticus at Laon († A. D. 1117).<sup>13</sup>

Of the exegetical compilations of this period, the most popular was that of Thomas Aquinas, *expositio Continua in Evangelia*, under the name of *Catena aurea in Evangelio*.<sup>14</sup> The vast mass of exegetical works,<sup>15</sup> in which the Mystics, Bernhard of Clairvaux, and Rupert, abbot of Dnytz († A. D. 1135),<sup>16</sup> and the Schoolmen, Thomas Aquinas and the Cardinal Hugo of St. Caro († 1260),<sup>17</sup> all of them dwelling with marked partiality on the most obscure books of the Scriptures, seek to make out a fourfold sense,<sup>18</sup> can only move our pity for such a waste of critical sagacity and labor.

Amongst the numerous sermons remaining to us from this period, those of the Mystics, particularly of Bernhard and Bonaventura, with all their obscurity, have the merit of superior fervor and devotion.<sup>19</sup> Berthold, a Franciscan monk at Ratisbonne († A. D. 1272),<sup>20</sup> is distinguished as a powerful moral preacher.

<sup>12</sup> See § 11, note 10, above.

<sup>13</sup> Often published together with the *Glossa ordinaria*. Unfavorable opinion of it by *Anselmus Laudunensis in Abaelardi hist. calamit. suar. c. 3.*

<sup>14</sup> *Rich. Simon hist. crit. des principaux Commentateurs du Nouv. Test. p. 468.*

<sup>15</sup> Of them generally, see Cramer, Th. 6. S. 81 ff. Schröckh, Th. 28. S. 321 ff.

<sup>16</sup> Opp. ed. Mogunt 1631. 2 voll. fol. (an imperfect reprint, Paris, 1638) cf. *Hist. littéraire de la France*, Tom. XI. p. 422 seq.

<sup>17</sup> Properly *Hugues de St. Chers.* Of him, see *Quetif et Echard Scriptt. Ord. Prædicatt. T. I. p. 194 seq.* His *Postille in universa biblia juxta quadruplicem sensum*, ed. Basil. 1498 and 1504; Paris, 1548. 7 voll. fol. — His *Concordantiae Sacrorum Bibliorum (Concord. S. Jacobi)* ed. Basil. 1543 and 1551. fol. first introduced the division into chapters into common use.

<sup>18</sup> This was admitted even by *Johannes Saresburiensis, Polericatus*, Lib. VII. c. 12: *Divinæ paginae libros, quorum singuli apices divinis pleni sunt sacramentis, tanta gravitate legendos forte concesserim, eo quod thesaurus Spiritus Sancti, cuius digito scripti sunt, omnino nequeat exauriri.* Licit enim ad unum tantummodo sensum accommodata sit superficies litteræ, multiplicitas mysteriorum intrinsecus latet. Et ab eadem re sæpe allegoria fidem, tropologia mores variis modis ædificat, anagoge quoque multipliciter sursum ducit, ut littera non modo verbis, sed rebus ipsiis instituat. At in liberalibus disciplinis, ubi non res, sed duntaxat verba significant, quisquis pro sensu litteræ contentus non est, aberrare videtur mihi, etc.

<sup>19</sup> Schröckh, Th. 29. S. 211 ff.

<sup>20</sup> *Berthold*, homilies, some of them complete, and others in extracts (from a Heidelb. Codex) have been ed. by Chr. Friedr. Kling, Berlin, 1824. 8vo. Concerning Berthold, comp. *Wadding*, ad ann. 1272, no. 16 – 21.

## CHAPTER FIFTH.

CHANGES IN THE RITES AND CEREMONIES OF THE CHURCH,  
AND THE CAUSES THEREOF.

**CONTEMPORARY WORKS ON THIS SUBJECT:** *Ionis Carnotensis* († 1115) *Micrologus de ecclesiasticis observationibus*<sup>1</sup> (in Melch. Hittorpii de divinis cath. eccl. officiis ac ministeriis variis vetustorum Scriptt. libri Colon. 1568. p. 434 seq., and in Biblioth. PP. max. T. XVIII. p. 469 seq.). — *Ruperti Tuitiensis* († 1135) de divinis officiis, libb. XII. (in Opp. ed. Mogunt. 1631. T. II. p. 750 seq.). — *Jo. Belethi* (theol. Parisiensis, about 1162) divinorum officiorum ac eorumdem rationum brevis explicatio (prim. ed. Corn. Laurumann. Antv. 1553. 8vo, often appended to the *Durandi rationale*). — Principal work on the subject, *Guilelmi Durandi Episc. Mimatensis* (his name was really *Duranti*, † 1296) *Rationale divinorum officiorum*, libb. VIII. (in the fifteenth and sixteenth centuries often ed. Also Venet. 1609. 4to.).

## § 77.

## OF THE SACRAMENTS.

THE doctrine of the change of the elements in the Lord's Supper into the actual body and blood of Christ, established in opposition to the heresy of Berengarius, was far less acceptable to the Mystics\*

<sup>1</sup> H. Wharton discovered that Ivo is the author, in the Auctar. Historiae *J. Usserii de Scripturis et Sacris vernaculis*, Lond. 1690. 4to. p. 395.

\* cf. *Bernardi*, sermo I. in cena Domini, § 2. (Opp. ed. *Mabillon*, T. II. p. 87): *Sacramentum dicitur sacrum signum sive sacrum secretum. Multa siquidem fiunt propter se tantum, alia vero propter alia designanda, et ipsa dicuntur signa et sunt. Ut enim de usualibus sumamus exemplum: datur annulus absolute propter annulum, et nulla est significatio: datur ad investiendum de hereditate aliqua, et signum est; ita ut jam dicere possit, qui accipit: annulus non valet quicquam, sed hereditas est, quam quarebam. In hunc itaque modum appropinquans passioni Dominus de gratia sua vestire curavit suos, ut invisibilis gratia signo aliquo visibili praestaretur. Ad hoc instituta sunt omnia sacramenta, ad hoc eucharistiae participatio, ad hoc pedum ablutio, ad hoc denique ipse baptismus, initium saeculorum omnium, etc. Sermo in festo S. Martini, § 10 (l. c. p. 181): usque hodie eadem caro nobis, sed spiritualiter utique, non carnaliter, exhibetur — *Ruppertus Tuitiensis de trinitate et operibus ejus in Exodum*, Lib. II. cap. 10. (Opp. ed. Mogunt. 1631. fol. Tom. I. p. 191): *Totum attributis operationi spiritus sancti, cuius effectus non est destruere vel corrumperre substantiam, quancunque suos in usus assunit, sed substantiae bono permanenti, quod erat, invisibiliter adjicere, quod non erat. Sicut naturam humanam non destruxit, quam illam operatione sua ex utero virginis deus verbo in unitatem personarum conjunxit; sic substantiam panis et vini, secundum exteriorem speciem quinque sensibus subjectam, non mutat aut destruit, quam eidem verbo in unitatem corporis ejusdem, quod in cruce peperdit, et sanguinis ejusdem, quem de latere suo fudit, ista conjungit. Quomodo verbum a summo demissum caro factum est, non mutatum in carnem, sed assumendo carnem; sic panis et vinum, utrumque ab ino sublevatum, fit corpus Christi et sanguis, non mutatum in carnis saporem sive in sanguinis horrorem, sed in assumendo invisibiliter utriusque, divina scilicet et humane, quae in Christo est, immortalis substantiae veritatem.* cf. *Ejusd. de divinis officiis*, Lib. II.*

than either to the marvel-loving populace, to whom the real flesh and blood continued to be from time to time visible,<sup>2</sup> or the Schoolmen, who found it much more easy to understand the presence of Christ in the Eucharist literally, than as explained by the Mystics. The term *transubstantiation*, invented by the Scholastics,<sup>3</sup> was now sanctioned by Innocent III, as the true expression of the doctrine.<sup>4</sup> Still it continued to be a fertile subject of controversy amongst theologians,<sup>5</sup>

cap. 9. (Opp. T. II. p. 762). e. g. quod cum in ora fidelium sacerdos distribuit, panis et vimum adsumitur et transit; partus autem virginis cum unito sibi verbo patris et in celo et in hominibus integer permanet et inconsutus. Sed in illo, in quo fides non est, praeter visibiles species panis et vini, nihil de sacrificio pervenit. (cf. J. G. de Lith *de adoratione panis consecrati et interdictione s. calieis in eucharistia*, p. 113 seq.) Hence Bellarmine (de controversiis christ. tidei, Tom. II. Lib. III. c. 11 and 15.) declares this doctrine of Rupert to be heresy: *Gabri. Gerberon Apologia pro Ruperto Tuitiensi*. Paris, 1669. Svo. has been at the pains to give a Catholic interpretation to his doctrines, that the Protestants may not claim him.

<sup>2</sup> Schröckh, Th. 28. S. 69. Hence *Alexander Hales*, in Sent. P. IV. Qu. 53. Membr. 4. Art. 1. asks: Quaritur, si post consecrationem appareret revera caro Christi in sua forma, ut si appareret in forma unius pueri, vel carnis cruentae, vel digitii, vel membra alienijs, an esset sumenda? Responso: quod non, etc.

<sup>3</sup> Transubstantiation occurs first in the works of Hildebert, archbishop of Tours, (Sermo XCII. Synodus ad Sacerdotes), and transubstantiare first used by Stephen, bishop of Autun, from 1113 - 1129, Tract. de sacramento altaris, cap. 14. (*Mae. bibl. PP. T. XX. p. 1879*), where the words hoc est corpus meum are explained: panem, quem accepi, in corpus meum transsubstantiavi.

<sup>4</sup> Conc. Lateran. IV. ann. 1215. cap. 1. in the confession of the Synod: — Una vero est fidelium universalis ecclesia, extra quam nullus omnino salvatur. In qua idem ipse sacerdos et sacrificium Jesus Christus, cuius corpus et sanguis in sacramento altaris sub speciebus panis et vini veraciter continentur, transsubstantiatis pane in corpus et vino in sanguinem potestate divina, ut ad perficiendum mysterium unitatis accipiamus ipsi de suo, quod accepit ipse de nostro. Et hoc utique sacramentum nemo potest confidere, nisi sacerdos, qui fuerit rite ordinatus secundum claves ecclesiae, quas ipse concessit Apostolis et eorum successoribus Jesus Christus.

<sup>5</sup> Especially as to the mode of the transubstantiation. *Petrus Lomb. Lib. IV. Dist. 11*: Quidam vero sic dicunt conversionem illam esse intelligendam, ut sub illis accidentibus, sub quibus erat prius substantia panis et vini, post consecrationem sit substantia corporis et sanguinis, sic tamen, ut non eis afficiatur, et sic assurunt dictum panem transire in corpus Christi: quia ubi erat panis, nunc est corpus Christi. Quod si est, quid ergo fit de substantia panis et vini? Illi dicunt, vel in praesentem materiam (s. pristinam materiam, namely, the four elements) resolvi, vel in nihilum redigi. Alii vero putaverunt ibi substantiam panis et vini remanere, et ibidem corpus Christi esse et sanguinem: et haec ratione dici illam substantiam fieri istam, quia ubi est haec, est et illa, quod narium est: et ipsam substantiam panis vel vini dicunt esse sacramentum. He himself decides in favor of the first view: post consecrationem non est ibi substantia panis vel vini, licet species remaneant. The same three opinions enumerated also by *Innocentius III. de mysteriis missarum*, Lib. II. c. 26. Still the difference of opinion continued even after the Council of the Lateran, though the prevailing opinion now was of a conversione substantiae panis in corpus Christi, so that only accidentia sine subiecto remained. And new notions on the subject even were added. Thus *Bonaventura* in Sent. Lib. IV. Dist. 11. Pars I. Art. 1. Qu. 2. mentions and refutes the opinion of certain moderns, quod non totus panis convertitur secundum substantiam, sed aliqua pars essentialis remanet; and *Thomas Summa P. III. Qu. 75. Art. 6.* mentions in like manner another opinion quod facta consecratione non solum remanent accidentia panis, sed etiam forma substantialis ejus. About A. D. 1266, a Parisian theologian defends himself in a letter to Clement IV. (*Bulæus*, T. III. p. 373) against the

their better reason urging them continually to seek out and develope the undetermined points of the doctrine, in the hope of thus escaping from its absurdities. The superstition connected with this sacrament led also to various changes in the mode of administering it. From the twelfth century the communion of children was no longer permitted.<sup>6</sup> New modes were adopted of administering the wine, in

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charge of having said to one of the cardinals, in a visit to Rome, Parisius esse celebrem opinionem, corpus Christi non essentialiter et vere esse in altari, sed sicut signatum sub signo. He subscribes to the orthodox formula, substantialiter converti, etc.: but in contradiction to the materialis caro Christi crucifixia et lanceata, he supposes a caro Christi spiritualis, quæ vere cibus est, quam carnem qui manducat, spiritualiter veritatem carnis et sanguinis Domini dicitur sumere, etc. About A. D. 1309, the Dominican *Joannes Parisiensis* wrote a determinatio de modo existendi corpus Christi in Sacramento Altaris alio, quam sit ille, quem tenet ecclesia (ed. *Petrus Allix*, Lond. 1686. 8vo.), in the beginning of which he thus explains himself: Intendo defendere veram existentiam et realem corporis Christi in Sacramento Altaris, et quod non est ibi solum sicut in signo. Et licet teneam et approbem illam solemnem opinionem, quod corpus Christi est in Sacramento Altaris per conversionem substantiae panis in corpus Christi, et quod ibi maneat accidentia sine subjecto; non tamen audeo dicere, quod hoc cadat sub fide: sed potest aliter salvare vera et realis existentia corporis Christi in Sacramento Altaris. Protestor tamen, quod si ostendatur dictum modum determinatum esse per sacrum canonem, aut per Ecclesiam, aut per generale Concilium, aut per Papam, qui virtute continet totam Ecclesiam, quicquid dicam nolo haberi pro dicto, et statim paratus sum revocare. Quod si non sit determinatum, contingat tamen ipsum determinari, statim paratus sum assentiri. His views as to the modus existendi he explains thus: Substantiam panis manere sub suis accidentibus in Sacramento Altaris, dupliciten potest intelligi: uno modo sic, quod substantia panis in Sacramento Altaris sub suis accidentibus maneat in proprio supposito; et istud est falsum, quia non esset communicatio idiomatum inter panem et corpus Christi, nec *caro mea vere esset cibus*. Alio modo, ut substantia panis maneat sub accidentibus suis, non in proprio supposito, sed tracta ad esse et suppositum Christi, ut sic sit unum suppositum in duabus naturis. Et sic est verum, substantiam panis manere sub suis accidentibus, etc. He mentions several Parisian theologians who are of the same opinion: one of whom Guido de Cluvigny had even said, quod si esset Papa, quod confirmaret eam. William, bishop of Paris, deprived him, however, of his place, and as he was on the point of appealing to the Pope he died in Bordeaux, 1306. (cf. *Oudinus de Scriptt. eccl. T. III. p. 644 seq.; d'Argentré collectio judiciorum, T. I. p. 264 seq.*) Other questions related to the duration of the transubstantiation. The notion of Robert Pulleyn, that only the bread, which was consumed in the ceremony was the body of Christ, was not approved (Cramer, Th. 6. S. 514): though in the 12th century the opinion of *Peter Lombard*, Lib. IV. dist. 13, quod a bruis animalibus corpus Christi non sumitur, etsi videatur, was still universally held. cf. *Innocentius III. de mysteriis missarum*, Lib. IV. c. 11: Si quereritur, quid a mure comeditur, quum sacramentum corroditur, vel quid incineratur, quum sacramentum crematur; respondeatur, quod sicut miraculose substantia panis convertitur, quum corpus dominicum incipit esse sub sacramento, sic quodam modo miraculoso revertitur, quum ipsum ibi desinit esse: non quod illa panis substantia revertitur, quæ transivit in carnem, sed quod ejus loco aliiquid miraculose creatur: quanvis hujus accidentia sine subjecto possunt sic corredi, sicut edi. *Alexander Hales*, however, Lib. IV. Qu. 45. membr. 1. art. 2, maintained the contrary opinion, and though *Bonaventura*, Lib. IV. dist. 13. art. 2. Qu. 1, says of it: Quantumcunque haec opinio munitatur, nunquam tamen adeo munitur, quin aures piæ hoc abhorrent audire, quod in ventre muris vel cloaca sit corpus Christi, etc. Yet having been adopted by *Thomas Aquinas*, Summæ, P. III. Qu. 80. Art. 3, on the ground that the other derogat veritati sacramenti, his authority prevailed, and the dogma of Lombard was included amongst the Articuli, in quibus Magister non tenetur (see § 73, note 27).

<sup>6</sup> Augustine and others of the elder fathers had reasoned from *Joh. vi. 54*, that

order to guard against the possibility of spilling it,<sup>7</sup> and it was occa-

the sacrament was in all cases necessary to salvation: but all scruples on this head were quieted by the assertion of *Fulgentius*, bishop of Ruspe (Epist. 12), that according to Augustine tunc unumquemque fidelium corporis sanguinisque Dominici participem fieri, quando in baptismate membrum corporis Christi efficitur, nee alienari ab eo panis calicisque consortio, etiam si antequam panem illum comedat et calicem bibat, de hoc saeculo in unitate corporis Christi constitutus abcedat: especially as this passage was universally attributed to Augustine himself (thus for instance by *Hugo a S. Victore* de sacramentis et ceremoniis eccles. Lib. I. cap. 20; and *Gratian* Decr. P. III. dist. 4. c. 131). The gradual change from the old custom seen in *Hugo a S. Victore*, i.e. ignoratio presbyterorum adhuc formam retinens sed non rem, dat pueris loco sanguinis vinum, quod penitus supervacuum arbitrarer, si sine scandalo simplicium dimiti posset. Si autem in reservando sanguinem Christi, vel in ministrando pueris immineat periculum, potius supersedendum videtur. Odo, bishop of Paris, A. D. 1175 (Statuta Synodalia, c. 39, in *Bona Rerum Liturg.* Lib. II. p. 601) forbade the priests of his diocese, ne hostias licet non sacratas dent pueris ullo modo. Afterwards the communion of children was forbidden by Concil. Burdegal, ann. 1255. c. 5. and Bajocense, ann. 1309. c. 16: it was still continued in some places, however, till the beginning of the 15th century. *P. Zornii* hist. Eucharistiae infantium. Berol. 1736. 8vo.

<sup>7</sup> Of which there was the more danger inasmuch as according to *Gregory II.* Epist. 14 ad Bonifacium, congruum non est, duos vel tres calices in altario ponere, cum missarum solemnia celebrantur, the single cup must have been very large and heavy (cf. *Lith* de adoratione panis consecrati, etc. p. 244). Hence the use of the *fistula* (or *calamus*, *arundo*, *canna*) as early as the 9th century, *Joh. Vogt* hist. fistula eucharistica. Bremer, 1749. 4to — From the end of the 11th century the practice already in use in administering the communion to children and sick persons, of dipping the bread in the wine, began to be extended to others also (cf. *Zornii* hist. Euchar. infantum, p. 59 seq.): this however was soon forbidden by the Cone. Braccarensis, ann. 675. can. 2. (which Canon in Decr. Grat. P. III. Dist. 2. can. 7, is incorrectly ascribed to Pope Julius) and afterwards by *Urban II.* (Cone. Claromontan. ann. 1095. c. 28), and especially by *Paschal. II.* Epist. 32 ad Pontium Cluniaeens. Abbatem, A. D. 1110 (Mansi XX. p. 1013): Scribens ad Cæcilium b. Cyprianus ait: *Quando aliquid Deo inspirante et mandante præcipitur, necesse est Domino servus fidelis obtinet, excusatus apud omnes, quod nihil sibi arroganter assumat, ne aliud fiat a nobis, quam quod pro nobis Dominus prior fecit.* Igitur in sumendo corpore et sanguine Domini, juxta eundem Cyprianum, dominica traditio servetur, nee ab eo, quod Christus magister et præcepit et gessit, humana et novella institutione discedatur. Novimus enim per se panem, per se vinum ab ipso Domino traditum. Quem morem sic semper in sancta ecclesia conservandum docemus atque præcipimus, prater in parvulis ac omnino infirmis, qui panem absorbere non possunt: quibus satis communicari in sanguine. Of different opinion *Ernulphus Episc. Roffensis* of Rochester) in Epist. II. ad Lambertum, A. D. 1120 d'Archery Spicileg. ed. II. Tom. III. p. 479 seq.). Lambert had asked him: eur hodierna ecclesiæ consuetudo alio et pene contrario ritu censeat porrigi corpus Dominicum, quam a Domino in cœno Discipulis suis fuerit distributum? Id enim quotidianus Ecclesiæ prætendit usus, ut tribuitur hostia sanguine intincta, eum a Domino prius corpus, deinde sanguis porrectus fuisse memoretur. Ernulphus first maintained the right of the church to make such changes: *Hæc eis cum quibus conversari dignatus est (Redemptor noster), verbo vel exemplo insinuavit, quæ facienda erant docens, certum quo facienda erant modum præfigere omittens.* — *Qua in re insinuasse videtur, quæ præcepta sunt non fieri non licere; pro ratione vero necessitatis vel honestatis alio et alio modo fieri licere.* Then of the grounds of the charge in question: *Nos carnem Domini intingimus in sanguine Domini, ne accipientes sive porrigentes peccemus, non habita forte competenti cautela in labiis et manibus nostris.* Evenit enim frequenter, ut barbati et prolixos habentes granos, dum poculum inter epulas sumunt, prius liquore pilos inficiant quam ori liquorem infundant. *Si si accesserint ad altare liquorem sanetum habituri, quomodo periculum devitare poterunt*

sionally withheld from the laity altogether.<sup>8</sup> Still, though by no

inter accipendum, quomodo interque, accipiens videat et porrigen, effugient grande peccatum? Praeterea si imberbes et sine granis, aut mulieres ad sumendum communionem sanctam convenient, quid sacerdotum poterit tam provide ministrare, — ut nihil effundat? etc. Finally, that the decree of Pope Julius (for so he calls the Canon Braccar.) has lost its force. — Thus the custom was retained in England, till forbidden by the Conc. Lond. ann. 1175. c. 16.

<sup>8</sup> This is fully conceded by learned Catholics, *Bona Rerum Liturgicarum*, Lib. II. c. 18; *Mabillon*, comment. in *Ordinem Romanum*, prefixed to his *Musei Italicici*, Tom. II. p. LXI. See especially *J. G. de Lith* de adoratione panis consecrati et interdictione sacri calicis in Eucharistia, ed. *J. C. de Lith*. *Suabaci*, 1753. 8vo. p. 158 seq. Spittlers *Gesch. des Kelchs im Abendmahl*, Lemgo, 1789. 8vo. Why the cup was denied the laity seen in note 9: besides this, since Anselm's time the distinction had been carefully brought forward, in order to guard against such crude notions as are mentioned in § 23, note 13, in utraque specie totum Christum sumi (cf. *Anselmi Epist. Lib. IV. Ep. 107*), so that the Scholastics were at a loss on what ground to show the necessity of partaking of both the elements. cf. *Guillelmus de Compellis* (ex Ms. in *Mabillonii Acta SS. Ord. Bened. Sac. III. pref. I. no. 75*): Quod utraque species per se accipitur, eo fit, ut memoria corporis, quod in cruce visibiliter peperdit, et memoria sanguinis, qui cum aqua de latere fluxit, arctius teneatur, et quasi praesentetur. Tamen sciendum, quod qui alteram speciem accipit, totum Christum accipit. — Quod ergo dicitur, utramque speciem oportere accipi, haeresis plane est. — Et ideo licet in alterutra specie totus sumatur, tamen pro causa praedicta sacramentum utriusque speciei ab Ecclesia immutabiliter retinetur. Nearly contemporaneous, however, the first voice for the denial of the cup to the laity, namely, that of *Rudolphus Abb. S. Trudonis* (St. Trone in the territory of Liege) ex Ms. in *Bona Rer. Liturg.* Lib. II. c. 18:

Hic et ibi cautela fiat, ne presbyter aegris  
Aut sanis tribuat laicis de sanguine Christi:  
Nam fundi posset leviter, simplexque putaret,  
Quod non sub specie sit totus Jesus utraque.

Then Robert Pulleyn, about 1140, *Sentent. P. VIII. c. 3*: Primo corpus, post sanguis a presbyteris est sumendum: institutio Christi mutanda non est. — Verum qualiter a laicis eucharistia sumi deberet, sponsae sue commiit judicio: cuius consilio et usu pulchre fit, ut caro Christi laicis distribuatur. Nimurum periculose fieret, ut sanguis sub liquida specie multitudini fidelium in ecclesia dividetur: longe periculosius, si infirmatis per parochiam deferretur. These, however, are the only traces of this practice in the 12th century, all the other writers of the time, Ivo, Rupertus, Bernhardus, Hugo S. Victor, Petrus Lombardus (*Sent. Lib. IV. dist. 11*: Quare sub duplice specie sumitur, cum sub alterutra totus sit Christus? Ut ostenderetur totam humanam naturam assumpsisse, ut totum redimeret. Panis enim ad carnem refertur, vinum ad animam, quia vinum operatur sanguinem, in quo sedes animæ a physicis esse dicitur. — Si in altera [specie] tantum sumeretur, ad alterius tantum i. e. animæ vel corporis, non utriusque pariter, tuitionem valere significaretur. Sub utraque specie tamen totus sumitur Christus: nec plus sub utraque, nec minus sub altera tantum sumitur.) Petrus v. Blois, etc., speak only of taking the sacrament sub utraque, and as if this were the customary mode, see *de Lith*, l. c. p. 212 seq. Gratianus (P. III. de consecratione, Dist. 2. c. 12.) cites the passage of Pope Gelasius: Comperimus autem, quod quidam, sumpta tantummodo corporis sacri portione, a calice sacri cruoris abstineant. Qui procul dubio (quoniam nescio qua superstitione docentur obstringi) aut integra sacramenta percipient, aut ab integris arecantur: quia divisio unius ejusdem mysterii sine grandi sacrilegio non potest provenire: and even in Pulley's native land, A. D. 1220, *Syn. Dunelmensis* (*Wilkins Conc. Magnæ Brit. T. I. p. 548.*) says: Instruire insuper debet laicos, quoties communicant, quod de veritate corporis et sanguinis Christi nullo modo dubitent. Nam hoc accipiunt procul dubio sub panis specie, quod pro nobis peperdit in cruce: hoc accipiunt in calice, quod effusum est de Christi latere. A contemporaneous English writer, however, witnesses to the existence of the contrary custom in that country, and shows a remarkable light on

means uncommon, especially since the time of Thomas and Bonaventura,<sup>9</sup> such was not yet the universal custom of the church.<sup>10</sup> In the

the question: *Utrum licet sumere corpus Christi sub specie panis tantum sine sumptione sub specie vini?* *Alex. Halesius* in Sent. Lib. IV. qu. 53. membr. 1: *Cum Dominus Jesus in tota integritate sua contineatur sub utraque specie, scil. panis et vini, videtur quod sufficiat illum sumere sub una specie: ut enim supra dictum est, corpus et sanguis, anima et divinitas in Christo inseparabiliter unita sunt.* — *Contra de Consecr. dist. II. Comperimus* (see the passage just cited from Gratian) *sic sumentes judicantur rei peccati sacrilegii.* — *Item Dominus in institutione hujus sacramenti dispensavit corpus suum sub specie panis et vini, ex quo videtur, — quod hoc debeat fieri sub duabus speciebus.* Item corpus Christi non est sacramentaliter sub specie vini, neque sanguis ejus sub specie panis: ad hoc ergo, quod sacramentaliter sumatur Christus, necesse est quod sumatur sub duabus speciebus, cum non contineatur sacramentaliter sub una. Item potest queri, si hoc sacramentum habeat eandem efficaciam sumptum sub una specie et sub duabus. *Responsio:* Dicendum, quod quia Christus integre sumitur sub utraque specie, bene licet sumere corpus Christi sub specie panis tantum, *sicut fere ubique fit a laicis in ecclesia.* Quod autem dicit canon ibi *Comperimus*, etc. intell. n. de conficiente. Ecclesia autem istud sacramentum dispensare consuevit sub specie panis tantum, tum propter periculum effusionis, quod forte accideret, si sub specie vini dispensaretur, tum propter vitii infidelitatis motionem, quod se non immerito simplicium mentibus ingereret, si semper sub specie eius panis et vini daretur: quia si ita fieret, possent simpliciores credere, quod Christus non contineretur integre sub altera specie, sicut contingit quandoque. Unde aliquibus religiosis potenterbus et instantibus, ut sub utraque specie sumerent sacramentum, sacerdote quadam pio cantante, cum faceret fractionem, concavum patenam totum visum est repleri sanguine, ad quod obstupuerunt ipse et circumstantes: sed cum conjungeret partes hostiae, totum visum est reintrare, et petitioni et temptationi illorum penitus fuit satisfactum. Ad illud, quod objicitur de dispensatione Domini, dicendum, quod Dominus insinuavit modum, quo debuit a confientibus sumi. — Praetera licet illa sumptio, quae est in accipiendo sub una specie, sufficient: illa tamen, quae est sub duabus, est majoris meriti, tum ratione augmentationis devotionis, cum ratione fidei dilatationis actualis, tum ratione sumptionis completioris. Ex his patet responsio ad quasita, *qua sumptio sub utraque specie, quem modum sumendi tradidit Dominus, est majoris efficaciae et complementi, ecclesia tamen utitur alio modo propter causas praetextus.* That the giving only the bread to the laity was customary only in particular churches, is evident from *Albertus Magnus* cf. *de Lith.* p. 226 seq., especially from his *Lib. de corpore Christi et sacramento altaris*, (*de Lith.* p. 228–231, ex *Cod. Heilbrunn.*). He proposes the difficulty: Quidam faciunt questionem: quia enim Christus totus cum sanguine et anima et spiritu et deitate habetur sub specie istius cibi, quae est panis, videri potest alicui, quod nihil operationis in sacramento habet potus in specie vini. In answer he shows the necessity of both elements. See especially the conclusion: Quod ergo elicitor, quod alterum videtur esse superfluum, cum sanguis habeatur in corpore et corpus in sanguine, dicendum, quod hoc non est verum. Verum quidem est, quod sanguis habetur in corpore, sed non ex virtute sacramentali, sed ex unione naturali. — Et ideo oportuit, ut esset ibi confectio ex elemento potus, sicut fuit ex elemento cibi, quia aliter sacramentum in virtute et ratione sacramentali esset imperfectum.

<sup>9</sup> The chief objection to taking away the cup from the laity was this, that the body of Christ was not sacramentaliter, but only ex unione naturali sub specie vini, and therefore that the sacrament in one form was imperfect and less efficacious (see *Alex. Hales.* and *Albertus M.* note 8): This objection was answered by Thomas (who substituted for Albert's *unio naturalis* the expression *concomitantia realis* or *naturalis*) and still more fully by Bonaventura. *Thomæ Summa*, P. III. Qu. 74. Art. 1. at the close: *vinum in modica quantitate sumitum non potest multum ægrotanti nocere.* Et tamen si nocumentum timeatur, non est necesse, quod omnes accipientes corpus Christi etiam accipient sanguinem, ut infra dicetur. Qu. 76. Art. 1: *Omnino necesse est confiteri secundum fidem catholicam, quod totus Christus (namely, divinitas, anima et corpus) sit in hoc sacramento.* Scient-

thirteenth century it became customary to worship the consecrated

dum tamen, quod aliquid Christi est in hoc sacramento dupliciter: uno modo quasi ex vi sacramenti, alio modo ex naturali concomitantia. Ex vi quidem sacramenti est sub speciebus hujus sacramenti id, in quod directe convertitur substantia panis et vini praexistens, prout significatur per verba formæ, quæ sunt effectiva in hoc sacramento: — ex naturali autem concomitantia est in hoc sacramento illud, quod realiter est conjunctum ei, in quod prædicta conversio terminatur. Si enim aliqua duo sunt realiter conjuncta, ubicumque est unum realiter, oportet et aliud esse Art. 2: Sub utraque specie sacramenti totus est Christus, aliter tamen et aliter. Nam sub speciebus panis est quidem corpus Christi ex vi sacramenti, sanguis autem ex reali concomitantia, sicut supra dictum est de anima et divinitate Christi. Sub speciebus vero vini est quidem sanguis Christi ex vi sacramenti: corpus autem Christi ex reali concomitantia, etc. Qu. 80. Art. 12, to the question: Utrum licet sumere corpus Christi sine sanguine? he first states the grounds to the contrary, and then proceeds: Sed contra est multarum ecclesiarum usus, in quibus populo communicanti datur corpus Christi sumendum, non autem sanguis. *Respondeo*, dicendum, quod circa usum hujus sacramenti duo possunt considerari. Unum ex parte ipsius sacramenti, aliud ex parte sumentium. Ex parte quidem ipsius sacramenti convenient, quod utrumque sumatur, scilicet et corpus et sanguis: quia in utroque consistit perfectio sacramenti. Et ideo quia ad sacerdotum pertinet hoc sacramentum consecrare et perficere, nullo modo debet corpus Christi sumere sine sanguine. Ex parte autem sumentium requiritur summa reverentia et cautela, ne aliquid accidat, quod vergat ad injuriam tanti mysterii. Quod præcipue posset accidere in sanguinis sumptione: qui quidem si incaute sumeretur, de facili posset effundi. Et quia crevit multitudo populi Christiani, in qua continentur senes et juvenes et parvuli, quorum quidam non sunt tantæ discretionis, ut cautelam debitam circa usum hujus sacramenti adhibeant: ideo provide in quibusdam ecclesiis observatur, ut populo sanguis sumendus non detur, sed solum a sacerdote sumatur. To the objection that this was a sacramentum imperfectum, dicendum, quod perfectio hujus sacramenti non est in usu fidelium, sed in consecratione materia. Et ideo nihil derogat perfectioni hujus sacramenti, si populus sumat corpus sine sanguine, dummodo sacerdos consecrare sumat utrumque. More at large *Bonaventura* in Sent. Lib. IV. Dist. 11. P. 2. Art. 1. Qu. 2, to the question: an utraque species sit de integritate sacramenti? c. g. Dicendum, quod in sacramento duo sunt, scilicet efficacia et signantia. Esse igitur de integritate sacramenti dupliciter est: aut quantum ad efficaciam; et sic neutra species est de integritate, sed qualibet est totum, quod habet efficaciam: aut quantum ad signationem vel significacionem; et sic sunt de integritate, quia in neutra per se exprimitur res hujus sacramenti, sed in utraque simul. — Ideo fideles recipiunt perfectum sacramentum sub una specie, quia ad efficaciam recipiunt. Sed quantum ad signiantiam, sufficit quod Ecclesia facit in eorum præsentia, nec oportet, quod ipsi recipient, propter periculum effusionis, et propter periculum erroris, quia non credenter simplices in altera specie totum Christum recipere. From this time the Dominicans and Franciscans were unanimously for the communio sub una: contemporary with Thomas, namely, A. D. 1261, a Capitulum generale Cisterciensium passed a decree (*Statutum*) (in *Martene thes. anecdot. T. IV. p. 1418*): Cum ex participatione sanguinis Domini — pericula inde veniant gravia, — ordinat capitulum generale, quod monachi, conversi, moniales ordinis, exceptis ministris altaris, ad calicem more solito non accedant. How the laity were brought to submit to have the cup taken from them, see Cone. Lambethense, ann. 1281. (under *Joannes Peckham*, Archiep. Cantuariensis) cap. 1. (Mansi XXIV. p. 406; more correct in *Linwood* Provine. Anglican. p. 9): Doceant [sacerdotes] etiam eosdem [simplices], quod id quod eisdem in calice propinatur non est sacramentum, sed vinum purum cis hauriendum traditum, ut facilis sacrum corpus glutiant, quod ceperunt. Solis enim celebrantibus sanguinem sub specie vini consecrati sumere in hujusmodi minoribus ecclesiis est concessum. To the same end the miraculous appearances of blood in the dish with the bread, of which *Alex. Hales*. (note 8) relates the earliest, which now became more common than the miraculous appearance of the body: *de Lith.* p. 520 seq.

<sup>10</sup> Synodus Exoniensis, ann. 1287. cap. 4, in fine: [Laici] priusquam communient, instruantur per sacerdotes, quod illud accipiunt sub panis specie, quod pro

elements,<sup>11</sup> and a festival solely in their honor, first observed in

illorum salute peperit in cruce : hoc suscipiunt in calice : quod effusum de corpore Christi. *Guilelmus Durandus* in *Rationale divinorum officiorum*, Lib. IV. c. 54, § 12: solum hostiam recipiens non plenum sacramentaliter recipit sacramentum. Etsi enim in hosti consecrata Christi sanguis sit, non tamen est ibi sacramentaliter, eo quod panis corpus et non sanguinem, et vinum sanguinem significat et non corpus. He also mentions, Lib. IV. cap. 42, § 1, a middle course sometimes adopted: In quibusdam locis post sumptionem corporis et sanguinis Christi aliiquid de ipso sanguine reservatur in calice, et superinfunditur vinum purum, ut ipsi communicantes inde sumant: non enim esset decens tantum sanguinem confidere, nec calix capax inveniretur. This seems to have originated at Rome, see *Ordo Romanus* in *Mabill.* Mus. Ital. T. II. p. 14; and *Comment.* in *Ord. Rom. Ibid.* p. LVII seq.; *de Lith.* p. 246 seq. It is remarkable how slowly the new custom was adopted in some of the convents. Notwithstanding the statute of the general Chapter of the Cistercians, see the last note 9, we find in *Artexanus* comm. in Sent. IV. Tit. 17. Qu. 3, about A. D. 1330 (Spittler, S. 37): Cistercienses et quidam alii post sumptionem corporis et sanguinis dimittunt ibi aliiquid de sanguine, ut infundatur vinum purum, et postea communicantes aliiquid inde possint sumere, exactly as was prescribed in the old Usus Cisterciensis, cap. 53 (*Mabillon* comm. in *Ord. Rom.* p. LVII); and as late as the 16th century, Cardinal Cajetanus says, quod in ordine Cisterciensi alicubi communio fieri legitur sub utraque specie (*Manriquez* annal. Cistere. T. I. p. 53). In like manner in the great convents Monte Cassino, Clugny and St. Denys, the communion sub utraque continued to be allowed, at least for the officiating priests, (*Mabillon*, I. c. p. LXIII, see Spittler, S. 56). In other places also, it was still retained, see *de Lith.*, p. 257 seq.

<sup>11</sup> The Ritus elevationis was usual in the Greek church from the seventh century, in the Latin church from the eleventh, but only as a symbol of the crucifixion of Christ (*Bona Rer. liturg.* lib. II. c. 13, § 2 *Dallæus* de cultibus religiosis Latinorum, lib. IIII. c. 20–22. *Matth. Larroque* histoire de l'Eucharistie. Amsteld. 1669. P. I. c. 9). Of the introduction of the Adoration, *Casarius Heisterbachensis* (about 1125) de miraculis et visionibus sui temporis dialog. lib. IX. c. 51: Tempore schismatis inter Philippum et Othonem dominus Wido Cardinalis, aliquando Abbas Cisterciensis, cum missus fuisset Coloniam (A. D. 1203) ad confirmandam electionem Othonis, bonam illuc consuetudinem instituit: præcepit enim, ut ad elevationem Hostie omnis populus in Ecclesia ad sonitum nolæ veniam petret, siue usque ad calicis benedictionem prostratus jaceret. Præcepit etiam idem Cardinalis, ut quoties deferendum esset ad infirmum, scholaris sive caupanarius sacerdotem præcedens per nolam illud proderet: siue omnis populus tam in stratis quam in domibus Christum adoraret. To encourage the observance of this ceremony, he related that miles quidam in Francia, who encountered the Sacrament in the road, de equo proiliens in lutum se misit, in quo flexis genibus, elevatis manibus Christi corpus adoravit; and that for his reward it came to pass, ut totius luti nec una quidem guttula vestimentis ejus adhaeret, etc. (This same cardinal, it seems, was in the habit of recounting other anecdotes of the same sort. See *Alberici Chron.* ad ann. 1209, p. 419 seq.). Honorius III. decrees, 1217 (Deer. Greg. lib. III. Tit. XLI. c. 10): Sacerdos vero quilibet frequenter doceat plebem suam, ut, cum in celebratione missarum elevatur hostia salutaris, quilibet se reverenter inclinet, idem faciens, cum eam deferat presbyter ad infirmum. The old rule, which had been confirmed as late as Alexander III. (Deer. Greg. lib. II. Tit. IX. c. 2): diebus dominicis et aliis præcipuis festivitatibus, sive inter pascha et pentecosten, genuum flexio nequaquam debet fieri, ni-i aliquis ex devotione id velit facere in secreto: according to which, therefore, the adoration on those days was made a stantibus capite inclinato (*de Lith.* p. 39 seq.), was first suspended by Gregory X. in his *Cærenoniale Romanum* (in *Mabill.* Museum Ital. T. II. p. 235) at least partially, by the change, that in *Quadragesima* usque ad Pascha, et ab octava Pentecostes usque ad Natale, et ab octava Epiphaniæ usque ad *Quadragesimam in diebus ferialibus* certain prayers should be said kneeling. In elevatione vero corporis Christi, cum antea parum debeant surgere, prosternant se ad terram, et adorant reverenter in facies cadendo: et sic prostrati stent usque ad *Per omnia*, ante *Agnus Dei*, et dant pacem, et iterum se prosternunt, et stant sic prostrati, quoque sacerdos corpus et sanguinem sumat.

the diocese of Liege<sup>12</sup> (festum corporis Christi), was included amongst the general festivals of the church by Urban IV.<sup>13</sup> After the death of this Pope the new festival was for a time suspended, but in the year 1311 was permanently re-established by Clement V.<sup>14</sup>

The general notions concerning sacraments had been very vague<sup>15</sup>

<sup>12</sup> According to the common account of it, it was established 1246 by Robert, bishop of Liege, for his own diocese, in consequence of certain revelations made first to Julianæ, Priorissa montis Cornelii near Liege, and then to her friends Eva, virgo reclusa S. Martini, and Isabella, a nun of St. Cornelius. This, however, can hardly be the case; for the Cistercianus *Aegidius*, a contemporary (his history ends with 1251), in his *gestis pontificum Leodiensium* (in *Chapeavilli gestorum Pontifl. Leod. scriptores*, Tom. II.), though he is no enemy to wonders, and c. 131, p. 266, mentions Robert's instrumentality in giving new dignity to the festival of St. Lambert, yet makes no mention of this. The first historian of Liege, who speaks of it, *Joannes Hoësemius* (canon in Liege about 1348) *gesta Pontifl. Leodiens.* cap. 6 (in *Chapeavillus*, I. c. p. 293), says only: *Anno vero Domini 1259 (vel forte 1260) cum tunc secundum quosdam Urbanus præesse cooperit) Henricus Episcopus, instinctu ejusdem Reclusæ juxta ecclesiam s. Fidis, cui de sacramento fuit ostensa visio, Urbano Papa quarto (cui nihilominus haec nota fuerat, cum dudum fuisset Canonicus Leodiensis) super hoc suas literas destinavit, quibus inductus Papa hoc festum institutus celebrari, quod ex tunc a *Leodiensibus* est receptum, et postmodum continue per plures Ecclesiæ in Germania et Francia a Clero et populo celebratum, sed demum per alias universaliter recipitur Ecclesiæ, cum Joannes Papa XXII. constitutionem Urbani super hoc factam, quæ incipit *Transitus de hoc mundo ad patrem* (quam Clemens Papa V. observari districte præceperat ab omnibus in Concilio Viennensi) fecisset cum ceteris Clementinis constitutionibus celebrari. The historians following him, *Joannes Ultramosanus* and *Joannes Warwantius*, say nothing more on this subject; and it was not till 1496 that *Joannes Blerus Diesthemins*, prior of S. Jacobi in Liege, wrote his *historia revelationis b. Julianæ*, anno 1230, divinitus factæ de institutione festi corporis Christi (reprinted in *Bvovii Annal. Ecel.* ann. 1230, no. 16), which is in all respects his own, even the name Julianæ. Onuphrius Panvinius († 1558) pronounced, therefore, all those revelations to be fables (*Chapeaville*, I. c. p. 658). It is true that a vita b. Julianæ, supposed to be ab auctore coaucta scripta, came afterwards to light, extracts in *Chapeavillus*, I. c. p. 641, complete *Acta SS. April. T. I.* p. 443, ad d. 5 April, but on this no great reliance is to be placed.*

<sup>13</sup> The Bull in the *Magnum Bullarium Rom.* T. I. p. 146, is adopted also in Clement's confirmation's-Bull, *Clementin.* lib. III. Tit. 16 (the various readings from a Basil Codex, see in *J. Zwingeri tract. de festo corporis Christi Basil.* 1685. p. 17). We find there: *Licet igitur hoc memoriale sacramentum in quotidianis missarum solemnibus frequenter, conveniens tamen arbitramur et dignum, ut de ipso semel saltem in anno, ad confundendam specialiter haereticorum perfidiam et insaniam, memoria solemnior et celebrior habeatur. In die namque Cœmæ Domini, quo die ipse Christus hoc instituit sacramentum, universali ecclesia pro penitentiâ reconciliationi, sacri confectione chrismatis, adimpletione mandati circa lotionem pedum, et aliis quamplurimum occupata, plene vacare non potest celebrationi hujus maximæ Sacramenti. — Potissimum igitur exequendum est erga hoc vivificum sacramentum corporis et sanguinis Jesu Christi, — ut festivitate ac celebritate præfulgeat speciali, quatenus in eo, quod in aliis Missarum officiis circa solemnitatem est forsitan prætermissum, devota diligentia suppleatur, et fidèles festivitate ipsa instanti, intra se præterita memorantes, id quod in ipsis Missarum solemnibus, sacerularibus forsitan agendis impliciti, aut alias ex negligencia vel fragilitate humana minus plene gesserunt, tunc attente in humilitate spiritus et animi puritate restaurent. Intelleximus autem olim dum in minori essemus officio constituti, quod fuerat quibusdam Catholicis divinitus revelatum, festum hujusmodi generaliter in Ecclesia celebrandum.*

<sup>14</sup> *Clementin.* lib. III. Tit. 16, cap. unic. cf. *Joannes Hoësemius* in note 12, above.

<sup>15</sup> The term sacramentum had till now been used very inaccurately. In the

till Peter Lombard and Gratian fixed their number at seven.<sup>16</sup> The

sense of sacram signum it was applied to many of the usages of the church; thus Augustin calls exorcism (de peccato orig. c. 40) and the salt which was given to catechumens (de peccatorum mer. et remiss. II. c. 26), sacramentum. Then in a stricter sense, as *Rabanus Maurus* de institut. cleric. I. c. 21 (in *Hittorp.* de eccl. cath. off. p. 320). De sacramentis autem, que in ecclesia fiunt, oportet ut sequens sermo exponat, atque declarat ritum sacerdotalem. Sunt autem sacramenta Baptismum et Christia, Corpus et Sanguis, que ob id sacramenta dicuntur, quia sub tegumento corporalium rerum virtus divina secretius salutem corundem sacramentorum [ope] operatur: unde et a secretis virtutibus vel sacris sacramenta dicuntur. And his contemporary *Paschasius Radbertus* de cena Domini, c. 3. Sunt autem sacramenta Christi in ecclesia baptismus, corpus quoque Domini et sanguis. Comp. Ph. Marheinecke's christl. Symbolik, Bd. 3. S. 101 ff. Thus as late as Lombard's time we find different views of the sacraments. *Godefridus Ibb. Lindocinensis* († after 1129) de ordinatione Episcoporum (Bibl. PP. max. T. XXI. p. 60): Annulus autem et virga, quando ab illis dantur a quibus dari debent, Sacmenta Ecclesie sunt, sicut sal et aqua, oleum et chrisma, et quadam alia, sine quibus hominum et Ecclesiarum consecrationes fieri non possunt. He then distinguishes Opuse. VIII. (l. c. p. 64) as the most important sacraments, baptismum, confirmationem, infirmorum unctionem, corporis et sanguinis Domini perceptionem. (Opuse. IX. he maintains: Inunctio infirmorum magnum sacramentum est, et ideo nulla est ratione iterandum. See, on the other hand, *Hugo a S. Victore* de Sacramentis, lib. II. P. XV. c. 3.) An entirely different view of the sacraments was taken by *Hugo a S. Victore*, a contemporary of Lombard's. He first defines the sacrament thus (De sacramentis, lib. I. P. IX. c. 2): Saumentum est corporale vel materiale elementum foris sensibili propositum ex similitudine representans, et ex institutione significans, et ex sanctificatione continens aliquam invisibilis et spiritalem gratiam. Thus he supposes, cap. 7, *tria generu sacramentorum*. Sunt enim quadam sacramenta, in quibus principaliter salus constat et percipitur: sicut aqua baptismatis, et perceptio corporis et sanguinis Christi. Alia sunt, que etsi necessaria non sunt ad salutem (quia sine his salus haberi potest), proficiunt tamen ad sanctificationem, quia his virtus exerceri et gratia amplior acquiri potest: ut aqua aspersionis, et susceptio cineris et similia. Sunt rursum alia sacramenta, que ad hoc solum instituta esse videntur, ut per ipsa ea qua easteris sacramentis sanctificandis et instituendis necessaria sunt, quodammodo parentur et sanctificantur: vel circa personas in sacris ordinibus perficiendis, vel in iis, que ad habitum sacerorum ordinum pertinent initiandis et ceteris hujusmodi. Prima ergo ad salutem, secunda ad exercitationem, tertia ad præparationem constituta sunt. According to this division he treats first of the third class, namely, lib. II. P. III. et IV. de Ordinibus, P. V. de sacramento dedicationis ecclesie; then of the first, P. VI. de baptismo, P. VII. de confirmatione, P. VIII. de sacramento corporis et sanguinis Christi, and P. IX. passes then to the other class, the minoribus sacramentis, of which he says generally, cap. 1: Ex his sacramentis alia constant in rebus, qualia sunt aqua aspersionis, susceptio cineris, benedictio ramorum et cereorum et cetera talia: alia autem constant in factis, qualia sunt signaculum crueis, exsuffratio exorcizationis, expansio manuum, incurvatio genuum et alia hujusmodi: alia in dictis constant, sicut trinitatis invocatio, et quaecunque in hunc modum. After speaking, P. X. of Simony, he last touches, P. XI. on the sacramentum conjugii, P. XIV. on the confessio et pœnitentia et remissio peccatorum, which, however, he nowhere calls sacramentum, and P. XV. on the sacramentum unctionis infirmorum.

<sup>16</sup> It is true that according to the vita *S. Ottonis* in *Canisii* Leett. Ant. T. III. P. II. p. 61 seq., Otho preached the seven sacraments to the Pomeranians as early as A. D. 1124; this life of Otho, however, was written not earlier than 1139, and perhaps as late as 1189, and what is ascribed to Otho can hardly be supposed to be word for word genuine. — *Petrus Lombardus* Sent. lib. IV. Dist. 1—42, treats of the sacraments. Definition Dist. 1: Sacramentum proprie dieitur, quod ita signum est gratiae Dei, et invisibilis gratiae forma, ut ipsius imaginem gerat et causa existat. Dist. 2: Sacmenta novae legis sunt Baptismus, Confirmatio, Panis benedictio i. e. Eucharistia, Pœnitentia, Unctio extrema, Ordo, Conjugium. Quorum alia remedium contra peccatum præbent, et gratiam adjutricem conferunt, ut

church-doctrines on this subject were more fully developed by Thomas Aquinas.<sup>17</sup>

### § 78.

#### WORSHIP OF SAINTS.

To the crusades and the many new orders of monks is chiefly to

baptismus: *alia in remedium tantum sunt, ut conjugium: alia gratia et virtute nos fulciunt, ut Eucharistia et Ordo.* Still we see that this doctrine was not yet fully established. e. g. *Alex. Hales*, P. IV. Qu. 8, Art. 2, § 3: Cum septem sint sacramenta, propter quid sola duo instituta sunt a Domino secundum suam formam scil. baptismus et eucharistia? Dominus institutionem formam voluit nobis dare per seipsum in illis principalibus sacramentis nova legis, quia ista totum hominem uniuert in corpore ecclesiae secundum unitatem fidei et caritatis, cum digne suscipiuntur, etc. — *Formam vero in aliis, quae non ita videntur esse principalia, per ministros ecclesiae volunt ordinari.*

<sup>17</sup> *Thomæ Summa Theol.* P. III. Qu. 60 — 150, and Suppl. ad P. III. Qu. 1 — 68 (this last taken from his *Comm.* in *Sent.* lib. IV. Dist. 1 — 42). Examples of the progress of the doctrine: The *Sacramentum matrimonii* was founded only on Eph. v. 32, and the Scholastics were at a loss how to prove the *virtutem sacramentalem* therein; hence Lombardus (see note 16): *in remedium tantum esse* (agreeing with *Hugo a S. Victore de Sacram.* lib. II. P. XI.): of this *Thomas Aquinas* says in *Sent.* lib. IV. Dist. 2, Qu. 1, Art. 1: *Gratia, quæ in matrimonio confertur, secundum quod est sacramentum ecclesiae in fide Christi celebratum, ordinatur directe ad reprimendum concupiscentiam, quæ concurrit ad actum matrimonii: et ideo Magister dicit, quod matrimonium est tantum in remedium, sed hoc est per gratiam, quæ in eo confertur.* Notwithstanding this explanation, however, the article, *quod quædam Sacraenta nova legis instituta sunt in remedium tantum, ut matrimonium* was amongst those *Articuli*, in quibus Magister non tenetur (*d'Argentré*, T. I. p. 118). — Thus too there grew up the doctrine of *character*, of which we find not a word either in Lombard or Gratian. Augustine (contr. epist. *Parmen.* lib. II. c. 13, in *Gratian.* P. II. Caus. I, Qu. 1, c. 97) had compared the baptism and ordination by which any one was admitted to membership in the church, and the right to discharge the duties of a priest, to the *character militiae* (character regius, Epist. 185, § 23), or the *signum regale*, the mark that was imprinted on the arm or hand of soldiers. Thus too, Innocent III. (Deer. *Greg.* lib. III. Tit. 42, c. 3) speaks of a character, *qui in baptimate imprimitur.* But *Alexander Hales* (in *Sent.* lib. IV. Qu. 8, Membr. 8) makes this *character*, which was supposed to be imparted by the sacrament of baptism, confirmationis et ordinis, a subject of particular examination. *Bonarcentura* (in *Sent.* lib. IV. Dist. 6, P. 1) and *Thomas Aquinas* (*Summa*, P. III. Qu. 63) matured the doctrine. Thomas (l. c. Art. 2) confutes those who, by keeping too strictly to the original idea, were led to maintain, *quod character non sit spiritualis potestas, but only signum sanctum communionis fidei, et sanctæ ordinationis datum a hierarcha.* According to his views, on the contrary, character importat quandam potentiam spiritualem ordinatam ad ea, quæ sunt divini cultus, and (Art. 5) aliter est in anima gratia, et aliter character. Nam gratia est in anima, sicut quædam forma habens esse completum in ea: character autem est in anima sicut quædam virtus instrumentalis. — *Gratia inest animæ mutabiliter, character indelibiliter.* *Duns Scotus* (ad lib. IV. Dist. 6, Qu. 9, § 13) shows: licet characterem inesse animæ, non possit probari per rationem naturalem, — licet etiam ex creditis manifeste, sive quæ sunt explicite de substantia fidei, sive quæ continentur in scriptura, sive quæ manifeste per Sanctos sunt elicita ex creditis, non possit probari, tamen ponи potest, etc. Sentiendum est de sacramentis ecclesiæ, sicut sentit *Romana ecclesia*: *Romana autem ecclesia videtur sentire, characterem imprimi in anima in baptismo, sicut dicit Innoc. III. (see above): — Propter ergo solam auctoritatem Ecclesiæ, quantum occurrit ad præsens, est ponendum, characterem imprimi.*

be ascribed the multiplication of saints, old and new,<sup>1</sup> and their relics,<sup>2</sup> as well as of miracles,<sup>3</sup> which now became matters of almost daily occurrence. The countless legends of the saints everywhere show the love of wonders, and the rude notions of morality which characterize the age. The *Legenda Sanctorum* of the Dominican archbishop of Genua, James de Voragine († A. D.

<sup>1</sup> Many of the saints were transplanted from the East, e. g. St. Catherine (*Baianus ad Martyr.* Rom. p. 728), of whom it is very uncertain whether such a person ever lived. — Instances of canonization by the Pope (see above, § 62, note 9) in Schröckh, Th. 28, S. 173.

<sup>2</sup> Instances of the innumerable reliques, which the crusaders brought with them from Palestine, e. g. in *J. J. Chifleti* crisis hist. de l'ordre Christi sepulcral. c. 9 and 10. In the Lateran church in Rome A. D. 1280 (*Ptolemaeus Luc.* hist. eccl. lib. XXIII. c. 28) they showed capita Apostolorum, carnem circumcisionis domini nostri Jesu Christi, capillos b. Virginis, caput b. Agnetis, etc. — How much imposition was practised in this matter is evident from the prohibitions passed at the Syn. Pietav. ann. 1100, c. 12, Cone. Lateran. gen. IV. ann. 1215, c. 62, Cone. Burdegal. ann. 1255, c. 9. A sagacity and correctness of judgment on these subjects, quite unusual for the time, is seen in *Guiberti* (abbot of Nogent, † 1124), libb. II, de pignoribus Sanctorum in *Guiberti Opp.* ed. L. d'Achery. Paris. 1651. fol. p. 327 seq., extracts in Schröckh, Th. 28, S. 221 ff.

<sup>3</sup> See, e. g. *Petri Venerabilis* (see above, § 67, note 17) de miraculis sui temporis, libb. II. (in Bibl. PP. Max. T. XXII. p. 1087 seq.) and *Cæsarii Mon. Heisterbacensis* (about 1227) de miraculis et visionibus sua atatis, libb. XI. (ed. Colon. 1591 and 1599, 8vo.). The process see *Abælardi sermo XXXI.* de S. Joanne Baptista (Opp. p. 967): Quid ad hæc illi dicturi sunt, quos hoc tempore in tantum vidimus præsumere, ut de solitudine ad turbas procedentes, sicut de ficto religionis nomine tumebant ita et de simulatione miraculorum gratia videri mirabiles appetebant? Omitto contraetus et benedictiones aquarum, quas languidis in poculum dirigebant, ut sic curarentur, contrectationes vel consiguationes membrorum, ut dolores infirmantium expellerent, eulogias in panibus fractas et ad infirmos destinatas. Ad majora veniam, et summa illa miracula de resuscitandis quoque mortuis inaniter tentata. Quod quidem super præsumpsisse Norbertum et coapostolum ejus Farsitum mirati fuimus, et risimus. Qui diu pariter in oratione coram populo prostrati, et de sua præsumptione frustrati, cum a proposito confusi decidederent, objurgare populum impudenter cœperunt, quod devotioni sua et constanti fidei infidelitas eorum obsisteret. O callidatas incautorum! o excusatio frivola inexcusabilium! — Non ignoramus astutias talium, qui cum febricitantes a lenibus morbis curare præsumunt, pluribus aliqua vel in cibo vel in potu tribuant ut eurent, vel benedictiones vel orationes faciunt. Hoc utique cogitent, ut si quoquomodo curatio sequatur, sanctitatim eorum imputetur: sin vero minime, infidelitatem eorum vel deoperationi adscribatur. The Chron. Montis Sereni, ad ann. 1214 (in Mencken Script. Rer. Germ. T. II. p. 243) relates that a certain vicar at the cathedral in Halle, Petrus nomine, egit arte, quam ipse noverat, ut ad imaginem quandam crucifixi, qua in ipsa erat Ecclesia, sanitates conferre ægris adventantiibus putaretur. The matter made much noise and proved very profitable, the profits being shared by the archbishop of Magdeburg and the convent of Neuwerk. It went so far, ut Poppe Præpositus assidua prædicatione virtutes, quæ ibi fierent, populis intimaret, et contradicentes vel irridentes post excommunicationis quoque sententiam prohiberet. But when the original discoverer of the miracle left Halle, omnis ille virtutum effectus cum eo penitus emigravit. Constat enim nihil ibi talium postmodum accidisse. See also the derision of the Grammaticus *Buoncampagno* (about 1230) at the prevailing love of miracles, *Sarti de Professoribus Bonon.* T. I. P. II. p. 220. — *Alexander Halesius* in *Sent.* lib. IV. Qu. 53, Memb. 4, Art. 3, to the question: quid sit illud, quod quandoque appetat in specie carnis vel pueri in altari, an sit corpus Christi? gives the answer: quod caro vel sanguis in hujusmodi apparitione, quando a Domino est, est ipsius Domini. A Domino esse dico, quia hujusmodi apparitiones quandoque accidunt humana procuratione et forte diabolica.

1298), possessing both these characteristics in an eminent degree, was the favorite work on this subject.<sup>4</sup>

The tendency of this extravagant adoration of the saints to deify men and degrade God, was nowhere more strongly exemplified than in the worship of the Virgin Mary, common, not only amongst the vulgar,<sup>5</sup> but even with the most distinguished teachers of the time.<sup>6</sup>

<sup>4</sup> *Legenda aurea seu Historia Lombardica seu Legenda sanctorum per anni circuitum renientium* in 177 Abschn., before the Reformation often reprinted (Argent, as late as 1518). Characteristic of the work are the strange etymologies given of names, on which the history is sometimes grounded, e. g. no. II.: Andreas interpretatur decorus vel respondens vel virilis, ab andros, quod est vir. Vel dicitur Andreas quasi antropos i. e. homo, ab ana, quod est sursum, et tropos quod est conversio, quasi sursum ad coelestia conversus et ad suum creatorem erectus. Fuit ergo decorus in vita, respondens in sapienti doctrina, virilis in pena, et antropos in gloria. no. LXIII. vita Jacobi minoris: Vespasianus quoddam genus vernum naribus insitum ab infantia gerebat, unde a vespis Vespasianus dicebatur. He is told by a nuncius Pilati that by faith in Christ he could be healed. Et Vespasianus: Credo, quod qui mortuos suscitavit, me etiam de hac infirmitate liberae potest. Et haec dicendo vespae de ejus naribus eciderunt, et tunc continuo sanitatem recepit. After this, desirous of revenging the death of Jesus, Vespasianus Romam adiit et destruendi Iudeam et Jerusalem a Tiberio Cæsare licentiam impetravit, etc. Crude moral notions seen in no. XLVII.: St. Longinus, the soldier who transfixed Christ with his spear, was immediately after converted by the death of Christ: unde renuncians militiae et ab apostolis instructus in Cæsarea Cappadocia XXVIII. annos monasticam vitam duxit, verbo et exemplo plurimos ad Christum convertit. Cum autem a Praeside tentus fuisset et sacrificare nollet, jussit Praeses omnes dentes ei excuti, et linguan abscedi: Longinus tamen ex hoc loquela non perdidit, sed accepta securi omnia idola comminuit et fregit dicens: si Dii sunt, videbimus. Daemones autem de idolis exeuntes in Praesidem et in omnes ejus socios intraverunt, et insanientes et latrantes se Longini pedibus prostraverunt. — Cum ergo Praeses insaniret et oculos amississet, dixit ei Longinus: scito, quomodo sanari non poteris, nisi quando me occideris. Quam cito enim a te mortuus fueris, pro te orabo, et sanitatem tibi corporalem et animæ impetrabo. Et statim eum decollari jussit. Post hoc abiit ad corpus ejus et prostratus cum lacrymis penitentiam egit, et continuo visum et sanitatem recepit, et in bonis operibus vitam finivit.

<sup>5</sup> Comp. the Minnesingers: e. g. Reinmar v. Zweter (*Manessens Sammlung* von Minne-Ängern, Th. 2, S. 139), Meister Rumslaut (*Maness. Th. 2, S. 224*). See also Pescheck: der religiöse Glaube der gebildeten Laien in Deutschland u. s. w. namentlich im 13ten Jahrh. in *Staudlin's u. Tzschirner's Archiv für Kirchengesch.* Bd. 4, St. 3, S. 512 ff. How much the adoration of the Virgin partook of the spirit of chivalry, see in *Wielands Neuer deutscher Merkur* Dee. 1796, S. 329 ff. März 1797, S. 205 ff. God the Father is made her *Minne* or knight, see Pescheck, l. c. S. 490. e. g. Reimar v. Zweter (in *Maness. Th. 2, S. 123*):

Dur Minne wart der Alte jung,  
Der je was alt an Ende,  
Von Himmel tet er einen Sprung  
Herabe in dis Ellende, u. s. w.

Friderich v. Suonenburg (l. c. S. 210):

Sich Gotes Tochter, wiltu mich  
Nicht mielen Küniginne,  
So sage ich, was ein hoher Man  
Mit dir begangen hat.  
Er nam sich dir ze dienen an  
In minneklicher Minne.  
Er warb es tongen (secretly) wider dich,  
Do tet du swes er bat:  
Dir gieng sin Bet und siniu Wort

Still, the doctrine of the immaculate conception of the Virgin, invented by certain canons at Laon, in the year 1140,<sup>7</sup> and the festival established in honor thereof, met with strong opposition, not only from St. Bernard,<sup>8</sup> but from other distinguished men of the twelfth cen-

Durch Oren und durch Ougen,  
Aldar kam seiner Fröiden Hort  
Zu dir geslichen tougen.  
Er was dir inncklichen bi  
Mit Warheit sonder Spot,  
Doch wcis ich diner hulde dri (Trinity)  
Der da verholne pflege, und was des Gabriel din Bot.

The worship of Maria also assumed the character of a knightly service, see Wieland, I. c. See the Minnehed address to Mary by the Troubadour le Moine de Fossan in *Millot hist. des troub.* T. II. p. 221.

<sup>6</sup> Even Bernhard says (*Sermo in Nativ. b. Marie, de aqueductu*, § 7, in Opp. ed. *Mabillon*, T. II. p. 160): *Totis ergo medullis cordium, totis præcordiorum affectibus, et votis omnibus Mariam hanc veneremur, quia sic est voluntas ejus, qui totum nos habere voluit per Mariam.* — *Ad Patrem verebas accedere, solo auditu territus, ad folia fugiebas* (reference to Gen. iii. 7, 10): *Jesum tibi dedit mediatorem.* — *Sed forsitan et in ipso majestatem vereare divinam, quod licet factus sit homo, mancavit tamen Deus.* *Advocatum habere vis et ad ipsum?* *Ad Mariam recurre.* *Pura siquidem humanitas in Maria, non modo pura ab omni contaminatione, sed et pura singularitate naturæ.* *Nee dubius dixerim, exaudiatur et ipsa pro reverentia sua.* *Exaudiut utique matrem filius, et exaudiut filium pater.* *Filioli, haec peccatorum seala, haec mea maxima fiducia est, haec tota ratio spei meæ.* *Quid enim?* *Potestne filius aut repellere, aut sustinere repulsam:* *non audire, aut non audiri filius potest?* *Neutrum plane.* *Inrenisti, ait Angelus, gratiam apud Deum* (Lue. i. 30). *Feliciter.* *Semper haec inveniet gratiam, et sola est gratia, qua egemus, etc.* — The most inexhaustible in the praise of Mary, however, was Bonaventura, if he was the author of the works: *Speculum b. Marie Virginis, Corona b. Mar. Virginis, Carmina super canticum Salve Regina, Laus b. Virginis Mariae, Psalterium minus et Psalterium majus b. Mariæ Virginis* (all in Opp. T. VI. P. 2), which is disputed by *Oudinus* comm. de scriptt. eccl. T. III. p. 407, though without sufficient ground. The *Psalterium majus* is a parody of the *Psalter*: e. g. Psalm. 1: *Beatus vir qui diligit nomen tuum, Maria Virgo: gratia tua animam ejus confortabit.* *Tanquam aquarum fontibus irrigatum uber, in eo fructum justitiae propagabis.* *Benedicta tu inter mulieres, per eruditatem cordis sancti tui.* *Universas enim feminas vincis pulchritudine carnis: superas Angelos et Archangelos excellentia sanctitatis.* *Misericordia tua et gratia ubique prædicatur: Deus operibus mannum tuarum benedixit.* *Gloria Patri, etc.* Psalm. 93: *Deus ultionum Dor inus, sed tu Mater misericordie ad miserandum inflectis, etc.* Psalm. 109: *Dixit Dominus Dominata nostra: sede mater mea a dextris meis.* *Bonitas et sanctitas placeuerunt tibi: ideo regnabis mecum in æternum, etc.* — To reconcile these extravagances with the dogmas of the church, a distinction was made between *dulia* and *hyperdulia*, unknown in Lombard's time. *Thomas Summa*, P. III. Qu. 25, Art. 5. *Cum igitur b. Virgo sit pura creatura rationalis, non debetur ei adoratio latræ, sed solum veneratio dulia;* eminentius tamen, quam ceteris creaturis, in quantum ipsa est mater Dei. *Et ideo dicitur, quod debetur ei non qualiscunque dulia sed hyperdulia.* Idem *Secunda Secundæ Qu. 103, Art. 4:* *Hyperdulia videtur esse medium inter latram et duliam.* cf. *Alex. Halesius*, P. III. Qu. 30, Memb. 3, Art. 1. *Bonaventura* in *Sent. lib. III. Dist. 9, Art. 1, Qu. 3.*

<sup>7</sup> Mary had long been considered immaculate, but only as in *Paschasius Radb.* de partu Virg. (in *d'Achery* spicileg. T. I. p. 46) as sanctificata in utero matris.

<sup>8</sup> *Bernardi Epist. 174 ad Canonicos Lugdunenses:* — *Miramus satis, quid visum fuerit hoc tempore quibusdam vestrum voluisse mutare coloreum optimum, novam inducendo celebritatem, quam ritus Ecclesia nescit, non probat ratio, non commendat antiqua traditio. Nunquid Patribus doctiores ante devotiores sumus?* *Periculose præsumimus quicquid ipsorum in talibus prudentia præterivit.* *Nec vero id*

tury.<sup>9</sup> In the thirteenth century the festival (festa conceptionis) became gradually more common,<sup>10</sup> though still all the Schoolmen of

tale est, quod nisi praeterendum fuerit, Patrum quiverit omnino diligentiam præterisse. Ortum Virginis didici in Ecclesia et ab ecclesia indubitanter habere festum atque sanctum, firmissime cum Ecclesia sentiens, in utero eam accepisse, ut sancta prodiret. Et de Jeremia siquidem lego, quod priusquam de ventre exiret, sanctificatus sit (Jer. i. 5); et de Joanne Baptista non secus sentio, qui ex utero Dominum in utero sensit (Luc. i. 41). Videris etiam tu, an et de s. David idipsum licet opinari (from Ps. lxx. 6, 21, 11, 12). — Ceterum quatenus adversus originales peccatum huc ipsa sanctificatio valuerit, — non temere dixerim. Sanctificatos tamen non dubitaverim dicere, quos Deus sanctificavit, et cum eadem sanctificatione prolixi ex utero, quam accepunt in utero, nec reatum, quem in conceptione traxerunt, vobis uillatenus horum natali jam donatam præpedire seu præcipere benedictionem. — Fuit procudubio et Mater Domini ante sancta quam nata. Nec fallitur omnino s. Ecclesia, sanctum reputans ipsum Nativitatis ejus diem, et omni anno cum exultatione universæ terre votiva celebitate suscipiens. Ego puto, quod et copio-ior sanctificationis benedictio in eam descenderit, quæ ipsis non solum sanctificaret ortum, sed et vitam ab omni deinceps peccato custodiret immunem; quod nemini alteri in natu quidem nulierum creditur esse donatum. — Quid adhuc addendum his putamus honoribus? Ut honoretur, inquit, et conceptus, qui honorandum præxit partum; quoniam, si ille non præcessisset, nec iste esset, qui honoratur. Quid si alius propter eandem causam etiam utrique parenti ejus festos honores asserat deferendos? Sed de avis et proavis idipsum posset pro simili causa quilibet flagitare; et sic tenderetur in infinitum, et festorum non esset numerus. Patriæ est, non exilio frequentia hæc gaudiorum, et numero-itas festivitatum cives decet, non exiles. Sed profertur scriptum supernæ, ut ajunt, revelationis. Quia i et quivis non queat scriptum aequè producere, in quo Virgo videatur idipsum mandare et de parentibus suis. — Ipse mihi facile persuadero scriptis talibus non moveri, quibus nec ratio suppediture, nec certa inventur favere auctoritas. — Etsi quibus vel paucis filiorum hominum datum est eum sanctitate nasci, non tamen et concipi; ut uni sane servaretur sancti prærogativa conceptus, qui omnes sanctificaret, solusque absque peccato veniens, purgationem faceret peccatorum, etc.

<sup>9</sup> See Bernhard's contemporary *Poth Presb. Pruniensis* de statu domus Dei, lib. III, in fine (Bibl. max. Patr. T. XXI. p. 502): Quæ igitur ratio hæc festa celebranda nobis induxit, festum videlicet s. Trinitatis, festum transfigurationis Domini? Additur his a quibusdam, quod magis absurdum videtur, festum quoque conceptionis s. Mariæ. What he further says, is word for word from Bernhard's letter. About the year 1175, *Nicolaus Mon. S. Albani* in England, was a zealous defender of the immaculate conception of the virgin; but was reproved by *Petrus Cellensis*, then abbot of St. Remigius in Rheims, who defended the positions of Bernhard. See *Petri Cell. Epist. lib. VI. Ep. 23* (Bibl. PP. max. T. XXIII. p. 878), Lib. IX. Ep. 9 and 10 (ib. p. 902). — *Joannes Beleth* (see § 77) divin. offic. explicatio, c. 1t6: Festum conceptionis aliqui interdum celebrarunt, et adhuc fortassis celebrant; sed authenticum atque approbatum non est, immo vero prohibendum potius esse videtur. In peccato namque concepta fuit.

<sup>10</sup> cf. Conc. Oxoniense, ann. 1222, cap. 8: Statuimus quod festa subscripta sub omni veneratione serventur, videlicet — omnia festa b. Mariæ, præter festum conceptionis, ejus celebrationi non imponitur necessitas. It is found, however, without any such qualification in the list of festivals: Statuta Synodalia Eccl. Cenomanensis, ann. 1247 in fine (*Mansi* XXIII. p. 764) Conc. Coprianiacense, 1250 and 1260, cap. 21 (*Mansi* XXIII. p. 870), and Exoniense, ann. 1287, c. 23 (*Mansi* XXIV. p. 813). At the Capit. generale of the Franciscans at Pisa, A. D. 1263 (*Wadding*, ad h. a. no. 16), it was ordered, ut novæ hæ festivitates admittentur in Ordine, videlicet conceptionis b. Virginis Mariæ, Visitacionis ejusdem, b. Annæ illius genitricis, et Marthæ Virginis. (The collection of authorities on this subject by the Franciscan *M. Ant. Gravois* de ortu et progressu cultus ac festi immaculati conceptus b. Dei genitricis Virg. Mariæ, Lucæ. 1762, &c., is made with care, but without due distinctions, see especially the Summarium seu Documentorum regestum appended. In the passages there cited from older writers, the conceptio-

any distinction rejected the doctrine of the immaculate conception.<sup>11</sup> Having been condemned by Thomas Aquinas,<sup>12</sup> this doctrine would

b. Mariae is the *Concepcion activa s. Annuntiatio.*) In the thirteenth century, however, we find everywhere mentioned the festival of the *Concepcion*, not the *Cone. immaculata.* cf. *Thomæ Summa*, P. III, Qu. 27, Art. 2, in note 12. — *Durandi Rationale divin. offic. lib. VII. c. 7:* Quidam etiam faciunt quintum festum s. de conceptione b. Mariæ, dicentes, quod, sicut celebratur de morte Sanc'torum non propter mortem, sed quia tunc recepti sunt in nuptiis æternis, similiter potest celebrari festum de concepcione, non quia sit concepta, quia in peccato est concepta, sed quia mater Domini est concepta: asserentes, hoc fuisse revelatum cuiusdam Abbatii in naufragio constituto. Quod tamen non est authenticum, unde non est approbadum, cum concepta fuerit in peccato, seu per concubitum maris et feminæ.

<sup>11</sup> cf. *Alex. Iles.* P. III, Qu. 9. *Albertus M.* P. III, dist. 3. With whom *Bonaventura* in lib. III, Dist. 3, Pars. 1, agrees. He inquires first, Art. 1, *de sanctificatione Virginis quantum ad congruentiam temporis*, and determines Qu. 1, quod earo b. Virginis ante animationem non fuit sanctificata. Qu. 2: Quidam dicere volunt in anima gloriose Virginis gratiam sanctificationis prævenisse maculam peccati originalis. — Aliorum po-*itio* est, quod sanctificatio Virginis subsecuta est originalis peccati contractionem. — Hic autem modus dicendi communior est, et rationabilior et securior. — Huic ergo positioni adhærentes — teneamus secundum quod communis opinio tenet, Virginis sanctificationem fuisse post originalis peccati contractionem. Qu. 3: pro indubitate habet hoc Ecclesia, videlicet quod b. Virgo fuerit in utero sanctificata. — Si autem queratur, qua die vel hora sanctificata fuerit, hoc ignoratur; tamen probabiliter creditur, quod eito post infusionem animæ fuerit facta infusio gratia. Then Art. II. *de virtutis efficacia.* First Qu. 1. B. Virgo Maria per sanctificationis gratiam copiosam immunis fuit ab omni culpa actuali, tam mortali quam veniali. Qu. 2: In prima sanctificatione fuit fomes concupiscentiae in Virgine consitus, in secunda (Luc. i. 35) extinctus et eradicatus. Qu. 3: A massa peccati liberata fuit Virgo Maria in prima sanctificatione, liberata etiam fuit in secunda, sed in prima fuit conformis aliis sanctificatis (namely Jeremiæ, Joh. Baptistæ), in secunda vero facta est conformis filio, quem genuit.

<sup>12</sup> *Thomæ Summa Theol.* P. III. Qu. 27, Art. 1: De sanctificatione b. Mariæ, quod scilicet fuerit sanctificata in utero, nihil in Scriptura canonica traditur, quæ etiam nec de ejus nativitate mentionem facit. Sicut tamen (*Pseudo-*) Augustinus in sermone de assumptione ipsius Virginis rationabiliter argumentat, quod cum corpore sit assumpta in cœlum, quod tamen scriptura non tradit, ita etiam rationabiliter argumentari possumus, quod fuerit sanctificata in utero. Art. 2: Sanctificatio b. Virginis non potest intelligi ante ejus animationem, duplice ratione. Primo quidem, quia sanctificatio, de qua loquimur, non est nisi emundatio a peccato originali. — Culpa autem non potest emundari, nisi per gratiam, cuius subjectum est sola creatura rationalis. Et ideo ante infusionem animæ rationalis b. Virgo sanctificata non fuit. Secundo quia cum sola creatura rationalis sit susceptiva culpæ, ante infusionem animæ rationalis proles concepta non est culpæ obnoxia. Et sic quocumque modo ante animationem b. Virgo sanctificata fuisset, numquam incurrisset maculam originalis culpæ, et ita non indigueret redemptione et salute, quæ est per Christum. — Hoc autem inconveniens est, quod Christus non sit salvator omnium hominum. — Si numquam anima b. Virginis fuisset contagio originalis peccati inquinata, hoc derogaret dignitati Christi, secundum quam est universalis omnium salvator. — Licet Romana Ecclesia conceptionem b. Virginis non celebret, tolerat tamen consuetudinem aliquarum ecclesiârum illud festum celebrantium. Unde talis celebritas non est totaliter reprobanda. Nec tamen per hoc, quod festum conceptionis celebratur, datur intelligi, quod in sua conceptione fuerit sancta: sed quia, quo tempore sanctificata fuerit, ignoratur, celebratur festum sanctificationis ejus potius quam conceptionis in die conceptionis ipsius. Art. 3: Videtur dicendum, quod per sanctificationem in utero non fuerit sublatus b. Virginis fomes secundum essentiam, sed remanserit ligatus. — Postmodum vero in ipsa conceptione carnis Christi, in qua primo debuit resulgere peccati immunitas; credendum est, quod ex prole redundaverit in matrem, totaliter fomite subtracto. — Art. 4: Simpliciter fatendum est, quod beata Virgo nullum actuale peccatum

have been for ever put to rest but for Duns Scotus, who here also opposed the Dominican, and was the first of the Schoolmen who ventured to defend it.<sup>13</sup> It now became one of the most important points of controversy between the Thomists and Scotists, and the honor of the two great orders was involved in the question.

## § 79.

### FESTIVALS.

The two most important festivals, which were introduced in this period, have already been mentioned (of the Conception, § 77, and Corpus Christi, § 78). The time is well characterized by the revival of the Heathen Saturnalia,<sup>1</sup> which were annexed by the clergy to the

commisit, nec mortale, nec veniale, ut sic in ea impleatur, quod dicitur. *Cant. 4, 7:*  
*Tota pulchra es amica mea, et macula non est in te.*

<sup>13</sup> *Duns Scotus* in Sent. lib. III, Dist. 3, Qu. 1, § 9: *Deus potuit facere, quod ipsa nunquam fuisset in peccato originali; potuit etiam fecisse, ut tantum in uno instanti esset in peccato; potuit etiam facere, ut per tempus aliquod esset in peccato, et in ultimo illius temporis purgaretur.* — *Quod autem horum trium, quæ ostensa sunt esse possibilia, factum sit, Deus novit: si auctoritati Ecclesiæ, vel auctoritati scripturæ non repugnet, videtur probabile, quod excellentius, attribuere Mariæ.* More decidedly, but also still concisely, i. e. Dist. 18, Qu. 1, § 13: b. *Virgo mater Dei nunquam fuit inimica actualiter ratione peccati actualis, nec ratione originalis (fuisset tamen, nisi fuisset præservata).* It is commonly related on the authority of the Franciscans (*Wadding* ann. Minorum, ann. 1304, no. 34, *Bulæ hist. Univ. Paris. T. IV.* p. 71), that *Duns Scotus* afterwards defended the doctrine of the immaculate conception at Paris against two hundred Dominicans, in a public disputation, and thereby induced the university to pass a decree, ne ad ullos gradus Scholasticos admitteretur ullus, qui prius non juraret, se defensurum b. *Virginem a noxa originaria*, to which was added a votum de celebranda quotannis festivitate immaculatæ conceptionis. The oldest authorities for this, however, are the Franciscans *Bernardinus de Bustis* (about 1480) and *Pelbartus Temestarius* (about 1500), and the former, in his *Mariale*, dates this decree as far back as A. D. 1333; in the acts of the university we find nothing of it; it was not till A. D. 1380 that it was resolved by the university of Paris, quod a modo celebraretur festum conceptionis gloriose V. M. codem modo, quo et alia festa solent celebrari (*Bulæus*, i. e. p. 964); and not till 1387 that the university declared decidedly against the Dominicans (*Bulæus*, i. e. p. 618 seq.), cf. *d'Argentré collectio judiciorum de novis erroribus*, T. I. p. 335. The later Franciscans are themselves struck with the conciseness of their Doctor subtilis on the subject; and infer therefrom that his principal works concerning the immaculate conception are lost. cf. e. g. *Hugo Cavellus* in vita Scotti cap. ult.

<sup>1</sup> cf. *Saturnalia, Sigillaria, Kalenda Januarii.* We find prohibitions of councils against the Pagan celebration of these last as late as into the ninth century. See *Du Fresne* glossar. ad Scriptt. mediae et infimæ latinitatis s. v. *Cervula, Cervulus* and *Kalenda s. festum Kalendarum.* It was undoubtedly the remains of this which now grew into the festum stultorum. We must not, however, with *Du Fresne* s. v. *Kalenda*, refer to the festum stultorum the sixteenth canon of the Conc. Constantinop. œcum. VIII. ann. 869. The mockery of the church-festivals, there mentioned with so much abhorrence, was only the work of the frivolous emperor Michael III. (857—867), related by *Constantinus Porphyrogenitus*, in *Basilio*, no. 21, *Continuator Theophanidis*, lib. IV, no. 38, and *Symeon Logotheta* in *Michaële*, no. 18. This was a single act and meant in enmity to the church. More like the *Saturnalia* is that which *Georgius Cedrenus* in histor. compend. ed. Paris, p. 639, relates of Theophylact, patriarch of Constantinople in the tenth

festivals of the church, and a mockery of every thing holy allowed under this screen.<sup>2</sup> Various ordinances were passed in prohibition of such excesses, but they nevertheless became more and more frequent.<sup>3</sup>

cen'urū : οὐγὴν ἐκένον καὶ τὸ νῦν κοντοῦν ἔτος, ἐν ταῖς λαυτοῖς καὶ δημοτικίοις ισοτριῆς ὑβρίσεσθαι τοις Θεῖοις καὶ ταῖς τῶν ἀγίων μνήμαις διὰ λεγιονάτων ἀπορτῶν καὶ γελώντων καὶ παρεργίων κεραυνῶν, τιλημαίνων τὰν Θεῖαν θύμων. Αὐταὶ ταῦτα : τὰς Δυταναῖς ὁρχήστρες καὶ ταὶς ἀσκήσις κεραυνὰς καὶ ταὶς τρόδων καὶ χαμαίτυπείων ἡραντιμένα ἄσματα τελεσθαί έπειδεῖν.

<sup>2</sup> The first account we have of them is in *Jo. Beleth* in *Explicat. divin. officie*, cap. 70, de iis festivitatibus, quae Christi Nativitatem proxime sequuntur: Debent ergo vespera Natalis primo integre celebrari, ac postea convenienter diaconi quasi in tripudio, cantantque *Magnificat* cum Antiphona de S. Stephano,— et universum officium erastinum celebrant Diaconi, quod Stephanus fuerit Diaconus. — Sic eodem modo omne officium perficiunt sacerdotes ipso die b. Joannis, quia hic sacerdos fuerit, et pueri in ipso festo Innocentum, quia Innocentes pro Christo occisi sunt. Cap. 72: Festum Hypodiacorum, quod vocamus stultorum, a quibusdam perficitur in circumcisione, a quibusdam vero in Epiphania, vel in eius octavis. Fiant autem quatuor tripudia post nativitatem Domini in Ecclesia, Levitarum scilicet, Sacerdotum, Puerorum i. e. minorum aetate et ordine, et Hypodiacorum, qui ordo incertus est. Unde fit, ut ille quandoque annumeretur inter sacros ordines, quandoque non, quod expresse ex eo intelligitur, quod certum tempus non habeat, et officio celebretur confuso. (The sum of these two chapters is repeated by *Durandus Rationale divin. officie*, lib. VII. c. 42 in fine.) Cap. 120: Restat, ut— agamus—de quadam libertate Decembriæ, que hoc tempore in quibusdam locis observatur. Sunt nempe nonnullæ ecclesiæ, in quibus usitatum est, ut vel etiam Episcopi vel Archiepiscopi in cœnobitis cum suis ludant subditis, ita ut etiam sese ad lusum pilæ demittant. Atque haec quidem libertas ideo dicta est Decembria, quod olim apud Ethnicos moris fuerit, ut hoc mense servi et ancille et pastores velut quadam libertate donarentur, fierentque cum Dominis suis pari conditione, communia festa agentes post collectionem messium. Quamquam vero magna ecclesie, ut est Remenæs, hanc ludendi consuetudinem obseruant, videtur tamen laudabilius esse non ludere. The most famous for this wild mockery of church-ceremonies were the *festum innocentum* (cf. *F. A. Durr* comtu. hist. de Episcopo Puerorum; vulgo the *school-boy's bishop*. Mogunt. 1755. 4to. In Mayence this festival has been kept up to the present time) and the *festum hypodiacorum* (cf. *Du Tiliot* memoires pour servir à l'histoire de la fete des foux. A Lausanne et à Geneve. 1751. 8vo.) *Du Fresne* s. v. Kalendæ and Abbas Cornadorum. The greatest excesses of this kind, however, are found in the following century. In some places, for example in Ronen, there was an Asses-feast on Christmas day; in other places, as in Beauvais, the same feast was celebrated on the 14th of June, to commemorate the flight from Egypt. cf. *Du Fresne* s. v. Festum asinorum.— Another festival, with similar excesses of the clergy, was celebrated in Evreux, on the 1st of May, as early as 1200, *Du Tiliot*, l. c. p. 26 seq.

<sup>3</sup> The first ordinance against them was that of 1198, by the papal legate Cardinal Peter, addressed to Odo, bishop of Paris, and by him published (ed. *Petrus de Gusanvilla* in Append. ad *Petri Blesensis Opp.* and thence in *Bibl. max. Patrum* T. XXIV. p. 1370); didicimus, quod in festo circumcisionis Dominicæ in eadem Ecclesia [Parisiensi] tot consueverunt enormitates et opera flagitiosa committi, quod locum sanctum, in quo gloria Virgo grata sibi mansionem elegit (the church of Notre Dame), non solum fodiunt verborum, verum etiam sanguinis effusione plerumque contingit inquinari; et eatenac ad inventio tam perniciose temeritatis invaluit, ut sacratissima dies, in qua mundi Redemptor voluit circumcidendi, festum fatuorum nec immerito generaliter consueverit appellari. After this, 1199, a decree of Odo's concerning the suitable celebration of the Circumcisio Dom. and the festival of St. Stephen (quoniam festivitas b. Protomartyris Stephani ejusdem fere subjacebat dissolutionis et temeritatis incommodo); which decrees were confirmed by *Petrus Cambius*, the next bishop, A. D. 1208 (both l. c.). Still in the year 1212 the Conc. Paris. Pars. IV. c. 16 (*Mansi* XXII. p. 842), had again to decree: A festis vero follorum, ubi baculus accipitur, omnino abstineatur. Idem fortius monachis et monialibus prohibemus. — Innocent III. A. D. 1210 (Deer.

## § 80.

## SERMONS.

In the mean time, the more intellectual part of public worship, the sermon, had either fallen entirely into disuse, or was of very little service. The sermons of the time are either full of dialectic subtleties, or obscure mysticism; faults, from which not even Bernhard and Bonaventura, with all their fervor and true unction, are wholly free.<sup>1</sup>

How little accustomed the people were to searching and well-directed discourses, is seen in the wonderful success of Fulco, a priest in Neuilli, in the diocese of Paris († 1202),<sup>2</sup> and of Berthold, a Franciscan in Ratisbonne († 1272).<sup>3</sup>

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Greg. lib. III. Tit. I. cap. 12): Interdum ludi fiunt in ecclesiis theatrales, et non solum ad ludibriorum spectacula introducuntur in eis monstra lavarum, verum etiam in aliquibus anni festivitatibus, quæ continue natalem Christi sequuntur, diaconi, presbyteri, ac subdiaconi vicissim insanæ sue ludibria exercere præsumunt, per gesticulationum suarum debacchationes obscenas in conspectu populi decus faciunt clericale vilescere, etc. Statuta Ecel. Nivernensis, ann. 1246, cap. 3 (*Martene thes. Anedot. T. IV. p. 1069, Mansi XXIII. p. 731*): Quia in festo stultorum, scil. Innocentium et anni novi, in ecclesia vestra multa fiunt — in honesta, sub pena excommunicationis inhibemus districte, ne talia festa irrisoria de cetero facere præsumant. Conc. Copriniacense, ann. 1260, cap. 2 (*Mansi XXIII. p. 1033*): Cum in ballelatione (dancing), quæ in festo ss. Innocentium in quibusdam ecclesiis fieri inolevit, multa rixæ, contentiones et turbationes — consueverint provenire, prædictas ballelationes ulterius sub intimatione anathematis fieri prohibemus, necnon et episcopos in prædicto festo creari; cum hoc in ecclesia Dei ridiculum existat, et hoc dignitatis episcopalnis ludibrio fiat. These prohibitions producing no effect, such extravagances were at length winked at. Conc. Saltzburgense, ann. 1274, cap. 17: Ad hæc quidam ludi noxiæ, quos vulgaris clœtio Episcopatus puerorum appellat, in quibusdam Ecclesiis exercentur adeo insolenter, quod nonnunquam enormes culpæ et damna gravia subsequuntur. Ex ipsis hos ludos in Ecclesiis et a personis ecclesiasticis de cetero fieri prohibemus, nisi forte parvi sexdecim annorum et infra fuerint, qui hujusmodi ludos exercent, quibus alii seniores ipsi nullatenus se misceant aut intersint. *Ordinationes Joannis Cantuar. Archiep. in domibus religiosis*, ann. 1279 (*Mansi XXIV. p. 264*): Puerilia solemnia, quæ in festo solent fieri Innocentium, post vesperas s. Joannis tantum inchoari permittimus, et in crastino in ipsa die Innocentium totaliter terminentur.

<sup>1</sup> See Schröckh, Th. 29, S. 311 seq.

<sup>2</sup> Of him, *Jacobi a Vitriaco hist. occident. c. 6*: He appeared in Paris as a preacher, cap. 8, et exinde alii tam Doctores quam discipuli ad ejus ritudam et simplicem prædicationem concurrebant. Alter alterum invitabat, — dicentes: Venite et audite Fulconem presbyterum, tanquam alterum Paulum. See Wilken's Gesch. d. Kreutzzüge, Th. 5, S. 93.

<sup>3</sup> Of him, especially *Joannes Vitoduranus* (a Franciscan, † 1348) in Chron. ad ann. 1265. Wonderful effects of his preaching, cf. *Wadding*, ad ann. 1272, no. 16 — 21. Müller's *Schweizergeschichte*, Th. 1, S. 530. — Berthold, des Franciscaners deutsche Predigten, theils vollständ, theils in Auszügen (aus einem Heidelberger Codex), herausgez. von C. F. Kling. Berlin. 1824. 8vo. — Grimm's Anzeige in d. Wiener Jahrbüchern, Bd. 32 (1825) S. 194 seq.

## CHAPTER SIXTH.

CHANGES IN THE DISCIPLINE IN THE CHURCH, OCCASIONED BY CORRESPONDING CHANGES IN THE DOGMATICAL VIEWS.

## § 81.

## OF CONFESSION.

*Jo. Morini* commentarius hist. de disciplina in administratione sacramenti pœnitentiae. Paris. 1651. Antverp. 1682. fol. *Jo. Dallæi* disp. de sacramentali s. auriculari Latinorum confessione. Genev. 1661. 4to.

UNTIL the twelfth century the confession of private sins had not been considered an indispensable condition of forgiveness,<sup>1</sup> but only a means of amendment; and no peculiar power of absolution being attributed to the priests,<sup>2</sup> it was allowable to confess also to laymen.<sup>3</sup>

<sup>1</sup> See above, § 19, note 2. — *Abælardi Ethica*, c. 25 (*Pezii Anecd. T. III. P. II.*, p. 675), where it is shown, *Quod nonnunquam confessio dimitti potest*. Especially, however, see the two great teachers of the time, Gratian and Peter Lombard. The first in his *Tractatus de pœnitentia* (i. e. P. II. Causa 33, Qu. 3), Dist. 1, proposes at the outset the question: *Utrum sola cordis contritione et secreta satisfactione absque oris confessione quisque possit Deo satisfacere?* with the remark: *Sunt enim, qui dicunt, quemlibet criminis veniam sine confessione facta ecclesia et sacerdotali iudicio posse promereri, juxta illud Ambrosii super Lucam ad cap. 22, etc.* The authorities for this opinion he gives can. 1–37, and himself subscribes to it, e. g. ad can. 34: *Hinc etiam, ut Dominus ostenderet, quod non sacerdotali iudicio, sed largitate divinæ gratiæ peccato emundatur, leprosum tangendo mundavit, et postea sacerdoti sacrificium ex lege offerre precepit.* Leprosus enim tangitur, cum respectu divinæ pietatis mens peccatoris illustrata compungitur. — *Leprosus semetipsum sacerdoti representat, dum peccatum suum sacerdoti pœnitens confitetur.* *Sacrificium ex lege offert, dum satisfactionem ecclesiae iudicio sibi impositam factis exsequitur.* Sed antequam ad sacerdotem perveniat, emundatur, dum per contritionem cordis ante confessionem oris peccati venia indulgetur. He thus closes this first section ad can. 37 also: *Fit itaque confessio ad ostensionem pœnitentiae, non ad impetrationem veniæ.* He then, can. 38–89, produces their arguments who maintain, sine confessione oris et satisfactione operis neminem a peccato posse mundari, si tempus satisfaciendi habuerit; but shows, ad can. 87, that it does not follow from the authorities quoted, latentia peccata sacerdoti necessario confitenda, et ejus arbitrio expianda. He says, however, in conclusion, ad can. 89: *Cui harum (sententiarum) potius adhærendum sit, lectoris iudicio reservatur.* Utraque enim fautores habet sapientes et religiosos viros. The same questions are treated by *Petrus Lombardus Sent. lib. IV. dist. 17*: *Primo queritur, utrum absque satisfactione et oris confessione per solam cordis contritionem peccatum aliqui dimittatur:* Secundum, an aliquando sufficiat confiteri Deo sine sacerdote: tertio, an laico fidei facta valeat confessio. In his enim etiam docti diversa sentire inveniuntur, quia super his varia ac pene adversa tradidisse videntur Doctores. On the second question he gives the arguments on both sides, but decides, oportere Deo primum, et deinde sacerdoti offerri confessionem, nec aliter posse perveniri ad ingressum Paradisi, si adsit facultas.

<sup>2</sup> This is seen also therein that in the thirteenth century the priests used only the *forma absolvendi deprecatoria*. Such *Orationes ad dandam pœnitentiam* may be found in the old Roman Penitentials in *Canisii lectt. ant. ed. Basnage*, Vol. II. T. 2, p. 122, and *Eus. Amort de origine indulgentiarum*, Aug. Vind.

But after Confession had been included amongst the Sacraments (see § 77), the opposite views began to prevail,<sup>4</sup> at first only in opinions, but afterwards sanctioned by the ordinance of Innocent III. that every one should confess to a priest at least once in every year.<sup>5</sup>

1735, p. 17. e. g. the penitent says: *Obnixe etiam te, Sacerdos Dei, exposco, ut intercedas pro me et pro peccatis meis ad Dominum Deum nostrum, quatenus de his et aliis omnibus sceleribus meis veniam et indulgentiam per merita et intercessiones omnium Sanctorum assequi merear.* *Tunc dicat sacerdos:* Misereatur tui omnipotens Deus, et dimittat tibi omnia peccata tua, liberet te ab omni malo, conservet te in omni bono, et perdueat nos pariter Jesus Christus Filius Dei in vitam aeternam. Ab omni malo custodiat nos omnipotens Dominus. cf. *Morinus*, I. c. lib. VIII. c. 8—13. The transition to the later view shown by *Petrus Lomb.* Sent. lib. IV. dist. 18: *Hoc sane dicere ac sentire possumus, quod solus Deus dimitit peccata et retinet: et tamen ecclesiæ contulit potestatem ligandi et solvendi.* Sed aliter ipse solvit vel ligat, aliter ecclesia. Ipse enim per se tantum dimitit peccatum, quia et animam mundat ab interiori macula, et a debito aeternæ mortis solvit. Non autem hoc sacerdotibus concessit, quibus tamen tribuit potestatem solvendi et ligandi, i. e. *ostendendi hominibus ligatos vel solutos.* Unde dominus leprosum sanitati prius per se resituit, deinde ad sacerdotes misit, quorum judicio ostenderetur mundatus. — Quia etsi aliquis apud Deum sit solutus, non tamen in facie ecclesiæ solutus habetur, nisi per judicium sacerdotis. In solvendis ergo culpis vel retinendis ita operatur sacerdos evangelicus et judicat, sicut olim legalis in illis, qui contaminati erant lepra, quæ peccatum signat. Unde *Hieronymus super Matth.* vi. 19: *Hunc, inquit, locum quidam non intelligentes, etc.* (§ 102, note 17) comp. *Stephanus Obazinensis*, below, § 82, note 6.

<sup>3</sup> *Petrus Lomb.* Sent. lib. IV. dist. 17, de tertio articulo (see above, note 1, at the end) decides on the authority of Augustin's supposed work *de vera et falsa paenitentia*: Sacerdotis examen requirendum est studiose, quia sacerdotibus concessit Deus potestatem ligandi atque solvendi, et ideo quibus ipsi dimitunt, et Deus dimitit. Si tamen defuerit sacerdos, proximo vel socio est facienda confessio. *Albertus M.* in Sent. lib. IV. Dist. 17, art. 58 and 59, pronounces such a Confessio to be also sacramentalis.

<sup>4</sup> Founded chiefly on the work attributed to Augustine, in the eleventh or twelfth century, *de vera et falsa paenitentia* (in Append. Tomi VI. of the Benedictine edition), which is hardly mentioned either in the decree of Gratian or the *Sententiae* of Lombard, and hence is frequently cited by all the Scholastics. Comp. the admonitions to confess often, and to confess all, then § 25: quibus sacerdotes remittunt, remittit Deus; potestas solvendi concessa sacerdotibus; in cases of necessity it is indeed allowable to confess to the laity, for *Dei misericordia est ubique, qui et justis novit parecere, etsi non tam cito, sicut si solverentur a sacerdoti.* Finally the theory: lit per confessionem veniale, quod criminale erat in operatione s. mortale. § 34: prius purgandus est igne purgationis, qui in aliud saeculum distulit fructum conversionis. — Quædam enim peccata sunt, quæ sunt mortalia, et in paenitentia fiunt venialia, non tamen statim sanata, etc.

<sup>5</sup> Cone. Later. ann. 1215, can. 21: *Omnis utriusque sexus fidelis, postquam ad annos discretionis pervenerit, omnia sua solus peccata confiteatur fideliter, saltem semel in anno, proprio sacerdoti, et injunctam sibi paenitentiam studeat pro viribus adimplere, suscipiens reverenter ad minus in Pascha eucharistie sacramentum;* nisi forte de consilio proprii sacerdotis ob aliquam rationabilem causam ad tempus ab ejus perceptione duxerit abstinentem; alioquin et vivens ab ingressu ecclesiæ arceatur, et moriens Christiana caret sepultura. — Si quis autem alieno sacerdoti voluerit justa de causa sua confiteri peccata, licentiam prius postuleat et obtineat a proprio sacerdote, cum aliter ille ipse non possit solvere vel ligare. Sacerdos autem sit discretus et canticus, ut more periti medici superinfundat vimum et oleum vulneribus sauciatis; diligenter inquirens et peccatoris circumstantias et peccati, per quas prudenter intelligat, quale illi consilium debeat exhibere, et cuiusmodi remedium adhibere, diversis experimentis utendo ad sanandum ægrotum. Caveat autem omnino, ne verbo, vel signo, vel alio quovis modo prodat aliquatenus peccatorem, sed si prudentiori consilio indiguerit, illud absque ulla expressione personæ

From this time the notion grew up that confession was the only means of obtaining the forgiveness of deadly sins;<sup>6</sup> and that the

caute requirat; quoniam qui peccatum in penitentiali judicio sibi detectum præsumperit revelare, non solum a sacerdotali officio deponendum decernimus, verum etiam ad agendam perpetuam penitentiam in arctum monasterium detrudendum.

<sup>6</sup> See especially *Thomas in Summa theol.* P. III. Qu. 84–90, and *Supplementum tertie Partis*, Qu. 1–20. In particular *Suppl.* P. III. Qu. 6, Art. I, to the question: Utrum confessio sit necessaria ad salutem? *Passio Christi*, sine cuius virtute nec originale nec actuale peccatum dimittitur, in nobis operatur per sacramentorum susceptionem, quæ ex ipsa efficaciam habent. Et ideo ad culpe remissionem, et actualis, et originalis, requiritur sacramentum Ecclesiæ, vel actu susceptum, vel saltem voto, quando articulus necessitatibus, non contemptus, sacramentum excludit; et per consequens illa sacramenta, quæ ordinantur contra culpam, cum qua salus esse non potest, sunt de necessitate salutis. Et ideo sicut baptismus, quo deletur originale, est de necessitate salutis, ita et pœnitentia sacramentum. Sicut autem aliquis per hoc, quod baptismum petit, se ministris Ecclesiæ subjicit, ad quos pertinet dispensatio sacramenti; ita etiam per hoc, quod confitetur peccatum suum, se ministro Ecclesiæ subjicit, ut per sacramentum pœnitentia ab eo dispensatum remissionem consequatur; qui congruum remedium adhibere non potest, nisi peccatum cognoscat, quod fit per confessionem peccantis. Et ideo confessio est de necessitatibus salutis ejus, qui in peccatum actuale mortale cecidit. Art. 3: Utrum omnes ad confessionem teneantur? Ad confessionem duplice obligantur. Uno modo ex jure divino,—et secundum hoc non omnes teneantur ad confessionem, sed illi tantum, qui peccatum mortale incurruunt post baptismum. Alio modo ex præcepto juris positivi, et sic teneantur omnes ex institutione Ecclesiæ, edita in Concilio generali sub Innocentio III. (see above, note 5). — Ex vi sacramenti non tenetur aliquis venialis confiteri, sed ex institutione Ecclesiæ, quando non habet alia quæ confiteatur. Qu. 10, Art. 2: Utrum confessio liberat aliquo modo a pena? Confessio simul cum absolutione habet vim liberandi a pena duplice. Uno modo ex ipsa vi absolutionis, et sic quidem liberat in voto existens a pena aeterna, sicut etiam a culpa; quæ quidem pena est pena condemnans, et ex toto exterminans; a qua homo liberatus, adhuc manet obligatus ad penam temporalem, secundum quod pena est medicina purgans et promovens; et sic hæc pena restat in purgatorio patienda etiam his, qui a pena inferni liberati sunt. — Alio modo diminuit penam ex ipsa natura actus confitentis, qui habet penam erubescientiam annexam; et ideo quanto aliquis pluries de ipsis peccatis confitetur, tanto magis pena minuitur. At first there was a feeling in the church that these provisions were new, cf. *Glossa ad Tract. de pœnitentia* (i. e. *Gratiani Decret.* P. II. Caus. 33, Qu. 3), Dist. V. on the question: Quando oris confessio fuerit instituta? Dicunt quidam institutam fuisse in Paradiso (namely, Gen. iii, 9). — Alii dicunt, quod sub lege fuit primo instituta, quando Josua præcepit Achan crimen suum confiteri (*Jos. vii, 19*). Sed melius dicitur, eam institutam fuisse a quadam universalis Ecclesiæ traditione potius, quam ex novi vel veteris testamenti auctoritate. — Ergo necessaria est confessio in mortalibus apud nos, apud Græcos non, quia non emanavit apud illos traditio talis. — Illud ergo Jacobi: *Confitemini alterutrum peccata vestra* (*Jac. v, 16*) fuit consilii primo; alioquin ligaret et Græcos, non obstante eorum consuetudine. Further *Bonaventura* in *Sent. lib. IV. Dist. 17, P. 2*. *Exposit.* textus to Lombard's words: *Quibusdam visum est sufficere, si soli Deo fiat confessio: Quæritur hic, utrum tales fuerint hæretici. Et quod non, videtur, quia Magister recitat hoc tamquam opinionem probabilem. Sed contra hoc est, quia negans confessionem negat absolutionem, ac per hoc negat clavum virtutem, et ita manifeste est contra scripturam, et ita contra fidem.* — *Resp.* Dicendum, quod si quis esset modo hujus opinonis, esset hæreticus judicandus, quoniam in concilio generali hoc determinatum est sub Innocentio III. Sed ante hanc determinationem hoc non erat hæresis, quia ipi non negabant clavum potestatem, sed negabant necessitatem; et bene concedebant, quod utile erat confiteri, et sacerdotes poterant absolvere. Ideo Magister et Gratianus in *Decretis* hoc referunt tamquam opinionem; tamen uterque (?) improbat hoc, et determinat in contrarium. Et si quis pertinaciter assereret contrarium, esset hæreticus judicandus. — On the other hand, *Duns Scotus* in *Sent. Lib. IV. Dist. 17, Qu. 1*: *Si teneatur, quod confessio non cadit nisi sub præcepto Ecclesiæ, non potest faciliter*

priest, as God's representative, could bestow such forgiveness,<sup>7</sup> and

improbari. nisi qui vel Ecclesia non attentasset tam arduum præceptum imponere omnibus Christiani, nisi esset præceptum divinum, vel quia non invenitur, ubi ab Ecclesia imponatur istud præceptum, quin ante hoc sancti reputarent, hoc præceptum de confessione obligare. As to the Cap. *Omnis utriusque sexus* (see note 5), ante illud tempus p'r multos annos fuit Augustinus plus quam per octingentos annos, qui praedicavit confessionem valde esse necessariam; ut patet in libro suo de vera et falsa penitentia (see above, note 4). He then attempts to refute the *Gloss ad Tract. de penit. Dist. V.* (see above) (e. g. with reference to the Greeks: multas laudabiles consuetudines omiserunt, ex quo ab Ecclesia recesserunt, et istam non solum laudabilem, sed etiam necessariam, potuerunt omittere) and concludes: *Breviter, videtur rationabilius tenere, quod confessio cadat sub præcepto divino positivo.* — It was generally held that confession was indispensably necessary for the forgiveness of great sins only; as to the *peccata venialia* they appealed to the dogma of Augustine, cited by Lombard, lib. IV. Dist. 16: *De quo'idianis levibusque peccatis, sine quibus hæc vita non ducitur, quotidiana oratio fidelium satisfacit.* *Duns Scotus* ad lib. IV. Dist. 17, Qu. 1, § 24, disputes, therefore, their opinion (e. g. *Thomas Aquinas*, see above, Suppl. P. III. Qu. 6, Art. 3), who maintain, that when there is no great sin, propter præceptum Ecclesie tenetur in illo casu ad venialium confessionem; and even maintains: *Nec aliquis tenetur ad aliquam contritionem de venialibus;* immo in actuali voluntate vel actu venialis meriens salvabitur, vapulabit tamen.

7 Lombard's view (see above, note 2) that sacerdotes non habere potestatem ligandi atque solvendi, sed ostendendi homines esse solutos, sive ligatos, was attacked so early as by *Richardus a S. Victore* in the tract. *de potestate ligandi et solvendi*, cap. 12 (adopting the views of *Hugo a S. Victore de Sacram.* lib. II. Par. XIV. c. 8); he calls it sententiam tam frivolam, ut ridenda videatur potius, quam refellenda. But even this last view did not satisfy the later writers on the subject, inasmuch as it attributed to the priests only potestatem remittendi peccata, quantum ad liberationem poenæ only, reserving to the Deity the liberationem a culpa per gratiam divinitus infusam. On the other hand, *Thomas* in Summa Suppl. P. III. Qu. 18, Art. 1: *Utrum potestas clavium se extendat ad remissionem culpe?* *Virtus clavium operatur ad culpe remissionem* — *sicut et aqua baptismi.* Sed sicut bapt'ismus non agit sicut principale agens, sed sicut instrumentum, non quidem pertingens ad ipsam gratia susceptionem causandam etiam instrumentaliter, sed disponens ad gratiam, per quam fit remissio culpe; ita est de potestate clavium. Unde solus Deus remittit per se culpam, et in virtute ejus agit instrumentaliter baptismus, ut instrumentum inanimatum; et sacerdos, ut instrumentum animatum. — Et sic patet, quod potestas clavium ordinatur aliquo modo ad remissionem culpe, non sicut causans, sed sicut disponens ad eam. Unde si ante absolutionem aliquis non fuisset perfecte dispositus ad gratiam suscipiendam, in ipsa confessione et absolutione sacramentali gratiam consequeretur, si obiceum non poneret. Hence he explains secundum opinionem qua' sustinetur communis the potestas remittendi peccata of the priests so, ut significent divinam operationem ad remissionem culpe praesente, et ad ipsam aliiquid dispositive et instrumentaliter operentur. Art. 2: *Utrum sacerdos possit remittere peccatum quoad poenam?* — Illi, qui per contritionem con-equatus est remissionem peccatorum, quantum ad culpam, et per consequens quantum ad reatum poenæ aeternæ, qua' simul cum culpa dimittitur ex vi clavium, ex passione Christi efficaciam habentium, augetur gratia, et remittitur temporalis pena, cuius reatus adhuc remanserat post culpæ remissionem: non tamen tota, sicut in baptismo, sed pars ejus. — In baptismo — fit per gratiam baptismalem novus homo, et ideo nullus reatus poenæ in eo remanet pro praecedenti peccato. Sed in penitentia homo non mutatur in aliam vitam, quia non est regeneratio, sed sanatio quadam; ideo ex vi clavium — non tota pena remittitur, sed aliiquid de pena temporali, cuius reatus post absolutionem a pena aeterna remanere potuit. Hence in the thirteenth century the *forma absolvendi deprecatoria* (see above, note 2) was changed into the *indicativa*: *Ego absolvō te*, etc. Thomas had to defend this change, however, against an anonymous writer, see the *Opusc. XXII. de forma absolucionis.* It was maintained on the other side (cap. 5), quod non debet sacerdos dicere "Ego te absolvō," tum quia hoc pertinet ad potestatem Dei, tum quia sacerdoti incertum est, an

only the priest.<sup>8</sup> Hence the custom of confessing to laymen ceased of itself.<sup>9</sup> These changes were submitted to without difficulty by the people, as it was not yet customary to impose any severe inflictions on the penitent.<sup>10</sup>

ille absolvatur. Addit etiam objicendo, quod vix XXX anni sunt, quod omnes haec sola forma utebantur “*Absolutionem et remissionem tribuat tibi Deus.*” Sed quomodo de omnibus potest testimonium perhibere, qui omnes non vidi? Comp. *Thomae Summa*, P. III, Qu. 84, Art. 3: Utrum haec sit forma hujus sacramenti: Ego te abservo? e. g. In sacramentali absolutione non sufficeret dicere “*Misereatur tui omnipotens Deus,*” vel “*Absolutionem et remissionem tribuat tibi Deus:*” quia per haec verba sacerdos ab oblatione non significat fieri, sed petit ut fiat. Premititur tamen etiam in sacramentali absolutione talis oratio, ne impediatur effectus sacramenti ex parte penitentis.

<sup>8</sup> *Thomas in Summa Suppl.* P. III, Qu. 8, Art. 1: Gratia, quae in sacramentis datur, a capite in membra descendit: et ideo solus ille minister est sacramentorum, in quibus gratia datur, qui habet ministerium super corpus Christi verum: quod solius sacerdotis est, qui consecrare Eucharistiam potest. Et ideo cum in sacramento pénitentiae gratia conferatur, solus sacerdos minister est hujus sacramenti: et ideo ei soli facienda est sacramentalis confessio, quae ministro Ecclesiae fieri debet.

<sup>9</sup> The gradual change may be traced: Albertus M. granted that the confession to the laity was a *confessio sacramentalis* (see note 3), but Thomas (Supplementum Partis Summae, Qu. VIII, Art. 2) makes it to be only *quodammodo sacramentalis* by the following argument: In sacramento pénitentiae non solum est aliquid ex parte ministri, scilicet absolutione et satisfactionis injunctio: sed etiam ex parte ipsius, qui suscipit sacramentum, quod est etiam de essentia sacramenti, sicut contrito et confessio. — Sed quando necessitas imminet, debet facere pénitentem, quod ex parte sua est, scilicet confiteri et confiteri, cui potest: qui quamvis sacramentum perficere non possit, ut faciat id quod ex parte sacerdotis est, absolutionem scilicet: defectum tamen sacerdotis summus sacerdos supplet. Nihilominus confessio ex defectu sacerdotis laico facta sacramentalis est quodammodo: quamvis non sit sacramentum perfectum, quia deest ei id quod est ex parte sacerdotis. On the other hand *Bonaventura in Sent. Lib. IV. Dist. 17. Pars 3. in exposit. textus, Dub. 1:* dicunt (aliqui), quod talis confessio quodammodo est sacramentum Ecclesiae. Probabilius tamen est dicere, quod non sit sacramentum Ecclesiae, eum detineat ibi formale, scilicet potestas elavis, sed est aliquid loco ejus. Finally, Duns Scotus, in *Lib. IV. Dist. 17. Qu. 1. § 27:* Talis confessio potest esse materia verecundiae, qua est una pena debita peccato: et in hoc confitens solvit aliquam pénitentiam, quam solveret, si confiteretur sacerdoti. Sed quia accusatio ad hoc ex praecepto fit, et non ad aliud, ut sequatur sententia, et laicus nullam habet sententiandi auctoritatem in isto foro; sequitur, quod nullum praeceptum est de accusando se laico: et forte utilius esset non accusare se illi, si posset aequaliter verecundiam habere apud se recogitando eadem peccata, et sic aequo puniri. — Viro discreto, qui bene sciret, ad quid est confessio instituta, nec forte utile foret, nec (sine forte) necessarium, talem confessionem facere. That such a confession was customary in case of need as late as 1250, is proved by the instance in *Joinville hist. de s. Louis* (in the Collection des Mémoires relatifs à l'hist. de France depuis Philippe-Auguste par M. Petitot, Tom. II. (Paris. 1819. 8vo.) p. 296). Joinville and his comrades being in captivity, and expecting instant death, he relates: Enouste moy se agenoilla messire Guy d'Ebelin, connestable de Chippre, et se confessa à moy: et je lui donnay telle absolucion, comme Dieu m'en donnoit le povoir.

<sup>10</sup> *Robertus de Flainmesburg, Canon. S. Victoris* (about 1180) in Pénitentiali: Si pénitent canonieam non vult recipere pénitentiam, i. e. a canonibus institutam, diligenter admoneo, ne animam suam ullo modo laedat, et promptissimum me offero ad quantamlibet pénitentie alleviationem. — *Petrus Pictaviensis Canon. S. Victoris* (about 1180) in Pénitentiali: Non videtur, quod pro peccatis oculis debeat pénitent aliquis arectari præcise ad aliquod genus satisfactionis nolens, sed redimere potest, vel aliter compensare. — *Raymundus de Pennaforti* summa de pénitentia et matrimonio, § 41: Ex his poterit quis invenire processum ad satisfac-

## § 82.

## INDULGENCES.

*Jo. Morini* comm. (as prefixed to § 80). — *Eus. Amort* de origine, progressu, valore ac fructu indulgentiarum accurata notitia historica, dogmatica, polemica, critica. Aug. Vindel. et Graeci. 1735. fol. — Lettres historiques et dogmatiques sur les Jubiles et les Indulgences, par *Charles Chais.* à la Haye. 1751. 3 Tomes. 8vo.

The system of indulgences, now gradually developed, coöperated with these new customs of confession, to do away entirely the former system of penance. Whilst the bishops and priests continued the old traffic in indulgences,<sup>1</sup> the popes began it on a larger scale; it being

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tionem pro diversis criminibus secundum pénitentiales canones imponendam: nec debet sacerdos a predicta forma recedere, nisi propter causam, et in hoc consistit ejus arbitrium, scilicet pro qua vel pro quibus circumstantiis, et quantum et quando possit augeri vel minui pénitentia canonica: et hæc est opinio quorundam. Alii vero dicunt, indistincte omnes pénitentias esse arbitrarias, et hanc ultimam opinionem videtur amplecti consuetudo. Prima tamen est tutior, licet difficilior. — *Duns Scotus*, in Lib. IV. Dist. 15. Qu. 1. no. 14: Pénitent illud imponendum est, quod libenter recipit, et quod creditur perseverantius adimplere. Vel si omnino nullam pénitentiam velit recipere a sacerdote impositam, dicit tamen se habere displicantiam de peccato commisso, et firmum propositum non recidivandi, absolvendū est: — et nuntianda est sibi pena, quæ esset pro peccatis facienda, et quod eam in se vel in aequivalenti absque impositione studeat adimplere: alioquin solvet ad plenum in purgatorio. cf. *Amort* de origine, progressu, etc. indulgentiarum, P. II. p. 32 seq.

<sup>1</sup> Compare § 35, note 4. *Calixti*, P. II. Sermo I. in s. *Jacobum* (Bibl. max. PP. T. XX. p. 1283 seq.) *Abaelardi Ethica*. cap. 18. (*Pezii Aneid.* T. III. P. II. p. 666), especially cap. 25 (p. 680): Sunt nonnulli sacerdotum non tam per errorem quam cupiditatem subjectos decipientes, ut pro nummorum oblatione satisfactionis injunctæ pœnas condonent vel relaxent, non tam attentes, quid velit Dominus, quam quid valeat numerus. — Nec solum sacerdotes, verum etiam principes sacerdotum h. e. Epi-copos ita impudenter in hanc cupiditatem exardescere; ut, cum in dedicationibus Ecclesiarum, vel in consecrationibus altarium, vel benedictionibus cimiteriorum, vel in aliquibus solemnitatibus populares habent conventus, unde copiosam oblationem expectant, in relaxandis pénitentiis prodigi sunt: modo tertiam, modo quartam pénitentie partem omnibus communiter indulgentes sub quadam scilicet specie charitatis, sed in veritate summae cupiditatis. Qui de sua se jactantes potestate, quam, ut ajunt, in Petro vel Apostolis suscepserunt, cum eis a Domino diceretur: *Quorum remiseritis peccata, etc.* (*Io. xx. 23*), tunc maxime quod sumum est agere gloriantur, cum hanc benignitatem subjectis impendunt. Atque utinam id saltē pro ipsis, non pro nummis, facerent, ut qualiscunque benignitas potius quam cupiditas videretur. Sed profecto si hoc in laude benignitatis habendum est, quod tertiam vel quartam pénitentie partem relaxant, multo amplius eorum pietas prædicanda erit, si dimidiā vel totam ex integro pénitentiam dimitterent, sicut licere sibi profitentur, et [a] Domino concessum esse, et quasi in manibus eorum cœlos esse positos secundum remissionis vel absolutionis peccatorum supra posita testimonia. Magne denique impietas e contrario arguendi videntur, cur non omnes subjectos ab omnibus absolvant peccatis, ut videlicet neminem illorum damnari permittant: si ita, inquam, in eorum potestate constitutum est, quæ voluerint peccata dimittere vel retinere, vel cœlos his, quibus decreverint, aperire vel claudere: quod utique beatissimi prædicandi essent, si hos sibi, cum vellent, aperire possent. Quod quidem si non possunt vel nesciunt, certe illud poëticum, in quantum arbitror, incurruunt:

*Nec prosunt domino, quæ prosunt omnibus, artes.*

not uncommon for them, from the time of Gregory VII., to promise a full forgiveness of sins as the reward of services to be rendered the church,<sup>2</sup> particularly in the case of crusades.<sup>3</sup> The common people, of course, understood this promise literally, and its moral consequences were most disastrous.<sup>4</sup>

The theologians of the twelfth century, on the other hand, unable to reconcile this human forgiveness with their views of the greatness and goodness of God,<sup>5</sup> we find either questioning its efficacy,<sup>6</sup> or else

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Appetat quilibet, non ego, potestatem illam, qua potius aliis quam sibi proficere possit, tanquam in potestate sua habeat alienas animas salvare magis, quam propriam: cum e contrario quislibet discretus sentiat. cf. Conc. Eboraense ann. 1195, can. 3. Londoniense ann. 1237, cap. 4.

<sup>2</sup> An example by Gregory VII., see § 47, above. The transition to this direct forgiveness of sins was in such promises as those made by Gregory VI. A. D. 1044. (in *D'Archy* spicileg. ed. nov. T. III. p. 398) to those who had contributed for the restoration of the churches in Rome: Quorum nos videntes devotionem et laudabilem erga communem matrem dilectionem, tam per nos, quam etiam per Successores nostros ter in anno eum omnibus Romanis Ecclesiis generaliter missam celebrare, et septies illorum specialem memoriam inter sacra Missarum solemnia habere promisimus, ut omnipotens Dominus meritis Dei genetricis, — et beatorum Apostolorum Petri et Pauli auctoritate, omnium Sanctorum, maxima Romæ quietientium, oratione a cunctis eos peccatis absolvat, et ad vitam æternam perdueat.

<sup>3</sup> See above, § 48, notes 8 and 10; § 51, note 12, etc.

<sup>4</sup> e. g. Chron. Urspergense ad ann. 1221 (extracted by *Aventinus* in Ann. Bojorum, Lib. VII. ed. Francof. 1627. p. 407 seq.): Eo tempore dominus Cunradus Portuensis Episcopus Cardinalis in legatione sedis apostolica dirigitur in Alemanniam pro negotio terrae sanctæ, ut videlet cruce signatos faciat crucem resumere, et praedicatores instituat, qui alios ad crucem sumendum exhortentur. Tunc quidam, Johannes nomine, de ordine Praedicatorum, veniens de Argentiniensi civitate, instabat predictioni opportune et importune, ita ut hominum vita et peccata quasi importune exprobraret, et ad capiendas animas quædam dogmata, haec enim inaudita, ingereret. (*Irentinus*, l. c. Quemcunque sceleri obnoxium, parcidio, incesto, sacrilegio pollutum, continuo, ubi cruciculam vesti assuisset, solutum esse et ermine et pena declamitabant.) Quæ licet aliqua ratione possent defendi, ut veritatem contineant, multa tamen exinde mala provenisse digno-euntur, cum audientes alio modo intellexerunt, et ad perpetrandum immunissima facinora et flagitia prioniores effecti sunt. Inter quæ dominus Engelbertus Coloniensis, archiepiscopus a consanguinitate suis interfectus est, et multi sacerdotes trucidati. — Dicebant enim quidam pesimi: faciam scelera, quia per susceptionem crucis innocui ero, quinetiam animas multorum flagitorum liberabo (Compare *Matth. Paris*, § 56, note 12, and *Thomas Aquin*, Summa Suppl. P. III. Qu. 71. Art. 10, below, note 16). — *Albertus Stadensis* in Chron. ed. Helmst. fol. 188, verso: Forte ibis aliquando sepulchrum Domini visitare. Tunc cogita, quod dicitur:

*Cœlum non animum mutant, qui trans mare currunt.*

Vix aliquos vidi, immo nunquam, qui redierint meliores, vel de transmarinis partibus, vel de sanctorum liminibus. — The Christians in the East, who of course were rich in indulgences, became noted for their vices. See Raumer's Gesch. d. Hohenstaufen, Bd. 2, S. 380, e. g. Deser, terræ sanctæ miseri, in *Bern.*: Et clerus et populus in variis luxurias effluxerat, totaque terra illa flagitiis et facinoribus sordecebat. *Guilelmus de Nangis* (about 1301) in Chron. ad ann. 1187: Unde regiones cæteræ suscepserant religionis exordium, inde totius inunditiae sumebant exemplum. Besides the other authorities cited by Raumer, see the instructions of Gregory X. for the new patriarch of Jerusalem, Thomas (*Raynald*. ann. 1274. no. 17): Nosti — enormia, que in transmarinis partibus committuntur, etc.

<sup>5</sup> See § 80, notes 1 and 2.

<sup>6</sup> Compare what is said by *Abelard* (note 1, above): and by *Stephanus Abb.*

qualifying its application to a very great extent.<sup>7</sup> Innocent III. restricted considerably the right of the bishops to grant indulgences on account of alleged abuses;<sup>8</sup> but, as it would seem, only to exercise it himself the more unreservedly. For, not only was plenary indulgence granted to all those who joined the multiplied crusades of the

Obazinensis († 1159), in his vita, Lib. II. c. 18 (in *Baluzii Miscellan. Lib. IV.* p. 130 seq.). On occasion of his founding a church, A. D. 1156, a great crowd was assembled. Tamen petendi et impetrandi ad tanti operis supplementum, siue fere euentis ædificantibus mos est, per Ecclesiæ populos communere, ipsa die apud nos et initium et finis fuit. Ubi quamvis hoc Episcopus frequenter moneret, immo potius et jubaret, datis litteris indulgentiarum largitate refertis, tamen ei vir sanctus nunquam adquiescere voluit, dicens: *Nos talem consuetudinem introducere nolumus, ut popul's scandalum et nobis ignominiam adquiramus, circumveniendo Ecclesiæ, ostendendo beneficia, indulgentias largiendo, quas dare non poterit nisi solus Deus.* Audiri tamen referri ab his, qui interfuerunt, quod cum in quodam episcopatu dominum novam ædificaret, persuasus sit a quibusdam, immo compulso, communitorias literas ab Episcopo postulare, ut domui illi, quamdiu ædificaretur, beneficia populus impertiret. Episcopus petitioni ejus, quam quidem invitus nec per semetipsum fecerat, libenti-sime annuit, statimque litteras ipsas scribi præcepit. Cumque ventum esset ad indulgentiarum locum, mandat Abbat, quantum indulgentias his, qui in hæc fraternitate se mitterent, vellet adscribi. Cui ille ita remandavit: *Nos, inquit, Domine, nostra adhuc prement peccata, nec possumus levare aliena.* Quod audiens Episcopus, latus erubuit, et virum Dei, ut vere erat, Dei servum et tali timore plenum non dubitavit. That both Stephen and Abelard doubted the efficacy of the papal absolution, as well as of the episcopal, is evident from the passage itself. Besides this, the bishops had then as much right to give absolution as the Pope, cf. *Albertus Magnus*, in *Sent. Lib. IV. Dist. 20. Art. 21*: *Dicendum, quod Episcopus in sua Diocesi potest conferre indulgentiam, quantum vult, nisi a Papa limitetur.*

<sup>7</sup> *Paulus Presbyter* (ad s. Nicolaum Passavii, 1200) in *Summa de pœnitentia, c. 15.* (in *Duelli Miscellan. T. I.*): Videndum est, quid valeant remissiones, quæ fiunt in pontibus, dedicationibus Ecclesiæ, etc. Super hoc septem sunt opiniones probabiles: septimam autem amplectimur et tenemus, licet aliae possunt esse verae. Primi dicunt, quod valeant tanquam thesaurus, ut cum alia defec int, etiam mereri non possumus, recipient nos in æterna tabernacula, ut de villio iniquo legitur in Evangelio. Secundi dicunt, quod valeant quoad delicta ignorantiae. Terti dicunt, quod valeant quoad venialia oblivioni tradita. Quarti dicunt, quod valeant tanquam quolibet bonum, tamen amplius, propter auctoritatem Ecclesiæ. Quinti dicunt, quod valeant quoad mitigationem pœnæ in purgatorio, quod hic non peregit propter mortis præoccupationem. Sexti dicunt, quod valeant quoad pœnitentiæ negligenter peractam. Septimi dicunt, quos amplectimur et imitanur, quod in veritate valeant, et hoc propter duo, propter munim donationem, et quia Ecclesia obligat et constituit se orare pro illo. This last view is implied also in the papal indulgences of the 12th century: e. g. *Gelasii P. II. ad exercitum Christianorum civitatem Cæsaraugustanam obsidentem*, A. D. 1118 (*Mansi XXI. p. 169 seq.*): si quis vestrum accepta de peccatis suis pœnitentia in expeditione hac mortuus fuerit, nos eum Sanctorum meritis, et totius Ecclesiæ catholice precibus, a suorum vinculis peccatorum absolviimus.

<sup>8</sup> *Cone. Lateran. IV. ann. 1215. c. 62.* (in *Decretal. Gregor. Lib. V. Tit. 38. c. 14.*) — Ad hæc, quia per indiscretas et superfluas indulgentias, quas quidam Ecclesiæ prælati facere non verentur, et claves ecclesiæ contemnuntur, et pœnitentialis satisfactio enervatur: decernimus, ut, cum dedicatur basilica, non extendatur indulgentia ultra annum, sive ab uno solo, sive a pluribus Episcopis dedicitur: ac deinde in anniversario dedicationis tempore XL dies de injunctis pœnitentiis indulta remissio non excedat. Hunc quoque dierum numerum indulgentiarum littæ as præcipimus moderari, quæ pro quibuslibet causis aliquoties condetur: cum Romanus Pontifex, qui plenitudinem obtinet potestatis, hoc in talibus moderamen consueverit observare.

thirteenth century,<sup>9</sup> and even sold outright,<sup>10</sup> and lesser indulgences established on the most frivolous pretexts,<sup>11</sup> but the various monastic orders also were permitted to offer the most efficacious dispensations on conditions wholly inadequate.<sup>12</sup> At the end of this period (A. D. 1300) Boniface VIII. ordained a year of Jubilee,<sup>13</sup> during which the forgiveness of all sins could be obtained by a pilgrimage to Rome.

<sup>9</sup> Thus there were Crusades against heresies (the Albigenses), against Heathen (the Prussians and Lieflanders), and against rebellious monarchs (Friedrich II. etc.).

<sup>10</sup> First Alexander III. 1184 (see the *Ordinatio Regum Francie et Angliae* of the same year, in *Mansi XXII*, p. 485) gave to those, quicunque eleemosynam, quae ordinata est ad subventionem terra Hierosolymitanæ, transmisserunt, de injuncta penitentia veniam, namely, si in penitentia fuerint, quæ septem annos excedat, trium annorum veniam, otherwise duorum annorum, etc. *Innocentius III. Lib. I. Epist. 302*: Ceteros vero qui ad opus hujusmodi exequendum aliqua de bonis suis forte contulerint, juxta munera quantitatatem, et præcipue juxta devotionis affectum, remissionis hujus participes esse censimus, et *Lib. IX. Ep. 255*; and *Lib. XV. Ep. 28*. (see above, § 54, note 31). *Robertus Lincolniensis*, in *Matth. Paris*, ann. 1253, p. 876: Insuperius literam Papalem, in qua insertum reperimus, quod testamenta condentes, vel crucem suscipientes et subsidium terræ sanctæ impendentes, tantundem recipient indulgentię, quantum pecunia largientur. About this time also absolution in full was granted for such contributions of money (e. g. against Manfred, see above, § 57, note 19). From the time of Gregory IX., a most scandalous traffic was carried on with the absolution a votu crucis. See *Matth. Paris*, above, § 55, note 26. Compare the Troubadour Guillaume Figueira, about 1244 (in *Millot. hist. litter. des Troubadours*, T. II. p. 449): Rome, en qui toute la perfidie des Grecs est reunie, Rome, tu traînes avec toi les aveugles dans le précipice, tu franchis les hornes, que Dieu t'a données; car tu absous les péchés à prix d'argent, et tu te charges d'un fardeau plus fort, qu'il ne t'appartient. — Par l'amorce de tes faux pardons tu livres à la persécution la noblesse françoise. *Pierre Cardinal*, about 1270 (in *Millot. T. III. p. 241*). Indulgences, pardons, Dieu et le diable, ils mettent tout en usage. A ceux-là ils accordent le paradis par leurs pardons: ils envoient ceux-ci en enfer par leurs excommunications. *Ibid.*: the reflection on the principle, que l'aumône rachète tous les péchés, p. 243: Les riches auroient donc plus de facilité pour le salut que les pauvres, l'argent seroit plus puissant que le diable et que Dieu même, et les prières ne serviroient du rien!

<sup>11</sup> On occasion of presenting to a church in Aix, a rose which had been consecrated by the Pope, absolution was granted to all who should there confess (*Baluz. miscell. Lib. I. p. 224*): Urban IV. granted absolution to all who were present when a sermon was preached before the king of France (*Guil. Nangis*, p. 418) etc. See *Raumer*, *Gesch. d. Hohenstaufen*, Bd. 6, S. 208 f.

<sup>12</sup> For instance that connected with the church at Portiuncula, the Scapula of the Carmelites, etc. see above, § 69, notes 9 and 11.

<sup>13</sup> Boniface's bull dd: VIII. *Kal. Martii* 1300, in *Raynald ad h. a. and Extravagantes communes*, Lib. V. Tit. 9. c. 1. (in *Boehneri corp. jur. can. P. II. p. 1193*): Antiquorum habet fida relatio, quod aecedentibus ad honorabilem basilicam Principis Apostolorum de urbe, concessæ sunt remissiones magnæ et indulgentiæ peccatorum. Nos igitur — hujusmodi remissiones et indulgentias omnes et singulas ratas et gratas habentes, ipsas auctoritate apostolica confirmamus et approbamus, ac etiam innovamus, et præsenti scripti patrocinio communimus. Ut tamen beatissimi Petrus et Paulus Apostoli eo amplius honorentur, quo ipsorum basilicæ de urbe devotius fuerint a fidelibus frequentatae, et fideles ipsi spiritualium largitione munerum ex hujusmodi frequentatione magis senserint se refectos; nos de omnipotentis Dei misericordia, et eorundem Apostolorum ejus meritis et auctoritate confisi, de fratrum nostrorum consilio et apostolicae plenitudine potestatis, omnibus in præsenti anno millesimo trecentesimo a festo nativitatis Domini nostri J. C. præterito proxime inchoato, et in qualibet anno centesimo secuturo, ad basilicas ipsas acce-

But the theologians of the thirteenth century did not scruple to justify, on dogmatical grounds, this most monstrous of all the papal pretensions. Alexander Hales and Albert Magnus invented the doctrine of a *thesaurus supererogationis perfectorum* (treasure of superfluous good deeds of the holy),<sup>14</sup> the keys of which were held by

dentibus reverenter, vere pœnitentibus et confessis, vel qui vere pœnitentebunt et confitebuntur, in hujusmodi praesenti et quolibet centesimo secuturo annis, non solum plenam, sed largiorem, immo plenissimam omnium suorum concedimus veniam peccatorum: statuentes, ut, qui voluerint hujusmodi indulgentia a nobis concessae fore participes, si fuerint Romani, ad minus triginta diebus continuis vel interpolatis, et saltem semel in die: si vero peregrini fuerint aut forenses, modo simili diebus quindecim ad basilicas easdem accedant. Unusquisque tamen plus merebitur, et indulgentiam efficacius consequetur, qui basilicas ipsas amplius et devotius frequentabit. Of the occasion and the celebration of this Jubilee, see *Jacobi s. Georgii ad velum aureum diaconi Cardinalis* (*Jacobus Cajetanus, a nephew of Boniface VIII.*) de centesimo seu Jubilao anno liber (Bibl. max. PP. T. XXV. p. 936 seq.; and extracted in *Raynald*, ann. 1300, no. I seq.): Anceps et pene extra opinionis fidem de proximo nunc futuro centesimo, cum millesimum tricentesimum præ foribus oœursurum monebamur, ad Rom. Pontificem delatus rumor advenierat: qui tantam ejus fore anni vim, ut quo Romani ad Principis Apostolorum Petri basilicam pergentes, omnium plenissimam peccatorum dilutionem sorfientur, polliceretur. Hinc vetustorum revolut librorum monumenta plus pater edixit: quibus ejus quod quarebatur nec ad plenum in lucem venit cognitio, forsitan — ex desidia, seu ex — libris deperditis, seu quia nec tantum veritatis ut opinionis suberat. — Centesimus oritur. Mira res! tota pene prima Januarii die novellæ mysterium remissionis occupabat: proclivo vero in vesperam sole — Romani frequentes ad sacram b. Petri basilicam properant, oppressi altaria stipant, alternatimque se (ut vix accedere fas esset) impediunt, tanquam ea brevi finienda die exspirare gratiam vel maiorem autumarent. Other pilgrims streamed in; it was believed, primo centesimi die omnium culparum sordes delebi, cæteris annorum centum indulgentiam fore. Soon nec vivus præteriorum defuit testis, an old man of 107 years who testified before the Pope, meiniisse, patrem alio centesimo Romæ, quoque, quem secum detulit agieola, sufficit virtus, ob indulgentiam moratum, seque adnonuisse, ut — venturo centesimo Romæ nequaquam puer adesse pigraret, and also unaquaque ejusdem anni die illic centum annorum indulgentiam lucrifieri posse. Thus the Pope was induced to issue the bull for the Jubilee.

<sup>14</sup> *Raymundus de Pennaferti Summa de pœnit.* Lib. III. c. 63. like Paulus Presb. see note 7. still deduced the efficacy of absolution from the orationes et suffragia Ecclesiæ. — *Alex. Hales. Summa P. IV. Qu. 23. Art. 1:* Dicunt aliqui, quod sunt relaxations quantum ad forum Ecclesiæ, sed non quantum ad forum Dei. Sed haec positio nulla videtur: quia, si Ecclesiæ relaxat et non Deus, magis esset deceptio quam relaxatio, et eruditias quam pietas: quia tunc ad diminutionem pœnae presentis sequeretur incomparabiliter gravior in foro Dei. Propter hoc aliter diei potest, quod sunt etiam in foro Dei, quia Deus habet pro relaxato, quod Ecclesiæ relaxat. Art. 2. Membr. 1: Si loquamus de pœna satisfactoria, secundum quod est medicamentum, sic non valet sati-factio unius pro altero. Si loquamus de illa, secundum quod est pretium, sic valet, et hoc modo potest unius satisfacere pro alio. Sed oportet, quod fiat auctorite Superioris. Membr. 3: Indulgentiae et relaxations sunt de meritis supererogationis membrorum Christi et maximè de supererogationibus meritorum Christi, que sunt spiritualis thesaurus Ecclesiæ. Hunc autem thesaurum non est omnium dispensare, sed tantum eorum, qui præcipue vicem Christi gerunt, i. e. Episcoporum. Membr. 6: Praexistente pœna debita et sufficientis contritionis, potest Summus Pontifex totam pœnam debitam peccatori pœnitenti dimittere: non tamen debet, nisi ex magna causa. Ad illud, quod objicitur, quod aut Deus punit, aut homo potest dici, quod quando Dominus Papa dat plenam indulgentiam, ipse punit obligando Ecclesiæ aut aliquod membrum Ecclesiæ ad satisfaciendum: vel potest dici, quod thesaurus Ecclesiæ, qui exponitur pro satisfactione indulgentiarum, habetur principaliter ex

the popes. By this means they were enabled to blot out the sins, not only of the living, but of the dead,<sup>15</sup> and even of those already in purgatory.<sup>16</sup> This doctrine was more fully developed by Thomas Aquinas.<sup>17</sup>

meritis Christi: unde potest dici, quod Deus punit mala, ut Deus et homo patiendo et satis-faciendo pro nobis. — *Albertus Magnus* in Sent. Lib. IV. dist. 20. art. 16: Indulgentia sive relaxatio est remissio peccata injuncta ex vi clavium et thesauro supererogationis perfectorum procedens. — Art. 17: Dicendum, quod tres opiniones antiquitus fuerunt circa indulgentias. Quidam enim dixerunt, indulgentias omnino nihil valere, et esse eas piam fraudem, qua mater decipiendo pueros suos roget ad bonum, scilicet perigrinationem, et elemosynas, et auditum verbi Dei et hujusmodi. Sed isti ad Iudicium puerorum distrahunt facta Ecclesiae, et hoc fere sapientia haeresis puto. Ideo alii, plus quam oportuit contradicentes, dixerunt, quod simpliciter sicut pronuntiantur indulgentie, ita valeant sine omni alia conditione intellecta vel dicta. Sed quia isti nimis bonum forum dant de misericordia Dei, ideo tertie opinioni mihi assentiendum videtur. — scil. quod indulgentiae valent, sicut eas valere praedicat Ecclesia. — Sed sex exiguntur conditiones, quae suppositae sunt vel dictae ab Ecclesia. Duas autem sunt ex parte dantis, quarum prima est dantis auctoritas, alia est pia causa. — Alia duo presupponuntur ex parte recipientis, scil. quod sit contritus et confessus in voto, et quod habeat fidem, quod hoc sibi possit fieri per clavum potestatem: et ideo semper (?) in litteris indulgentiarum continetur: *omnibus contritis et confessis*. Alia duo exiguntur ex parte gratiae vel Ecclesiae, in qua fit remissio, scil. abundantia thesauri meritorum, de quibus supra, et justa estimatio solutionis ejus, pro qua indulgentia est instituta.

<sup>15</sup> Comp. § 35, note 10; § 73, note 23. *Innocentius III. Decretal. Greg. Lib. V. Tit. 39. c. 28*: Quantumcumque se quis juramento praestito, quod ecclesiæ mandato pareret, humiliare curaverit, quantumcumque penitentia signa præcesserint; si tamen morte preventus absolutio non potuerit beneficium obtinere; quanvis absolutus apud Deum fuisse credatur: nondum tamen habendus est apud ecclesiam absolutus. Potest tamen et debet ei ecclesiæ beneficio subveniri, sic ut, si de ipius viventis penitentia per evidentiæ signa constititerit, defuncto etiam absolutionis beneficium impendatur. cf. *Henricus Hostiensis*, note 16, below.

<sup>16</sup> *Alex. Halesius*, P. IV. Qu. 23. Art. 2. Membr. 5: Probabiliter et verissime præsumitur, quod illis, qui sunt in purgatorio, potest Pontifex facere indulgentias. Nota tamen, quod plura requiruntur ad hoc, quod debito modo fiat indulgentia: scil. potestas clavum ex parte conferentis; ex parte ejus, cui confertur, caritas, credulitas, devotio; inter utrumque causa et modus. — Potest ergo dici, quod illis, qui sunt in purgatorio, possunt fieri relaxations secundum conditiones prædictas per modum suffragii sive impenitentias, non per modum judiciorum absoluteonis sive commutationis. On the other hand *Henricus de Segusio* (Cardinal and Episcop. Hostiensis † 1271) in his *Summa utriusque Juris* (*Aurea summa Hostiensis*) Tit. de Remissionibus, c. 6: Vivis tantum prosunt (remissions), non mortuis. Sicut enim membrum corporale putridum vel resecatum vel mortuum non potest nutriti vel vivificari cibo corporali, sic nec membrum spirituale corporis Christi cibo spirituali: licet alia suffragia Ecclesiae mortuis prosint, quia caritas sola prodest in purgatorio, sed potestas clavum non habet ibi locum. Nec obstat, quod Ecclesia solvit et ligat post mortem: quia ibi fit absolutio ad consolationem vivorum, et absolvitur mortuus, i. e. antequam moreretur, absolutus fuisse per contritionem monstratur, vel declarat Ecclesia, quod omnes pro excommunicato mortuo libere orient. cf. *Thomas Suppl. P. III. Qu. 71. Art. 10.* note 16, below.

<sup>17</sup> *Thomas in Summa Suppl. P. III. Qu. 25.* (i. e. Comm. in Sent. Lib. IV. Dist. 20. Qu. 1. Art. 3.) Art. 1: Indulgentiae valent et quantum ad forum ecclesiæ, et quantum ad judicium Dei, ad remissionem penitentia residua post contritionem et absoluteinem et confessionem, sive sit injuncta sive non. Ratio autem, quare valere possunt, est unitas corporis mystici, in qua multi in operibus penitentia supererogaverunt ad mensuram debitum suorum, et multis etiam tribulationes injustas sustinuerunt patienter, per quas multitudo penitentium poterat expiari, si eis deberetur. Quorum meritorum tanta est copia, quod omnem penitentiam debitam nunc viventibus excedunt, et præcipue propter meritum Christi: quod etsi in sacramen-

But the easier it became to obtain forgiveness of sins, the less satisfied with such a mode of expiation were those whom compunction had visited more deeply. Hence the use of the scourge was not only kept up in the thirteenth century, but became more general and more severe than ever; especially since the great pilgrimage of the flagel-

tis operatur, non tamen efficacia ejus in sacramentis includitur, sed sua infinitate excedit efficaciam sacramentorum. Dictum est autem supra, quod unus pro alio satisfacere potest. Sancti autem, in quibus superabundantia operum satisfactionis invenitur, non determinate pro isto, qui remissione indiget, hujusmodi opera fecerunt (alias absque omni indulgentia remissionem consequeretur), sed communiter pro tota ecclesia: sicut Apostolus ait, se *adimplere ea quae desunt passionum Christi in corpore suo pro ecclesia*, ad quam scribit *Col. i. (v. 24)*; et sic prædicta merita sunt communia totius ecclesiae. Ea autem, quæ sunt alicuius multitudinis communia, distribuuntur singulis de multitudine, secundum arbitrium ejus, qui multitudini præest. Unde sicut aliquis conqueretur remissionem penæ, si alius pro eo satisfecisset: ita si sibi satisfactio alterius per eum qui potest distribuatur. Art. 2. *Utrum indulgentiae tantum valeat quantum pronuntiantur?* Circa hoc est multiplex opinio. Quidam enim dicunt, quod hujusmodi indulgentiae non tantum valent, quantum prædicantur: sed unicuique tantum valent, quantum fides et devotio sua exigit. Sed dicunt, quod Ecclesia ad hoc ita pronuntiat, ut quadam pia fraude homines ad bene faciendum alliciat: sicut mater, quæ promittens filio pomum, ipsum ad ambulandum provocat. Sed hoc videtur esse valde periculosum dicere, etc. — Et ideo alii (*Albertus M. Lib. IV. Dist. 20. Art. 17.* see note 14) dixerunt, quod tantum valent quantum pronuntiantur, secundum justam aestimationem, non tamen dantis indulgentiam, — aut — recipientis, — sed secundum justam aestimationem, quæ justa est secundum judicium bonorum, pensata conditione personæ, et utilitate, et necessitate Ecclesiae: quia uno tempore Ecclesia plus indiget, quam alio. Sed hæc etiam opinio stare non potest, ut videtur. Primo quia secundum hoc indulgentiae non valerent ad remissionem, sed magis ad commutationem quandam. Et præterea prædicatio Ecclesiae a mendacio non excusaretur: cum quandoque indulgentia predicitur longe major, quam justa aestimatio possit requirere, omnibus prædictis conditionibus pensatis. — Et ideo aliter dicendum est, quod quantitas effectus sequitur quantitatem sua causæ. Causa autem remissionis penæ in indulgentiis non est nisi abundantia meritorum Ecclesiae, quæ se habet sufficienter ad totam penam expiadandam: non autem causa remissionis effectiva est vel devotio, vel labor, vel datum recipientis indulgentiam, aut causa, pro qua fit indulgentia. Unde non oportet ad aliquid horum proportionare quantitatem remissionis, sed ad merita Ecclesiae, quæ semper abundant: et ideo secundum quod applicantur ad istum, secundum hoc remissionem consequitur. Ad hoc autem, quod applicantur isti, requiritur auctoritas dispensandi hujusmodi thesaurum, et unio ejus, cui dispensatur, ad eum, qui merebatur (quod fit per caritatem), et ratio dispensationis, secundum quam salvetur intentio illorum, qui opera meritoria fecerunt. — Unde quæcumque causa adsit, quæ in utilitatem Ecclesie et honorem Dei vergat, sufficiens est ratio indulgentias faciendi. Et ideo secundum alios dicendum, quod indulgentiae simpliciter tantum valent, quantum prædicantur, dummodo ex parte dantis sit auctoritas, et ex parte recipientis caritas, et ex parte causa pietas, quæ comprehendit honorem Dei et proximi utilitatem. Nec in hoc fit nimis magna forum de misericordia Dei, ut quidam (*Albertus M. l. c.*) dicunt, nec divinae justitiae derogatur: quia nihil de pena dimittitur, sed unius pena alteri computatur. — Clavis duplex est, scil. ordinis, et jurisdictionis. Clavis ordinis sacramentale quoddam est: et quia sacramentorum effectus non sunt determinati ab homine, sed a Deo: ideo non potest taxare sacerdos, quantum per elavum ordinis in foro confessionis de pena debita dimittatur: sed tantum dimittitur, quantum Deus ordinavit. Sed elavis jurisdictionis non est quid sacramentale, et effectus ejus arbitrio hominis subjacet: et hujusmodi clavis effectus est remissio, quæ est per indulgentias, cum non pertineat ad dispensationem sacramentorum talis remissio, sed ad dispensationem bonorum communium Ecclesiae: et ideo etiam legati non sacerdotes indulgentias facere possunt. Unde in arbitrio dantis indulgentiam est, taxare, quantum per indulgentiam de pena remittatur. Si tamen inordinate remittat, ita quod homines quasi pro nihilo ab operibus pœnitentie revocentur, peccat faciens

lants, which went forth from Perugia in the year 1260,<sup>18</sup> and for a time threatened to fill all the north of Italy with self-torturing penitents.

tales indulgentias: nihilominus quis plenam indulgentiam consequitur. Quæst. 71, Art. 10, (from Comm. in Sent. Lib. IV. Dist. 15. Qu. 2. Art. 3): *Utrum indulgentia Ecclesiæ pro sint mortuis?* Videtur, quod indulgentia, quas Ecclesia facit, etiam mortuis pro sint. Primo per consuetudinem Ecclesiæ, que facit prædicare crucem, ut aliquis indulgentiam habeat pro se, et duabus vel tribus, et quandoque etiam decem animabus, tam vivorum, quam mortuorum: quod esset deceptio, nisi mortuis pro dessent, etc. — Sed contra, etc. — Respondeo dicendum, quod indulgentia duplice alieui pro desse potest. Uno modo, principaliter: alio modo, secundario. Principaliter quidem prodest ei, qui indulgentiam accipit, scil. qui facit hoc, pro quo indulgentia datur, ut qui visitat limina alieuius sancti. Unde cum mortui non possint facere aliquid horum, pro quibus indulgentia dantur, eis direete indulgentia valere non possunt. Secundario autem et indirecte prosumt ei, pro quo aliquis facit illud, quod est indulgentia causa: quod quandoque contingere potest, quandoque autem non potest, secundum diversam indulgentia formam. Si enim sit talis indulgentia forma: *Quicunque facit hoc vel illud, habebit tantum de indulgentia:* ille qui hoc facit, non potest fructum indulgentiae in aliun trans ferre; quia ejus non est applicare ad aliquem intentionem Ecclesiæ, per quam communicantur communia suffragia, ex quibus indulgentia valent. Si autem indulgentia sub hac forma fiat: *Quicunque fecerit hoc vel illud, ipse et pater ejus, vel quicunque alius ei adjunctus, in purgatorio detentus, tantum de indulgentia habebit:* talis indulgentia non solum vivo sed etiam mortuo proderit. Non enim est aliqua ratio, qua Ecclesia transferre possit communia merita, quibus indulgentiae innituntur, in vivos, et non in mortuos.

<sup>18</sup> Monachi Patavini Chron. Lib. III. (written about 1270. in *Muratori Scriptt. Rer. Ital. T. VIII. p. 712 seq.*): Sub præcedenti annorum curriculo, cum tota Italia multis esset flagitiis et sceleribus inquinata, quædam subitanea compunctio, et a seculo inaudita, invasit primitus Peru-sinos, Romanos postmodum, deinde fere Italia populos universos. In tantum itaque timor Domini irruit super eos, quod nobiles pariter et ignobiles, senes et juvenes, infantes etiam quinque annorum, nudi per plateas civitatum, opertis tantundem pudendis, deposita verecundia, bini et bini proceſſionaliter incedebant: singuli flagellum in manibus de corrigiis continentes, et eum gemitu et ploratu se acriter super scapulis usque ad effusionem sanguinis verherantes; et effusis fontibus lacrymarum, ac si corporalibus oculis ipsam Salvatoris cernerent passionem, misericordiam Dei et genetricis ejus auxilium implorabant: suppliciter deprecantes, ut qui in innumeris pœnitentibus est placatus, et ipsis iniurias proprias cognoscentibus parcere dignaretur. Non solum itaque in die, verum etiam in nocte cum cereis accensis, in hyeme asper rima, centeni, milleni, decem millia quoque per civitates Ecclesiæ circuibant, et se ante altaria humiliter prosternebant, præcedentibus eos Sacerdotibus cum crucibus et vexillis. Similiter in villis et oppidis faciebant, ita quod a vocibus clamantium ad Dominum resonare videbantur simul campestria et montana. — Super ista vere pœnitentia repentina, quæ ultra etiam fines Italiae per diversas provincias est diffusa, non solum viri mediocres, sed et sapientes non irrationabiliter mirabuntur, cogitantes, unde tantus fervoris impetus proveniret: maxime cum iste modus pœnitentia inauditus non fuisset a Summo Pontifice institutus, qui tunc Anagniæ residebat: nec ab alieuius prædicatoris, vel auctorabilis personæ industria vel facundia persuasus, sed a simplicibus summis initium, quorum vestigia docti pariter et indocti subito sunt sequuti. Compare Förstemann's *Gesch. d. christl. Geisselergesellschaften*, in *Stäudlin's u. Tzschirner's Archiv für Kirchengesch.* Bd. 3. St. I. S. 434 ff. Observe, however, the difference between the Perugians of 1260 and 1282, see below, § 83, note 2. (Compare *Glaber Radulph.* IV. 5. Abth. I. S. 188.)

## § 83.

## ECCLESIASTICAL PUNISHMENTS.

Planck's Gesch. d. kirchl. Gesellschaftsverfassung, Bd. 4, Absch. 2, S. 272 ff.  
Raumer's Gesch. d. Hohenstaufen, Bd. 6, S. 209 ff.

In the perpetual strife between the spiritual and temporal power, since the time of Gregory VII., the ban and the interdict had become so common,<sup>1</sup> and were often imposed on grounds so insufficient, or even unjust, that they began to be treated with great contempt.<sup>2</sup> The popes were thus led to mitigate, in some measure, the ecclesiastical severity of these punishments,<sup>3</sup> while they strove by every means in their power to aggravate the secular evils attendant thereon. In

<sup>1</sup> The occasion of this frequency was, besides the great struggles of the papal with the temporal powers, the extension of the ecclesiastical jurisdiction, see § 63, note 23. Then the *Excommunicationes latæ sententiaæ* (cf. du Pin de antiqua Ecel. discipl. p. 269.) founded on the decretals.

<sup>2</sup> *Bernaldus Const. chron.* ad ann. 1100 (ed. Ussermann, p. 177) complains: Jam multum pene ubique sententia excommunicationis cœpit tepescere. How far this went in the 13th century, and especially in Italy, may be seen in the account of a contemporary in the *Memorale Potestatum Regiensium* ad ann. 1282 (in *Muratori Scripti Rer. Ital. T. V*II, p. 1151): Eodem anno Perusini præparaverunt se, ut irent ad devastandum Fulignum. Et misit Papa dicendo, quod nullo modo irent: alioquin excommunicaret eos. Erat enim Fulignum ex horto S. Petri. Et non dimiserunt Perusini propter hoc, quin irent. Iverunt igitur, et destruxerunt totum Episcopatum illius civitatis usque ad foveas. Excommunicati fuerunt; sed indignati ex hoc, fecerunt Papam et Cardinales de paleis, et traxerunt eos per totam civitatem opprobirose, et traxerunt eos ad quendam montem, et in cacumine montis combusserunt Papam indutum de Rubeo, et Cardinales combusserunt similiter, dicendo: *Iste est talis Cardinalis, et iste talis.*

<sup>3</sup> Thus with the ban: *Gregorius VII.* (in *Gratian.* P. II. Caus. XI. Qu. 3. c. 103): Quoniam multos — pro causa excommunicationis perire quotidie cernimus, partim ignorantia, partim nimia simplicitate, partim timore, partim etiam necessitate; devicti misericordia, anathematis sententiam ad tempus, prout possumus, opportune temperamus. Apostolica itaque auctoritate ab anathematis vineo los subtrahimus: videlicet uxores, liberos, servos, ancillas, seu mancipia, necon rusticos servientes, et omnes alios, qui non adeo euriiales sunt, ut eorum consilio sceleria perpetrentur, et eos, qui ignoranter excommunicatis communicant, sive illos, qui communicant cum eis, qui excommunicatis communicant. Quicunque autem orator, sive peregrinus, aut viator in terram excommunicatorum devenierit, ubi non possit emere, vel non habeat unde emat, ab excommunicatis accipiendi licentiam damus. Et si quis excommunicatis non in sustentationem superbia, sed humanitatis causa dare aliquid voluerit, non prohibemus. With the Interdict: Besides the privileges granted particular corporations (see *Raumer*, Bd. 6, S. 216) Alexander III. (*Decret. Greg.* Lib. IV. Tit. I. cap. II) allowed baptismum parvorum et penitentias merentium during the Interdict: Innocent III. (*Ibid.* Lib. V. Tit. 39, c. 43) allowed the bishop of Ferrara, baptizatos pueros in frontibus consignare; Gregory IX. (*Ibid.* c. 57): semel in hebdomada, non pulsatis campanis, voce submissa, januis clausis, excommunicatis et interdictis exclusis, missarum solemnia celebrare, causa conficiendi corpus Domini, quod decadentibus in penitentia non negatur. Finally, Boniface VIII. (*Sexti Decretal.* Lib. V. Tit. II. c. 24): A nostris dudum fuit prædecessoribus constitutum, ut in terris seu locis, ecclesiastico suppositis interdicto, nulla (certis casibus et sacramentis exceptis) divina celebrentur officia, vel ministrentur ecclesiastica sacramenta. Quia vero ex

Germany, after long opposition,<sup>4</sup> they seemed at length to have succeeded in their object, during the controversies in the beginning of the thirteenth century.<sup>5</sup> In France they met with a more determined resistance,<sup>6</sup> being opposed even by Lewis IX.<sup>7</sup>

distictione hujusmodi statutorum exercebat indebetio populi, pullulant haereses, et infinita pericula animarum insurunt, ac ecclesias sine culpa carum debita obsequia subtrahuntur, — concedunt, quod tempore interdicti — non tantummodo morientes, sed etiam viventes, tam sani etiam quam infirmi, ad poenitentiam — licet admittantur, dum tamen excommunicati non fuerint. — Adieciunt præterea, quod singulis diebus in ecclesiis et monasteriis missæ celebrentur, et alia dicantur divina officia sicut prius, submissa tamen voce et januis clausis, excommunicatis ac interdictis exclusis, et campanis etiam non pulsatis. — In festivitatibus vero natalis Domini, pascha, ac pentecostes, et adiunctionis virginis gloriae, campanæ pulsentur, et januis apertis alta voce divina officia solemniter celebrentur, excommunicatis prorsus exclusis, sed interdictis admissis.

<sup>4</sup> Thus at the Diet of Ulm, A. D. 1152, the barons passed a resolve, that the ban should no longer have any civil effect, ne suggestiones clericorum subvertant imperium (cf. *Fasti Corbeienses Henrici Monachi in Harenberg* Monumentis historiæ adhuc ineditis, St. 3, Braunschweig, 1762, 8vo.), of which *Eugenius P. III.* complains in Epist. ad *Wibaldum Abb.* (in *Martene ampliss. collect.* T. II. p. 553).

<sup>5</sup> Philip of Swabia, A. D. decreed: generalem legem statuam, — ut quicunque excommunicatus fuerit a Domino Apostolico, in banno statim sit imperiali (see § 54, note 14) Friedrich II. for the benefit of the German clergy (see § 55, note 1) decreed, A. D. 1220 (in *Gudenus cod. diplom. exhibens aneedota Mogontiaca*, Tom. I. Goetting, 1743, p. 471): Excommunicatio non eximat eos a respondendo impetrantibus: sed sine Advocatis perimit auctoritas in eis-jus et potestatem ferendi sententias, testimonia, et alios impetrandi. Et quia gladius materialis constitutus est in subsidium gladii spiritalis; excommunicationem, si excommunicatos in ea ultra sex septimanas persistisse — constiterit, nostra proscriptio subsequatur, nec revocanda, nisi prius excommunicatio revocetur. This was adopted also in the *Schwabenspiegel* (between A. D. 1270 and 1285), Cap. 3.

<sup>6</sup> The league of the barons under St. Louis (see above, p. 272, note 23) resolved also (*Matth. Paris*, ann. 1246, p. 720): Et si aucun de ceste compagnie estoit excommunié par tort, cognu par ces quatre (the four leaders of the league), que la clergie luy feist, il ne laisseroit aller son droit re sa querelle pour l'excommunication, ne pour autre chose, qu'on luy face, si ce n'est par l'accord de ces quatre, ou des deux de eux, ains poursuiveroit sa droiture.

<sup>7</sup> Compare the account of his constant attendant *Joinville* in his hist. de saint Louis (Collection des mémoires relatifs à l'hist. de France depuis Phil. Auguste, par *Petitot*, T. II. Paris, 1819, p. 185): On one occasion all the French prelates appeared before the king, and Guy, bishop of Auxerre, spoke thus in their name: *Sire, sachez que tous ces prelutz, qui cy sont en vostre presence, me font dire, que vous lessez perdre toute la crestiente, et qu'elle se pert entre vos mains.* Adonc le bon Roy se signe de la croiz, et dit: *Eresque, or me dites, commandant il se fait, et par quelle raison.* *Sire, fist l'evesque, c'est pour ce qu'on ne tient plus compte des excommuniés.* *Cur aujour-d'hui un homme aymeroit mieulx mourir tout excommunié, que de se faire absouldre, et ne veult nully faire satisfaction à l'Eglise.* *Pourtant, Sire, ilz vous requierent tous à une roiz pour Dieu, et pour ce que ainsi leerez faire, qu'il vous plaise commander à tous vos baillifz, prerostz, et autres administrateurs de justice: que où il sera trouré aucun en vostre royaume, qui aura esté an et jour continuallement excommunié, qu'ilz le contraignent à se faire absouldre par la prise de ses biens.* Et le saint homme respondit, que tres-volontiers le commandereroit faire de ceulx, qu'on trouveroit estre torçonniers à l'Eglise et à son presme (*proximum*). Et l'evesque dit, qu'il ne leur appartenoit à cognoître de leurs causes. Et à ce respondit le Roy, qu'il ne le feroit autrement. Et disoit, que se seroit contre Dieu et raison, qu'il fist contraindre à soy faire absouldre ceulx, à qui les clerics feroient tort, et qu'ilz ne fussent oiz en leur bon droit. Et de ce leur donna exemple du conte de

## CHAPTER SEVENTH.

## HISTORY OF HERESIES.

## § 84.

## IN THE TWELFTH CENTURY.

J. C. Fuesslin's Kirchen- und Ketzerhistorie der mittlern Zeit (3 Theile. Frankf. und Leipz. 1770 — 74. 8vo.) Th. I, S. 56 ff. — H. Schmid der Mysticismus des Mittelalters in seiner Entstehungsperiode. Jena. 1824. S. 433 ff.

WHILST the hierarchy, unmindful of their spiritual duties, were thus involved in a constant struggle for temporal power, the limits of free inquiry more and more narrowed as the church system was developed, the disciplinary powers of the church perverted from their spiritual character, as well by the speculations of the Schoolmen as by the abuses of a rude priesthood, and the whole of this entangled system upheld only by external severity, it is not surprising that the opposition to the established church, heretofore comparatively rare, should now become more common, and more unyielding. The earlier controversies had related chiefly to subjects of speculation, and hence the church had found little difficulty in reclaiming its wayward children, as soon as it could resort to severe measures. For, in matters of mere opinion, where there is no moral bearing, the interest is seldom so great as to resist persecution for many centuries. But the opposition, which now became so general, grew out of a deeply wounded moral feeling, to which the whole condition of ecclesiastical affairs was an offence; and consequently was rather strengthened than weakened by severity, notwithstanding the difference of opinion and want of union amongst the various heretical parties.

Whilst Tanchelm<sup>1</sup> (in the Netherlands from A. D. 1115 — 1124)

Bretaigne, qui par sept ans a plaidoié contre les prelatz de Bretaigne tout excommunié, et finablement a si bien conduite et menée sa cause, que nostre saint Pere le Pape les a condampnez envers iceulz conte Bretaigne. Parquoy disoit, que si dès la premiere année il eust voulu contraindre iceulz conte de Bretaigne à soy faire absouldre, il lui eust convenu laisser à iceulz prelatz contre raison ce qu'ilz lui demandoient autre son vouloir: et que en ce faisant il eust grandement meffait envers Dieu et envers ledit conte de Bretaigne. Après lesquelles choses oyues pour tous iceulz prelatz, il leur sufficit de la bonne responce du Roy; et onques puis ne ouy parler, qu'il fust fait deunande de telles choses. — Louis IX even went so far as to revoke two unjust Interdicts. cf. Preuves des libertés de l'Eglise Galliae. ch. 36. nr. 2. Planck, l. c. S. 295: which seems to have been the preparation for the *Appellations comme d'abus* which were more usual under Louis XII.

<sup>1</sup> Concerning him, see especially the Epist. Trajectensis Ecclesiae ad Frid. Archiep. Coloniensem (in *Seb. Tengnagel Collect. vett. monumentorum contra Schismaticos*, Ingolst. 1612, p. 368. Act. SS. Junii, T. I, p. 845. *C. du Plessis d'Argentré collect. judicior. de novis erroribus*, T. I, p. 11 seq.): In maritimis primum locis rudi populo et infirmioris fidei venenum perfidia sua miscuit, et per matronas et mulierculas — errores suos paulatim spargere coepit; deinde per has

and Eudo de Stella, or Eon<sup>2</sup> (in Bretagne and Gascony till A. D. 1148) were inflaming the minds of the populace with their wild notions, two ecclesiastics in the south of France, Peter of Bruis<sup>3</sup>

conjuges etiam ipsos perfidiae suae laqueis irretivit. Nec jam in tenebris vel cubilulis, sed super tecta prædicare incipiens, in patentibus campis late circumfusæ multitudini sermocinabatur; et veluti Rex concionatus ad populum, stipatus satellitibus, vexillum et gladium præferentibus, velut cum insignibus regalibus, sermonem facturus, procedere solebat. — Declamabat, Ecclesias Dei lupanaria esse reputanda; nihil esse quod sacerdotum officio in mensa Dominica conficeretur; pollutiones non sacramenta nominanda; ex meritis et sanctitate ministrorum virtutem sacramenti accedere; — dehortabatur populum a perceptione sacramenti corporis et sanguinis Domini, prohibens etiam decimas ministris Ecclesie exhiberi. — Talibus nequitia successibus misero homini tanta sceleris accessit audacia, ut etiam se Deum diceret, aserens, quia si Christus ideo Deus est, quia Spiritum Sanctum habuisset, se non inferioris nec dissimilioris Deum, quia plenitudinem Spiritus Sancti accepisset. In qua presumptione adeo illusus, ut quidam in eo divinitatem venerarentur, in tantum, ut balnei sui aquam potandam stultissimo populo pro benedictione divideret, velut sacratius et efficacius sacramentum, profuturum salutem corporis et animæ. Thus he celebrated his betrothing to the holy virgin, etc. Hoc ad summam divise sufficiat, res divinas in tantum venisse contemptum, ut reputetur sanctior, eniisque fuerit Ecclesia despectior. Even greater disturbances in Antwerp, which continued after his death, so that they had to call St. Norbert to their aid. cf. *Vita Norberti*, § 36 in Acta SS. Jun. T. 1, p. 813. *Robertus de Monte* in App. ad Chronicon *Sigeberti Gembli*, ad ann. 1121, in *Pistorius*, p. 619.

<sup>2</sup> Concerning whom, see especially *Willelmus Neubrigensis* (about 1197) de rebus Anglicis, lib. I. c. 19 (*d'Argentré*, l. c. p. 36): Eudo is dicebatur, natione Brito, agnomen habens de Stella, homo illiteratus et idiota, iudicatione dæmonum ita dementatus, ut, cum sermone Gallico *Eon* diceretur, ad suam personam pertinere crederet, quod in ecclesiasticis exorcismis dicitur, scilicet "per eum, qui venturus est judicare vivos et mortuos, et seculum per ignem." Ita plane fatuus, ut *Eon* et *eum* nesciret distinguere, sed supra modum stupenda cæcitate crederet, se esse dominatorem et judicem vivorum et mortuorum. Eratque per diabolicas præstigias tam potens ad capiendas simplicium animas, ut — seductam sibi multitudinem aggregaret, quæ tota illum tanquam dominum dominorum individue sequeretur. — Et interdum quidem mira velocitate per diversas provincias ferebatur: interdum vero morabatur cum suis omnibus in locis desertis et inviis, mosque instigante diaibolo, erumperbat improvisus, ecclesiistarum maxime, ac monasteriorum infestator. Hence the popular tradition concerning them: pretiose induiti, splendide epulati, et in summa latitia agere videbantur: but that all this was done phantastice per dæmones, a quibus scilicet misera illa multitudo non veris et solidis, sed æriis potius cibis in locis desertis alebatur. — Sane cum pestifer ille ita debaccharetur, — sapius a principibus ad vestigandum et persequendum eum exercitus frustra mittebatur; quæsusitus enim non inveniebatur. Tandem vero fraudatus ope dæmonum, cum non amplius per illum debacchari sinerentur (non enim nisi a superioribus justo Dei judicio relaxantur) levi negotio a Remensi Archiepiscopo comprehensus est. He was brought before the Synod of Rheims, 1148, under Eugenius III., and there declared himself to be the qui venturus est judicare, etc. — Jussus autem ex decreto Concilii, ne pestis iterum serperet, diligenter custodiri, tempore exiguo supervixit. According to *Otto Frising* de gest. Frider. lib. I. c. 54, 55, he died in the convent of St. Denys.

<sup>3</sup> *Petri Venerabilis* Abb. Clun. epist. ad Arelatensem, Ebredunensem Archiep. Diensem, Wapicensem Episcopos adv. Petrobrusianos hæret. (in *M. Marrier et A. Quercetani* Bibl. Cluniac. p. 1117 seq. and Bibl. PP. max. T. XXII. p. 1033 seq.). The work itself was written in Peter's life-time, the preface after his death, A. D. 1126 or 1127 (Füssli, Th. 1, S. 200). In the former (Bibl. PP. max. XXII. p. 1035): In partibus vestris populi rebaptizati, Ecclesiae prophanaæ, altaria suffossa, cruces succensæ, die ipso passionis dominicae publice carnes comestæ, sacerdotes flagellati, monachi incarceratedi, et ad ducentas uxores terroribus sunt ac tormentis compulsi. Et harum quidem pestium capita, tam divino auxilio quam Catholicorum Principum adjutorio a vestris regionibus exturbasti; sed supersunt — membra,

(A. D. 1104 — 1124, *Petrobrusiani*) and Henry<sup>4</sup> (A. D. 1116 — 1148,

Iethifero adhuc, sic ipse nuper sensi, veneno infecta, ad que curanda Dei est misericordia invocanda, et vestra medicinalis diligentia adhibenda. — Anguis lubricus de regionibus vestris elapsus, imano vobis prosequentibus expulsus, ad Narbonensem Provinciam sese contulit, et quod apud vos in desertis et viliulis cum timore sibilabat, nunc in magnis convenientibus et populosis Urbibus andacter prædicat. Putabam Alpes gelidas, et perpetuis nivibus operatos scopulos incolis vestris barbariem invexisse, et dissimilarem terris omnibus terram dissimilem easteris omnibus populis populum creavisse; itaque agrestibus et indoctis hominum moribus [mentibus?] peregrinum dogma facilius irrepisse. Sed hanc opinionem meam ultima rapidi Rhodani littora et circumiacentes Tolosa planties, ipsaque urbs vicinis populosis expurgat, quæ adversus falsum dogma tanto cautior esse debuit, quanto — doctior esse potuit. Suscepit enim — Antichristi praeanubulos. — O miseri quicunque estis homines, — non multis gentibus, sed duobus tantum homuncionibus, *Petro de Bruis*, et *Heirico* ejus Pseudo-Apostolo tam facile cessistis! In the *Præfatio* he gives his five heresies as follows (prima erronci dogmatis semina a Petro de Bruis per XX fere annos sata et aucta, quinque precipua et venenata virgulta produxerunt): *Primum* hereticorum capitulum negat, parvulos infra intelligibilem atatem constitutos Christi baptismate posse salvari, nec alienam fidem posse illis professe, qui sua uti non possunt, — Domino dicente: *Qui crediderit et baptizatus fuerit, salvis erit*, etc. *Secundum* Capitulum dicit, templorum vel Ecclesiarum fabricam fieri non debere, factas insuper subrui oportere, nec esse necessaria Christianis sacra loca ad orandum, quoniam aque in taberna et in ecclesia, in foro et in templo, ante altare vel ante stabulum invocatus Deus audit, et eos qui merentur exaudit. *Tertium* Capitulum, cruces sacras confringi præcipit, et succendit, quia species illa vel instrumentum, quo Christus tam dire tortus, tam crudeliter oceisis est, non adoratione, non veneratione, vel aliqua supplicatione digna est, sed ad ultiorem tormentorum et mortis ejus, omni dedecore de honestanda, gladiis concidenda, ignibus succendenda est. *Quartum* Capitulum non solum veritatem corporis et sanguinis Domini quotidie et continue per sacramentum in Ecclesia oblatum negat, sed omnino illud nihil esse, neque Deo offerri debere decernit. In the refutation, p. 1057, he gives their own words: Nolite, o populi, Episcopis, Presbyteris, seu clero vos seducenti credere, qui sicut in multis, sic et in altaris officio vos decipiunt, ubi corpus Christi se conficeret, et vobis ad vestram animarum salutem se tradere mentiuntur. Mentiuntur plane. Corpus enim Christi semel tantum ab ipso Christo in cena ante passionem factum est, et semel, hoc est, tunc tantum, discipulis datum est. Exinde neque confectum ab aliquo, neque alicui datum est. *Quintum* Capitulum sacrificia, orationes, eleemosynas et reliqua bona pro defunctis fidelibus a vivis fidelibus facta deridet, nec ea aliquem mortuorum vel in modico posse juvare affirmat. Adding, p. 1079: addunt haeretici, irrideri Deum cantibus Ecclesiasticis, quia qui solis piis affectibus delectatur, nec altis vocibus advocari, nec musicis modulis potest mulceri.

<sup>4</sup> Acta Episcoporum Cenomanensium, cap. 35, *de Hildeberto Episc.* (in *Mabillonii vetera Analecta*, T. III, p. 312, ed. II, p. 315). They relate that in the year 1116 Henry had attracted much notice by his severe mode of life and exciting appeals. Those who had seen him, publice testabantur, numquam se virum attraxisse tanta rigiditas, tanta humanitas et fortitudinis; cuius affatu cor etiam lapideum facile ad compunctionem posset provocari. He was received with great respect by Hildebert, who immediately after departed for Rome, and was regarded by the clergy as well as the populace with the deepest reverence: Ceterum dum orationem habebat ad populum, eisdem clericis ad pedes ejus residentibus et flentibus, tali resonabat oraculo, ac si demonum legiones uno hiatu ejus ore murmur exprimerent. Veruntamen mirum in modum facundus erat; cuius sermo ita mentibus vulgi per aures infusus haerebat, quasi reccens venenum, etc. — Quia haeresi plebs in clerum versa est in fureum, adeo quod famulis eorum minarentur cruciatus, nec eis aliquid vendere, vel ab eis emere voluissent; immo habebant eos sicut ethnicos et publicanos. Praeterea non tantum aedes eorum obruerere, et bona dissipare, sed illos lapidare aut affigere patibulo decreverant, nisi Princeps et optimates ejus — resisterent. Further, dogmatizabat novum dogma, quod feminæ, quæ minus caste viverant, coram omnibus vestes suas cum crinibus nudæ comburerent: nec quilibet amplius aurum, argentinum, possessiones, sponsalia cum uxore

*Henriciani*) began to declaim most zealously against the machinery of the church, and the corruption of the clergy. At the same time the Manichæism of the last period (see § 46) spread itself more and more; and it seems as if the high honor in which Augustine was held in the church led those, who renounced its authority, for this very reason, to seek the truth in the writings of his opponents.<sup>5</sup> —

sumeret, nec illi dotem conferret; sed nudus nudam, debilis agrotam, pauper duceret egenam, nec curaret, sive caste sive inceste connubium sortiretur. — Ex iussu illius plebis actio pendebat universa et affectus. Tanta auri, tanta argenti affluentia, si vellet, redundaret, ut opes omnium solus videretur possidere. Licet plene multa reciperet, tamen parebat cupiditati, ne nimis ambitiosus videretur. — Verumtamen plura sibi retinens, pauca ad restauracionem pannorum, qui incensi fuerant, conferebat. Ejus quoque admonitu multi juvenum ducebant venales mulieres, quibus ipse panos pretio LV solidorum emebat, quo nuditatem suam tantummodo supertergerent. When Hildebert returned from Rome, and was about to bless the people, they cried out: Nolumus scientiam viarum tuarum, nolumus benedictionem: eum bene dic, eum sanctifica: nos habemus patrem, habemus pontificem, habemus advocatum, qui te excedit auctoritate, excedit honestate, excedit scientia. Huic clerici iniqui, clerici tui adversantur, ejus doctrinae contradicunt, hunc quasi sacrilegum deuantur et respunt, verentes quod corum seculera denudaret propheticō spiritu, et haeresim suam et corporis incontinentiam privilegio condemnaret litterarum [divinarum]. Hildebert banished him, but plebem Henricus sic sibi illexerat, quod vix adiutus memoria illius et dilectio a cordibus eorum deleri valeat vel depelli. After this he seems to have joined himself to Peter Brus, see note 3. Petrus vener. l. c. in the Praefat. p. 1034: Sed post rogam Petri de Brus, quo apud s. Aegidium (St. Giles) zelus fideliū flammæ Dominicæ crucis ab eo succensas eum concremando ultus est, — haeres nequitiae ejus Heinricus cum nescio quibus aliis doctrinam diabolicam non quidem emendavit, sed immutavit, et sicut nuper in toto, qui ab ore ejus exceptus dieebatur, scriptum vidi, non quinque tantum, sed plura capitula edidit. Sed quia cum ita sentire vel prædicare nondum mihi plene fides facta est, differo responsem. About A. D. 1134 Henry was in Provence (Acta Episc. Cenoman. c. 36, l. c. p. 323): Aurem suam tantum historiae et litteræ prophetarum accommodans, dogmatizabat perversum dogma, quod fidelis Christianus nec retractare debet nec erudire. Sed misericordia Dei — ille Heinricus ab Arlatensi Archiepiscopo captus est, et Domino Pape Innocentio Pisis in authentico Concilio præsentatus, ibique iterum convictus et generaliter haereticus appellatus, ad postremum carcere mancipatur. Cui postquam permisso concessa est abeundi ad aliam provinciam, nova secta, novo cursu, novum iter assumpsit delinquendi; quam protinus ita turbavit, quod minime Christiani ecclesiarum adirent limina, sed divinum contemnentes mysterium, sacerdotibus oblationes, primitias, decimas, infirmorum visitationes, et solitam denegabant reverentiam. He afterwards preached with great success in Langue doc, whither Eugenius III. sent, A. D. 1147, the Cardinal Albericus and St. Bernhard to oppose him. Bernhard's letter on the occasion to Ildefons, count of St. Giles and Toulouse, a patron of Henry (*Bernardi epist. 241*) is a witness how great Henry's influence had been in those regions, though full of passionate and unjust accusations against him. The result of the mission, see in *Bernardi vita auct.* Gaufrido Mon. lib. III. c. 6. Bernhard conquered; Henry was taken prisoner and delivered up to the bishop of Toulouse. *Albericus* in chron. ad ann. 1149, relates that Henry was brought before the Pope at the council of Rheims; de sua haeresi discussus et convictus, vitam quidem et membra, Episcopo qui eum adduxerat expostulante, retinuit, sed tamen præcepto Papæ in custodia relegatus, et ibidem post non multum temporis mortuus est in illa. It is evident, however, that Albericus confounds Henry with Eon (see note 2), especially ad ann. 1148, where he says of him, e. g.: ad tantam prorupit insaniam, ut diceret et credi cogeret, se esse filium Dei.

<sup>5</sup> The question here suggests itself, supplementary to Div. II. p. 151, whether the writings of Augustine against the Manichæans were not a chief source of this new Manichæism (*Eckbert* adv. Catharos Sermo I. in fine (see note 11, below): *Produnt autem semetipsos quod sint de errore Manichæi, in eo quod dicere solent,*

These new Manichæans, now commonly called Cathari (German *Ketzer*) [*heretics*]<sup>6</sup> also Publicani, Paterini, etc.,<sup>7</sup> are found not only in every part of France<sup>8</sup> but also in the neighbouring countries. In Germany they appeared at Triers, A. D. 1121,<sup>9</sup> and afterwards at Cologne, in such strength that Evervin, provost of Steinfeld A. D. 1146, applied to St. Bernhard for help,<sup>10</sup> and in the year 1163, Eg-

quod b. Augustinus prodiderit secreta eorum). In suggesting this, however, it is not meant to question that the later Manichæism has a peculiar form.

<sup>6</sup> *Ekbert* (l. c.): *Hoc Germania nostra Catharos — appellat.* Gazzari is the Italian pronunciation of Cathari, and Mosheim's derivation from *Gazaria s. Chassaria* (*Versuch einer Ketzergeschichte*, S. 367) is without foundation. *Ekbert*, l. c. serm. I.: *Cathari originem habuerunt a quibusdam discipulis Manichæi, qui olim Cathariste dicebantur i. e. purgatores.* (comp. *Augustin. de heres. c. 46*). — Rainerius shows that the Electi were called 'Cathari' in contradistinction to the Credentibus.

<sup>7</sup> Of all these names, see *J. Usserius de christianarum ecclesiarum in occidentis præsertim partibus continua successione*. London. 1613. 4to. p. 209 seq. (also appended to his *Britann. Ecclesiarum antiquitates*. ed. Lond. 1687. fol.) Füssli, Th. I. S. 38 ff. Schmid, S. 435 ff.

<sup>8</sup> About 1101 in Agen, see *Radulphus Ardens*, chaplain of the duke of Aquilon, sermo dominica VIII. post Trin. (Sermones ed. Colon. 1604. 2 Tom. 8vo. the passage in *Du Plessis d'Argentré collectio judiciorum de novis erroribus*, T. I. p. 9). — About 1115 in Soissons, see *Guibertus Abb. s. Mariae Novigenti* in vita sua, lib. IIII. c. 16 (in Opp. ed. *L. d'Achery*. Paris. 1651. fol. and in *d'Argentré*, l. c. p. 8). e. g. *Hæreticos hic nefandus Sucessorum comes amabat; — per Latinum conspersi sunt orbem; — conventicula faciunt in hypogeois aut penetralibus abditis. Guibert himself assisted in persecuting them.* About 1140 in Perigueux in Aquitain, see *Heriberti Mon. epistola* (in *Mabillonii Analecta*, T. III. p. 467, ed. nov. p. 483, *d'Argentré*, l. c. p. 35): *Surrexerunt in Petragoricensi regione quam plures hæretici, qui se dicunt Apostolicam vitam ducere; carnes non comedunt, vinum non bibunt, nisi permodicum tertia die; centies in die genua flectunt, pecunias non recipiunt; illorum secta valde perversa est et occulta. Gloria patri non dicunt, sed: Pro gloria patri, quoniam regnum tuum, et tu dominaris universis creaturis in sæcula sæculorum, Amen.* Eleemosynam nihil esse, quia unde fieri posit, nihil debere possideri. Missam pro nihilo dicunt, neque communionem percipi debere dicunt, sed fragmentum panis. — *Crucem seu vultum Domini non adorant, sed adorantes prohibent, ita ut ante vultum Domini dicant: "O, quam miseri sunt, qui te adorant, Psalmus dicente, Simulacra gentium, etc."* In hac seductione quam plures jam, non solum nobiles propria relinquentes, sed et clerici, presbyteri, monachi et monachæ pervenerunt. Nullus enim tam rusticus est, si se eis conjunxit, quin infra octo dies tam sapiens sit litteris, ut nec verbis, nec exemplis amplius superari possit. Nullo modo detineri possunt — Diabolo eos liberante, etc. Alia quoque permulta et mira faciunt. Prineeps eorum Pontius vocatur. — About 1180 in Rhœmis, see *Radulphus Cogeshaleensis Mon.* (Ex. ms. in Jo. *Picardi* notis ad Guil. Neubrigensem, p. 724, in *d'Argentré*, l. c. p. 59) e. g. cum error quorundam hæreticorum, qui vulgo appellantur Publicani, per plures Galliae provincias proserperet, etc. — A. D. 1200 in Besançon, see *Cesar. Heisterbac. Miraculorum*, lib. V. c. 18 (*d'Argentré*, l. c. p. 46). — A. D. 1201 in Paris (*Mon. Autissiodor. p. 96, d'Argentré, p. 62*): *Evraudus miles — hæresis illius, quam Bulgarorum vocant, — arguitur.*

<sup>9</sup> See *Historia Trevirensis* in *d'Acherii spicileg.* T. XII. p. 243 (ed. nov. T. II. in *d'Argentré*, l. c. p. 24). Namely, Ivodii quod Trevericæ Dieccesis appenditum est. Two presbyters and two laymen were arrested.

<sup>10</sup> *Evervini Präpos. Steinfeldensis Epist. ad Bernardum* (in *Mabillonii Analecta*, T. III. p. 452, ed. nov. p. 473 in *d'Argentré*, l. c. p. 33): *Nuper apud nos juxta Coloniam quidam hæretici detecti sunt, quorum quidam cum satisfactione ad Ecclesiam derierunt. Duo ex eis, scil. qui dicebatur Episcopus eorum cum socio suo, nobis resisterunt in conventu Clericoru[m] et Laicoru[m], præsente ipso Domino Archiepiscopo cum magnis viris nobilibus, hæresim suam defendantes ex verbis*

Christi et Apostoli. Sed cum vidissent, se non posse procedere, petierunt, ut eis statueretur dies, in quo ad eum veniret. — Iis viros inde sue peritos; ahoquin se velle potius mori quam ab hac s. intentia d. ille i. Quo iudicio eum per triduum essent admoniti, et respicere noluisse, rapiunt a populis nimbo zelo permotis, nobis tamen invitis, et in ignem positi atque cremati, et (quod mirabile est) ipsi tormentum ignis non solus cum patientia, sed et cum letitia introierunt et sustinuerunt. Illic, sancte Pader, velle, si præsens essem, habere responsionem tuam, unde istis Diaboli meabris tanta fortitudo in sua haeresi, quanta vix etiam inventur in valde religiosis in fide Christi. Haec est haeresis illorum: Dicunt apud se tantum Ecclesiam esse, eo quod ipsi soli vestigia Christi inhærent, et Apostolicæ vite veri sectatores permaneant, ea que mundi sunt non querentes, non dominum, nec agros, nec aliquid pecunium possidentes, sicut Christus non possedit, nec Discipulis suis possidenda concessit. Vos autem, dicunt nobis, domum domui et agrum agro copulatis, et que mundi sunt hujus, queritis; ita etiam, ut, qui in vobis perfectissimi habentur, sicut Monachi vel Regulares Canonici, quamvis haec non ut propria, sed possident ut communia: possident tamen haec omnia. De se dicunt: Nos pauperes Christi, instabiles, de civitate in civitatem fugientes, sicut oves in medio Iudeorum, cum Apostolis et Martyribus persecutionem patimur: — Vos autem mundi amatores cum mundo pœnæ habetis, quia de mundo estis. Pseudo-Apostoli adulterantes verbum Christi, [qui] quæ sua sunt quæsiverunt, vos et patres vestros exorbitare fecerunt: nos et patres nostri generati Apostoli in gratia Christi permansimus, — in cibis suis vetant omne genus lactis, et quod inde conlicitur, et quicquid ex coitu procreatur. — In Sacramentis suis velo se tegunt; tamen nobis aperte confessi sunt, quod in mensa sua quotidie cum manducant, ad formam Christi et Apostolorum cibum suum et potum in corpus Christi et sanguinem per Dominicam orationem consecrant, ut inde se, membra et corpus Christi, nutritant. Nos vero dicunt in sacramentis non tenere veritatem, sed quaudam umbram et hominum traditionem. Confessi sunt etiam manifeste, se præter aquam in ignem et spiritum baptizare, et baptizatos esse. — Et talem baptismum per impositionem manuum debere fieri conati sunt ostendere testimonio Lucæ, qui in Act. Apost. describens baptismum Pauli, quem ab Anania suscepit ad præceptum Christi, nullam mentionem fecit de aqua, sed tantum de manus impositione; et quicquid inventur tam in Actis Apost. quam in Epistolis Pauli de manus impositione, ad hunc baptismum volunt pertinere; et quenlibet sic inter eos baptismatum dicunt *Electum*, et habere potestatem alios, qui digni fuerint, baptisandi, et in mensa sua corpus Christi et sanguinem consecrandi. Prius enim per manus impositionem de numero eorum, quos *Auditores* vocant, recipiunt eum inter *Credentes*, et sic licet eum interesse orationibus corum, usque dum satis probatum eum faciant *Electum*. De Baptismo nostro non curant. Nuptias damnant, sed causam ab eis investigare non potui; vel quia eam fati non audeant, vel potius qui eam ignorabant. Sunt item alii hæretici quidam in terra nostra, omnino ab istis discordantes (called by *Eckbert*, serm. V. (see note 11, below) *sequaces Hartwini*), per quorum inutuam discordiam et contentionem utrique nobis sunt detecti. Isti negant in Altari fieri corpus Christi, eo quod omnes Sacerdotes Ecclesiæ non sunt conscrati. Apostolica enim dignitas, dicunt, corrupta est, implicans se negotiis sæcularibus, et in cathedra Petri non militans Deo, sicut Petrus, potestate consecrandi, quæ data fuit Petro, se privavit; et quod ipsa non habet, Archiepiscopi et Episcopi, qui in Ecclesia seculariter vivunt, ab ea non accipiunt, ut aliquos consecrare possint. — Et ita evanescunt Sacerdotium Ecclesiæ, et damnant Sacraenta, præter baptismum solum, et hunc in adultis, quos dicunt baptisari per Christum, quicunque sit minister Sacramentorum. De baptismo parvulorum fidem non habent, propter illud de Evangelio: *Qui crediderit et baptizatus fuerit, salvus erit.* Omne conjugium vocant fornicationem, præter quod contrahitur inter utrosque virgines, masculam et fœminam (appealing to Matth. xix. 6, 8, 9, and Hebr. xiii. 4). In suffragiis Sanctorum non confidunt; jejunia, cæterasque afflictiones, quæ fiunt pro peccatis, adstruunt justis non esse necessaria, nec etiam peccatoribus, quia in quacunque die ingemuerit peccator, omnia peccata remittuntur ei; cæterasque observantias in Ecclesia, quas Christus et Apostoli ab ipso discedentes non considerunt, vocant superstitiones. Purgatorium ignem post mortem non concedunt; sed animas statim, quando egrediuntur de corpore, in æternam vel requiem vel pœnam transire, propter illa Salomonis: *Lignum in quacunque partem ceciderit, ibi manebit:* et sic felium orationes vel oblationes pro defunctis

bert, a monk of Schœnau, was summoned to dispute with them.<sup>11</sup>

ad nihilant. — Noveritis etiam, Domine, quod redeentes ad Ecclesiam nobis dixerunt, illos habere maximum multitudinem fere ubique terrarum sparsam, et habere eos plures ex nostris Clericis et Monachis. Illi vero, qui combusti sunt dixerunt nobis in defensione sua, hanc haeresim usque ad haec tempora occultatam fuisse a temporibus Martyrum, et permanisse in Graecia et quibusdam aliis terris. Et hi sunt illi haeretici, qui se dicunt Apostolos, et suum Papam habent. Alii Papam nostrum ad nihilant nec tamen alium præter eum habere fatentur. Isti Apostolici Satanae habent inter se feminas, ut dicunt, continentes, — quasi ad formam Apostolorum, quibus concessa fuit potestas circumducendi mulieres. — Evervin called on Bernhard to take notice of these heresies in his sermons on the Canticles, at the passage Cant. 2, 15. *Capite nobis rupes parvulas, quæ demoliriunt vineas,* which he did, Serm. 65 et 66 super Cantica.

<sup>11</sup> *Godefridus Mon.* ad ann. 1163: Hoc etiam anno quidam haeretici, de secta eorum, qui Cathari nuncupantur, de Flandriæ partibus Coloniam advenientes, prope civitatem, in quadam horreo occulte manisitare cœperunt, etc. Egbert was the brother of St. Elizabeth, and went to Cologne, as is related by Trittenheim, per Clerum vocatus ad Coloniam ad disputandum contra quosdam novos haereticos ibidem repertos, etc. This was the origin of the *Eckberti Sermones XIII. adversus Catharorum errores* (ed. Colon. 1530. 8vo. and Bibl. PP. Max. T. XXIII. p. 600 seq.). In the dedication ad Reginoldum Archiep. Colom.: In vestra diœcesi frequenter contingit deprehendi quosdam haereticos. — Muniti sunt verbis sacræ Scripturæ, quæ aliquo modo sectis eorum concordare videntur, et ex eis sciunt defendere errores suos, et oblatrare Catholicæ veritati. — Cum essem Canonicus in Ecclesia Bunnensi sœpe ego et unanimis meus Bertolphus cum talibus altercati sumus, et diligenter attendi errores eorum ac defensiones. Multa quoque de illis innotuerunt per eos, qui exierant de conventiculis eorum, et resipuerant a laqueis diaboli. — Sermo I: Ecce enim quidam latibulosi homines perversi et perversores, qui per multa tempora latuerunt, — per omnes terras multiplicati sunt. — Hos nostra Germania *Cutharos*, Flandria *Piphles*, Gallia *Tixerant*, ab usu texendi, appellant. The statement of their doctrines which follows agrees with that of Evervin, and occasionally supplies what in his account is wanting; e. g.: se solos in mensis suis corpus Domini facere dicunt. Sed in verbis illis dolum habent; non enim verum illud corpus Christi significant, — sed sui ipsius carnem corpus Domini vocant, et in eo, quod sua corpora nutrunt cibis mensæ suæ, corpus Domini se facere dicunt. — Audivi a quodam fideli, qui — de societate eorum exivit, — in Domino Salvatore ita errare eos, — ut dicent, eum non vere natum ex virgine, nec vere humanam carnem eum habuisse, sed simulatam carnis speciem: nec ex mortuis eum resurrexisse, sed mortem et resurrectionem simulasse. Hence they did not celebrate the passover; but instead of it aliud quoddam festum, in quo occisus est haeresiarcha eorum Manichæus, — quod b. Augustinus — *Bema* appellari dixit. Meus autem recitator ab eis, quibus ipse fuerat commoratus, *Malilosa* dixit vocari, et autumnali tempore celebrari (Bema was celebrated in March, *Augustin. contra Faust* XVIII. c. 5). Those of them that were brought to the stake at Cologne, said further, animas humanas non aliud esse, nisi illos apostatas spiritus, qui in principio mundi de regno cœlorum ejecti sunt, et eos in humanis corporibus posse per bona opera promiceri salutem, sed hoc non nisi inter eos, qui ad corum pertinent sectam. Egbert now passes to the question *de origine sectæ Catharorum*, maintaining that they sprung from Manes, concerning whom he repeats the words of Augustine, but in such a way that it appears as if they were spoken of the Cathari of his own time. e. g. Ex numero discipulorum suorum duodecim elegit, quos quasi Apostolos suos habebat: — quem numerum initatores ejus et hodierna die observant, quia ex electis suis habent XII. quos appellant magistros, et tertium decimum principem ipsum: Episcopos autem LXXII. qui ordinantur a magistris, etc. Füssli, Th. I, S. 77, and Schmid, S. 446, have been misled in supposing that all this is applied to the modern Cathari; whereas they are ipsissima verba Augustini (*de heres. c. 46*), and therefore to be understood only of the old Manichæans. Sermo V.: Of the grounds of the rule of celibacy amongst the Cathari: Innotuit mihi per quosdam viros, qui exierunt de societate vestra. — Dicitis enim, quod fructus ille, de quo præcepit Deus primo homini in paradyso, ne gustaret ex eo, nihil aliud fuit nisi mulier, quam creaverat,

They appeared in England in the year 1159, but were soon put down.<sup>12</sup>

The Cathari were most successful, however, in those countries which at that time enjoyed the greatest political freedom, especially in the south of France and the north of Italy.

In the south of France<sup>13</sup> the way had been prepared for them by the preaching of Peter de Bruis and Henry, and the decrees passed against them at several councils<sup>14</sup> being rendered ineffectual by the protection of the barons, their numbers were greatly multiplied.<sup>15</sup> The bishops of these countries made a vain attempt to reclaim these

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De ipsa dicitis, Adae praecepit Dominus, ut non commisceatur ei, et commixtus est ei contra praeceptum Domini, quod erat gustare de vetito ligno. Ex hoc ergo probatis, omne genus humanum, quod de eis propagatum est, natum esse ex fornicatione, et neminem salvari posse, nisi purgatus fuerit per orationes et sanctificationes eorum, qui inter vos perfecti vocantur. — Mussitan quidam vestrum, videbile sequaces Hartwini, quod illud conjugium solum justum est, in quo virgines conjunguntur, et quod unam tantum prolem gignere debent, et postea statim abiviem discedere. Sermo VIII.: nuper (igne) baptizavit Colonia Archicatharum vestrum Arnaldum, et complices ejus, et similiter Bunna Theodericum et socios ejus.

<sup>12</sup> *Willemus Wicbricensis* (about 1197) de reb. Angl. lib. II. c. 13: Iisdem diebus errorni quidam venerunt in Angliam ex eorum, ut creditur, genere, quos vulgo Publicanos vocant. Illi minirum ex Gasconia incerto auctore habentes originem, regionibus plurimi virus sua perfidie infuderunt. Quippe in latissimis Galliae, Hispaniae, Italiae, Germaniaeque provinciis tam multi hac peste infecti esse diuentur, ut secundum Prophetam *multiplicati esse super numerum arenæ videantur*. — In England, however, pestis, quæ jam irrepserat, ita est obviatum, ut de cætero hanc insulam ingredi vererentur. There were more than thirty men and women, due quodam Gerardo, all nationis et lingue Tentoniceæ. At a council in Oxford they were denounced and banished from the country.

<sup>13</sup> Of the political condition of the south of France at this period, see Schlossers Weltgesch. Bd. 3, Th. 1, S. 557 ff.

<sup>14</sup> Conc. Tolosan. ann. 1119, c. 3: Porro eos, qui religionis speciem simulantes, Dominicis corporis et sanguinis sacramentum, puerorum baptismus, saecerdotium, et cæteros ecclesiasticos ordines, et legitimarum dannant fœdera nuptiarum, tanquam hæreticos ab ecclesia Dei pellimus et damnamus; et per potestates exterias coerceri præcipimus. Defensores quoque ipsorum ejusdem damnationis vinculo donec resipuerint mancipari:us. The same is repeated by Conc. Lateran. II. gen. ann. 1139, c. 23. Conc. Remense, ann. 1148, c. 18: — Præcipimus, ut nullus omnino hominum hære-iarchas et eorum sequaces, qui in partibus Guascione, aut Provinciæ, vel alibi commorantur, manuteneat vel defendat, nec aliquis eis in terra sua receptaculum præbeat. Whoever disregards this decree, anathemate feriatur, et in terris eorum, donec condigne satisfiant, divina celebrari officia interdieimus. Conc. Turonense, ann. 1163, c. 4: In partibus Tolosæ damnanda bæresis dudum emersit, quæ paulatim more cancri ad vicina loca se diffundens, per Guascionem et alias provincias quamplurimos jam infecit. Hence the bishops and priests of that region are called upon to be watchful, et sub intermissione anathematis prohibere, ne ubi cogniti fuerint illius hæresis sectatores, ne receptaculum quisquam eis in terra sua præbere, aut præsidium impetrare præsumat. Sed nec in venditione aut emptione aliqua cum eis omnino commercium habeatur. — Illi vero si deprehensi fuerint, per catholicos principes custodia mancipati omnium bonorum amissione muletentur. Et quoniam de diversis partibus in unum latibulum crebro convenient, — conventicula et investigentur attentius, et si inventa fuerint, canonica severitate vetentur.

<sup>15</sup> Of this and what follows, see the *Histoire générale de Languedoc par un Religieux Benedictin de la Cougr. de S. Maur* (Claude le Vie and Joseph Vaissette) Tom. III ième. Paris. 1737. fol.

bonos homines, as they were commonly called, in the council of Lombers (A. D. 1165):<sup>16</sup> nor were the efforts of the Cardinal-legate, Peter of St. Chrysogonus at Toulouse (A. D. 1178), much more successful.<sup>17</sup> Even the severe ordinance of Alexander III. at the third

<sup>16</sup> *Rogerus de Hoveden* Annal. Rer. Anglie. ad ann. 1176 (in *Sarili Script.* Rer. Augl. Francof. 1691. p. 555), gives an extract from the Acta of this council; hence it has received a wrong date, A. D. 1176. Schröckh has been led by this to make two councils of one, the first A. D. 1165 (Th. 29, S. 510), and the second 1176 (S. 508). The Acta in full (in *Mansi XXII. p. 157*) begin thus: Anno ab Incarn. Domini MCLXV, talis diffinitiva sententia lata est super altercatione et assertione atque impugnatione fidei catholice, quam expugnare nitebantur quidam, qui faciebant se appellari *Boni homines, quos manu tenebant homines de Lumbres.* Et hæc sententia lata est per manum Giroldi Albiensis episcopi, electis ac statutis judicibus ab utraque parte, et cognoscitibus atque ad identibus praefato Episcopo, then other bishops and clergy are enumerated, and several barons, in præsentia fere totius populi Albiensis et de Lumbres, aliorumque populorum castrorum. To the first question, concerning their canon, they answered plainly, that they rejected the Old Testament, and received the New Testament alone. To the question de fide sua, they answered, *quod non dicent, nisi cogarentur*; to the third, de baptisme parvolorum: *quod nihil dicent, sed de evangelio et epistolis responderent.* They did not wish, therefore, an examination, but rather a disputation, and chiefly on the first question. Hence the declaration: *nihil aliud responderent, quia non debebant cogi respondere de fide sua.* The council condemned them, but with how little effect is seen from *Gervasii Cantuariensis* (about 1200) Chron. ad ann. 1177 (Scriptores X. Anglii. Lond. 1652. fol. p. 1441 seq.).

<sup>17</sup> Raimund V., count of Toulouse, applied (A. D. 1117) to the Cistercian chapter (the letter in *Gervasius Cantuar. I. c.*) for aid against heretics. Of the mission of Cardinal Peter, which was in consequence brought about by the kings of France and England, see *Hist. de Languedoc*, T. III. p. 47. The chief authority is *Roger de Hoveden*, ad ann. 1178, p. 573 (also in *Baronius*, ad h. a. no. 17 seq.), and especially the letter there given, p. 577, and Epist. Henrici Abb. Claravall., who accompanied the Cardinal in his expedition. Henry gives a frightful picture of the predominance of the heretics in Toulouse: *Ibi haeretici principabantur in populo, dominabantur in clero, eo ut populus sic sacerdos, et in interitum gregis ipsa configurabatur vita pastoris. Loquebantur haeretici, et omnes admirabantur; loquebatur Catholicus, et dicebant; quis est hic? in stuporem et miraculum deduceant, si esset aliquis inter eos, qui de verbo fidei auderet aliquid vel mutire.* In tantum præevaluerat pestis in terra, quod illi sibi non solum sacerdotes et pontifices fecerant, sed etiam Evangelistas habebant, qui corrupta et cancellata Evangelica veritate nova illis Evangelio euderent, etc. — In ipso quoque introitu nostro tanta erat haereticis ubique licentia, ut nos quoque per vicos et plateas recto itinere procedentes subsannarent verbo, dígito demonstrarent, nos apostatas, nos hypocritas, nos haereticos conclamantes. Still they were somewhat intimidated by the embassy, and compelled, in appearance at least, to yield. Henry, on the other hand, who was sent to Roger II. viscount of Beziers, ut et Albiensem Episcopum, quem sub custodia haereticorum in vinculis tenebat, absolveret, et universam terram suam — eliminatis haereticis emendaret, was entirely unsuccessful (though Roger was, nevertheless, a good Catholic, see *hist. de Langued.* T. III. p. 49). Prædictus Rogerus in ultimos et inaccessibilis terræ sue fines abscessit, and Henry says: *Judicavimus prædictum Rogerum proditorem, haereticum, et de violata Episcopi securitate perjurum, eum tamquam publica excommunicatione damnatum, ex parte Papæ et prædictorum Regum, in præsentia conjugis, militumque suorum in nomine Christi confidenter diligantes (*d'fiantis*).* The letter closes: *Ecce a modo satis appetat, quam grande et evidens osium patet principibus Christianis, ut Christi ulciscantur injurias.* — *Ne autem vel parum vel nihil fieri contra illos posse causentur, sciant omnes, generalem fuisse in urbe Tolosana sententiam, quod si illa visitatio fuisset adhuc triennio retardata, vix inveniretur in ea, qui nomen Christi amplius invocaret.* Super hæc autem omnia prædictus Comes S. Ægidii coram populo civitatis præstito juramento firmavit, quod a modo nec prece nec

council of the Lateran (A. D. 1179) had no effect.<sup>18</sup> In the year 1181,<sup>19</sup> Henry, abbot of Clairvaux and Cardinal-legate, led a crusade against Roger II., vicomte of Beziers, Carcassone, Albi and Rasez, the protector of the Cathari, but could only suppress them for a time.<sup>20</sup> The records of this controversy are found in *Ebrardi Flandrensis, Betunia oriundi, liber antihaeresis*:<sup>21</sup> *Ermengardi opus. contra haereticos,*

pretio favebit haereticis. *Robertus de Monte*, however, in App. ad *Sigebert. Gembl.* (in *Pistorius*, T. I. p. 922): *Haeretici, quos Algenenses* (see note 8, above) *vocant, et alii multi convenerunt circa Tolosam, — ad quorum confutacionem Petrus, Legatus Romi, etc. convenerunt, et parum profecerunt.*

<sup>18</sup> Cone. Lateran. III. gen. c. 27: *Quia in Gasconia, Albegecio, et partibus Tolo-anis, et aliis locis ita haereticorum, quos alii Catharos, alii Patarenos, alii Publicanos, alii aliis nominibus vocant, invaluit damnata perversitas, ut jam non in occulto, sicut aliqui, nequitiam suam exerceant, sed suum errorem publice manifestent, et ad suum consensum simplices attrahant et infirmos; eos, et defensores eorum, et receptores anathemati decorrimus subjacere; et sub anathemate prohibemus, ne quis eos in dominibus, vel in terra sua tenere, vel fovere, vel negotiationem cum eis exercere presumat. — Cunctis fidelibus in remissionem peccatorum injungimus, ut tantis cladiis se viriliter opponant, et contra eos armis populum Christianum tucantur. Confisceturque corum bona, et liberum sit principibus hujusmodi homines subjacere servituti. Qui autem in vera penitentia ibi decesserint, et peccatorum indulgentiam, et fructum mercedis aeternae se non dubitent percepturos. Nos etiam — fidelibus Christianis, qui contra eos arma suscepserint, biennium de penitentia injuncta relaxamus: aut si longiorem ibi moram habuerint, Episcoporum discretioni, quibus hujus rei cura fuerit injuncta, committimus, ut ad eorum arbitrium, secundum modum laboris, major eis indulgentia tribuatur. Illos autem, qui admonitioni Episcoporum in hujuscemodi parte parere contempserint, a perceptione corporis et sanguinis Domini jubemus fieri alienos, etc.* This ordinance was repeated by the archbishop of Narbonne A. D. 1179, with a call on his suffragans, to pronounce the ban on these heresies and their protectors every Sunday (see Hist. de Langued. T. III. Preuves, p. 148), namely, on R. comitem nobilem virum, et R. vicecomitem Biterensem, et B. vicecomitem Nemausensem, et Lupatum, et R. de Terrazona.

<sup>19</sup> Hist. de Langued. T. III. p. 57.

<sup>20</sup> As little effect had the promise made after Roger's death († 1194) by *Bertrand de Saissac* as guardian of the young Viscount Raymund Roger to the bishop of Beziers Aug. 1191 (Hist. de Lang. T. III. Preuves, p. 177): — *nec haereticos, vel Valdenses in predicta villa (Biteris) vel episcopatu — inducemus. Et si forte ibi fuerint, pro posse nostro illos inde ejiciemus, et tibi Episcopo jus et liberam potestatem — eos expellendi concedo: and the renewal of the Lateran Canon at the Cone. Monpellicense, ann. 1195.*

<sup>21</sup> Prim. ed. *Jac. Gretser (Trias scriptorum adv. Waldensium sectam. Ingolst. 1614. 4to.) erroneously contra Waldenses* (reprinted in Bibl. max. PP. T. XXIV. p. 1525). e. g. cap. I. *Dicunt, lex non est ex tide, ut dicit Abacuc et Paulus similiter (Gal. iii. 11, 12. Hab. ii. 4). — Quid autem ex fide non est, peccatum est (Rom. xiv. 23): ergo lex peccatum est. Cap. III.: Deum patrum nostrorum, qui legem dedit Moysi, qui locutus est cum prophetis, qui firmavit orbem terræ, Deum verum esse negant. Eum etenim joculatorum esse (as Exod. iii. 14). Here follow points of contrast between the God of the Old Testament and the God of the New Testament, like those of Marcion: Cap. IV.: Ecclesiæ destruunt, nec jam ecclesiæ vocant, sed speluncas, — et verbis in honestis, et etiam execrandis Ecclesiæ pastores, et eorum vestimenta, altaria et vasa contaminant sacrosancta. — Dicunt autem, quod bonus homo, aut bona femina, aut congregatio utriusque Ecclesia est, et ideo domum manufactam negant esse Ecclesiam. — Prælati nostræ Ecclesiæ obediare (nolunt): — dicunt enim, quod fornicatores sunt, adulteri, mendaces, raptore et cupidi. Cap. V.: Duos esse Deos dicunt, unum salvatorem et benignum, in quem se credere confitentur; alterum creatorem rerum et hominum plasmatorem, sed malignum, in quem se credere non fatentur. Cap. VI. Baptism of children rejected. Cap. VII. marriage. Cap. VIII. the ordinances of the*

qui dicunt et credunt, mundum istum et omnia visibilia non esse a Deo facta, sed a diabolo; <sup>22</sup> and *Alani de Insulis*, monk of Clairvaux († A. D. 1202), libb. IV. contra hæreticos sui temporis; <sup>23</sup> all of which works seem to have been written towards the end of the twelfth century.<sup>24</sup>

Lord's Supper. Cap. IX. From 1 Cor. xv. 35 seq. they inferred, quod in alio corpore resurgemus, et Deus det nobis corpus novum. Cap. X.: Oblationum quoque munera retundentes, decimas et primitias apud se retinent et surantur. Cap. XI.: Inunctionem etiam olei subsannantes, nec chrisma, nec oleum sibi poscunt, — nec etiam cœmeterii sepulturam. Cap. XII.: Peregrinationis destruentes viaticum, loca sancta et sanctorum miracula prohibent visitari. Cap. XIII.: Diffidentes etiam de domini precursore vitam ejus repudiant et baptismum. Cap. XIV. They rejected oaths. Cap. XV. Capital punishments. Cap. XVI.: In operibus solummodo confidentes, fidem prætermittunt. Cap. XVII.: Crucem sanctam et etiam sanctissimam dehonoran. Cap. XVIII.: Fœmineo sexui celorum beatitudinem nituntur surripere, because we read: Venite *benedicti* patris mei, not *benedictæ*. They inferred from Eph. iv. 13. quad in specie viri perfecti, et in ætate XXX. annorum ad judicium veniamus, et mulieres suum permutent sexum. Cap. XIX.: Dicunt, unam tantum salutis esse viam, ad quam ipsi præcateris devenerunt. Cap. XX.: They abstained from meat. Cap. XXI.: Male quidem et perverse operantes in quibusdam latebris se abscondunt: quedam quoque facientes abusiva, ab aliis, et eorum novitii se videri non permittunt. Cap. XXII.: Omiserunt iudicia, sed non luera; abjecerunt otia, sed non negotia. Ita enim mundanis abrenuntiant, ut avaritiae obligentur vinculo fortiori. Si pauper enim fueris et mendicus, moram cum illis facias, statim exies opulentus: quippe a diluculo ad crepusculum in mundanis operosi mercaturis, manus non permittunt otari.

<sup>22</sup> Likewise edited first by Gretser, l. c. with the erroneous title *contra Waldenses* (in Bibl. PP. max. T. XXIV. p. 1602). In this especially is remarkable the description of the Consolamentum of the Cathari. Cap. XIV.: Quando volunt facere consolamentum alicui viro vel mulieri, ille, qui Major et Ordinatus dicitur, ablatis manibus, librum Evangeliorum in manibus suis tenens, cum vel eos, qui ad recipiendum consolamentum convenient, admonet, ut in eo consolamento omnem suam fidem, et spem salutis animarum suarum in Deo et in illo Consolamento ponant. Et sic super capita eorum libro posito, orationem Dominicam septies dicunt, et deinde b. Iohannis Evangelium ab *In principio* incipiens usque ad hunc locum Evangelii, quod dicit: *Gratia et veritas per Jesum Christum facta est*, audientibus dicit. Et sic finitur illud consolamentum. A quibus personis fit, dicamus. Scil. ab illis, qui inter eos *Ordinati* dicuntur. Si ipsi desuerunt, ab illis, qui *Consolati* dicuntur, suppletur, et si viri non adsint, mulieres tantum infirmis faciunt. — Omnium remissionem suorum peccatorum et emundationem suorum delictorum, absque satisfactione aliqua, in eo se consequi credunt, si statim morte deficiunt. — Dicunt etiam, quod nemo, — nisi illud consolamentum ab ipsis consolatis receperit, cœlestis regnum — aliquo opere, — nec etiam martyrio, etsi ab omnibus, quod est impossibile, peccatis et delictis se abstineat, consequi potest. Credunt etiam hoc, quod si ille, qui facit illud consolamentum, in aliquod peccatorum, quæ ipsi criminalia vocant, lapsus fuerit: sieut est comedere carnem, aut ovum, vel caseum; vel interficere avem, vel aliquod animal, præter reptilia; vel etiam illa peccata, quæ Ecclesia Romana criminalia nominat; — consolamentum illius recipientibus nihil prodest. — Imo etenim credunt iterum oportere illud consolamentum recipere ab alio, si salvati desiderat.

<sup>23</sup> Namely, contra Hæreticos, Waldenses, Iudaos et Paganos. The two first works ed. by *Musson*, Paris. 1612. 8vo., the two last by *C. Vischius* in Biblioth. Scriptor. Cistere. Colon. 1656. 4to. p. 411. Cave has made two Alanus of this one (hist. lit. T. II. p. 229, 287). He was born in Flanders, became a Cistercian; bishop of Auxerre, resigned his bishopric in 1167, and died 1202, in Clairvaux, see Hist. de Languedoc, T. III. p. 119 seq.; *d'Argentré*, l. c. p. 83.

<sup>24</sup> On the doctrines of the Cathari, see especially the two contemporary historians of the crusade against the Albigenses, the monk *Petrus Mon. Cœnobii*

In the north of Italy the Cathari were very numerous, and under Innocent III. appeared even within the territories of the church.<sup>25</sup> Their chief seat was at Milan, where they are found as early as the year 1173.<sup>26</sup> It was in this city that Bonacursus, formerly one of their teachers, wrote his *Vita haeticorum*, seu *manifestatio haeresis Catharorum*,<sup>27</sup> in which he also gives an account of a Judaizing party, called the *Pasagini*.<sup>28</sup>

*Vallum Cernaji* or *Vallissarnensis* (de Vaux Cernay) in *historia Albigensium* (in *Duchesne Scripti. hist. Francorum*, T. V. p. 554.) and the chaplain of Raymund VII. Count of Toulouse, *Gualmus de Pocio Laurentii* (de *Pulaurens*) super *historia negotii Francorum adv. Albigenses* (*Ibid.* p. 666). More particularly the short description of *Petrus Mon.* cap. 2. p. 556 (in *d'Irgentré*, l. c. p. 72): *Hæretici duos constituebant creatores, invisibilium scil. quem vocabant benignum Deum, et visibilium, quem malignum Deum nuncupabant. Novum testamentum benigno Deo, vetus vero maligno attribuebant. — Omnes veteris Testametnti Patres damnatos affirmabant. Joannem Baptistam unum esse de majoribus Dæmonibus asserebant. Dicebant etiam in secreto suo, quod Christus ille, qui natus est in Bethleem terrestri et visibili, et in Hierusalem crucifixus, malus fuit, et quod Maria Magdalena fuit ejus concubina, et ipsa fuit mulier in adulterio reprehensa, de qua legitur in Evangelio. Bonus enim Christus, sicut dicebant, nunquam comedit vel bibit, nec verani carnem assumpit; nec unquam fuit in hoc mundo, nisi spiritualliter in corpore Pauli. Ideo autem diximus in Bethleem terrestri et viibili, quia hæretici fingebant esse aliam terram novam et invisibilem, et in illa terra, secundum quos-dam, bonus Christus fuit natus, et crucifixus. Item dicebant hæretici, bonum Deum habuisse duas uxores, Collam et Collibam, et ex ipsa filios et filias procreasse. Erant alii hæretici, qui dicebant, quod unus est creator, sed habuit filios Christum et Diabolum. Dicebant et isti, omnes creaturas bonas fuisse, sed per filias, de quibus legitur in Apocalypsi, omnia fuisse corrupta. Hi omnes, membra Antichristi — provinciana Narboensem veneno sua perfidiae infecerant fere totam. Romanam Ecclesiam speluncam latronum esse dicebant, et quia ipsa erat meretrix illa, de qua legitur in Apocalyps. He states that they rejected baptism, the Lord's supper, confession, marriage, and the resurrection of the dead, dicentes, animas nostras esse spiritus illos Angelicos, qui per superbiam apostolam præcipitati de cælo, corpora sua glorificata in aëre reliquerunt; et ipsas animas post successivam qualiumcunque septem corporum terrenorum inhalitationem, quasi tunc demum penitentia peracta, ad illa relata corpora renseare. Sciendum autem, quod quidam inter hæreticos dicebantur Perfecti, sive Boni Homines, alii Credentes. Hæreticorum, qui dicebantur Perfecti, nigrum habitum præferabant, castitatem se tenere mentebat: esum carnium, ovorum, casei omnino detestabantur: non mentientes videri volebant, cum ipsi maxime de Deo quasi continue mentirentur. Dicebant etiam, quod nulla unquam ratione debeant jurare. Credentes autem hæreticorum dicebantur illi, qui, seculariter viventes, — in fide tamen illorum se salvati sperabant. — De perfectis vero hæreticis magistratus habebant, quos vocabant Diaconos et Episcopos, sine quorum manuum impositione nullus inter Credentes moriturus se salvari posse credebat. Then of the Consolamentum. Finally: Non credimus autem silendum, quod et quidam hæretici dicebant, quod nullus poterat peccare ab umbilico et inferius. Imagines, quæ sunt in Ecclesiis, dicebant idolatriam, campanas earum turbas Dæmonum affirmabant. Item dicebant, quod non peccabat quis gravius, dormiendo eum matre vel sorore sua, quam cum qualibet alia.*

<sup>25</sup> Innocent went himself to Viterbo, A. D. 1207, ad eliminandam Patarenorum spuriitiam, qua Viterbiensis civitas erat vehementer infecta (*Gest. Innoc. III. c. 123*), and there issued the severe decree, Lib. X. Epist. 130. Compare Lib. IX. Epist. 7, 18, 167, 294.

<sup>26</sup> *Jacobi de Vitriaco hist. Orient. et Occident. Lib. II. c. 28. Ughelli Italia sacra ad ann. 1173.*

<sup>27</sup> Of Bonacursus cf. *Labbe* specimen antiquarum lectionum, p. 206. His work is published in *d'Achery Spicileg.* T. I. p. 208 (*Mansi ad Fabricii biblioth. med. et inf. Latin. ed. Patav.* T. I. p. 251, asserts that he has in his possession a

## § 85.

## CONTINUATION — WALDENSES.

Most important on this subject is: *Jean Leger* (Pasteur et Moderateur des Eglises des Valées, et depuis la violence de la persecution, appellé à l'Eglise Wallonne de Leyde) hist. générale des églises évangéliques de Piemont, ou Vaudoises, divisée en deux livres. Leyde. 1669. fol. Further: Hist. des Vaudois (by *Jacques Brez*, preacher in Middelburg), Lausanne et Utrecht. 1796. 2 Tom. Svo. Füssli, I. c. Th. I, S. 293 ff.

Like Peter de Brnis and Henry, the Waldenses were free from all heresies of opinion, and sought only to restore an apostolic purity of practice. About the year 1170,<sup>1</sup> their founder, Peter Waldensis

much fuller MS.): Dominus noster Jesus Christus — errores illorum, qui Cathari vocantur, manifestare — volens, quendam Episcopum doctorem, Bonacursum nomine, misericorditer gratia s. Spiritus illuminavit, et ad sinum s. matris Ecclesiæ per gratiam renovavit. — Quidam illorum dicunt, Deum creasse omnia elementa, alii dicunt, illa elementa diabolum creasse: sententia tamen omnium est, illa elementa diabolum divisisse. Dicunt etiam, eundem diabolum Adam de limo terræ fecisse, et quendam Angelum lucis in eo summa vi inclusisse, to which they refer *Luc.* x. 30. Hevam dicunt fecisse, cum qua concubuit, et inde natus est Cain, de sanguine cuius dicunt natos esse canes, ideoque tam fideles sunt hominibus. Coniunctio Adæ cum Heva, ut dicunt, fuit pomum vetitum. — Omnia, quæ facta sunt in aëre, in mari, et in terra, facta esse a diabolo. — Ex filiabus Hevæ et dæmonibus dicunt natos esse Gigantes, qui cognoverunt per dæmones patres suos, diabolum omnia creasse. Unde diabolus dolens, eos ista scire, dixit: *Pænitet me fecisse hominem* (*Gen.* vi. 6). Unde quia Noë hoc ignoravit, a diluvio liberatus est. The patriarchs of the Old Testament are supposed to be tools of the devil. De dictis SS. Prophetarum dicunt quedam esse revelata a spiritu Dei. quedam a spiritu maligno. Unde Apostolus: *Omnia probate*, etc. (*1 Thess.* v, 21). New views of their doctrines: Non credunt Filium aequalis Patri, quia dicit: *Pater major me est* (*Joan.* xiv. 28). Crucem dicunt characterem esse bestiæ, quæ in Apocalypsi esse legitur. — B. Sylvestrum dicunt Antichristum fuisse, of which in *2 Thess.* ii. 4. A tempore illo dicunt Ecclesiam esse perditam. — The Consolamentum is here described as the impositio manum, quam baptis- muni appellant, et renovationem s. Spiritus. Ipsum diabolum credunt esse solem, lunam dicunt esse Hevam, et per singulos menses dicunt eos fornicari, ut vir cum aliqua meretrice. Omnes stellas credunt esse dæmones.

<sup>28</sup> *Bonacursus*, I. c. p. 211: In primitiis dicunt, quod Mosæa lex sit ad litteram observanda, et quod Sabbatum et Circumcisio et alia legales observantias adhuc habere statum debeant. Dicunt etiam, quod Christus Dei Filius non sit aequalis Patri, et quod Pater et Filius et Spiritus sanctus, istæ tres personæ non sint unus Deus et una substantia. Præterea ad augmentum sui erroris, omnes Ecclesiæ Doctores et universaliter totam Ecclesiam Romanam judicant et condemnant. — Hunc suum errorem novi Testamenti ac Prophetarum testimonio [asserere] nituntur. cf. Specimen Opusculi quod G. Bergomensis contra Catharos et Pasagios elucubravit circ. ann. 1230 (in *Murat*. Antiquitt. Ital. medii ævi, T. V. p. 152): Pasagini dicunt, Christum esse primam et puram creaturam, et vetus Testamentum esse observandum in solemibus et in circumcisione, et in ciborum perceptione, et in aliis fere omnibus, exceptis sacrificiis.

<sup>1</sup> Friend and foe have contributed to confuse the history of the Waldenses. In the first place they were confounded with the Cathari or Albigenses; — by the Catholics (e. g. Mariana, Gretser), in order to make them out Manichaens; by the reformed (Abbadie, Jac. Basnage), in order to clear the Albigenses also from the imputation of Manichæism. Then the tradition which the Waldenses them-

of Lyons, with a number of followers (*Pauperes de Lugduno, Sabatati*) began to preach the gospel after the manner of the primitive apostles.<sup>3</sup> So far were they at first from any intention of separating

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selves invented concerning their origin (first trace of in *Claud. Seysselli Archiep. Taurin. adv. Waldenses disputationes*, 1517: *Nomnuli haeresis hujus assertores, ad ablandiendum apud vulgares et historiarum ignaros favorem, hanc eorum sectam Constantini M. temporibus a Leone quodam religiosissimo initium sumisse fabulantur, etc.*), has been variously adorned both by the Reformed (Beza, Abbadie, Jae. Basnage, etc.) and the Waldenses (most extravagantly by J. Leger): so that even an external connexion has been supposed between them and Claudius of Turin, Peter Bruys, Henry, Arnold of Brescia, etc. When the Dominican *Reinerus* (about 1250) contra Waldenses, c. 4, says: *Inter omnes Sectas, quarum sunt vel fuerunt, non est perniciösior Ecclesia Dei, quam Pauperum de Lugduno, tribus de causis. Prima est, quia est diuturnior. Aliqui enim dicunt, quod duraverit a tempore Sylvestri, aliqui a tempore Apostolorum*: he must have meant the Waldensian principles. For immediately afterwards, c. 5, he relates the founding of the party by Peter Waldus. Of the grounds for the antiquity of the Waldenses taken from their own writings, see note 10, below. Both these errors are fully treated of by Fus-li, I. c. and Th. 2, S. 200. (See *Turner's hist. of England*, Vol. II. p. 377, 393. *Hallam's Middle Ages*, ch. IX.—Tr.).

<sup>2</sup> Of the different forms of this name (*Leger*, p. 16) Valdo, Waldus is the most usual; the best authority, *Stephanus de Borbone* (see note 3) has Waldensis. He is so named probably from his birth-place. His followers appear to have received this name at a later period, and a sure proof that it is not taken from their living in valleys is, that the name was at first explained mystically: *Ebrardi liber anti-hæresis*, cap. 25: *Quidam autem, qui Vallenses se appellant, eo quod in valle lachrymarum maneant, etc. Bernardus Abb. Fontis calidi adv. Waldenses prædicti sunt Waldenses, nimirum a valle densa, eo quod profundis, et densis errorum tenebris involvantur.*

<sup>3</sup> cf. *Stephanus de Borbone*, or de Bellavilla (a Dominican in Lyons, about 1225, not 1262, as in Schröckh, Th. 29. S. 530) de septem donis Spiritus Sancti, Tit. 7. c. 31 (ex Ms. b. d'Argentré, I. c. p. 87): *Waldenses autem dicti sunt a primo hujus haeresis auctore, qui nominatus fuit Waldensis. Dicuntur etiam Pauperes de Lugduno, quia ibi incepérunt in professione paupertatis. Vocant autem se Pauperes spiritu (from *Molth.* v. 3).—Incepit autem illa secta per hunc modum, secundum quod ego a pluribus, qui priores eorum viderunt, audivi, et a Sacerdote illo,—qui dictus fuit Bernardus Ydros, qui, cum esset juvenis et scriptor, seripit dicto Waldensi priores libros pro pecunia in Romano, quos ipsi habuerunt, transferente et dictante ei quodam Grammatico, dicto Stephano de Ansa,—quem ego sæpe vidi. Quidam dives rebus in dicta urbe, dictus Waldensis, audiens Evangelia, cum non esset multum litteratus, curiosus intelligere, quid dicerent, fecit pactum cum dictis Sacerdotibus, altero, sic ut transferret ei in vulgari, altero, ut scriberet, quæ ille dictaret: quod fecerunt: similiter multos libros Bibliæ, et auctoritates Sanctorum multas per titulos congregatas, quas sententias appellabant. Quæ cum dictus civis sæpe legeret, et corde tenus firmaret, proposuit servare perfectionem Evangelicam, ut Apostoli servaverant. Qui, rebus suis omnibus venditis, in contemptum mundi per lutum pauperibus pecuniam suam projiciebat, et officium Apostolorum usurpavit, et præsumpsit: Evangelia, et ea, quæ corde retinuerat, per vias et plateas prædicando, multos homines et mulieres, ad idem faciendum, ad se convocando, firmans eis Evangelia: quos etiam per villas circumiacentes mittebat ad prædicandum vilissimorum quorunque officiorum. Qui etiam, tam homines, quam mulieres, idiotæ et illiterati, per villas discurrentes, et domos penetrantes, et in plateis prædicantes, et etiam in ecclesiis, ad idem alios provocabant. Cum autem ex temeritate sua et ignorantia multos errores et scandalum circumquaque diffunderent, vocati ab Archiepiscopo Lugdunensi, qui Joannes vocabatur, prohibuit eis, ne intromitterent se de scripturis exponendis vel prædicandis. Ipsi autem recurrentes ad responsionem Apostolorum (*Act. v. 29*): *Magister eorum usurpans Petri officium, sicut ipse, respondit Principibus Sacerdotum, ait: Obedire oportet magis Deo, quam hominibus, qui præceperat Apos-**

from the church, that, having been forbidden to preach by the archbishop of Lyons, they applied to Pope Alexander III. for permission (A. D. 1179).<sup>4</sup> But having afterwards been excommunicated by Lucius III. (A. D. 1184),<sup>5</sup> they thought it their duty to obey God

*tolis: Prædictare Evangelium omni creaturæ in fine Marci.* Quasi hoc dixisset Dominus eis, quod dixerat Apostolis: qui tamen prædicare non præsumperunt, usquequo induit virtute ex alio fuerunt, etc. — li ergo, Valdensis videlicet et sui, primo ex præsumptione et officii Apostolici usurpatione ceciderunt in inobedientiam, denum in contumaciam, denun in excommunicationis sententiam. Post, expulsi ab illa terra, ad Concilium, quod fuit Roma ante Lateranense (namely, the IV. Later. ann. 1215, therefore ann. 1179), vocati, et pertinaces, fuerunt schismati postea judicati. Postea in Provincia terra et Lombardie cum aliis hæreticis se admiscentes, et errore eorum bibentes et serentes, hæretici sunt judicati — infestissimi et periculosissimi, ubique discurrentes, speciem sanctitatis et fidei prætententes, veritatem autem ejus non habentes, tanto periculosiores, quanto occultiores, se sub diversi hominum habitibus et artificiis transfigurantes. — Incepit autem hæc secta circa annum ab Incarn. Domini 1170 sub Joanne dicto Belesmanuis, Archiepiscopo Lugdunensi. *Jean de Belles-mains*, formerly bishop of Poitiers, and the companion of Peter Chrysogonus, in his mission to Toulouse (*Hist. de Languedoc*, T. III. p. 47) was advanced to the see of Lyons, A. D. 1181 (l. c. p. 58). This account of Stephanus de Borbone is repeated by an *Anonymous*, in the tractatus de hæresi Pauperum de Lugduno (in *Martene thesaur.* T. V. p. 1777 seq.), who gives 1180, however, instead of 1170. Compare the account of the first appearance of St. Francis, § 68.

<sup>4</sup> cf. *Steph. de Borb.* see note 3. *Gualterus Mopes* (see § 62), ap. Usserium de Christ. Eccles. successione et statu, p. 268: *Vidimus in concilio Romano sub Alexandro III. celebrato Valdesios*, — qui librum Domino Papa præsentarunt lingua consertum gallica, in quo textus et glossa Psalterii plurimorumque legis utriusque librorum continebantur. Hi multa petebant instantia prædicacionis auctoritate in sibi confirmari. Moneta adv. Catharos et Valdenses, Lib. V. c. 1. (ed. *Thom. Augustin. Ricchinius*, Roma 1743. fol. p. 402) says to them even: *Vos venistis a Valdesio. Dicatis, unde ipse venit. Constat, quod non nisi a Papa Romane ecclesia. Ergo Papa est solus hæres Ecclesia primitivæ. Si autem dicat, quod non sit a Papa: ad quid ergo venit ad Papam, et promisit servare IV Doctores, scil. Ambrosum, Augustinum, Gregorium et Hieronymum, et sic accepit a Papa prædicacionis officium?* Cujus rei testimonium facile potest inveneri.

<sup>5</sup> Chron. Ursperg, ad ann. 1212 (ed. *Argentor.* 1609. p. 243): *Eo tempore — exortæ sunt due religiones in Ecclesia, — videlicet Minorum fratrum et Prædicatorum. Quæ forte hac occasione sunt approbatæ, quia olim duas sectæ in Italia exortæ, adhuc perdurant, quorum alii Humiliatos, alii Pauperes de Lugduno se nominabant. Quos Lucius Papa quondam inter hæreticos scribebat, eo quod superstitionis dogmata et observationes in eis reperirentur. In occultis quoque prædicacionibus, quas faciebant plerumque in latibulis, Ecclesia Dei et sacerdotio derogabatur. Vidimus tunc temporis aliquos de numero eorum, qui dicebantur Pauperes de Lugduno, apud sedem Apostolicam cum magistro suo quodam, ut puto Bernardo, et hi petebant, sectam suam a sede Apostolica confirmari et privilegiari. Sane ipsi dicentes, se gerere vitam Apostolorum, nihil volentes possidere aut certum locum habere, circubabant per vias et castella. Ast Dominus Papa quædam superstitionis in conversatione ipsorum ei-dem objecit, videlicet quod calceos desuper pedem præcidebant (cf. note 12) et quasi nudis pedibus ambulabant. Præterea cum portarent quasdam cappas, quasi religionis, capillos capitum non attondebant, nisi sicut Laici: hoc quoque probosum in eis videbatur, quod viri et mulieres simul ambulabant in via, et plerumque simul manebant in una domo, et de eis dicebatur, quod quandoque simul in lectulis aciebantur. Quæ tamen onnia ipsi asserebant ab Apostolis descendisse. Ceterum Dominus Papa in loco eorum exsurgentes quasdam alios, qui se appellabant pauperes minores, confirmavit, etc.*

*Lucii decretum contra Hæreticos* (Decr. Greg. Lib. V. Tit. 7. c. 9. and Mansi XXII. p. 476, at the Concil. Veronense, ann. 1184. l. c. p. 488, 492): — *In*

rather than man, and separate from a church which prohibited that which they felt themselves called to do. At first they differed from the church only as to the exclusive right of the clergy to preach, and this no doubt contributed to their success in those countries where, whilst the abuses in the church were plainly enough seen, the errors of those opposed to the church (the Cathari) were scarcely less offensive;<sup>6</sup> namely, in the south of France,<sup>7</sup> as far as Arragon,<sup>8</sup> and in the north of Italy, especially at Milan.<sup>9</sup> Even where their name was not openly adopted, the influence of their example is seen in the newly-awakened zeal of the people to read the Scriptures for themselves.\* But with their principles, and engaged, as they were, in the constant

primis ergo Catharos et Patarinos, et eos, qui se Humiliatos vel *Pauperes de Lugduno* falso nomine mentiuntur, Passaginos, Josepinos, Arnaldistas perpetuo decernimus anathemate subjacere. Et quoniam nonnulli sub specie pietatis, virtutem ejus, juxta quod ait Apostolus, denegantes, auctoritatem sibi vindicant prædicandi: cum idem Apostolus dicat: *quomodo prædicabunt, nisi mittantur?* (*Rom. x. 15*) omnes qui vel prohibiti, vel non missi, præter auctoritatem ab apostolica sede, vel Episcopo loci suscepuntam, publice vel privatim prædicare præsumperint, — pari vinculo perpetui anathematis innodamus, etc.

<sup>6</sup> *Guilelmus de Podio Laurentii* (see § 81, note 24) in præf. Et illi quidem Waldenses contra alios (Arianos et Manichaos) acutissime disputabant, unde et in eorum odium admitebantur a Sacerdotibus idiotis. Compare notes 11 and 13, below.

<sup>7</sup> About A. D. 1190, there was a conference between the Catholics and Waldenses in Narbonne (see *Bernard de Fonte calido* below, note 13). — In A. D. 1207, the wife and sister of the Count de Foix were converts to the Waldenses, see below, § 86, note 4. Also in Toul, see *Statuta Synodalia Odonis Episc. Tullensis ann. 1192*, in *Martene thes. Anecd. T. IV. p. 1182*: De hereticis autem, qui vocantur *Hadoys*, omnibus fidelibus — præcipuum, ut quicunque eos invenerint, vinculis astrictos teneant, et ad Sedem Tullensem puniendo adducant.

<sup>8</sup> See the edict of Alphonso II. of Arragon, A. D. 1194 (in *Nic. Eymerici Directorio Inquisitorum*, p. 282, edit. *Venet. in d'Argentré*, l. c. p. 83): — Si quis igitur ab hac die et deinceps prædictos Waldenses et Zappatatos (before : Waldenses, sive Inzabbatatos, qui alio nomine se vocant *Pauperes de Lugduno*) aliosque hæreticos, cujusque fuerint professionis, in dominis suis recipere, vel horum funestam prædicationem aliquo loco audire, vel his cibum, vel aliud aliiquid beneficium largiri præsumperit, indignationem omnipotentis Dei et nostram se noverit incurrisse, bonisque suis, absque appellationis remedio, confundandis, se, tanquam reum criminis læse majestatis, puniendum.

<sup>9</sup> *Innocent. III. Lib. XII. Epist. 17. ad Archiepisc. Mediolanensem*, A. D. 1209, mentions a pratum, quod commune Mediolanense ipsis olim concesserat, in quo sua schola constructa consueverant conuenire exhortari fratres ad invicem et amicos, quam bona memoria prædecessor tuus destrui fecerat, dum essent excommunicationis vinculo innodati. Thus in the diocese Besançon one of the Waldenses was taken prisoner, who, according to *Stephanus de Borbone ap. d'Argentré*, l. c. p. 86, studied 18 years apud Mediolanum in secta hæreticorum Waldensium.

\* *Innocent. III. Lib. II. Ep. 14. ad universos Christi, tam in urbe Metensi quam ejus dioecesi constitutos ann. 1199*: Significavit nobis ven. frater noster Metensis Episcopus per literas suas, quod tam in dioecesi quam urbe Metensi laicorum et mulierum multitudo non modica, tracta quodammodo desiderio scripturarum, evangelia, epistolæ Pauli, psalterium, moralia lob, et plures alios libros sibi fecit in Gallico sermone transferri, translationi hujusmodi adeo libenter, utinam autem et prudenter, intendens, ut secretis conventionibus talia inter se laici et mulieres eructare præsumant, et sibi invicem prædicare: qui etiam aspernantur eorum consortium qui se similibus non immiscent, et a se reputant alienos, qui aures et animos talibus non apponunt. Quos cum aliqui parochialium sacerdotum

study of the Sacred Scriptures, it was not to be expected that the Waldenses could long confine their peculiarities to the one point of difference just mentioned. How far they had gone in the twelfth century, is to be gathered partly from their own remains,<sup>10</sup> and partly

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super his corripere voluissent, ipsi eis in faciem restiterunt, conantes rationes inducere de scripturis, quod ab his non deberent aliquatenus prohiberi. Quidam etiam ex eis simplicitatem sacerdotum suorum fastidiant, et cum ipsis per eos verbum salutis proponitur, se melius habere in libellis suis, et prudentius se posse id eloqui, submurmurant in occulto. Licet autem desiderium intelligendi divinas scripturas, et secundum eas studium adhortandi reprehendendum non sit, sed potius commendandum; in eo tamen apparent merito arguendi, quod tales occulta conventicula sua celebrant, officium sibi prædicationis usurpat, sacerdotum simplicitatem elidunt, et eorum consortium aspernantur, qui talibus non inhærent. — Tanta est enim divinae scripturae profunditas, ut non solum simplices et illiterati, sed etiam prudentes et docti non plene sufficient ad ipsius intelligentiam indagandam. — Unde reete fuit olim in lege divina statutum, ut bestia, quæ montem tetigerit, lapidetur; ne videlicet simplex aliquis et indoctus presumat ad sublimitatem scripturae sacræ pertingere, vel eam aliis prædicare. Scriptum est enim: *Altiora te ne quæsieris.* Propter quod dicit Apostolus: *Non plus sapere, quam oporteat sapere, sed sapere ad sobrietatem.* — Cum Doctorum ordo sit quasi præcipuis in Ecclesia, non debet sibi quisquam indifferenter prædicationis officium usurpare, etc. So also Epist. 142 ad Episc. Metensem with the remark, quod vel iidem errent in fide, vel a doctrina discrepant salutari, nobis per tuas literas non duxisti exprimendum.

<sup>10</sup> Several of these have been supposed, on Leger's authority, to be as old as 1100—1120; which is, however, certainly incorrect. Foremost stands the poem La nobla Leyezon (Extrait from it in *Leger*, p. 26 seq.; complete and more correct in *Raynouard* choix des poésies originales des Troubadours, T. II. p. 73 seq.) From the passage (*Raynouard*, p. 73):

Ben ha mil e cent anez compli entierament,  
Que fo scripta l'ora : ear sen al derier temp.

Full eleven hundred years the world has fulfilled

Since the hour was written: for we live in the latter time,

it is always inferred, with Leger, that this poem was written A. D. 1100. But this plainly refers not to the birth of Christ, but probably to the time of the writing of the Apocalypse, and thus we are brought to the end of the 12th century. The whole poem is a simple and energetic exhortation to a Christian life and faith, with bitter reproaches of the corrupt clergy. e. g. p. 95:

Si n'i a aucun bon, que ame et tena (*timet*) Yeshu Xrist,  
Que non volha maudire, ni jurar, ni mentir,  
Ni avoutrar (*commit* adultery) ni aucir (*occidere*), ni penre (*prendre*)  
de Pautruy,  
Ni venjar (*venger*) se de li sco enemis,  
Illi dion (*disent*), qu'es *Vaudes* e degne de murir.

Further, p. 97: "No Pope, from Sylvester till now, can forgive sins: solament Dio perdonas." According to this, therefore, Sylvester was the first Pope. In the same spirit are the other poésies des Vandois, which we find in *Raynouard*, namely, p. 103, La Barca; p. 105, Lo novel sermon; p. 111, Lo novel confort; p. 117, Lo Payre (*pere*) eternal; p. 121, Lo despreczi del mont (comtempt of the world); p. 126, L'avangeli de li quatre semenez (according to *Matth.* xiii. 3 ff.): and all belong no doubt to the early time of the Vandois. See concerning the Poésies des Vandois in general, *Raynouard* in the dissertations prefixed to T. II. p. CXXXVII. seq. The other documents given by Leger, namely, a catechism daté de l'an 1100, p. 58; treatises on the Antichrist, daté de l'an 1120, p. 71; on Purgatory, de l'an 1126, p. 83; on the invocation of saints, de l'an 1120, p. 87; and a confession of faith, de l'an 1120, p. 92, have all of them traces of a polemic, dogmatical character, which belongs to later times, whilst we have no authority for these dates. The mention of the adoration of the Eucharist, p. 74, seems to be

from the works of their opponents, of whom *Eberhard Betunensis*<sup>11</sup> and *Peter of Vaux-Cernay*<sup>12</sup> notice them only in passing, whilst *Bernhard of Fontcaude A. D. 1190*,<sup>13</sup> and *Alanus of Lille*,<sup>14</sup> enter more at length into the subject.

decisive (see above, § 77, note 13). The passage, p. 95: *Nous non avèn conegu (connu) autre Sacrement, que lo Baptisme, e la Eucharistia, has evident reference to the seven Catholic sacraments (compare § 77, note 18).*

<sup>11</sup> *Ebradi lib. antihaeresis* (see above, § 81, note 21), cap. 25: *Quidam autem, qui Vallenses se appellant, eo quod in valle Iachrymarum maneant, Apostolos habentes in derisum, et etiam Nabatenses a Nabatata potius, quam Christiani a Christo se volunt appellari. Sotulares cruciant, cum membra potius debeat eruciare: calceamenta coronant, caput autem non coronant. He reproaches them with not earning their bread, with begging, and preaching without license. He does not charge them with any errors of doctrine. Quamvis enim contra fidem multa doceant, tamen quadam bona permiscent, ut dum bonum conferunt, malum abscondant, more veneficorum, qui dum venena porrigunt, ora calieis melle linunt. — Quia in quibusdam nobis communicatis, in aliis non dissentitis, hostes estis tanquam domestici.*

<sup>12</sup> *Petrus Mon. Vallium Cernaji*, in the passage cited above, § 84, note 24: *Erant praeterea alii haeretici, qui Waldenses dicebantur a quodam Waldio nomine, Lugdunensi. Hi quidem nulli erant, sed comparatione aliorum haereticorum longe minus perversi. In multis enim nobiscum conveniebant, in aliquibus dissidentebant. Ut autem plurima de infidelitatibus eorum omittamus, in quatuor praecipue consistebat error eorum: in portandis scilicet sandaliis, more Apostolorum; et in eo quod dicebant, nulla ratione jurandum, vel occidendum; in hoc insuper, quod asserebant, quemlibet eorum in necessitate, dummodo haberet sandalia, absque ordinibus ab Episcopo acceptis, posse confidere corpus Christi.*

<sup>13</sup> *Bernardus Abb. Fontis calidi contra Waldenses* (prim. ed. *Jo. Gretser* in Triade scriptorum adv. Wald.; then in Bibl. PP. max. T. XXIV. p. 1585 seq.) Praef. *Sanete Romane Ecclesie præsidente Domino Lucio, inclitæ recordationis, subito exulerunt caput novi haeretici, qui quodam præsiglio futurorum sortiti vocabulum dieti sunt Waldenses, nimirum a Valle densa, eo quod profundis et densis errorum tenebris involvantur. Hi, quamvis a præfato summo Pontifice condemnati, virus suæ perfidiae longe lateque per orbem tenerario ausu evomuerunt. Ea propter contra eos pro Ecclesia Dci Dominus *Bernardus Narbonensis Archiepiscopus* (*Bernard Gaucelin*, Archbishop from A. D. 1181–1191, cf. Hist. de Languedoc, T. III. p. 128) — se forte murum opposuit. Accitis itaque pluribus tam Clericis quam Laicis, religiosis ac sacerdotibus, ad judicium vocavit. Quid plura? Causa diligentissime investigata condemnati sunt. Nihilominus tamen postea, et clani et publice, semen sua nequitia spargere ausi sunt. Unde rursum, quamvis ex abundanti ad disceptationem vocati sunt per quosdam tam Clericos quam Laicos: et, ne lis diutius protraheretur, electus est ab utraque parte iudex, quidam sacerdos, Rainundus scil. de Daventria, vir siquidem religious ac timens Deum, nobilis genere, sed conversatione nobilior. Assignata igitur die causæ adveniente, congregatis invicem partibus, aliisque quam plurimis clericis et laicis, de quibusdam capitulis, in quibus male sentiebant, a veris Catholicis accusati sunt: eiusque per singula respondentibus hinc inde diu disputatum est, et ab utraque parte multæ productæ auctoritates. Auditis igitur partium allegationibus prefatus iudex per scriptum definitivam dedit sententiam, et haereticos esse in capitulis, de quibus accusati fuerant, pronunciavit. Quibus autem auctoritatibus vel rationibus suam assertionem defenderent; quidve eis a nobis Catholicis responsum sit: — præsenti intexus opuseculo, adjectis etiam quibusdam aliis traetatibus contra alias haereses. Hæc autem omnia fecimus maxime ad instruendos vel commonenodos quosdam Clericos, qui vel imperitia vel librorum inopia laborantes, hostibus veritatis non resistendo, facti sunt in offensionem et scandalum fidelibus, quibus præsunt, etc. The points of accusation against the Waldenses are: I. In primis arguuntur de inobedientia, quia scilicet non obediunt Ecclesiæ Romanae,—nec Episcopis, nec sacerdotibus obtemperant (cap. 1–3) the grounds of which conduct, however, are not mentioned. II. Cap. 4: Secundo prædicant omnes passim, et sine delectu*

conditionis, atatis vel sexus. Et quoniam in hoc errore multi eorum, qui specie tenus Christiani dicuntur, seducuntur, gratia revocandi ipsos, et reliquos confirmandi, — videamus, quibus rationibus — innitantur ipsi, quidve a Catholicis dicatur contra eas infirmandas, — et tertio loco, quid in sua assertione Catholici inducant. The Waldenses maintained, ab omni, qui scit verbum Dei in populis seminare, prædicandum esse, and appealed to *Jac. iv. 17*; to the declarations of *Gregorius M.*: qui in corde vocem superni amoris acceperit, foras etiam proximis vocem exhortationis reddat, and: In quantum pro divina largitate sufficitis, proximis vestris boni verbi cyathos date; to *Marc. ix. 38, 39*. *Phil. i. 15—18*. *Nun. xi. 29*. They said further, quod multi Laicæ verbum Dei in populo fideli disseminaverunt, sicut fuit b. Honoratus, et s. Equitius, quorum meminit s. Gregorius in lib. Dialog. et in his temporibus s. Raymundus cognomento Paulus, ad cuius sanctitatem approbandam multa sunt miracula. — *Bernhard*, on the other hand, cap. 5, gives the reasons, *quod non licet eis verbum Dei ministrare fidelibus*: Et quoniam de Laicis quæstio est, au verbum Dei seminare valeant in populis, distinguendum est, an sint Catholicæ, vel non. Nimirum si sint Catholicæ, et honestas vitæ eos commendet, si sermo eorum sit sale conditus, etc. — ad nutum Episcoporum, vel Presbyterorum, in quorum territorio fuerint, proximos exhortari, ut arbitror, poterunt; si tamen uxoribus alligati non fuerint, nec eos pondus terrena sollicitudinis oppressit. Cap. 6: Sane sive Laicus, sive Clericus in hæresim lapsus fuerit, a fidelibus audiendus non est, sed vitandus. — Tales sunt, qui dicunt, non esse obediendum Episcopis, Sacerdotibus, nec, quod dictu horribile est, s. Romanae Ecclesiæ. Then as to their excuse: *obedire oportet Deo magis, quam hominibus*. — Provocant vero iram Dei in se, quia aliter quam s. Ecclesia docent. (This must refer to their biblical mode of instruction; for as to doctrine, the only heresy they are charged with is disobedience). Cap. 7: Videamus, — quos maxime seducant. Seducunt mulieres, viros non viriliter sed muliebriter agentes, imperitos, mendaces eos, qui non obediunt veritati, avaros, etc. — Seducunt mulieres prius, per eas viros. Cap. 8: Præter errores jam dictos graviter errant, quia feminas, quas in suo consortio admittunt docere permittunt contrary to *1 Cor. xiv. 34*. They appeal in this to *Tit. ii. 3, 4*; *Luc. ii. 36*. — Cap. 9: Et quoniam mos est male errantium, nisi continuo resipiscant, in deteriora labi, — audent jam insaní hæretici eis, quos sedueunt, dicere, defunctis nil prodesse fidelibus vivorum elemosynas, jejunia, orationes, nec etiam missarum solemnia, seu orationes pro eis factas. In this they refer to *Jo. xii. 35*; *2 Cor. vi. 2*; *Gal. vi. 19*; *Ecccl. ix. 10*; *Ps. cv. 1*. Then follow treatises against other heretics, namely, cap. 10: qui negant ignem purgationis; cap. 11: qui dicunt, animas nec cœlum nec infernum ingredi ante judicium; sed animas justorum placidis contineri receptaculis, reproborum vero spiritus in locis pœnalibus; cap. 12: qui domum Dei contemnentes, malunt orare in stabulis, vel in cubiculis, seu in thalamis, quam in — Ecclesia.

<sup>14</sup> *Alanus de Insulis* contra hæreticos sui temporis, Lib II. (see above, § 84, note 23). He shows, cap. 1: quod nullus debeat prædicare, nisi sit a majore Prælato missus; contradicts, cap. 2—4, their assertion, neminem debere alicui obediere, nisi Deo; and opposes cap. 5—7, qui dicunt, quod bonis Prælati tantum sit obediendum; cap. 8, qui dicunt, quod officium vel ordo nihil confert ad conserendum, vel benedicendum, ad ligandum et solvendum; cap. 9 and 10, qui dicunt, quod non tenetur quis confiteri sacerdoti, si præsto sit Laicus; cap. 11, quod generales absolutiones, quæ sunt ab Episcopis in variis officiis, non sint ratæ; cap. 12—14, quod suffragia illa, quæ sunt ab illis, qui sunt in peccato mortali, non prosunt mortuis; cap. 15—17, quod omne mendacium est peccatum mortale; cap. 18, 19, quod nullo modo est jurandum; cap. 20—23, quod nullo modo homo est occidens; cap. 24, 25, quod Prædicatores non debent laborare manibus.

## § 86.

## ALBIGENSES — INQUISITION — PROHIBITION OF THE SCRIPTURES.

*Petrus Vallum Cernaji* historia Albigensium, and *Guilelmus de Podio Laurentii* super historia negotii Francorum adv. Albigenses. (See above, § 84, note 2t). Histoire de la guerre des Albigeois, écrite en Languedocien, par un ancien auteur anonyme (in the *Histoire de Langnedoc*. T. III. *Preuves*, p. 1 seq.).

Histoire générale de Languedoc, par un Religieux Benedictin de la Congr. de S. Maur. (*Claude le Vic* and *Joseph Vaissette*) Tom. III. (Paris. 1737. fol.) p. 127 seq.<sup>1</sup> Schlosser's Weltgeschichte, Bd. 3, Th. 2, Abth. 1, S. 187 ff. [Hallam, ch. ix. — Tr.]

The measures taken against the heretics in the south of France were so far from checking their increase, that, at the end of the twelfth century, they were the predominant party in many parts of the kingdom.\* Soon after his accession to the papal throne, therefore (A. D. 1198), Innocent III. sent thither his legates with full powers for the suppression of all heresies.<sup>2</sup> The violent measures to which they resorted had no lasting effect, and they were persuaded by Diego, bishop of Osma, and the subprior of his cathedral, Dominicus, to adopt a more apostolic course.<sup>3</sup> The two legates, with the

<sup>1</sup> The impartiality of these Benedictines drew upon them the reproaches of the Jesuits in Trevoux, against which they defend themselves very successfully in the preface to Tom. IV.

\* *Petrus Vall. Cernaji*, c. 1: Hæc Tolosa tota dolosa a prima sui fundatione, sicut asseritur, raro vel nunquam expers hujus pestis vel pestilentiae detestabilis, hujus hereticæ pravitatis a patribus in filios successive veneno superstitione infidelitatis diffuso. — Vicina urbes et oppida radicatis in se Hæresiarchis per ejusdem infidelitatis surculos pulsulantes inficiebantur mirabiliter peste illa. Barones terræ provincialis fere omnes hereticorum defensores et receptores effecti ipsos amabant ardentius, et contra Deum et Ecclesiam defendebant. *Guilelm. de Podio Laur.* in præf. Clerici quoque coronas pilis occupabant. — Milites raro suos liberos clericatu offerebant. — Adeo profererant Hæretici, quod per villas et oppida habere sibi hospitia, agros et vineas incepérunt, domos latissimas, in quibus hæreses publice prædicarent suis credentibus venditantes. — Hæretici in tanta reverentia habebantur, quod habebant cimetteria, in quibus, quos hereticabant, publice tumulabant, a quibus lectos integros et vestes recipiebant: quibus et largius quam personis ecclesiasticis legabant.

<sup>2</sup> Innocent III. lib. I. Epist. 94 general, to the bishops and barons of the south of France, as credentials of the legates, Rainierius and Guido, two Cistercians, with the direction to the bishops, ut omnia, quæ idem frater Rainierius contra hæreticos, fautores et defensores eorum duxerit statuenda, recipiat humiliter et inviolabiliter observetis; and to the barons, ut eis contra hæreticos viriliter et potenter assistant; accompanied by the threat: Dedimus autem dicto fratri R. liberam facultatem, ut eos (Principes) ad id per excommunicationis sententiam, et interdictum terræ appellatione remota compellat. Finally: Scribimus etiam universo populo vestre province, ut cum ab eisdem fratribus R. et G. fuerint requisiti, sicut ipsi mandaverint, contra hæreticos accingantur; illis, qui pro conservatione fidei Christianæ in tanto discriminé, quod Ecclesia imminet, ipsis adstiterint fideliiter et devote, illam peccatorum suorum indulgentiam concedentes, quam b. Petri vel Jacobi limina visitantibus indulgemus. Rainier's commission, lib. II. epist. 122.

<sup>3</sup> *Petrus Vallum Cernaji*, c. 3: Factum est igitur, ut dum rediret (Diegus,

Cistercian monks, Peter of Castel-novo and Radulphus (Ranier), accompanied by Diego and Dominicus, now went around with bare feet, holding conferences with the heretics at Caraman, Montreal, Verfeuil, and Pamiers.<sup>4</sup> Still this did not last long. They soon returned to their former measures with tenfold cruelty.

Raymund VI., count of Toulouse, though not a heretic, had taken offence at the arrogant pretensions of the papal legate, Peter of Castel-novo. The monk having been murdered by an unknown hand A. D. 1208, his companions accused the count of the crime; and Innocent III., seizing the opportunity, ordered Arnold, abbot of Citeaux, to preach a crusade against him.<sup>5</sup> Appalled at the threatened danger, Raymund sought a reconciliation, and Innocent listened readily to his overtures, in order by division to make more sure of his victims.<sup>6</sup>

*Episc. Oxomensis) a curia, et esset apud montem Pessulanum, invenit ibi venerabilem virum Arnoldum Abbatem Cisterciensem, et F. Petrum de Castronovo, et F. Radulphum, Monachos Cistercienses, Apostolice Sedis Legatos, injuncte sibi legationi præ tadio renuntiare volentes, eo quod nihil aut parum hæreticis prædicando proficeret potuerint. Quotiescumque enim vellent ipsis hæreticis prædicare, objiciebant eis hæretici conversationem pessimam clericorum, et ita, nisi vellent clericorum vitam corrigere, oportaret eos a prædicatione desistere. Memoratus autem Episcopus adversus hujusmodi perplexitatem salubre dedit consilium, monens et consulens, ut cæteris omisisse prædicationi ardenter insudarent; et ut possent ora obstruere malignorunt, in humilitate præcedentes exemplo pii Magistri facerent et docerent; irent pedites, sine auro et argento, per omnia formam Apostolicam imitantes.*

<sup>4</sup> Concerning which see *Petrus Vall. Cernaji*, c. 3—6, and *Guilelm. de Podio Laur.* c. 8 and 9. Their opponents in the three first cases seem to have been Cathari. In Pamiers they were Waldenses, and the wife and sister of count Bernhard Roger, both belonging to that party, were present. The latter palam hæreticos tuebatur. *Cui F. Stephanus de Minia: Itē, Domina, inquit, filiae colum vestram, non interest vestra loqui in præsenti contentione.* cf. *Petrus Vall. Cernaji*, c. 6.

<sup>5</sup> Innocent. III. lib. XI. Epist. 26, to the bishops in the south of France: Sane rem audivimus detestabilem, — quod eum sanctæ memorie F. Petrus de Castronovo — in commiso sibi ministerio laudabiliter profecisset; concitavit adversus eum Diabolus ministrum suum Comitem Tolosanum, etc. Then follows a detailed account of the murder of the legate. *Licet autem præfatus Comes — jam dudum sit anathematis muerone percussus, quia tamen certis indiciis mortis sancti viri præsumitur esse reus, — ob hanc quoque causam anathematizatum eum publice nuntiatis. — Omnes, qui dieto Comiti fidelitatem seu societatis aut federis hujusmodi juramento tenentur astrixi, aueritate apostolica denuntietis ab eo interim absolutos; et euilibet catholico viro licere, salvo jure domini principalis, non solum persequi personam ejusdem, verum etiam occupare ac detinere terram ipsius, etc. — Epist. 28: A call on king Philip: Clamantem ad te justi sanguinis vocem audias, et contra tyrannum hostemque fidei scutum pro Ecclesiæ protectionis assumas. — Epist. 29. In like manner on the French people and nobility, cf. Epist. 32 ad Abb. Cisterciensem and Ep. 33 ad Turon. Archiep. et Paris. et Nivern. Episcopos. Yet Raimund was innocent of the crime, see Hist. de Languedoc, T. III. p. 154, and even Innocent III. admitted afterwards that it was never proved against him, Lib. XV. Ep. 102 (see below, note H).*

<sup>6</sup> See the Pope's advice to his legates, Innocent III. lib. XI. Epist. 232: *Licet nobis iamdudum Comes Tolosanus per suos nuntios supplicaverit, ut super comitatu Melgorensi, qui b. Petri juris et proprietatis existit, fidelitatem ab eo recipere dignaremur, — preces suas non duximus admittendas, etc. — Quia vero a nobis est sollicite requisitum, qualiter procedendum sit circa comitatum eundem fideli exercitu signatorum, id vobis providimus suadendum; quatenus ad Apostoli dicentis, Cum essem astutus, dolo vos ceipi (2 Cor. xii. 16), magisterium recurrentes, — divisos ab Ecclesiæ unitate divisim capere studeatis. Dummodo videritis, quod ex*

The count submitted (A. D. 1209) to the most humiliating conditions, imposed upon him by the papal legate Milo, and even took the cross against the Albigenses,<sup>7</sup> but could only delay for a time the stroke that was destined to crush him.

The crusading army, with the furious Arnold at its head, first entered the territories of Raymund Roger, count of Beziers (A. D. 1209). After the fall of Beziers<sup>8</sup> and Carcassone,<sup>9</sup> the whole country was laid waste: though amongst the crusaders there was found no one but Simon de Montfort who was willing to receive it at the hand of the legate. It was now time to turn upon Raymund of Toulouse, who had hitherto been spared. The most extravagant demands having been made upon him,<sup>10</sup> such as he could not possibly comply

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hoc idem Comes vel aliis minus assistere, vel per se ipsum minus debeat insanire; non statim incipiatis ab ipso, sed eo primitus arte prudentis dissimulationis cluso, ad extirpandos alios haereticos transeat, ne si squamis Leviathan sese conjugentibus una vi fueritis simul omnes aggressi, tanto demum hujusmodi Satellites Antichristi didicilius possint conteri. — Sic enim et illi facilius sterni poterunt, remissius adjuti per istum; ac iste illorum interim visa strage ad eorū fortasse redibit, vel si perseveraverit in malitia, tandem contra ipsum et solum et destitutum levius procedatur.

<sup>7</sup> Petrus Fall. Cern. c. 9–13. *Processus negotii Raymundi Comitis Tolos.* appended to Innocent III. lib. XII. Ep. 85 (ed. Baluzii, T. II. p. 346 seq.). Comp. Epist. 90, wherein the Pope wishes Raymund success. Albigeois, Albigeum was the name given to the whole territory of the viscount of Albi, Beziers, Carcassone and Rasez. Hence Albigenses became from this time a name, at first for all those who fought against the crusaders, and then for the Cathari. Hist. de Languedoc, T. III. p. 553.

<sup>8</sup> It was on this occasion that, according to *Cesarius Heisterbac.* lib. V. c. 21, Arnold being asked by the crusaders: *Quid faciemus, domine?* *Non possumus discernere inter bonos viros et malos* (Catholics and heretics) replied: *Cædite eos; norit enim Dominus, qui sunt ejus.* In his report to the Pope (inter Epist. Innoc. III. lib. XII. Ep. 108) the ruffian relates triumphantly: *Nostri non parcentes ordini, sexui, vel ætati, fere viginti millia hominum in ore gladii peremserunt; factaque hostium strage permaxima, speliata est tota civitas et succensa, ultione divina in eam mirabiliter saeviente.*

<sup>9</sup> Of the treacherous manner in which this city was taken, see Hist. de Languedoc, T. III. p. 173 seq.

<sup>10</sup> See especially the letter of the inhabitants of Toulouse to Peter, king of Arragon, A. D. 1211 (*Preuves de l'hist. de Lang.* T. III. p. 232): Dom. Abbas Cisterciensis nuntios suos cum litteris ad nos direxit, præcipiens, ut omnes illos, quos sui nuntii credentes haereticorum nominarent, cum omnibus eorum rebus, Baronibus exercitus tradere non differremus, ut ipsi ad cognitionem Baronum — se purgarent: quod nisi faceremus, nos et nostros consiliarios excommunicabat, et villam nostram interdicebat. Illi vero, quos credentes haereticorum nominaverunt, a nobis inquisiti, se non esse haereticos vel credentes haereticorum constanter responderunt, et sese stare juri in continentia judicio ecclesie promiserunt. Nos vero illos haereticos vel credentes haereticorum esse ignoravimus, etc. — Nos autem litteris et nuntiis respondentes, diximus, quod omnes illos, quos nobis nominabant, et si quos alias nominare vellent, faciemus stare juri in episcopali sede civitatis nostra: — et si hoc recipere recusabat, scientes nos ab ipso prægravari, nos et accusatos viros sub protectione Dom. Papa posuimus, et sedem apostolicam appellavimus: — et licet hujusmodi responsio a nobis protenderetur, nihilominus nos et nostros consiliarios de facto excommunicavit, et villam nostram interdixit. How the unhappy Raymund forced himself to every species of submission, and was constantly rejected, see Hist. de Languedoc, T. III. p. 175 seq. The outrageous conditions, proposed to him by the legates at the Concil. Arelat. ann. 1211 (Histoire de la guerre des Albigeois, écrite en Languedocien, I. c. p. 30, and thence,

with, his refusal was made a pretence for excommunication and war. The Pope was no longer able to restrain his tools.<sup>11</sup> The territory of the count was overrun by Simon de Montfort, who was formally invested therewith at the council of Montpellier A. D. 1215.<sup>12</sup> This investiture was not only confirmed by Innocent III. at the great council of the Lateran in the same year,<sup>13</sup> but the whole proceeding

not always correctly, translated into Latin by *Mansi* T. XXII. p. 815) were accompanied with insult and derision. e. g. III. In tota ejus ditione nemo nisi duobus carnium generibus vesetur. V. tradet Legato et comiti Montisfortis omnes et singulos, qui ab eis indicati fuerint, ut de iis ad arbitrium statuant. VI. Nemo in ejus ditione — vestimenta ulla gestabit pretiosa, sed tantum cappas nigras et viles. VII. Castella omnia arcesque in unitas sue ditionis destrui et solo aquari faciet, re nulla ex iis reliqua. VIII. Nullus ex suis, licet nobilis, habitabit in ulla urbe vel arce, sed extra, rure, quasi rusticani essent. X. Unusquisque, qui familiæ caput est, quotam denarios quatuor Tolosanos persolvat Legato. XII. Cum Legatus [in the original, *le conte de Montfort*] per comitis terras — equitabit, neque ipse, neque illus ex ejus comitibus — solvent quidquam de suo, et impensas nullas facient. XIII. Cum prædicta omnia Raymundus comes perfecerit, trans mare ibit, ad bellum contra infideles Turcas, idque in Ordine s. Joannis; neque huic unquam redibit, nisi fuerit ipsi a Legato præscriptum. XIV. Postquam prædictis omnibus satisfecerit, ditiones omnes sua illi resuuentur ab eodem legato et comite Montisfortis, quando ipsis libuerit [*quand lor plara*. For which *Mansi* has by mistake *ditiones omnes suæ*, quandocunque *ipsi* libuerit, etc.]

<sup>11</sup> Innocent. III. lib. XV. Ep. 102 ad Raymundum Uticensem Episc. et Narbonensem electum (namely, Arnold) Legatos A. D. 1212: Raimundus Tolosanus Comes — quia nondum est damnatus de hæresi vel de nece sanctæ memorie Petri de Castronovo, etsi de illis sit valde suspectus, — non intelligimus, qua ratione possemus adhuc alii concedere terram ejus. — Henee, cum nondum sit locus illi petitioni, quia de terra ejus alii concedenda fecisti, he had appointed Regensem Episc. and Thedisium Canonicum Januensem to investigate the matter more fully. Afterwards the admonition: sollicite provideatis, ne in nostri exceptione mandatis sitis tepidi et remissi, siue hactenus dicimini extitisse. How little effect this had is seen from Lib. XV. Ep. 212 ad Archiep. Narbon. Episc. Regensem et Thedisium Canonicum A. D. 1213, after Peter, king of Arragon, had interceded in Raymund's behalf: Tu, frater Archiepiscopo, ac nobilis vir Simon de Monteforti erucesignatos in terram Tolosani Comitis inducentes, non solum loca, in quibus habitabant heretici, occupasti, sed ad illas nihilominus terras, quæ super hæresi nulla notabuntur infamia, manus avidas extendisti; et cum ab hominibus terrarum illarum fidelitatis exegeris juramenta, et terras sustineatis inhabitate predictas, hereticos illos existere verisimile non videtur. Raymund had complained to the king, quod satisfactionem ejus non admittebat Ecclesia, eum paratus existeret facere, quæcumque sibi possibilia mandaremus. Peter, therefore, requested, Tolosanum comitatum filio memorati Comitis reservari, qui nec unquam venit, nec veniet Deo dante in hæreticæ pestis errorem. The king promised to be his guardian till he should come of age. The old count professed his readiness to undergo any kind of penance, sive quod partes adeat transmarinas, sive quod sit in Hispania — contra gentis perfidiam Saracenæ. On this the Pope summoned a council of the prelates and barons to consider of these propositions. This council, however, Cone. Vaurense, ann. 1213 (see *Petrus Vall. Cern.* c. 66 in *Mansi* XXII. p. 863 seq.), was completely under the influence of the legates; afterwards Innocent himself was won over; and finally Peter received a denial (Innoe. lib. XVI. Ep. 48).

<sup>12</sup> *Petrus Vall. Cern.* c. 81 in *Mansi* XXII. p. 935 seq.

<sup>13</sup> Concilii Later. Sententia de terra Albigensi (in *d'Achery* Spicileg. ed. nov. T. I. p. 707 in *Mansi* XXII. p. 1069). Quantum ecclesia laboravit per prædicatores et erucesignatos ad exterminandum hereticos et ruptarios de provincia Narbonensi, et partibus sibi vicinis, totus pene orbis agnoscit. — Quia vero novella plantatio adhuc indiget irrigari, sacro consilio ita duximus providendum; ut Raymundus Tolosanus comes, qui culpabilis repertus est in utroque, nec unquam

sanctioned as a precedent for all like cases.<sup>14</sup> Raymund was at length driven to seek his remedy in the fidelity of his subjects, and, after the death of Simon (A. D. 1218), regained the greatest part of the territory that had been taken from him, in spite of the utmost efforts of the Pope. His successor, Raymund VII., completed the conquest, and compelled Amalarich, the son of Simon de Montfort, to resign his pretensions.<sup>15</sup> But Honorius III., though a mild and gentle pontiff, thought it due to the papal dignity to punish the son for the offences of the father, and invited Lewis VIII. of France to take

sub ejus regnante terra possit in fidei statu servari, sicut a longo tempore certis indicis est compertum, ab ejus dominio, quod utique grave ḡ sit, perpetuo sit exclusus, extra terram in loco idoneo moratur, ut dignam agat penitentiam de peccatis. Veruntamen de proventibus terre pro sustentatione sua quadringentas marcas percipiat annuatim, quaudiu curaverit humiliiter obedire. Uxor vero ipsius comitis, soror quondam Regis Arragonum, — terras ad summum dotalium pertinentes integre habeat et quiete. — Tota vero terra, quam obtinuerunt cruce signati, — dimittatur et concedatur — comiti Montis fortis, viro strenuo et catholico, qui plus ceteris in hoc negotio laboravit, ut eam teneat ab ipsis, a quibus de jure tenenda est. Residua autem terra, que non fuit a cruce signatis obtenta, custodiatur ad mandatum Ecclesie per viros idoneos, qui negotium pacis et fidei manutentant et defendant; ut provideri possit unico adolescenti filio prefati comitis Tolosae, postquam ad legitimam etatem pervenerit, si talem se studierit exhibere, quod in toto vel in parte ipso merito debeat provideri, prout magis videbitur expedire.

<sup>14</sup> Conc. Lateran. IV, can. 3 (Deer. Greg. Lib. V. Tit. 7, c. 13): *Excommunicamus et anathematizamus omnem heresim, etc.* — § 1. *Damnati vero saecularibus potestatis presentibus, aut eorum bailivis relinquuntur, animadversione debita puniendi: — ita quod bona hujusmodi damnatorum — confi-centur.* § 2. *Qui autem inventi fuerint sola suspicione notabiles, nisi — propriam innocentiam congrua purgatione monstraverint, anathematis gladio feriantur, et usque ad satisfactionem condignam ab omnibus evitentur; ita quod si per annum in excommunicatione persistierint, extine velut haeretici condemnentur.* § 3. *Moneantur autem et inducantur, et, si necesse fuerit, per censuram ecclesiasticam compellantur saeculares potestates, — ut — pro defensione fidei praestent publice juramentum, quod de terris sua jurisdictioni subjectis universos hereticos — exterminare studebunt; ita quod amodo, quandocunque quis puerit in potestatem sive perpetuam sive temporalem assumptus, hoc teneatur capitulum juramento firmare.* Si vero dominus temporalis requiritus et monitus ab Ecclesia, terram suam purgare neglexerit ab hac haeretica fodiitate, per Metropolitanum et ceteros comprovinciales Episcopos excommunicationis vinculo innotetur. Et, si satisfacere contenserit infra annum, significetur hoc summo Pontifici; ut extine ipse Vassallos ab ejus fidelitate denunciet absolutos, et terram exponat catholicec occupandam, qui eam exterminatis haereticis sine ulla contradictione possideant, et in fidei puritate conservent; salvo jure Domini principalis, dummodo super hoc ipse nullum praestet obstaculum, nec aliquod impedimentum opponat; eadem nihilominus lege servata circa eos, qui non habent Dominos principales. § 4. *Catholici vero, qui crucis assumpto charactere ad haereticorum exterminium se accinxerint, illa gaudent indulgentia, illoque sancto privilegio sint muniti, quod accendentibus in terra sancta subsidium conceditur.* § 5. *Credentes præterea, receptatores, defensores et fautores haereticorum excommunicationi decernimus subjacere; firmiter statuentes, ut postquam quis talium fuerit excommunicatione notatus, si satisfacere contempserit infra annum, extine ipso jure sit factus infamis, nec ad publica officia seu consilia, nec ad eligendos aliquos ad hujusmodi, nec ad testimonium admittatur.* Sit etiam intestabilis, ut nec testandi liberam habeat facultatem, nec ad haereditatis successione accedat. Nullus præterea ipsi super quoconque negotio, sed ipse alii respondere cogatur, etc. Si qui autem tales, postquam ab ecclesia denotati fuerint, evitare contemerint; excommunicationis sententia usque ad satisfactionem idoneam percellantur, etc.

<sup>15</sup> Schlosser, l. c. S. 222 ff.

possession of Toulouse with a crusading army.<sup>16</sup> Hostilities began on the 6th of June, 1226, but the enterprise received a severe check in the death of Lewis on the 18th of November of the same year. Raymund at last obtained a peace (1229), though only on the most unfavorable conditions; a part of his territory being ceded to France outright, and the rest provisionally.<sup>17</sup> To complete the misery of this unhappy country, the detestable Inquisition was now established.\* In order that the bloody work of the papal legates might be continued without interruption, the fourth Lateran Council (A. D. 1215),<sup>18</sup> had changed the inquisitorial power of the bishops (*Synodi*. See *Third Period, Div. I.* p. 25) into a standing Inquisition, the establishment of which was further matured at the council of Toulouse A. D. 1229.<sup>19</sup> This, however, did not last long. In the year 1232 — 33, Gregory IX. appointed the Dominicans perpetual inquisitors in the name of the Pope,<sup>20</sup> and they soon after entered on their odious office in all

<sup>16</sup> *Matth. Paris*, ann. 1226, p. 331: *Multitudo maxima Praelatorum et Laicorum crucis signaculum suscepunt; plus metu Regis Francorum, vel favore Legati, quam zelo justitiae inducti. Videbatur enim multis abusio, ut hominem fidelein Christianum (*Comitem Tolosanum*) infestarent; praeципue cum constaret euntes, eum in concilio, nuper apud civitatem Bituricam habito, multis precibus persuasisset Legato, ut veniret ad singulas terras sua civitates, inquireret a singulis articulos fidei; et si quempiam contra fidem inveniret sentientem Catholicam, ipse secundum judicium s. Ecclesiae, justitiae ex eis plenitudinem exhiberet.* — *Pro se autem obtulit, si in aliquo deliquerit, quod se fecisse non recoluit, plenam Deo et s. Ecclesiae satisfactionem, ut fidelis Christianus; et si Legatus vellet, etiam fidei examen subire. Haec quoque omnia Legatus contempsit; nec potuit Comes Catholicus gratiam invenire, nisi pro se et haeredibus suis haereditatem suam deservens abjuraret.*

<sup>17</sup> *Hist. de Languedoc*. T. III. p. 370 seq. *Preuves*, p. 329 seq.

\* General works on the subject: *Ludovico de Paramo* de origine, de officio et de progressu s. Inquisitionis, libb. III. Madrit. 1595. and Antwerp. 1619. fol. — *Phil. a Limborch* historia Inquisitionis. Amst. 1692. fol. — *J. Ant. Llorente* hist. critique de l'Inquisition d'Espagne. Paris. 1817.

<sup>18</sup> Conc. Lateran. IV. c. 3, § 7 (is word for word from the decree of Pope Lucius III. A. D. 1184, mentioned above, § 85, note 5, which, however, seems never to have been carried into effect): *Adjicimus insuper, ut quilibet Archiepiscopus vel Episcopus per se, aut per Archidiaconum suum, vel idoneas personas honestas bis aut saltem semel in anno propriam parochiam, in qua fama fuerit haereticos habitare, circumeat; et ibi tres vel plures boni testimonii viros, vel etiam, si expedire videbitur, totam viciniam, jurare compellat; quod si quis ibidem haereticos sciverit, vel aliquos occulta conventicula celebrantes, seu a communis conversatione fideliuum vita et moribus dissidentes, eos Episcopo studeat indicare. Ipse autem Episcopus ad presentiam suam convocet accusatos; qui nisi se ab objecto reatu purgaverint, vel si post purgationem exhibitam in pristinam fuerint relapsi perfidiam, canonicę puniantur. Si qui vero ex eis juramenti religionem obstinatim dannabiliter respondeant, jurare forte noluerint; ex hoc ipso tanquam haereticī reputentur.* § 8. — *Si quis Episcopus super expurgando de sua diœcesi haereticæ pravitatis fermento negligens fuerit vel remissus: — ab episcopali officio deponatur.*

<sup>19</sup> The 45 Capitula Conc. Tolosani in *Mansi* XXIII. p. 192 seq. Planck's *Gesh. d. kirchl. Gesellschaftsverfass.* Bd. 4, Abschn. 2, S. 463 ff.

<sup>20</sup> A. D. 1232 in Germany, Arragon, and Austria, Ballarium Ord. Prædicat. T. I. p. 37, 38. — Then 1233 ad Priorem fratrum Ord. Prædicatorum in Lombardia, *Mansi* XXIII. p. 74. In the same year the bishop of Tournay, also as legate, appointed Dominicans to be inquisitors in the cities of the Albigeois, *Guil. de Podio Laur.* c. 43.

the countries infected with heresy. That the church might not be stained with blood, the temporal princes were forced to undertake the execution of its sentences. For this purpose direct laws were enacted by Lewis IX. A. D. 1228,<sup>21</sup> by the unfortunate Raymond VII. A. D. 1233,<sup>22</sup> and by Frederick II. A. D. 1234.<sup>23</sup> The Inquisition raged the most terribly in the south of France,<sup>24</sup> where all the previous persecutions had had no effect on the heretics but to drive them into concealment. In Germany, the cruelty of Conrad of Marburg (A. D. 1231 – 1233)<sup>25</sup> — never, perhaps, exceeded in the annals of the

<sup>21</sup> In the *Ordonnance Cupientes*, see *Ordonnances des Roys de France de la 3 ième Race par M. de Lauriere*, vol. I. (Paris, 1723, fol.) p. 50.

<sup>22</sup> *Statuta Raymundi Com. Tolos super hæresi Albigensi in Mansi XXIII.* p. 265 seq.

<sup>23</sup> Four *Constitutiones* in *Petrus de Vinea*, lib. I. Ep. 25 – 27. *Limborch hist. inquisit.* p. 48 seq.

<sup>24</sup> Hence the popular disturbances in Narbonne, 1234 (*Hist. de Langued. T. III.* p. 402), in Albi (*Narratio de illatis Arnaldo Inquisitori apud Albiensem civitatem injuriis, in Mortene Thesaur. T. I.* p. 985 seq.); expulsion of the inquisitors 1235, from Toulouse (*Hist. de Lang. l. c. p. 404*) and Narbonne (*ib. p. 406*). Four inquisitors murdered in Toulouse 1242 (*ib. p. 430 seq.*). An idea of the fearful activity of this Inquisition can be gained from the *Liber sententiarum Inquisitionis Tolosana*, a collection of sentences from 1307 – 1323 (appended to *Limborch hist. inquisitio*nis). Similar collections, of still earlier date, are extant in Ms. See Füssli's *Kirchen- u. Ketzerhistorie der mittlern Zeit*, Th. I. S. 417.

<sup>25</sup> Concerning whom see *Gesta Archiepiscoporum Trevir.* in *Eccardi Corp. hist. mediæ avi.* T. II. p. 2227 seq.; and *Aberici chronicæ ad ann. 1233.* p. 514 seq.; compare especially *Sifridi Archiep. Maguntini et F. Bernardi de Ord. Prædicatorum Ep. ad Papam in Abericus*, l. c. Magister Conrardus contra Pauperum Lugdunensium astutias zelo fidei armatus, nefandam hæresim Manichavorum filiam olim absconditam ita putavat ex toto reprehendere, si testes, qui se contibebantur aliquantulum eriminis eorum concios et participes, in illorum absentia reciperenetur, et dictis eorum simpliciter crederetur, ita ut semel accusato talis daretur optio, aut sponte confiteri et vivere, aut innocentiam jurare et statim comburi. Et ecce falsos testes, ab hæreticis, ut credimus, subornatos adduxit inimicus. Quædam femina vaga Alaidis — finxit se hæreticam — innuens a latere, quod — hæreticos absconditos et fautores eorum manifestaret. Hæc missa est a Mag. Conrado, qui nimis ei creditit: et ipsa primo apud Clavelt villam, de qua oriunda fuit, cognatos et notos et affines, qui eam exhortare videbantur, fecit comburi: subornato etiam quodam Amfrido, quem modo fecimus in vineulis detineri, qui confessus est, quod multos innocentes, alios ad ignem, alios ad tousuram per testimonium suum concesserit. Mag. Conrado judicium fulminante. Et horum accusatio paulatim cœpit ascendere a rusticis ad burgenses honorabiles et eorum uxores, inde ad Castellanos et nobiles, et in fine ad Comites prope et longe positos. Et Magister nulli quantumvis altae personæ locum dedit legitimas defensionis, nec etiam confiteri proprio Sacerdoti, sed accusatum oportuit confiteri se hæreticum esse, buffonen tactum, pallidum virum et hujusmodi monstra dissidentie pacis in osculo salutasse: taliter quidam Catholici alijudicati inaluerunt innocenter cremari et salvare, quam mentiri de crimine turpissimo, cuius non erant consciæ, et supplicium proueneri, quibus ipse Magister martyrium promittebat: alii infirmi potius elegerunt mentiri, quam comburi. Quibus tamen oportuit scolas nominare, et respondebant: *nescio quem accusem, dicite mihi nomina, de quibus suspicionem habetis:* cumque proponeatur de Comite Seinensi, de Comite Aneberg, de Comitissa de Loz, respondebat evadere volens: *illi ita rei sunt ut ego, etc.* — Ego Archiepiscopus Mag. Conradum primo solus, postea cum duobus Archiepiscopis Coloniensi et Trevirensi, mouui, ut moderarius et discretius in tanto negotio se gereret. Qui non acquievit, sed tandem contra nostram monitionem crucem publice prædicavit Maguntiæ: quo viso quidam [sex illis] interfecerunt eum prope Marburg. — Deinde — examinavimus Comitem Seinensem et alios, de quibus habita est quæstio, et restituimus eos

Inquisition — and the fearful experience of the operation of the new laws against heretics in the case of the Stedinger (A. D. 1234),<sup>26</sup>

famae et possessionibus: — de innocenter mortuis quaeritur consilium Papæ. Albericus continuus: Quid ad hoc Dominus Papa rescriperit, nondum scimus, nisi quod pénitet cum satis, quod tantam dieto Mag. Conrado potestatem permiserit, etc.

<sup>26</sup> *Jo. Dan. Riteri diss. de Pago Steding et Stedingis sœc. XIII. hæreticis.* Viteberg, 1751, 4to. (reprinted in *J. P. Berg Museum Duisburgense*, T. I. p. II. p. 529 seq.) Schlossers Weltgesch. Bd. 3. Th. 2. Abth. 2. S. 127 ff. — The matter is related concisely and correctly by the contemporary *Godfridus Mon. S. Pantaleonis* ad ann. 1234 (in *Freherus-Strure*, T. I. p. 399): Verbum crucis predicator contra Stagingos per inferiores partes Teutoniae et Flandriae. Collecto itaque universo exercitu erucce-ignatorum in crastino Ascensionis iidem Stagingi superantur, et a terra sua funditus extirpantur. Fuerunt autem Stagingi populi in confinio Frisiae et Saxoniae siti (the present Duchy of Oldenburg) paludibus inviis et fluminibus circumseinti, qui pro suis excessiis et subtractionibus decimorum militis annis excommunicati, contentores clavum Ecclesie sunt inventi. Qui cum essent viri strenui, vicinos populos, immo et Comites et Episcopos bello pluries sunt aggressi, saepè victores, raro victi. Ob quam causam auctoritate papali verbum crucis contra eos fuit per multis dioceses prædicatum. As early as 1232 Gregory IX, at the instance no doubt of Gerhard, archbishop of Bremen, gave permission to preach a crusade against them (*Raynald*, ann. 1232, no. 8). This, however, having no great effect, Conrad of Marburg interfered in the matter (I.e. ann. 1233, no. 41) and laid the same heresies to the charge of the Stedinger (see § 55, 56), which he was accustomed to bring against his viciniis. After this the calls of Gregory to a crusade were more urgent, Ep. ad Archiep. Magunt. Episc. Hildesheim. et Conradi (*Raynald*, ann. 1232, no. 42) and ad Henricum Friderici Imp. filium (in *Martene thesaur.* T. I. p. 950. Mansi XXIII, p. 323): in both letters the following account of the heresy of the Stedinger: Hujus pestis initia talia perforuntur. Nam dum novitus in ea quisquam recipitur, et perditorum primitus scholas intrat, appareat ei species quadam ranæ, quam bufonem consueverunt aliqui nominare: hanc quidam a posterioribus, et quidam in ore dannabiliter osculantes, liquam bestiæ intra ora sua recipiunt, et salivam. Hæc appareat interdum in debita quantitate, et quandoque in modum anseris vel anatis, plerunque furni eliam quantitatē assumit. Denum novitio procedenti occurrit miri palloris homo, nigerrimos habens oculos, adeo extenuatus et maeer, quod consumptis carnis sola cutis relicta videtur ossibus super ducta: hunc novitus osculatur, et sentit frigidum sicut glaciem: et post osculum catholica memoria fidei de ipsis corde totiliter evanescit. Ad convivium postmodum discumbentibus, et surgentibus completo ipso convivio, per quandam statuam, quæ in scholis hujusmodi esse solet, descendit retrorsum ad modum canis mediocris gattus niger, retorta cauda, quem a posterioribus primo novitus, post magister, deinde singuli per ordinem osculantur, etc. — Et his ita peractis extinguntur candelæ, et proceditur ad fetti-dissimum opus luxurie. — Completo vero tam nefandissimo scelere et candelis iterum reaceensis, singulique in suo ordine constitutis, de obscuro scholarum angulo quidam homo procedit a renibus sursum fulgens et sole clarior, sicut dicunt, deo sum hispidus, sicut gattus, cuius fulgor illuminat totum locum. Tunc magister excepens aliquid de veste novitii, folgido illi dicit: *Magister hoc mihi datum tibi do; illo fulgido respondente: Bene mihi servisti; plures et melius servies; tu et committo custodiæ, quod dedisti;* et his dictis protinus evanescit, etc. After the Stedinger had been almost extirped, the Pope's eyes were opened to Conrad's character (see note 25), and he acquitted them, not indeed of heresy, but of disobedience and revolt, see *Gregor. IX. Ep. ad Archiepisc. Bremensem*, ann. 1235 (in *Lindenbrogi scriptt Rer. Germanic. Septentrionall.* p. 172): Ex parte universitatis Stedingorum, in Bremensi diecesi existentium, fuit nobis humiliiter supplicatum, ut, cum super eo, quod vobis inobedientes et rebelles diutius extiterunt, vestris cupiant parere mandatis, faceremus excommunicationis sententiam, qua propter hoc tenentur adstricti, misericorditer relaxari. — Igitur — praesentium vobis auctoritate mandamus, quatenus ab eis sufficienti cautione recepta, quod vobis de præteritis satisfactionem impendant, et ecclesiæ ac vestris imposterum

aroused a resistance so general, that the country was for a long time freed from this curse.

In this case, as in all others, the theologians of the day showed themselves ready to accommodate their theory to the practice of the church, maintaining the justice of such treatment of heretics.<sup>27</sup>

pareant precise mandatis, injunc o sibi, quod de jure fuerit injungendum, sententiam ipsam juxta formam ecclesie relaxatis,

<sup>27</sup> Thomas Secunda Secundæ, Qu. 10. Art. 8: *Utrum infideles compellendi sint ad fidem?* Resp. dicendum, quod infidelium quidam sunt, qui nunquam suscepserunt fidem: — et tales nullo modo sunt ad fidem compellendi, ut ipsi credant, quia credere voluntatis est: sunt tamen compellendi a fidelibus, si adsit facultas, ut fidem non impediatur. — Alii vero sunt infideles, qui quandoque fidem suscepserunt, et eam profitentur, sicut haeretici, et quicunque apostate: et tales sunt etiam corporaliter compellendi, ut impleant quod promiserunt, et teneant quod semel suscepserunt. — Sicut vovere est voluntatis, reddere autem necessitatis: ita accipere fidem est voluntatis, sed tenere eam acceptam est necessitatis. Art. 10: *Utrum infideles possent habere prælationem s. dominum supra fidèles?* Resp. dicendum, quod circa hoc duplenter loqui possumus. Uno modo de dominio vel prælatione infidelium super fideles de novo instituenda: et hoc nullo modo permitti debet. Cederet enim hoc in scandalum et in periculum fidei. — Et ideo nullo modo permittit Ecclesia, quod infideles acquirant dominium super fideles, vel qualitercumque eis præficiantur in aliquo officio. Alio modo possumus loqui de dominio vel prælatione iam præexistenti. Ubi considerandum est, quod dominium et prælatio introducta sunt ex jure humano: distinctio autem fidelium et infidelium est ex jure divino. Ius autem divinum, quod est ex gratia, non tollit jus humanum, quod est ex naturali ratione: ideo distinctio fidelium et infidelium secundum se considerata non tollit dominium et prælationem infidelium supra fideles. Potest tamen juste per sententiam vel ordinationem Ecclesiæ, auctoritatem Dei habentis, tale jus dominii vel prælationis tolli: quia infideles merito sua infidelitatis merentur potestatem amittere super fideles, qui transseuntur in filios Dei. Sed hoc quidem Ecclesia quandoque facit, quandoque autem non facit. Qu. 11. Art. 3: *Utrum hæretici sint tolerandi?* Resp. dicendum, quod circa hæreticos duo sunt consideranda: unum quidem ex parte ipsorum, aliud vero ex parte Ecclesiæ. Ex parte quidem ipsorum est peccatum, per quod meruerunt non solum ab Ecclesia per excommunicationem separari, sed etiam per mortem a mundo excludi. Multo enim gravius est corrumpere fidem, per quam est animæ vita; quam falsare pecuniam, per quam temporali vita subvenitur. Unde si falsarii pecuniae, vel alii malefactores statim per sæculares principes juste morti traduntur: multo magis hæretici statim, ex quo de hæresi convincuntur, possunt non solum excommunicari, sed et juste occidi. Ex parte autem Ecclesiæ est misericordia ad errantium conversionem; et ideo non statim condemnatur, sed post primam et secundam correptionem, ut Apostolus docet. Postmodum vero si adhuc pertinax inveniatur, Ecclesia de ejus conversione non sperans, aliorum saluti providet, cum ab Ecclesia separando per excommunicationis sententiam, et ulterius relinquat eum iudicio seculari, a mundo exterminandum per mortem. To the argument drawn from the Lord's command, *Math. xiii. 29, 30. ut zizania permitterent crescere usque ad messem*, he answers: Si totaliter eradicentur per mortem hæretici, non est etiam contra mandatum Domini: quod est in eo easu intelligendum, quando non possunt extirpari zizania sine extirpatione tritie. Art. 4: *Utrum revertentes ab hæresi sint ab Ecclesia recipiendi?* Resp. dicendum, quod Ecclesia secundum Domini institutionem caritatem suam extendit ad omnes, non solum amicos, verum etiam inimicos et persequentes, secundum illud, *Math. v. 44*. — Pertinet autem ad caritatem, ut aliquis bonum proximi et velit et operetur. Est autem duplex bonum. Unum quidem spirituale, scilicet salus animæ, quod principaliter respicit caritas: hoc enim quilibet ex caritate debet alii velle. Unde quantum ad hoc hæretici revertentes quotiescumque relapsi fuerint, ab Ecclesia recipiuntur ad pœnitentiam, per quam impenditur eis via salutis. Aliud autem est bonum, quod secundario respicit caritas, scilicet bonum temporale, sicut est vita corporalis, possessio mundana, et bona fama, et dignitas Ecclesiastica sive secularis. Hoc

To all this was added the absolute prohibition of the reading of the Scriptures by any but the clergy;<sup>28</sup> and to possess a translation of the Bible was considered of itself a sufficient proof of heresy.<sup>29</sup>

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enim non tenemur ex caritate aliis velle, nisi in ordine ad salutem æternam et eorum aliorum. Unde si aliquid de hujusmodi bonis existens in uno impedit possit aeternam salutem in multis, non oportet quod ex caritate hujusmodi bonum ei velimus; sed potius ut velimus cum illo carere: tum quia salus aeterna praeferenda est bono temporali, tum quia bonum multorum prefertur bono unius. Si autem haeretici revertentes semper reciperentur, ut conservarentur in vita, et aliis temporalibus bonis, posset in præjudicium salutis aliorum hoc esse: tum quia, si relaberentur, alios inficerent: tum etiam quia, si sine pena evadent, alii securius in haeresim laborentur. — Et ideo Ecclesia quidem primo revertentes ab haeresi non solum recipit ad penitentiā, sed etiam conservat eos in vita, et interdum restituit eos dispensativa ad ecclesiasticas dignitates, quas prius habebant, si videantur vere conversi. — Sed quando recepti iterum relabuntur, videtur esse signum inconstitutio eorum circa fidem. Et ideo ulterius redentes, recipiuntur quidem ad penitentiā, non tamen ut liberentur a sententia mortis. Qu. 12. Art. 2: *Utrum Princeps propter apostasiam a fide amittet dominium in subditos, ita quod ei obediere non teneantur?* Videtur quod Princeps propter apostasiam a fide non amittat dominium. — Dicit enim Ambrosias (Caus. XI. Qu. 3. c. 94), quod Julianus Imp., quamvis esset apostata, habuit tamen sub se Christianos milites, quibus cum dicebat: producile aciem pro defensione reipublica; obediebant ei. — Praeterea sicut per apostasiam a fide receditur a Deo, ita per quodlibet peccatum. Si ergo propter apostasiam a fide perderent Principes jus imperandi subditis fidelibus, pari ratione propter peccata alia hoc amitterent. Sed hoc patet esse falsum. — *Sed contra est*, quod Gregorius VII. dicit (Caus. XV. Qu. 6. c. 4): Nos — eos qui excommunicatis fidelitate aut sacramento sunt constricti, — apostolica auctoritate a sacramento absolvimus; and the Decretals of Lucius III. (Decr. Greg. Lib. V. Tit. 7. c. 9). *Respondeo* dicendum, quod sicut supra dictum est infidelites secundum seipsam non repugnat dominio. — Sed aliquis per infidelitatem peccans potest sententialiter jus dominii amittere, sicut etiam quandoque propter alias culpas. Ad Ecclesiam autem non pertinet punire infidelitatem in illis, qui nunquam fidem suscepserunt. — Sed infidelitatem illorum, qui fidem suscepserunt, potest sententialiter punire: et convenienter in hoc puniuntur, quod subditis fidelibus dominari non possint. — Et ideo quam cito aliquis per sententiam denuntiatur excommunicatus propter apostasiam a fide, ipso facto ejus subditi sunt absoluti a dominio ejus, et juramento fidelitatis, quo ei tenebantur. *Ad primum* ergo dicendum, quod illo tempore Ecclesia in sui novitate nondum habebat potestatem terrenos principes compescendi: et ideo toleravit, fideles Juliano Apostatae obedire in his, quæ nondum erant contra fidem, ut maius periculum fidei vitaretur, etc.

<sup>28</sup> T. G. H e g e l m a i e r's Gesch. des Bibelverbots. Ulm 1783. 8vo. — Even Gregory VII. was no friend of translations of the Bible, and so not of the reading of the Bible, see above, Abth. I. S. 257. Innocent III., however, is not very strict on the subject, § 85, note 34. On the other hand, the Conc. Tolosanum, ann. 1229, cap. 14: Prohibemus etiam, ne libros veteris testamenti aut novi latice permittantur habere: nisi forte psalterium, vel breviarium pro divinis officiis, aut horas b. Mariae aliquis ex devotione habere velit. Sed ne premissos libros habeant in vulgari translatos, arctissime inhibemus. The Conc. Biterrense, ann. 1246, in its Consilium to the Inquisitors, cap. 36 (Mansi XXXIII. p. 72t); speaks de libris theologicis non tenendis etiam a latice in Latino, et neque ab ipsis neque a clericis in vulgari.

<sup>29</sup> Conc. Terraconense, ann. 1234, c. 2. Item statuimus, ne aliquis libros veteris vel novi testamenti in Romanico habeat. Et si aliquis habeat, infra octo dies post publicationem hujusmodi constitutionis a tempore sententiae, tradat eos loci Episcopo comburendos: quod nisi fecerit, sive clericus fuerit, sive laicus, tamquam suspectus de haeresi, quousque se purgaverit, habeatur.

## § 57.

## SECTS IN THE THIRTEENTH CENTURY.

The sanguinary course pursued with the heretics<sup>1</sup> only confirmed them in their convictions, and filled them with scorn and hatred of the established church, driving them to seek refuge in other countries, where they secretly continued to disseminate their doctrines. In the mean time the popular excitement against Rome, the clergy, and the ecclesiastical abuses was constantly increasing,<sup>2</sup> with an occasional feeling of the necessity of a reformation.<sup>3</sup> At the same time the

<sup>1</sup> A lively picture of this is given by Izarn, a Dominican and Troubadour (later than 1242, since in *Millot*, p. 57, he mentions the murder of the Inquisitor Arnaud) in a poetical description of the conversion of Sieard de Figueiras (see *Millot*, hist. littéraire des Troubad. T. II, p. 42 seq.; the original in *Raynouard*, T. V, p. 228). The missionary thus addresses the heretic (*Millot*, p. 43): Dis-moi, hérétique, parle un peu avec moi. Tu ne le feras point, si tu n'y es force, selon ce que j'entends dire. Tu te moques bien de Dieu, d'avoir renié ta foi et ton baptême, pour croire que le diable t'a cree, et qu'un tel monstre peut te sauver. He then proves to him that God is the creator of all things, and closes (p. 50): Je veux qu'en un ou deux mots tu me répondes. Ou tu seras jeté dans le feu, ou tu te rangeras de notre côté, de nous, qui avons la foi pure avec ses sept échelons, savoir les sacremens, etc. Then follows a defence of marriage, to which he seeks to give weight in the same manner: Quoi, indocile à toutes ces autorités de Dieu et de S. Paul, tu ne peux te rendre? Mais le feu et les supplices t'attendent: tu vas y passer. p. 53: Avant qu'on te jette dans les flammes, je veux cependant te donner congé par une autre dispute sur la résurrection de l'homme et de la femme, que tu ne crois pas non plus que le jugement universel. La parole de Dieu à ce sujet est infaillible et invariable; de sorte que, si la tête d'un homme étoit par delà les mers, un de ses pieds à Alexandrie, l'autre au mont Calvaire, une de ses mains en France, et l'autre à Haut-Villar, et que le trone fût porté en Espagne; enfin que toutes ces parties, brûlées et mises en cendres, fussent jetées au vent; elles reprendroient au jour du jugement la forme, qu'elles ont eue au baptême, etc. p. 59: Avant que tu sois livré aux flammes, comme tu vas l'être, si tu ne te rétractes point, je voudrois encore te demander, pourquoi tu nies notre baptême, etc. — p. 62: Je t'ai par huit fois convaincu d'erreur et de mensonge, hérétique obstine: mais toutes les autorités des apôtres et des prophètes ne gagnent rien, et je perds mon temps avec toi. Once more: Où as-tu trouvé dans l'écriture, et qui t'a appris, que ton amie soit venue de ceux, qui tombèrent du ciel sur la terre? etc. Finally, the heretic yields, p. 66: Jzarn, assurez moi, et faites-moi donner parole, que je ne serai pas brûlé, ni enfermé, ni maltraité. Je me soumets à toutes les autres peines, qu'il vous plaira, etc.

<sup>2</sup> See above, p. 261 seq.; 271, 276 seq.; 278. Like Conrad of Lichtenau, who, in the conduct of Gregory IX. to Frederic II. saw a prodigium ruentis ecclesiæ (see above, § 55, note 11) the Provencals in the evils which befel their country, saw the omens of the downfall of the Pope, see the Troubadour *Guill. Figueira*, about 1244 (*Millot*, T. II, p. 451): Rome, tu te fais un jeu d'envoyer les chrétiens au martyre. Mais dans quel livre as-tu lu, que tu doives exterminer les chrétiens? — Comme un bête enragée, tu as dévoré les grands et les petits. Que le brave comte Raimond vive encore deux ans, il fera repenter la France de s'être livrée à tes impostures. Tes crimes sont montés si haut, que tu méprises Dieu et ses saints. Ta tyrannie eclate par l'injustice, que tu fais au comte Raimond. — Rome, je me console par l'espérance, que dans peu tu auras une mauvaise fin!

<sup>3</sup> cf. La Bible de *Guyon de Provins*, a monk in Clugny, written 1203 (Notices et Extraits des Manuscrits de la Bibl. nationale, Tom. V, p. 284): Cour de Rome, vous n'êtes que crimes; et puisque le pape n'en voit rien, et qu'il ne s'oppose à

comparison of the lives of the heretics with those of the clergy, was to the manifest disadvantage of the latter.<sup>4</sup> Thus it is not surprising that, in the thirteenth century, we find the older heresies more widely diffused than ever, and many new sects besides.

rien, notre sort est de périr. Rome n'a cessé d'avilir la religion; Rome nous suce et nous dévore; rien n'y résiste à l'argent; elle détruit tout, elle porte le désespoir par-tout; c'est la source d'où découlent tous les vices. Pourquoi les princes ne se réunissent-ils pas pour arrêter tous ces maux? Pourquoi les Chrétiens ne marchent-ils pas contre elle, comme en ce moment ils marchent contre les Griffons (the Greeks)? Ce moyen est le seul qui puisse détruire la convoitise, l'orgueil, la felonie, et la fraude, qui ont fixé leur séjour. More touching the complaints of the German Minnesingers, e. g. Walther v. d. Vogelweide (Maness Th. 1. S. 133):

Swell Herze sich bi disen Ziten nicht verkeret,  
Sit das der Babest selbe dort den Ungelouben meret,  
Da wont ein selig Geist und Gottes Minne bi.  
Nu seht ir, was der Pfaffen Werk, und was ir Lere si  
E das was ire Lere bi den Werken reine:  
Nu sint si aber anders so gemcine,  
Das wirs Unrechte würken sehen, Unrechte horen sagen,  
Die uns guoter Lere Bilde solten tragen:  
Des mugen wir tumbe Leigen (Laity) wol verzagen:  
Ich wen aber, min guoter Closener (Clausner) elage und sere weine

And Wernerher (Maness, Th. 2. S. 162)

Wir Leigen han die Wisel florn (die Weisel verloren),  
Die unser solten pflegen  
Nu grifen selbe nach den Pfaden,  
Wir struchten bi den Wegen.

<sup>4</sup> *Rainerii Summa* (see below, note 9), cap. 3 (in Bibl. Max. PP. XXV. p. 263): Sex sunt causæ haeresis. Prima inanis gloria. — Secunda est, quia omnes, scil. viri et feminæ, parvi et magni, nocte et die, non cessant docere et discere. — Quidam haereticus ad hoc tantum, ut quandam a fide nostra averteret et ad suam converteret, nocte, tempore hyemali, per aquam, qua Ibsa dicitur, ad ipsum natavit. — Tertia causa haeresis est, quia novum et vetus Testamentum vulgariter transtulerunt: et sic docent et discunt. Audivi, et vidi quandam rusticum idiotam, qui Joh recitat de verbo ad verbum, et plures, qui totum novum Testamentum perfecte sciverunt. — Quarta causa haeresum est scandalum de malo exemplo quorundam. Unde cum quosdam vident male vivere, dicunt: *Sic Apostoli non vixerunt, nec nos, qui sumus imitatores Apostolorum.* Quinta causa est insufficiencia doctrinae quorundam, qui prædicant quandoque frivola, quandoque falsa. Unde quidquid Ecclesia doctor docet, quod per textum novi Testamenti non probat, hoc totum pro fabulis habent, contra Ecclesiam. Sexta causa est irreverentia, quam quidam ministri Ecclesie perhibent Sacramentorum. Septima causa est odium, quod habent contra Ecclesiam. Of their morals, *Ibid.* cap. 7. p. 272: Haeretici cognoscuntur per mores et verba. Sunt enim in moribus compositi et modesti: superbiam in vestibus non habent, quia nec preciosis, nec multum abiectis utuntur. Negotiationes non habent propter mendacia, et juramenta, et fraudes vitandas; sed tantum vivunt de labore, ut opifices. Doctores etiam ipsorum sunt sutores et textores. Divitias non multiplicant, sed necessariis sunt contenti. Casti etiam sunt, maxime Leonista. Temperati etiam sunt in cibo et potu. Ad tabernas non eunt, nec ad choreas, nec ad alias vanitates. Ab ira se cohibent: semper operantur, discunt vel docent, et ideo parum orant. Item ad Ecclesiam sicut vadunt, offerunt et confitentur, et communicant, et intersunt prædicationibus; sed ut prædicantem capiant in sermone. Cognoscuntur etiam in verbis præcisis et modestis. Cavent etiam a securitate et detractione, et verborum levitate, et mendacio, et juramento. Nec dicunt: *rere, vel certe, et similia:* quia haec reputant juramenta. Item ad questiones raro directe respondent. Ut, si queratur ab ipsis: *Seis tu Evangelium vel Epistolas?* respondet: *Quis docuisset me ista?* etc.

The history of the older sects is best learned from the writings of their opponents. These were *Luke*, bishop of Tuy in Galicia (about A. D. 1236),<sup>5</sup> against the Albigenses; the Dominican *Yvonet* (about A. D. 1278)<sup>6</sup> against the Waldenses; and the Dominicans and Inquisitors *Stephen de Borbone*, in Lyons (about 1225),<sup>7</sup> *Moneta*, in Bologna (about 1240),<sup>8</sup> and *Rainert Sacchoni*, in Lombardy († 1259),<sup>9</sup> against both parties.

The Cathari, or, as they were now more commonly called, the Albigenses,\* not only continued to be found in France<sup>10</sup> but also in the north of Italy,<sup>11</sup> where their increase was favored by the distracted

<sup>5</sup> *Lucas Tudensis Episc. de altera vita fideique controversiis adv. Albigensium errores*, Libb. III, prim. ed. *J. Mariana S. J. theol.* Ingolstad. 1612. reprinted in Bibl. PP. max. T. XXV. p. 188 seq.

<sup>6</sup> *Tractatus de haeresi Pauperum de Lugduno in Martene thesaur.* Aneidot. T. V. p. 1777 seq. That the author, who is given by Martene as *Anonymus*, was the Dominican *Yvonetus*, was discovered by *d'Argentré collectio judiciorum*. T. I. p. 95.

<sup>7</sup> See above, p. 377, note 3. See the extracts from *Stephani de Borbone lib. de septem donis Spiritus sancti in d'Argentré collect. judiciorum*, T. I. p. 85–91.

<sup>8</sup> *Moneta Summa adv. Catharos et Waldenses libb.* V. ed. *Thom. Aug. Richini. Romæ, 1743.* fol.

<sup>9</sup> Of his *Summa de Catharis et Leonistis* there are two edd. (cf. *d'Argentré*, l. e. p. 47): one older and more concise in *Martene thesaur.* Aneidot. T. V. p. 1762, and in *d'Argentré*, l. e. p. 48–57 (in this last with an addition, p. 56, 57); and a second, enlarged edition, published by *Jac. Gretser*, with the incorrect title *contra Waldenses*; and in Bibl. Max. PP. T. XXV. p. 262. Reiner says of himself (*Martene*, p. 1763, Bibl. PP. p. 268): *Ego Frater Reinerius (Rinherus, Renerius, Rainierius), olim haeresiarcha, nunc Dei gratia sacerdos in Ord. FF. Prædicatorum — XVII annis conversatus sum cum eis (Catharis).* He was driven from Milan by Palavicini, see note 11.

\* Of the names given them, see *Stephanus de Borbone*, in *d'Argentré*, l. c. p. 90: *Dicti sunt Albigenses.* — *Dicuntur etiam a Lombardis Gazari vel Pathari:* a Teutonicis *Kathari* vel *Kataristæ:* *dicuntur etiam Burgari*, quia latibulum eorum speciale est in Burgaria: gallice etiam dicuntur ab aliquibus *Popelicanii*.

<sup>10</sup> See above, § 86, note 24.

<sup>11</sup> Thus 1225, in Brescia, cf. *Honorii III. Epist. ad Episc. Ariminens. et Brixensem* (in *Raynald*, ann. 1225, no. 47): *In civitate Brixiae, quasi quodam hæreticorum domicilio, ipsi hæretici et eorum fautores nuper in tantam vesaniam proruperunt, ut, armatis turribus contra Catholicos, non solum ecclesias quasdam destruxerint incendiis et ruinis, verum etiam, jaetais facibus ardentibus ex eisdem, ore blasphemolatrare præsumperint, quod excommunicabant Romanam Ecclesiam, etc.* He commands the towers from which this was done to be destroyed. His orders, however, were not obeyed without opposition, see *Raumer*, *Gesch. d. Hohenstaufen*, Bd. 6. S. 300, note r. ex *Regest. Honorii*. — *Gregory IX.* 1227, accuses all Lombardy of tolerating heretics (see *Raumer*, Bd. 3. S. 417. ex *Regest. Gregor.*); Compare *Bruder Wernher*, above, p. 218. — In the territories of the princeps Ezzelinus da Romana (cf. *Rolandus*, Lib. VI. c. 5. in *Muratori scriptt. Rer. Ital. T. VIII. p. 257*) and Palavicini, who were professed scapulics (cf. *Annales Mediol.* cap. 31. ad ann. 1259; in *Muratori*, T. XVI. p. 662): *Ubertus Marchio Pelavinius, qui Fratrem Raynerium Ordinis Prædicatorum, Inquisitorem hæreticorum, natione Placentinum, de Mediolano ejici præcepit, — fuit Dominus civitatum Mediolani, Cremonæ, Placentiæ, Papia, Novaria, Vercellarum, Terdonæ, Alexandria, Cumarum et Brixiae.* Iste in tantum fuit pestifer hæreticus, quod in civitatibus, ubi dominabatur, hæretici publice suos errores prædicabant, scholas et doctores in Cathedris habebant. Nec poterat aliquis Inquisitor hæreticorum officium inquisitionis facere. He himself publice fuit confessus, quod nihil

state of the country. Milan was their chief seat.<sup>12</sup> They were scattered, also, through the rest of Italy,<sup>13</sup> in Spain,<sup>14</sup> and throughout Germany to the borders of Bulgaria.<sup>15</sup> Amongst them all there was

credebat de fide Christiana, nec alicui haeresi.) — The heretics were allowed to preach openly. — About the same time lived Armannus Pungilipus in Ferrara, who for a long time after his death († 1269) was honored as a saint, but at length, A. D. 1301, after an investigation of 30 years, was declared by Boniface VIII. to have been a secret heretic. See the numerous documents on the subject in *Muratorii Antiquitatis Italicae medii aevi*, T. V. p. 93 — 118.

<sup>12</sup> Compare Frederick II.'s reproaches of the Pope, above, p. 215, notes 18 and 21. — *Math. Paris*, ann. 1236. p. 433: Erat civitas illa (Mediolanum) omnium haeticorum, Paterinorum, Luciferorum, Publicanorum, Albigensium, usurariorum refugium et receptaculum. — *Incertus Auctor in Urstisii Germ. histor. P. II. p. 90*: Anno Dom. MCCXXXI facta est persecutio contra haeticos, hostes fidei, veritatis inimicos, quorum multitudo magna latitabat in populo Dei, in civitatibus, oppidis et villis, subvertentes et in errorem mittentes quos poterant de ecclesia. Quorum plures comprehensi — et confessi sunt, — quod annualem censem transmittere solebant Mediolanum, ubi diversarum haeresium primatus agebatur. (*Trithemius in Chron. Hirsau*, ann. 1230, had this passage before him, but amplifies the last clause thus: Unum Mediolani erroris sui Patriarcham habebant, inter consimiles latitantes, cuius mandatis obtinerabant in omnibus, eum Christi vicarium esse dicentes, cui singulis annis ex omnibus locis atque Provinciis — censem destinabant annum). — *Math. Paris*, ann. 1240. p. 542: Mediolanenses autem tunc temporis formidine penae potius, quam virtutis amore, haeticos, qui civitatem suam pro magna parte inhabitabant, ut famam suam redimerent, et accusationi Imperiali liberius responderent, combusserunt; quamobrem numerus civium nimis est nutilatus. — In 1259, however, under Palavicini, there was again universal toleration, see Ann. Mediol. note 11, above.

<sup>13</sup> Particularly in Florence, from A. D. 1228, where Philip Paternou was bishop of the Cathari, *Raumer*, Bd. 4. S. 187 ff. — in Rome, 1231 (*Raynald*, ad h. a. no. 13 seq.) — in Viterbo, 1235 (*Raynald*. ad h. a. no. 15, from the old *Vita Gregorii IX*: Ibi multos haeticos, quorum unus Joannes Beneventi Papa dicebatur — damnavit).

<sup>14</sup> Esp. in Leon (*Lucas Tudensis* III. c. 9), where one of them, named Arnaldus, as we are told by Luke, was honored as a saint by the people. — *Math. Paris*, ann. 1234. p. 395, speaks of an attack of the Albigenses on the Christians in Spain; which, however, was followed by a crusade, and the entire destruction of the former.

<sup>15</sup> *Rainerus*, c. 3, enumerates 41 heretical schools in the diocese of Passau. In the beginning of the 14th century they were very numerous in Austria, see *Anonymi brevis narratio de nefanda haeresi Adamitica in variis Austriae locis scc. XIV. grassante* in H. Pezii Scriptt. Rerum Austriacarum, T. II. p. 534. — Much information is given concerning the spread and internal relations of the Cathari in the Epist. Yvonis ad Giraldum Archiep. Burdigalensem (in *Math. Paris*, ann. 1243. p. 608 seq.). Yvo, a priest, was innocently accused of heresy, but fled from trial, and really joined the heretics. Multas proinde compulsus circuire provincias, Paterini in civitate Cumaea commorantibus conquerendo narravi, qualiter pro fide corum (quam, Deo teste, nunquam didiceram, vel squebar) precipitatis in me sententiis exulabam. Hoc illi auditio gavisi sunt, et me felicem censuerunt, eo quod persecutionem propter justitiam tolerasse. Et ibidem apud eos tribus mensibus splendide ac voluptuose procurabar, et multis quotidie errores — audiens subtilebam. Meque beneficiis obligarunt ad promittendum sibi, quod ex tunc Christianis, cum quibus morosum possem habere colloquium, predicarem persuadendo, quod in fide Petri neminem contingeret salvari, et hanc sententiam pertinaciter edocerem. Hocque mihi fide interposita promittenti, sua cuperunt secreta detegere, perhibentes, quod ex omnibus fere civitatibus Lombardia, et quibusdam Tuscia, Parisios dociles transmisissent scholares, quosdam logicis cavillationibus, alios etiam theologicis dissertationibus insudantes, ad adstruendos ipsorum errores, et professionem Apostolicae fidei confutandam. Multos etiam mercatores hac inten-

the most intimate connexion,<sup>16</sup> which continued until broken off by

tione mittunt ad nundinas, ut pervertant divites laicos commensales et hospes, cum quibus loquendi familiariter indulgeantur facultas. — Cumque a predictis fratribus degeneribus licentiam petiisse, miserunt me Mediolanum, a suis comprosoribus hospitandum. Et sic omnes pertransiens civitates Lombardie circa Padum, semper inter Paterinos, semper in recessu accepi ab aliis ad alios intersigna. Cremonam tandem pervenientem — nobilissima Paterinorum bibi vina, rabiolas, et ceratia, et alia illecebrosa comedens, deceptores diciens, Paterinumque me profitens, sed Deo teste, tide, etsi non operis perfectione, Christianus existens. Cremonaque per triduum commoratus, accepta licentia a complicibus, sed maledictione a quadam ipsorum Episcopo, — nomine Petro Gallo, inde — canales Aquilegiae sum ingressus peregrinans, — Carinthiam pertransivi solivagus, ac deinde in quodam oppido Austriae, quod teutonice Neustadt dicitur, — inter quosdam novos religiosos, qui Beguini vocantur, hospitabar. Et in proxima civitate Vienna locisque circumiacentibus aliquot annis delitui, opera confundens, heu, heu, bona et mala: vivens enim, diabolo instigante, satis incontinenter, anima mea noxiis adversabar; multos veruntamen ab errore Paterinorum revocans jam sapientem memorato. — *Rainerius*, c. 3: In omnibus vero civitatibus Lombardie et in Provincia, et in aliis regnis et terris, plures erant schola haeticorum quam Theologorum, et plures auditores: qui publice disputabant, et populum ad solemnes disputationes convocabant, in foro et in campus praedicabant, et in tectis: et non erat, qui eos impeditre auderet propter potentiam et multitudinem sanctorum ipsorum. Cap. 6: Sunt autem XVI omnes Ecclesiae Catharorum. — Quarum nomina sunt haec: Ecclesia *Illbanensis*, vel de Sensano; Ecclesia de *Concorezo*; Ecl. *Bagnolensis*, sive de Bagnolo; Ecl. *Vicentia*, vel de Marchia; Ecl. *Florentina*; Ecl. de *Valle Spoletana*; Ecl. *Francia*; Ecl. *Tolosana*; Ecl. *Curthasensis* (i. *Cedurensis*); Ecl. *Albisensis*; Ecl. *Satoria*; Ecl. *Latinorum de Constantinopoli*; Ecl. *Græcorum ibidem*; Ecl. *Philadelphia Romaniola*; Ecl. *Bulgaria*; Ecl. *Dugranica*; Et omnes originem habuerunt a duabus ultimis. — O lector, dicas securè, quod in toto mundo non sunt Cathari utriusque sexus quatuor millia, sed Credentes immumeri. Et dicta computatio plures facta est inter eos.

<sup>16</sup> See Yvo's letter in preceding note. — Of their mode of government, *Reinerius*, c. 6: Ordines Catharorum sunt quatuor. Ille, qui est in primo et maximo Ordine vocatur Episcopus: ille, qui in secundo, vocatur Filius major: qui in tertio, Filius minor, qui in quarto et ultimo, vocatur Diaconus. Ceteri, qui sunt sine Ordine inter eos, vocantur Christiani et Christianæ. — Officium Episcopi est, semper tenere prioratum in omnibus, que faciunt, scil. in impositione manus, in fractione panis, et in incipiendo orare: quæ quidem servant filius major, absente Episcopo, et filius minor, absente majore. Præterea isti duo filii, simul vel separatum, discurrunt visitare omnes Catharos, qui sunt sub Episcopo, et eis tenentur obedire omnes. Similiter faciunt et servant in omnibus Diacones, et unusquisque in suis subditis, absentibus Episcopo et filiis. Et nota, quod Episcopus et filii habent in singulis civitatibus, in quibus morantur, singulos Diacones. That changes were made in these respects is evident from what follows, in which Reiner remarks that formerly, after the death of a bishop the filius minor consecrated the filius major as bishop; and that this was now changed by the Cathari, diversibus, quod per talen ordinationem filius instituat Patrem, — quod satis apparet incongruum. Each bishop now consecrated his successor before his death. — *Matt. Paris*, ad ann. 1223. p. 317, gives us a letter of a papal legate, *C. Portueensis* Episc. ad Rothomag. Archiep. in which we read: Ille homo perditus, qui extollitur super omne quod colitur, aut dicitur Deus, jam habet perfidia sue preambulum Hæsiarcham, quem hæretici Albigenses Papam suum appellant, habitantem in finibus Bulgarorum, Croatiae et Dalmatiae, juxta Hungarorum nationem. Ad eum confluunt hæretici Albigenses, ut ad eorum consulta respondeat. Etenim de Carcassona oriundus, vices illius Antipape gerens, Bartholomaeus hæreticorum Episcopus, funestam ei exhibendo reverentiam, sedem et locum concessit in villa, qua Porlos appellatur, et se ipsum transtulit in partes Tholosanos. Iste Bartholomaeus in literarum suarum undique discurrantium tenore, se in primo salutationis alloquo intitulat in hunc modum: *Bartholomæus servus servorum sanctæ fidei, tali salutem*. Ipse etiam inter alias enormitates creat Episcopos, et ecclesiæ perfide ordi-

the divisions in which the old distinctions amongst them now resulted.<sup>17</sup>

The Waldenses, when the persecutions began, had departed so little from the church, that it did not seem by any means impossible to bring them back again. An attempt was made by Durandus de Osca (A. D. 1210), himself a reclaimed heretic, and under the auspices of the Pope, to convert the Pauperes de Lugduno into pauperes catholicos,<sup>18</sup> but without any lasting effect. The cruelty with which

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nare contendit. — *Stephanus de Borbone* in *d'Argentré*, T. I. p. 90: Dictus autem Manes, ut dicit Augustinus, XII. elegit ad exemplum Christi, quos Apostolos nominavit: quod adhuc tenent Manichæi: unde habent supra omnes Magistrum principalem, alias Episcopos et Presbyteros ab eis ordinatos, et Diaconos, quos electos vocant. Compare the Patriarcha in Milan mentioned by *Trithemius* in note 12; also Ioannes Beneventi, Papa in *Viterbo*, note 13. But as *Reiner*, who is the best authority, says nothing of such a Pope, it seems probable that the Catholics may have given this title to some distinguished bishop amongst the Cathari.

<sup>17</sup> See especially *Rainerius*, c. 6. He speaks first of the Runcarii, who agreed in the main with the Patarenes, of the Siscidenses, who agreed more with the Waldenses, of the Orilibenses, qui articulos fidei omnes confitentur, sed mystice intelligunt, of the Ordibarii, who taught quod mundus non habeat principium, etc. Then: Secta Catharorum divisa est in tres partes, sive sectas principales. Quarum priui vocantur Albanenses, secundi Concorezenses, tertii Bagnolenses (compare the list of their churches in note 15). Et hi omnes sunt in Lombardia. Caeteri vero Cathari, sive sint in Tuscia, sive in Marchia, vel in Provincia, non discrepant in opinionibus a dictis Catharis, seu ab aliquibus eorum. Habent igitur omnes Cathari opiniones communes, in quibus concordant; et proprias, in quibus discordant. The Albanenses adopted Dualism, were distinguished, however, into two parties; the Concorezenses bene sentiunt de uno principio tantum: with these last the Bagnolenses for the most part agreed. Omnes Ecclesie Catharorum recipiunt se invicem, licet diversas habeant opiniones et contrarias, with exception of the Concorezenses, who are separated from all the rest. The distinction between such of the Cathari as suppose one great principle, and the Dualists, which is very early visible (see above, p. 369) is mentioned also by Moneta, who refutes the latter in his first book, and the former in his second book.

<sup>18</sup> *Innocent.* III. Lib. XI. Ep. 196, gives the archbishop of Tarragona and his suffragans the confession of faith, on the strength of which Durandus de Osca was admitted again to the church, and the Propositum conversationis confirmed by him; commanding them to receive again into the church the Waldenses, who should receive the same conditions. The chief points of the Propositum are the following: Ad honorem Dei et ejus Ecclesia catholice, et ad salutem animarum nostrarum, fidem catholicam per omnia et in omnibus integrum et inviolatam corde credere et ore proposuimus confiteri, sub Magisterio et regimine Romani Pontificis permanendo. Seculo abreuniamus, et quæ habebamus, velut a Domino consultum est, pauperibus erogavimus, et pauperes esse decrevimus: ita quod de era-tino solliciti esse non curamus, nec aurum nec argentum vel aliquod tale præter victum et vestitum quotidianum a quoquam accepturi sumus. Consilia evangelica velut præcepta servare proposuimus. — Cum autem ex magna parte Clerici sinus et pene omnes litterati; lectioni, exhortationi, doctrinae, et disputationi contra omnes errorum sectas decrevimus desudare. — Per honestiores autem et instructiores in lege Domini et in SS. Patrum sententiis verbum Domini consuimus proponendum in schola nostra fratribus et amicis, cum Praelatorum vero licentia et veneratione debita, per idoneos et instructos in sacra pagina fratres, qui potentes sint in sana doctrina arguere gentem errantem, et ad fidem modis omnibus trahere, et in gremio s. Romanae Ecclesie revocare. — Religiosum et modestum habitum ferre decrevimus, qualem consuevimus deportare, calciamentis desuper apertis ita speciali signo compositis et variatis, ut aperte et lucide cognoscamus nos esse, sicut corde, sic et corpore, a Lugdunensibus et nunc et in perpetuum segregari.

the rest of the sect were persecuted, confirmed them in their opposi-

gatos, nisi reconcilientur catholice unitati. — Si qui vero secularium in nostro voluntario consilio permanere, consulimus, ut, exceptis idoneis ad exhortandum et contra haereticos disputandum, ceteri in dominibus religiose et ordinate vivendo permaneant, — manibus laborando, decimas, primitias et oblationes Ecclesie debitas persolvendo. *Ibid.* Epist. 198 ad Durandum, at his request the Pope allows iis, qui remanentes in seculo ad honorem Dei et salutem animarum suarum in vestro proponunt consilio permanere, — ne contra Christianos cogantur ad bellum procedere, vel pro rebus secularibus — juramentum prestare, only with the qualification, quantum sine aliorum prejudicio et scandalo possunt salubriter observari, maxime cum permissione secularium dominorum. Lib. XII. Ep. 17 ad Archiep. Mediolan. Durandus had come to Milan, and there converted several Waldenses. The Pope writes the archbishop, that according to Durand's assurances alii fere centum reconciliari volebant, dummodo quoddam pratum, quod communie Mediolanense ipsis olim concesserat, in quo sua schola constructa consueverant convenire ac exhortari fratres ad invicem et amicos, quam bone memorie predecessor tuus destrui fecerat, dum essent excommunicationis vinculo immotati et nunc iterum est erecta, ipsis concedere velles, ut ad exhortationem mutuan faciendam fratribus et amicis libere valeant convenire. Unde nobis humiliter supplicarunt, ut pratum praedictum ei-deum faceremus concedi ad propinquendum in schola praefata more solito verbum Dei. Of this request the Pope says that it was not to be granted as the condition of reconciliation, but that it might be granted afterwards sine gravi scandalo aliorum. Afterwards, however, Lib. XII. Ep. 69 ad Durandum de Osca et fratres ejus: Gravem contra vos venerabilem fratrum nostrorum, Narbonensis Archiep. et Biterrensis, Uticensis, Nemausensis et Cassonensis Episcoporum querelam receipimus, quod vos plus debito de gratiae nostraræ favore jaetantes, adversus ipsos nimium insolescitis, adeo ut in eorum aspectu quodam Waldenses haereticos nondum reconciliatos ecclesiasticae unitati duxeritis ad Ecclesiam, ut vobiscum consecrationi dominici corporis interessent, participantes in omnibus cum ei-dem. Quosdam quoque monachos, qui a suis monasteriis exierunt, et alios quosdam sui propositi desertores in vestro vos asserunt consortio retinere. Habitum etiam pristine superstitionis, scandalum apud catholicos generantem, in nullo vos penitus immutasse testantur. Occasione praterea doctrinalis sermonis, quem in schola vestra proponitis fratribus et amicis, ab Ecclesia multo recedunt, non curantes in ea divinum officium aut sacerdotalem predicationem audire. Sed et Clerici, qui sunt de vestro consortio in sacris ordinibus constituti, divinum officium secundum institutiones canonicas non frequentant. Adhuc insuper aliqui vestrum affirmant, quod nulla secularis potestas sine mortali peccato potest judicium sanguinis exercere. He admonishes them earnestly to do away with all these causes of offence: to those bishops, however, he replied: Ep. 67 ad Narbon. Archiep. et Suffraganeos ejus: Si, quemadmodum nobis — intimatis, Durandus de Osca cum complicibus suis infideliter agit, vel ad fallendum Romanam Ecclesiam, vel ad eludendum canonicas disciplinas: illud sibi profecto continget, quod de talibus scriptura testatur, *In insidiis suis capientur iniqui*, eum astutias Sathanæ non penitus ignoremus. Si vero de pristica superstitione quicquam retineat ad cautelam, ut facilius capere possit vulpeculas, quæ moliuntur vineam Domini demoliri, tolerandus est prudenter ad tempus, donec arbor a fructibus cognoscatur, dummodo circa substantiam veritatis de corde puro et conscientia bona et fide non fieta procedat, quandoquidem Paulus Apostolus dicat: *Cum esses astutus, dolo ros cepi.* — Quod si etiam a prisa consuetudine non subito recedat ex toto, aliquid sibi de illa reservans, ut verecundia forte parcendo quasi veterem legem sepiet cum honore: nec sic est penitus confutandus, dummodo, siue prædictimus, non aberret in substantia veritatis, etc. Afterwards also Innocent interfered in behalf of Durand and his company. Lib. XIII. Ep. 63, he commanded the archbishops of Narbonne, Tarragona and Milan, with their Suffragans, quatenus ipsos — caritative tractantes, non permissatis, eos aut illos, qui suum ipsis intuitu caritatis impenderint beneficium, — a quoquam temere molestari: forbade Ep. 77 ad Durandum et fratres, ut nullus vobis qualibet violentia vel surceptionis astutia in præpositum præferatur, nisi quem vos cum consilio diocesani Episcopi — duxeritis eligendum: and rebuked the above named bishops, Ep. 78, for hesitating to receive those, qui sub præscripta forma reconciliari Ecclesiæ

tion to the hierarchy,<sup>19</sup> an entirely distinct system both of doctrine

proposeerunt. In like manner Pauperibus Catholicis, Lib. XV. Ep. 82, 90 — 96. — To another company of Waldenses under *Bernardus Primus*, who had been received again into the church on the same confession of faith, Lib. XIII. Ep. 94, the same propositum conversationis is granted, Lib. XV. Ep. 137, with the single change: *Religiosum et modestum habitum ferre decrevimus, qualem ex voto consuevimus deportare, utendo de cetero calciamentis communibus, ad consilium et mandatum summi Pontificis, pro tollendo scandalo, quod contra nos movebatur de calciamentis desuper apertis, quibus uti haec tenus solebamus.* These too Innocent, Lib. XV. Ep. 146, recommends to the bishop of Cremona. Concerning them, see also Chron. Ursperg, ad ann. 1212, p. 243 (see above, p. 378, note 5). From all this it is evident that Innocent would have treated Peter Waldus in quite a different manner from Lucius III.; and that it was only from the liberality of his views that St. Francis also was not treated as a heretic.

<sup>19</sup> Their doctrines in the thirteenth century, see in *Stephanus de Borbone (d'Argentré, T. I. p. 87)*: *Dicunt, omne mendacium esse mortale peccatum, et juramentum similiter: — animam primi homini esse divina substantia portionem, et ipsum Dei spiritum from Gen. ii. 7; and accordingly they maintained, quod anima eiuslibet boni hominis sit ipse Spiritus Sanctus: — quo peccante egreditur, et subintrat Diabolus: non esse penam purgatoriam, nisi in praesenti; nec suffragia Ecclesiae defunctis proficere, nec aliqua qua pro eis fiant: — omnes bonos esse Sacerdotes, et tantum posse quemlibet bonum in absolutione peccatorum, sicut nos ponimus Papam posse; et tamen, si veritatem sua credentiae fateantur, ponunt solum Deum a peccatis absolvere. Et quemlibet bonum hominem hoc posse dicunt, quia hoc solus Deus operatur per eos, qui habitat in eis, per quem omnia possunt ligare et solvere. — Item quidam magnus magister, et legatus eorum, hanc distinctionem inibi faciebat: *Sunt — quidam — ordinati — ab hominibus, ut mali Sacerdotes nostri, et non a Deo; alii a Deo, etsi non ab hominibus, ut boni Laici, qui servant mandata Dei, qui possunt ligare et solvere, et consecrare, et ordinare, si proferant verba Dei ad hoc statuta.* Quidam autem, ut dicebat, de eis discernunt in sexu, dicentes, quod ordo requirit sexum virilem. Alii non faciunt differentiationem, quin mulier, si bona est, possit exercere officium Sacerdotis. — Derident indulgentias Papae, et absolutiones, et claves Ecclesiae, dedicationes et consecrationes Ecclesiarum et Altarium, vocantes festa lapidum. Item dicunt omnem terram aequaliter a Deo consecratam et benedictam; cemeteria christiana contempnunt et ecclesias. Item dicunt, quod peccant omnes iudicium (vel) justitiam sanguinis exequentes; et homicidas reputant et perditos, qui praedicant contra Saracenos, vel Albigenenses, vel alios homines. — Item dicunt, quod sufficit ad salutem, soli Deo, non et homini, confiteri; et quod exteriores penitentie non sunt necessariae ad salutem. — Item spiritus hominis, ex quo bonus est, si moritur, est idem quod spiritus Dei, et ipse Deus. — Item dicunt quod nostri Clerici et Sacerdotes, qui habent divitias et possessiones, sunt filii Diaboli et perditionis, et quod peccant, qui dant eis decimas vel oblationes; et dicunt, quod est quasi impinguare lardum. Item ipsi irrident eos, qui luminaria offerunt Sanetis ad illuminandas Ecclesias. Item irrident cantus Ecclesiae et Officium divinum, dicentes, quod illi videntur Deum irridere, qui ei cantant quae dicunt, quasi non aliter intelligeret. Item dicunt, nullam esse sanctitatem, nisi in bono homine vel muliere. Item dicunt, Ecclesiam Romanam Babylon metreticem, de qua legitur *Apocal. 17*. Item irrisibilis dicunt, qui faciunt festa Sanctorum. — Item non peccare dicunt illos, qui jejunia statuta solvunt quacunque die. — Item solum Deum adorandum dicunt omni genere adorationis; et dicunt, peccare eos, qui Crucem, vel illud quod nos dicimus et credimus corpus Christi, adorant, vel Sanetos alias a Deo, vel eorum imagines. Item ex prima positione dicunt plurimi eorum, sicut audivi per confessionem multorum magnorum inter eos, quod quilibet bonus homo sit Dei filius, sicut Christus eodem modo. — Et cum dicunt, se credere incarnationem, nativitatem, passionem, resurrectionem Christi, dicunt, quod illam credunt veram conceptionem Christi, nativitatem, passionem et resurrectionem et ascensionem, cum bonus homo concipitur, nascitur, resurgit per penitentiam, vel ascendit in coelum; cum martyrium patitur, illa est vera passio Christi. Similiter cum dicunt, se credere baptismum, penitentiam, et sic de aliis Sacramentis, dicunt, ipsa esse vera*

and discipline being gradually developed amongst them.<sup>29</sup> At the same time they exercised a much greater influence on those who remained faithful to the church than the other heretical sects, intro-

Sacramenta soluta, et tunc compleri, cum homo paenitens bonus efficitur; tunc est ibi verus baptisimus, confirmatio, Eucaristia vera, quia tunc efficitur corpus Christi; tunc ordinatur, tunc fit in eo coiungitur et unitio. — Et per istam spiritualitatem fidei nostra plurimi coru[m] in articolis et Sacramentis amibilant. — Item in matrimonio carnali dicunt, quod luxor potest a viro recedere, ex invito, et e converso, et sequi corum societatem, vel viam continentem. — Itend[em] hec est Trinitas, quam, vel in qua credunt, ut sit Pater, qui aliena in bona convertit; qui convertitur, Filius; id per quod convertit, et in quo convertitur, Spiritus Sanctus; et hoc intelligunt, quando dicunt se credere in Patrem, et Filium, et Spiritum Sanctum, etc. ut in symbolo continetur, quod optime in vulgari dicere sciunt. Causa autem quare in has abominationes reculerant, credo quod fuit presumptio et odium Cleri, et fidei destructione; qui, quia fundamentum amiserunt, in labyrinthum et malorum profundum eccliderunt. Of those pantheistic speculations, concerning God and the soul, which belonged probably not to the proper Waldenses, but the sect of the Free Spirit (see below, note 25), *Rainerius*, c. 6, says nothing. On the other hand, he adds many things to the above statement, with which he in other respects agrees, e. g. Dicunt, quod Romana Ecclesia — defecerit sub Sylvestro, quando venenum temporalium infusum est in Ecclesiam, — Quod Clerici possessiones non debeant habere, proved from Deut. xviii. 1. — Quod transubstantiatio non fiat in manu indigne conficiens, sed in ore digne sumens: — quod Ecclesia erraverit, matrimonium Clericis prohibendo, cum etiam Orientales contrahant: — quod latina oratio Laetis non pro-it. — Item quidquid predicator, quod per textum Bibliæ non probatur, pro fabulis habent. Item dicunt, quod sacra Scriptura eundem effectum habeat in vulgari, quam in Latino. Unde etiam conficiunt in vulgari, et dant Sacra menta. Item Testamenti novi textum, et magnam partem Veteris vulgariter sciunt corde. Item Decretales, et Decreta, et dicta, et expositiones Sanctorum respiciunt, et tantum inferunt textui. Legendas Sanctorum non credunt. Item miracula Sanctorum subsannant. — Item dicunt, quod doctrina Christi et Apostolorum sine statu Ecclesie sufficiat ad salutem: quod traditio Ecclesie si traditio Pharisaeorum. — Item mysticum sensum in divinis scripturis refutant: præcipue in dietis et actis ab Ecclesia traditis, ut quod gallus super campanile significat Doctorem. — Omnes consuetudines Ecclesie approbatas, quas in Evangelio non legunt, contemnunt. *Vronetus* (in *Martene* thes. T. V. p. 1779 seq.) evidently confounds the doctrines of the Waldenses with those of the Cathari. It does not seem to me by any means to be proved, as is supposed by Füssli, Th. I., S. 460, that there were some of the Waldenses who had partially adopted the notions of the Cathari. *Rainerius* in the first ed. of his *Summa* (*Martene*, l. c. p. 1775) distinguishes between the Pauperes Ultramontani and the Pauperes Lombardi, and adds that the last went in some respects farther than the first; but in the second edition of his work, *Summa*, c. 5 (Bibl. max. PP. XXV. p. 261), he makes no mention of such a distinction.

<sup>29</sup> *Vronetus* in *Martene* thes. T. V. p. 1781: Duo sunt genera sectæ ipsorum. Quidam dicuntur perfecti, et hi proprie vocantur *Porres Waldenses de Lyon*, nec omnes ad hanc formam assumunt, sed prius diu informantur, ut et alios sciant docere. Hi nihil proprium dicunt se habere, nec domos, nec possessiones, nec certas mansiones. Conjuges si quas ante haberunt, relinquunt. Hi dicunt se Apostolorum successores, et sunt magistri corum, et confessores, et circumueunt per terras visitando et confirmando discipulos in errore. His ministrant discipli necessaria. — Vadunt etiam in diversis habitibus vestium isti curatores ne agnoscantur; et cum transirent quandoque de domo in dominum, aliquod onus deferunt in capite paleæ, vel vasis. — Solent etiam tales mansiones habere in locis, ubi habent studia sua, vel celebrant conventus, que circumquaque aliis sunt inaccessibiles, ne prodantur, ut in foveis subterraneis vel aliter sequestratis. Noctibus autem maxime hujusmodi conventus frequentant, etc. The title *Perfecti* is probably adopted from the Cathari. In the old documents of the Waldenses, their teachers are called *Barbus*. See *Leger*, T. I. p. 205.

ducing dangerous notions even amongst those who did not join their party.<sup>21</sup>

We come now to the new sects. In England<sup>22</sup> and in France,<sup>23</sup> the increasing assumptions of the hierarchy had already called forth several instances of open rebellion to their authority. In Germany, the ill treatment of the family of the Hohenstaufen by the pontiff, was the occasion of the founding of a sect at Hall in Suabia (about A. D. 1248),<sup>24</sup> which maintained that the hierarchy, by their corrup-

<sup>21</sup> *Rainerius*, c. 4 (Bibl. max. l. c. p. 26t) : Inter omnes has sectas, quæ adhuc sunt, vel fuerunt, non est perniciiosior Ecclesiæ, quam Leonistarum. Et hoc tribus de causis. Prima est, quia est diuturnior. Aliqui enim dicunt, quod duraverit a tempore Sylvestri; aliqui, a tempore Apostolorum. Secunda, quia est generalior. Fere enim nulla est terra, in qua hæc secta non sit. Tertia, quia, eum omnes aliæ sectæ immanitatem blasphemiarum in Deum audientibus horrorem inducant, hæc, scil. Leonistarum, magnam habet speciem pietatis, eo quod coram hominibus juste vivant, bene omnia de Deo credant, et omnes articulos, qui in Symbolo continetur; solummodo Romanam Ecclesiam blasphemant et Clerum, cui multitudine Laicorum facilis est ad erendum. The manner in which they were accustomed to insinuate themselves into the confidence of the Catholic laity, described by *Rainerius*, c. 8, and *Ironetus in Martene*, l. c. p. 1782 seq.

<sup>22</sup> *Matth. Paris*, ad ann. 1240, p. 533 : Diebus illis quidam quasi honestæ vitæ ac severæ vir, habitum et gestum prætendens ordinis Carthusiensis, captus est apud Cantabrigiam, nolens intrare ecclesiam aliquam. He was sent to London to the papal legate. Palam enim asseruit, dicens : Gregorius non est Papa, non est caput Ecclesiæ; sed aliud est caput Ecclesiæ. Ecclesia prophanata est, nec debent in ea divina celebrari, nisi rededicata fuerit. Vasa et vestimenta ejus reconsecranda sunt. Diabolus solitus est : Papa hereticus. Polluit ecclesiam, imo mundum, Gregorius, qui Papa dicitur. When the legate reminded him of the privilege of the Pope, ut vices b. Petri exequatur in terris, he replied : Quomodo possem credere, quod euidam Symoniali et usurario, et forte majoribus facinoribus involuto, concedatur talis potestas, qualis concessa fuit b. Petro, qui immediate factus est Apostolus, sequitus est Dominum, non tantum incessu pedum, sed virtutum claritate? Ad quod verbum erubuit Legatus, et ait quidam de circumstantibus :

Stulto rixandum non est, furno nec hiandum.

<sup>23</sup> Comp. § 63, note 24; § 83, note 6. Besides these, the insurrection of the Pastorelli, see *Vita Innocentii P. IV. ex Ms. Bernardi Guidonis* (in *Muratorii Scriptt. Rer. Ital. T. III. P. I. p. 591*) : Eodem tempore quo Rex Ludovicus captus et detentus fuit sub anno MCCLI quibusdam Trutannis (wandering beggars, see *Mosheim de Beghardis*, p. 35) machinatibus facta est subito crucesignatio Pastorellorum, et puerorum multorum ac puellarum in regno Franciæ, quorum aliqui pestiferi inventores istius fraudis fingebant aliquos ex eis pueris, se visionem Angelorum vidisse, miracula facere, et ad ultiscendum Regem a Deo missos esse. Inter quos erant, qui se magistros vocabant, quibus ceteri obediebant, qui per vias, et villas, et civitates more Episcoporum signabant, aquam etiam benedictam Gregorianam in ipsa civitate Parisiensi fecerunt, matrimonia conjunxerunt, Religiosos et Clericos ubique poterant gravabant, alios spoliante, alios verberantes, alios occidente; nec erat qui compesceret malignantes, aut resisteret in virtute. Universus autem populus eis favebat, aliqui quia haec fieri, et ad bonum finem per ventura spectabant (*l. sperabant*), plurimi autem et pene universi, quia de persecutione Clericorum gaudebant. Sed postquam ceperunt detegi fraus interiorum, infra breve tempus sicut fumus evanuerunt. The circumstances related more at length by *Matth. Paris*, ann. 1251, p. 822 seq.

<sup>24</sup> *Albertus Stadensis* ad h. a. Anno Dom. 1248, cœperunt in ecclesia Dei mirabiles et miserabiles heretici pullulare, qui pulsatis campanis, et convocatis Baronibus et Dominis terra in Hallis Sueorum sic prædicarunt in publica statione. — Primo quod Papa esset hereticus, otones Episcopi et Prelati Simoniaci et hereticici, inferiores quoque Prelati cum Sacerdotibus, quia in vitiis ac peccatis mortalibus

tion, had forfeited all authority in the church. Besides these, there were the fanatical sects of the "Brethren and Sisters of the Free Spirit,"<sup>25</sup> which is found in Spain, France, and Germany, and the Apostle-brethren<sup>26</sup> in the north of Italy from A. D. 1200 – 1307.

non haberent auctoritatem ligandi ac solvendi, et omnes isti seducerent et subduxissent homines. Item quod Sacerdotes in peccatis mortalibus constituti non possent confidere. Item quod nullus vivens, nec Papa, nec Episcopi, nec aliqui possint interdicere divina, et qui prohiberent, essent haeretici et seductores; et licentiaverunt in civitatibus interdictis, ut Missas audirent super animas ipsorum et Sacraenta ecclesiastica libere perciperent, qui ipsis perceptis mundificarentur a peccatis. Item quod Praedicatores et Fratres Minores perverterent Ecclesiam falsis prædicationibus, et quod omnes Praedicatores, et Fratres Minores, Cistercienses quoque, et omnes alii pravam vitam ducerent et injustam. Item quod nullus esset, qui veritatem diceret, et qui veram fidem opere servaret, nisi ipsi et corum socii, et si ipsi non venissent, antequam Deus in periculo demisisset suam Ecclesiam, prius ipsis de lapidibus suscitasset, vel alios, qui Eccelesiam Dei vera doctrina illuminassent. Praedicaverunt etiam: Hucusque vestri predicatores sepeliverunt veritatem, et praedicaverunt falsitatem; nos sepelimus falsitatem, et praedicamus veritatem. Et porro: indulgentiam, quam damus vobis, non damus fictam vel compositam ab Apostolico vel Episcopis, sed de solo Deo et ordine nostro. Et sie: non audemus habere memoriam Papæ, quia ita perversa vita est, et tam mali exempli homo, quod eum tacere oportet. Et blasphemando adiecit idem praedicator: Orate, inquit, pro Domino Friderico Imperatore, et Conrado, filio ejus, qui perfecti et justi sunt. Item dixit, quod Papa non haberet auctoritatem ligandi et absolvendi, quia non haberet vitam Apostolicam, et hoc probare vellet per quan-dam glossulam. Isto haereticos sovit et defendit Conradus, filius Friderici, Imperatoris quandam, et Patrem suum per talia venena ereditum defensare. Sed res lapsa est in contrarium, quia Catholicis prædicatoribus audacter resistantibus, et fideles exhortantibus liberi et ministeriales a Conrado cesserunt, ita quod quasi exul et profugus de Suevia in Bavaria moraretur. *Krantz Metrop.* lib. VIII. c. 18, and *Saxon.* l. VIII. e. 16, gives only extracts from this passage. Füssli, Th. 2, S. 14, supposes these preachers, not improbably, to have been Waldenses. To judge of the effect they produced on the populace, we need only consider the impression made in the year 1283 by an impostor, who gave himself out to be Frederiek II., and was burnt at the stake, in *Greg. Hagen's österreich. Chronik (Pezii Scriptt. Rer. Austr. T. I. p. 1105)*: Nu hub sich unter dem Volk ain groszer widertail. Erleicht sprachen, er wer gewesen ain Nigromanticus; die andern sprachen, sie funden in dem Fewr nicht seines Gebaines, und chein her von Gotes chraft, daz Cheiser Fridreich lebte, und solt die Pfaffen vertreiben.

<sup>25</sup> Concerning whom, see *Mosheim institut. hist. eccl.* p. 551 seq. and *Ejusd.* de Beghardis et Beguinibus *commentarius ed. Martini.* Lips. 1790. They were probably the heretics who showed themselves as early as 1215 in Alsace and Thurgau (*Hartmannus in Annalibus Eremi ad ann. 1215*, in Füssli, Th. 2, S. 6 f.); after that they were confounded with the Beghards, namely, in Cologne and in Swabia (see above, § 71, note 10). In A. D. 1311 we find them in Italy (see Clementis V. Epist. ad Epise. Cremonensem in *Raynaldus ad h. a. no. 66*: he had found in nonnullis Italia partibus, tam Spoletanæ provinciæ, quam etiam aliarum circumiacentium regionum, nonnullos ecclesiasticos et mundanos, religiosos et sæculares utriusque sexus, — versari, qui — novum ritum — introducere moliantur, quem libertatis spiritum nominant, h. e. ut quicquid eis libet, liecat). As to their doctrines, see the extracts from their own writings in *Mosheim institut.* p. 552, note p, and 554, note s. See besides the *Statuta Henrici I. Archiep. Coloniensis contra Begardos et Beegardas et Apostolos vulgarter appellatos, A. D. 1306* (*Mosheim de Beghardis*, p. 211 seq.), the *Bulla Clementis V. contra Beghardos in Alemannia A. D. 1311* (Clementin, lib. V. T. 3, c. 3, in *Mosheim*, l. c. p. 618 seq.), and especially the ordinance of John, bishop of Strasburg, against this party, A. D. 1317 (in *Mosheim*, l. c. p. 255 seq.). In this last they are described as those, quos vulgus *Begehardos et Schwestriones, Brod durch Gott*, nominant, ipsi vero et ipsæ se de *secta liberi spiritus, et voluntarie paupertatis parvos fratres vel sorores* vocant. Their errors as follows: I. Dicunt, credunt et tenent, quod Deus

sit formaliter omne, quod est. — II. Quod quilibet homo perfectus sit Christus per naturam. — III. Quod homo perfectus sit liber in totum, — quod — non tenetur ad servandum præcepta Praelatorum, et statutorum ecclesiæ. (According to the Statutis Henrici I. Archicp. Colon. I. c. p. 216, they referred in support of this to Gal. v. 18; 1 Tim. i. 9.) IV. Quod quilibet Laius bonus potest confidere corpus Christi, sicut sacerdos peccator; — quod corpus Christi æqualiter est in quolibet pane, sicut in pane sacramentali; quod confiteri sacerdoti non est necessarium ad salutem. — V. Quod judicium extrellum non sit futurum, sed quod tunc est judicium hominis solum, cum moritur. Item quod non est infernus, nec purgatorium Item quod mortuo corpore hominis, solus spiritus, vel anima hominis redibit ad eum, unde exivit, et cum eo sic reunietur, quod nihil remanebit, nisi quod ab æterno fuit Deus. VI. Errando contra Evangelia dicunt, se credere, multa ibi esse poëtica, quae non sunt vera, sicut est illud: *Venite benedicti*, etc. Item quod magis homines debent credere humanis conceptibus, qui procedunt ex corde, quam doctrinæ Evangelicæ, etc. I should be inclined to hold this party for an offset from the Waldenses.

<sup>26</sup> Chief sources: *Historia Dulcini* and *Additamentum ad hist. Dulcini in Muratori Scriptt. Rer. Ital. T. IX.* p. 425 seq. — J. L. v. Mosheim's Gesch. des Apostelordens, in his Versuch einer unpartheyischen und gründl. Ketzergeschichte, 2te Aufl. Heinst. 1748, 4to, S. 193 ff. Notices of the later history of the party in *Ejusd. de Beghardis et Beguinabus comm.* p. 221 seq. — Its founder, Gerhard Segarelli, began about 1266 in Parma, as did St. Francis formerly, but was full of zeal against the worldliness of the hierarchy. Honorius IV, prohibited the Order A. D. 1286 (the Bull, see *Bullar. Rom.* T. I. p. 158, and in Mosheim's Gesch. d. Apostelord. S. 391); in the persecutions that ensued, Gerhard was burned at the stake A. D. 1300, in Parma, and was succeeded by the more powerful Dulcinus, who, by his prophecies, excited the party to an indescribable fanaticism. — Extracts from his two prophetic letters of A. D. 1300 and 1303, in the *Additamento ad hist. F. Dulcini in Muratori Scriptt. Rer. Ital. T. IX.* p. 450 seq. In the first he foretells for the year 1303, the beginning of that time, in quo ipse et sui publice apparebunt, et publice prædicabunt, omnibus suis adversariis exterminatis. He taught further, quatuor status Sanctorum fuisse in propriis modis vivendi, which were all at first good in their place, but all degenerated, and had been displaced by a new status. In primo fuerunt Patres Veteris Testamenti. — In the second Christ and the Apostles. Tertius status copit a S. Silvestro tempore Constantini Imp. in quo Gentiles cœperunt magis ac magis converti ad fidem Christi generaliter. Et dum sic convertebantur, et non refrigerabantur in amore Dei et proximi, melius fuit s. Silvestro Papa et aliis successoribus suis possessiones terrenas et divitias suscipere, quanam paupertas apostolica; et melius fuit regere populum, quam non regere, ad tenendum ipsum sic et conservandum. Sed quando incepserunt populi refrigerari a caritate Dei et proximi, et declinare a modo vivendi s. Silvestri, tunc melior fuit modus vivendi b. Benedicti. — Et quando Clerici et Monachi quasi ex toto a caritate Dei et proximi refrigerati fuerunt, et declinaverunt a priori statu suo, tunc melior fuit modus vivendi s. Francisci et s. Dominici: et quia modo est tempus in quo oianes tam Praelati, quam Clerici et Religiosi a caritate Dei et proximi et refrigerati sunt, et declinaverunt, — est reformatum modum vivendi proprium Apostolicum: — et istum modum vivendi Apostolicum incepit Fr. Gerardus, — et durabit et perseverabit usque ad finem saeculi. — Et iste est quartus et ultimus status, — et differt a modo vivendi s. Francisci et s. Dominici, quia vita illorum fuit, multas habere domus, et illuc mendicata deferre. Sed nos nec domus habemus, nec etiam mendicata portare debemus. Et propter hoc vita nostra est major, et ultima omnibus medicina. He then prophesied: Fredericus Rex Sicilia debet relevari in Imperatorem, et facere Reges novos, et Bonifacium Papam pugnando habere, et facere occidi cum aliis occidendis. — Tunc omnes Christiani erunt positi in pace, et tunc erit unus Papa sanctus a Deo missus mirabiliter et electus, — et sub illo Papa erunt illi, qui sunt de statu apostolico, et etiam alii de Clericis et Religio-is, qui uinentur eis, — et tunc accipient Spiritus Sancti gratiam, sicut acceperunt Apostoli in ecclesia primitiva. As these prophecies were not fulfilled in the year 1303, he delayed their fulfilment in his second letter to the following year. The third letter is lost. These prophecies were, without doubt, taken from the writings of Joachim (see above, § 70), see Mosheim, S. 261 ff. The open war which the Apostle-brethren carried on

## CHAPTER EIGHTH.

## DIFFUSION OF CHRISTIANITY.

See Schröckh's christl. Kirchengeschichte, Th. 25, S. 186 – 327.

## § 88.

## HISTORY OF THE CONVERSION OF THE WENDS.

[Continued from page 134.]

THE church had now become accustomed to rely on temporal weapons rather than spiritual, and to these it resorted also for the conversion of those nations which were still strangers to Christianity.

From the subjugation of East Pomerania by the dukes of Poland, about the year 997, the conquerors had never relaxed their efforts to establish Christianity in their new territories,<sup>1</sup> and their object was at length attained by the defeat of the rebels in 1121, by Boleslaus III.<sup>2</sup> In the course of the same year the West Pomeranians also were forced to submit to the Polish yoke, and adopt the new religion.<sup>3</sup> Otho, bishop of Bamberg, was now summoned to complete the work, and under such circumstances found it an easy task.<sup>4</sup> In a few months (A. D. 1224) the greatest part of the West Pomeranians were Christians, at

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against the Roman church from A. D. 1304, was ended by the taking of the fortress on Mount Zebello in the bishopric of Vercelli, A. D. 1307.

<sup>1</sup> *Martinus Gallus* (the oldest Polish historian about 1130, appended to *Vincentii Kadlubek Chron. Gedani. 1749. fol.*), p. 56: *Ad mare autem septentrionale tres habet (Polonia) affines Barbarorum gentilium ferociissimas nationes, Seleuciam (i. e. *Luticium s. Leuticium*), Pomeraniam et Prussiam, contra quas regiones Polonorum Dux assidue pugnat, ut eas ad fidem convertat. Sed nec gladio prædicationis eorū corū a perfidia potuit revocari, nec gladio jugulationis eorū penitus viperalis progenies aboleri: sape tamen Principes eorum a Duce Polonia prælio superat ad baptismum configurant, itemque collectis viribus tiderunt Christianam abnegantes, contra Christianos bellum denū paraverunt.* P. F. Kanngiesser's *Geschichte von Pommern*, Bd. I, also with the title: *Bekehrungsgeschichte der Pommern zum Christenthume*, Greifswald. 1824. Svo. S. 290 ff.

<sup>2</sup> See an account of Boleslaus' wars against the Pomeranians, in Kanngiesser, I. c. S. 363 – 507.

<sup>3</sup> Kanngiesser, S. 508 – 521.

<sup>4</sup> Lib. III. de vita b. Ottonis, by an anonymous writer, nearly contemporary in *Canisii lectionibus antiquis ed. Basnage*, T. III. P. II. p. 35 seq. *Andreae Abb. Bambergensis* (1483 – 1502) de vita s. Ottonis, libb. IV. editi, cum libris comitis eiusdem s. Ottonis, quem Sifridum esse putant, collati a *Ualer. Jaschio. Colberg.* 1681. 4to. (reprinted in *Ludewig Scriptt. Rer. Episcoporum Bamberg.* T. I. p. 193 seq.). Much information on these subjects is still to be found in the Bamberg MSS. See Jäck's account of them in *Oken's Isis*, August. 1822. S. 827. — (J. J. Sell) *Otto Bischof v. Bamberg, der Pommern Bekhrer.* Stettin. 1792. Svo. *H. F. G. Kahlow de introductione religionis christ. in Pomeraniam diss.* Götting. 1806. 4to. *A. C. F. Busch memoria Ottonis Ep. Bambergensis, Pomeranorum Apostoli.* Jenæ. 1824. Svo. Besonders Kanngiesser, I. c. S. 522 ff.

least in profession ; and by another still shorter visit in the following year, the conversion of the whole country was completed. To give it consistency and permanence, the bishopric of Julin or Wallin<sup>5</sup> was founded.

The great kingdom of the Wends (see *Div. II.* p. 134) having been divided amongst a number of smaller principalities at the death of Canute (A. D. 1131), the work of conquest and conversion was much facilitated. Albrecht the Bear, Margrave of North Saxony from the year 1133, subdued the Luticians or Wiltzians, founded the Mark of Brandenburg, and restored the bishoprics of Havelburg and Brandenburg.<sup>6</sup> The conversion of the Obotrites was conducted in a more apostolic manner by Vicelin<sup>7</sup> (A. D. 1121) ; though he could not fully succeed till the country had been conquered by Adolphus, count of Schaumburg-Holstein. Henry the Lion having established himself firmly in Saxony, A. D. 1142, the progress of the German arms and the Christian religion amongst the Wends became much more rapid. In A. D. 1149 the bishoprics of Oldenburg and Mecklenburg, and in 1154 that of Ratzeburg, were revived or founded ; and in the year 1162 the entire subjugation of the Obotrites secured the final victory of Christianity.<sup>8</sup>

The country of the Wends had been depopulated to such a degree by these incessant wars, that it became necessary to carry thither German colonists. In this way the original inhabitants disappeared almost entirely, making the establishment of Christianity so much the more secure.

Last of all the island of Ruegen, also, the strong hold of Heathenism, was subdued and Christianized. After having sustained many long wars, it was at length reduced by the Danish king Waldemar (A. D. 1168), the shrines laid in ruins, and the inhabitants baptized.<sup>9</sup>

<sup>5</sup> Adelbert was appointed bishop by Boleslaus in 1125, though the bishopric was not established till towards 1140. See Kanngiesser, S. 681, 809 — 813.

<sup>6</sup> *Helmoldi* († 1170) *Chron. Slavorum* (ed. Bangert, Lubec. 1659. 4to.), lib. I. c. 49, 50, 62 seq., 88. *Gebhardi's Gesch. aller Wendisch-Slavischen Staaten*, Bd. I, S. 150 ff. — An account of the aversion of the Wends in Havelburg to Norbert, archbishop of Magdeburg in A. D. 1128, found in vita Ottonis in *Ludewig Scriptt.* Bamb. T. I. p. 495. Kanngiesser, l. c. S. 694 f.

<sup>7</sup> Of Vicelin, bishop of Oldenburg from 1149, see *J. E. de Westphalen Monimenta inedita Rer. Gerin. præcipue Cimbricarum et Megapolensium*, T. II. p. 234 seq. Præf. p. 33 seq. St. Vicelin, von F. Chr. Kruse, Altona. 1826. 8vo.

<sup>8</sup> Of the conversion of these northern Wends generally, see *Helmoldus*, l. c. lib. I. c. 47 — 58, 68 — 87. *Gebhardi*, l. c. S. 175 ff.

<sup>9</sup> *Helmoldus*, l. c. lib. II. c. 12, 13. *Saxonis Grammatie* (provost in Rothschild († 1204) *historie Danica* (libb. XVI. ed. St. J. Stephanus, Sorœ. 1644. fol. lib. XIV. p. 295, 310 seq., 319 — 328. Erich Pantoppidan's *Annales Eccl. Danicæ diplomatici*, Th. I. S. 404 ff. *Gebhardi*, l. c. Bd. 2, S. 9 ff.

§ 89.

CONVERSIONS IN THE NORTH OF EUROPE.

In the year 1157 the Fins were conquered by Eric IX., king of Sweden, commonly called the Saint, and forced to adopt the Christian religion.<sup>1</sup> Amongst the Estonians a similar attempt proved wholly ineffectual (A. D. 1166).<sup>2</sup>

In Livonia a constant commerce had been carried on by the merchants of Bremen and Lubec ever since the middle of the twelfth century. In the year 1186 the canon Meinhard went thither to preach Christianity, and though he met with no great success, the archbishop of Hamburg and Bremen made him bishop of Yxkull (A. D. 1188). But the number of Christians still increasing very slowly, and the Livonians becoming rather distrustful of Christianity, the usual means of conversion were resorted to. Several crusades having been made against them from Westphalia and Lower Saxony (A. D. 1198 seq.), the third bishop Albrecht (A. D. 1198–1229), with the aid of the Order of the Sword (founded by him A. D. 1202),<sup>3</sup> at length completed their conversion.<sup>4</sup> Albrecht next directed his efforts against the Estonians (A. D. 1211), and with the help of Waldemar II., king of Denmark, succeeded in reducing them A. D. 1218. A vexatious controversy between the Danish and German clergy for supremacy in this country, ended during Waldemar's imprisonment (A. D. 1123), in the victory of the latter, and the new bishopric was established at Dorpat.<sup>5</sup> Semgallen having also been Christianized, A. D. 1218, and a bishopric founded in that country, the Courlanders, to escape from slavery, voluntarily submitted to baptism (A. D. 1230).<sup>6</sup>

In the year 1207 certain Cistercian monks from Poland began to preach Christianity in Prussia, and not without success. But the dukes of Poland and Masovia, attempting to make use of this success for the subjugation of the country, the enraged Prussians revenged themselves by ravaging the territories of the latter. Conrad, the reigning duke, at first sought aid from the crusaders; at last, how-

<sup>1</sup> *Claud. Øernhjalmi* hist. Sueonum Gothorumque eccles. (libb. IV. priores. Stockholm. 1689. 4to.) lib. IV. c. 4. Olof Dalin's Gesch. des Reichs Schweden, Th. 2, S. 82 ff.

<sup>2</sup> *Øernhjalmi*, l. c. lib. IV. c. 5. Dalin, l. e. S. 105 ff. Gebhardi's Gesch. v. Liefland, Esthland, Kurland u. Semgallen (Allgem. Welthistorie, Th. 50), S. 309 ff.

<sup>3</sup> See above, § 73.

<sup>4</sup> Of the conversion of Livonia, see (Heinrichs, a Livonian priest about 1226) *Origines Livoniæ sacra et civiles*, s. *Chronicon Livonicum vetus*, cum notis J. D. Gruberi. Francof. et Lips. 1740. fol. Gebhardi, l. c. S. 314 ff.

<sup>5</sup> *Origines Livon.* p. 72 seq. Gebhardi, S. 334 ff.

<sup>6</sup> *Albertus Stadens.* ad ann. 1229 (in *Schilteri Scriptt. Rer. Germ.* p. 306). *Raynaldus* ad ann. 1232, no. 3. Gebhardi, S. 307 ff.

ever (A. D. 1266), he called upon the Teutonic knights,<sup>7</sup> and after long and bloody wars (A. D. 1230 — 1283), by which the whole land was laid waste, compelled the remnant of its wretched inhabitants to receive the Christian religion.<sup>8</sup> As early as the year 1243, Innocent IV. divided the country into the bishoprics of Culm, Pomerania, Ermeland, and Saneland.

## § 90.

### EFFORTS TO DIFFUSE CHRISTIANITY IN THE EAST.

Of all the Christian parties, the Nestorians alone<sup>1</sup> had penetrated as yet into the interior and eastern parts of Asia (see Second Period, § 87). In the beginning of the eleventh century they succeeded in converting a Tartar prince, who, with his successors, is known in the West by the name of Prester (Presbyter) John,\* throughout the twelfth century.<sup>2</sup> Alexander III. attempted to win him over to the church of Rome,<sup>3</sup> but in the mean time Presbyter John was conquered by the great Ghengis Khan (A. D. 1202). The mendicant orders were now commissioned by the Pope and St. Lewis to convert the Mogul-Khan,<sup>4</sup> whom they found apparently so favorably disposed

<sup>7</sup> See above, § 73.

<sup>8</sup> Of the conversion of the Prussians, see *Petri de Dusburg* (about 1326) *Chronicon Prussiae*, ed. *Christ. Hartknoch*, Jenæ, 1679, 4to, and *Hartknoch diss. XIV de originibus relig. Christ. in Prussia* in the appendix to the work, p. 208 seq. Wagner's *Gesch. v. Pohlen* (Guthrie's History of the World, vol. 14) S. 161 ff.

<sup>9</sup> See the documents appended to *Petrus de Dusburg*, ed. *Hartknoch*, p. 476 seq.

<sup>1</sup> They were so much favored by the caliphs, that all other Christians were subjected to the jurisdiction of the Nestorian patriarchs. See *Jos. Sim. Assemanni Bibl. orientalis*, T. III. P. I. p. 96 seq.

<sup>2</sup> Oriental accounts of him in *Assemanni*, l. c. T. III. P. II. p. 484 seq. — cf. *Mosheim*, hist. *Tartarorum ecclesiastica*, Helmst. 1741, 4to, p. 18 seq. *Ejusd. instit. hist. eccl.* p. 443 seq. *Schlosser's Weltgesch.* Bd. 3, Th. 2, Abth. 1, S. 268. According to the information given in this last work, the title of these princes, whose residence was Karakorum, lying south of the lake of Baikal, was Ung-khan, or more correctly, Wam-khan, which in Europe was changed into John (Johannes).

<sup>3</sup> First, probably, through the fabulous accounts of the Armenian bishop of Gabula, who came on an embassy to Eugenius III. A. D. 1145, see *Otto Frising.* VII. c. 33.

<sup>4</sup> Alexander's letter to him (charissimo in Christo filio, illustri et magnifico Indorum regi, sacerdotum sanctissimo) in *Rogerij de Horeden Annal.* anglic. ad ann. 1178, p. 581, may be seen *Baronius ann. 1177*, no. 33 seq.

<sup>5</sup> In 1245 Innocent IV. sent three Franciscans to the Khan *Gaiuck*, and four Dominicans to his general-in-chief in Persia (*Raynald*, ann. 1245, no. 16 seq., the account of their journeys in *Vincentii Bellon. specul. histor. Lib. XXXI. c. 33 seq.*; compare *Schlosser*, S. 322): St. Louis, 1249, sent Dominicans to the Khan (*Joinville hist. de s. Louis*, ed. *Petitot*, p. 332 seq.). The Khan *Mangu* allowed himself to be baptized, A. D. 1253, at the request of Haitho, king of Armenia (see *Haithonis*, a relative of this prince, *historia Orientalis*, Colon. Brand. 1671, 4to, p. 37 seq.). In 1254 Innocent IV. congratulated the Mogul Prince Sartach

towards Christianity, that, for a long time, the hope was cherished of seeing this great people joined to the church. But the true secret of this apparent disposition to embrace Christianity lay in the belief of the Khans, that, in order to conquer any country, they must pay honor to its Gods,<sup>5</sup> whence the Mahometans fell into the same mistake as the Christians, each hoping to gain over the Khans to their respective faith. Besides this, the number and influence of the Nestorians amongst the Moguls, was always greater than that of the Catholics,<sup>6</sup> and thus all these missionary efforts ended in the establishment of a small society at Cambalun (Pekin), over which Clement V. appointed an archbishop, A. D. 1307.<sup>7</sup> To this mixture of religions in the thirteenth century may be traced much in the present form of the religion of the Grand Lama.<sup>8</sup>

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on his conversion (*Rayn.* ad h. a. no. 4 seq.), and sent Dominicans to the Soldanum Turchic (*Ibid.* no. 5 seq.); St. Louis also sent Franciscans to Mangu and Sartach (see the account of his travels by the Franciscan William Rubruquis or Ruisbroek, translated in the *Relation des voyages en Tartarie de Fr. Guil. de Rubr.* par P. Bergeron, Paris, 1634, 3 Tom. 8vo., reprinted in the *Recueil des Voyages à la Haye*, 1735, 4to. Tom. I. Extracts in the *Hist. générale des voyages*, T. VII. p. 265 seq., Paris, 1749, 4to. — After Mangu's death (1257) the Mogul empire was divided between his two brothers, Hulagu in Persia, and Cublai in China. Hulagu († 1265) favored the Christians (*Assemann.* T. III. P. II. p. 193 seq. *Alexandri IV.* Epist. ad Olaonem Regem Tartarorum in *Raynald.* ann. 1260, no. 29 seq.); so too his son and successor Alougha († 1282, see the negotiations between him and the Pope in *Raynald.* ann. 1267, no. 70; 1274, no. 21; 1277, no. 15; 1278, no. 17). His successor Achmet († 1284) was a Mohammedan; but Argun († 1291) renewed the old relations, (*Raynald.* ann. 1285, no. 79; 1288, no. 33; 1289, no. 60; 1291, no. 32) and the two Khans Baidu and Cazan were themselves Christians (compare the contemporary *Haithon.* hist. oriental., p. 58 seq.). Still the Mogul princes were no doubt less anxious about Christianity than the alliance of the Christian princes against the Mohammedans. — Cublai in China also was friendly disposed to the Christians (compare the work of the Venetian *Marco Polo*, who was in high favor with the Khan, A. D. 1275—1293, *de regionibus orientalibus*, Libb. III. ed. Andr. Müller. Colon. Brandenb. 1671, 4to.); thus in the year 1275, and afterwards, 1296 and 1299 (*Raynald.* ann. 1299, no. 39) Dominicans and Franciscans were sent with Marco Polo to China. — Compare *Mosheim* hist. Tartarorum eccl. p. 27 seq.

<sup>5</sup> This is plainest said by William Rubruquis in the account of his travels. See preceding note.

<sup>6</sup> *Abulpharag.* ap. *Assemann.* T. III. P. II. p. 102. *Haithon.* hist. orient. c. 25, 26.

<sup>7</sup> Namely, the Franciscan Joannes de Monte Corvino, cf. *Wadding*, ad ann. 1307, no. 7 seq. Of the condition of this society see his two letters, A. D. 1305, (*Wadding*, ad b. ann. no. 10 seq. He complains too: Nestoriani — tantum in valuerint in partibus istis, quod non permittant, quempiam Christianum alterius ritus habere quantumlibet parvum oratorium, nec aliam quam Nestorianam publicare doctrinam.)

<sup>8</sup> Kublaikhan appointed the first Dalai-Lama, A. D. 1260, Schlosser, l. c. S. 269.

## APPENDIX I.

## HISTORY OF THE GREEK CHURCH.

## § 91.

## THEOLOGICAL SCIENCES.

THE history of the Greek church in this period is every where interwoven with that of the court-cabals at Constantinople. In doctrine and discipline there was little change. The contest with the Latin church and with heretics, was the only mark of life, and even this was almost entirely modified by the existing political relations. In literature, *Michael Psellus*, the younger,<sup>1</sup> may be taken as the representative of his time († about A. D. 1100). In him we find no original production, but only the merit of judicious compilation and comment. Such was also the case with the two biblical critics, Theophylact of Acrida, archbishop of Bulgaria († A. D. 1107), and Euthymius Zigabenus, a monk at Constantinople († after 1118).<sup>2</sup> This last was also the author of a polemical work *Πανοπλία δογματική τῆς ὁρθοδόξου πίστεως*.<sup>3</sup> Another polemical work was that of the historian Nicetas Acominatus († after 1206, see p. 3) *Θηραυρὸς ὁρθοδοξίας*.<sup>4</sup> Useful commentaries on the canon law were written by

<sup>1</sup> cf. *Leo Allatius de Psellis et eorum scriptis diatriba* (reprinted in *Fabricii Bibl. Graeca*, Vol. V. p. 1 seq.). Of his, mostly unprinted, works, which extend to almost every department of knowledge then studied, see *Oudinus comm. de script. Eccl. T. II. p. 646 seq.*; and *Hamberger* zuverläss. Nachrichten v. d. vornehmsten Schriftstellern, Th. 4. S. 11 ff. His theological works (Commentaries to some of the books of the Old Testament. — Dogmatical discussions de trinitate, etc. — Lib. de VII. sacris Synodis oecumenicis, etc.) have, however, no great value.

<sup>2</sup> Of both of whom, see p. 44.

<sup>3</sup> In 24 Titulis. (cf. *Anna Commema* below, § 92, note 4.) latine ex vers. *P. F. Zini Venet.* 1555. fol. (reprinted in the *Maxima Bibl. PP. Ludg. T. XIX.* p. 1. seq.) where, however, Titulus XIII. καὶ τὰ τῶν τῆς παλαιᾶς Ρώμης, ἥποι τῶν Ἰταλῶν, ὅτι οὐκ ἐν τῷ νῦν ἐκπροσέβεται τὸ ὄχυρον τηνῦμα (Ms. in Paris and Rome, see *N. Fogazzini* in *Anecdota literar.* Vol. IV. p. 10 seq. Romæ 1783. 8vo.) is omitted. The Greek text has been printed in *Tergovist* in Wallachia, 1711. fol. but with some omissions in the first Tituli, on the Trinity, and the whole of Tit. XXIV. against the Mohammedans (which, however, *J. J. Burci*, in *Frid. Sylburgii Saracenicis Heidelb.* 1595. 8vo. had already published in Greek and Latin.) Concerning Tit. XXIII. against the Bogomiles, see below, § 92, note 4. cf. *Fabricii biblioth. Graeca*, Vol. VII. p. 461 seq. *Matthæi* præf. ad *Euthym. Zigab. commentarium in IV Evangel.* p. 8 seq.

<sup>4</sup> In 27 books, in great part copied from the *Πανοπλία* of Euthymius. Only the 5 first books are contained in the Latin translation, edited by *P. Morellus*, Paris. 1569. 8vo. (reprinted in the *Maxima Bibl. PP. T. XXV.* p. 54 seq.). See a description of the whole work in *Montfaucon Palæographia Graeca*, p. 323 seq. *Fabricii bibl. Graeca*, T. VI. p. 420 seq.

John Zonaras (after A. D. 1118, see p. 1),<sup>5</sup> and especially by Theodorus Balsamon,<sup>6</sup> patriarch of Antioch († after 1203).

§ 92.

RELATIONS OF THE GREEK TO THE LATIN CHURCH.

*Leonis Allatii de Ecclesiæ occidentalis atque orientalis perpetua consensione* (libb. III. Colon. Agripp. 1648. 4to.) lib. II. c. 10 – 16. Schröckh Kirchengesch. Th. 29, S. 372 ff.

The Latins on their part did not relax their ineffectual efforts to subject the Greek church to the Latin. The most remarkable attempts of this kind were at the Synod of Bari held by Urban II. A. D. 1098,<sup>1</sup> the mission of the archbishop of Milan, Peter Chrysanthus, to the emperor Alexius Comnenus by Paschal II. (A. D. 1116),<sup>2</sup> the efforts of Anselm, bishop of Havelburg at the court of John Comnenus,<sup>3</sup> and the Synod of Constantinople held by the patriarch Michael Anchialus on occasion of an embassy from Rome, A. D. 1166.<sup>4</sup> The Greeks became more decided in their opposition to the demands of the Roman church as its wide-reaching ambition was more and

<sup>5</sup> His *Commentarii in canones SS. Apostolorum*, — in canonicas aliquot Graecorum Patrum epistolas, — in canones SS. Conciliorum before published separately, collected and best ed. in *Guil. Beveregii (Bereridge) Synodicon s. Pandectæ Canonum, seq. Apostolorum et Conciliorum*, Oxon. 1672, fol.

<sup>6</sup> Of whom see *Fabrii Bibl. Gr.* T. IX. p. 184 seq. His works: *Commentarius in canones Apostolorum et Conciliorum*, et in epist. canon. seq. Patr. (in *Guil. Beveregii Synodicon*): *Commentarius in Photii Nomocanonem* (in *Guill. Voelli et Henr. Justelli Biblioth. juris canon. veteris*, Paris. 1661. fol. T. II. p. 789): *Collectio ecclesiasticarum Constitutionum* (*Ibid.* p. 1223): *Responsa ad varias quæstiones jus Canonicum spectantes*: *Responsa ad interrogations Marci Patriarchæ Alexandrini*: *Meditata s. responsa ad varios casus* (all collected in Greek and Latin in *Jo. Leunclarii Jus græco-romanum, tam canonicum, quam civile*. Francof. ad Mœn. 1596. fol.).

<sup>1</sup> With immediate reference to the Greeks in Lower Italy. Anselm, archbishop of Canterbury, was commissioned to support the claims of the Roman church, see *Eadmeri hist. novorum*, Lib. II. p. 53, *Item de vita Anselmi*, p. 21; *Willielmi Malmesburiensis de gestis Pontificum Anglorum*, Lib. I. (in *Rerum Anglicarum Scriptores post Bedam præcipui*, Francof. 1601. p. 223). It was thus that Anselm was led to write his treatise *de processione Spiritus S. contra Græcos* (Opp. p. 49 seq.).

<sup>2</sup> The archbishop's speech before the emperor is in Latin in *Baronius ad ann. 1116*, no. 8 seq.; in Greek in *Leonis Allatii Græcia orthodoxa*, Romæ. 1652. 4to. T. I. p. 379 seq.

<sup>3</sup> Anselm was ambassador at Constantinople from the emperor Lothaire about A. D. 1135, and in 1145, at the request of Eugenius III., gave a detailed account of a religious discussion which he there had with Nicetas, archbishop of Nicomedia, in a work entitled *Dialogorum*, Libb. III. (in *d'Achery Spicileg. ed. II.* T. 1. p. 161 seq.).

<sup>4</sup> cf. *Leo Allatius de Ecclesiæ oce. atque orient. perp. cons.* Lib. II. c. 12. p. 664 seq.

more developed.<sup>5</sup> Many works appeared amongst them in the twelfth century in defence of their church,<sup>6</sup> and the presumptuous claims of the church of Rome only served to awaken an inextinguishable hatred in their breasts, already embittered as they were by the military superiority of the Western nations and the excesses of the crusaders.<sup>7</sup> Though this hatred was far from being diminished by the establishment of a Latin empire at Constantinople (A. D. 1204), the Greek emperors were thereby led to favor, at least in appearance, a union of the two churches, in order to secure the favor of the Pope in their efforts to regain their empire. Thus the emperor John II. in Nice favored the negotiations begun with the Greek patriarch Germanus, by certain Franciscans in the year 1232, and continued in the year

<sup>5</sup> *Ricetas* says to Anselm (cf. note 3), Lib. III. e. 8: *Si Romanus Pontifex in excelso throno gloriae sua residens nobis tonare, et quasi projicere mandata sua de sublimi voluerit, et non nostro consilio, sed proprio arbitrio, pro benefacito suo de nobis et de Ecclesiis nostris judicare, imo imperare voluerit, qua fraternitas, seu etiam quae paternitas haec esse poterit? Quis hoc unquam aquo animo sustinere queat?* *Tunc nempe veri servi, et non filii Ecclesia recte diei possimus et esse. Quod si sic necesse esset, et ita grave jugum servicibus nostris portandum immineret, nihil aliud restaret, nisi quod sola Romana Ecclesia libertate, qua vellet, frueretur, et alii quidem omnibus ipsa leges condenseret, ipsa vero sine lege esset, et jam non pia mater filiorum, sed dura et imperiosa domina servorum videretur et esset. Quid igitur nobis Scripturarum scientia? Quid nobis litterarum studia? Quid magistrorum doctrinalis disciplina? Quid sapientum Graecorum nobilissima ingenia? Sola Romani Pontificis auctoritas, qua, sicut tu dieis, super omnes est, universa haec evaeuat. Solus ipse sit Episcopus, solus magister, solus preeceptor: solus de omnibus sibi soli commissis soli Deo, sicut solus bonus Pastor, respondeat.* Johannes Cinnamus (about 1176) in his history (ed. Corn. Tollii. Traj. ad Rh. 1652. 4to. p. 238. ed. Venet. p. 100) denies that Rome has a high priest and an emperor.

'Ο μὲν γὰρ τῷ τῆς βασιλείας ἐπεμβάνων μηγαλεῖν, ἀντίσιος ιαντῦ, ἵππουμένῳ πεζῇ τῷ ἄρχερῷ παραδέσιν καὶ δου καὶ ἴστοκόμος αὐτῷ γίνεται. ὁ δὲ Ἰμπεράτορος τοῦτον — ἐνόμαζεν. Πάντες, ὡς βίλτιστε, καὶ πόθεν τοι τοῖς 'Ρωμαίοις βασιλεῖσιν εἰς ἴστοκόμους κεχερησθαι ἐπῆκαν; — 'Αλλ' ἕμοι, φοι, βασιλέας προεβλῆσθαι ἔχεται. Ναι, δουν ἐπιθέντας χειρας, ὅτον ἀγιάσατο, ταῦτα δὲ τὰ πυνθαντικὰ, οὐχὶ δὲ καὶ βασιλείας ἥδη καταχειρίζεσθαι, καὶ τάχει τοιαῦτα καινοτομεῖν. See below, note 8.

<sup>6</sup> *Euthymius Zigabenus* in *Panoplia*, Tit. XIII. (see § 90, note 3). — The letter of Nicéphorus, the Metropolitan of Kiew (1106—1120) to the grand duke Wladimir II. concerning the separation of the Greek and Latin church (see Karaimsin's *Gesch. d. russ. Reichs* Bd. 2. S. 133. Strahl's *Beiträge zur russ. Kirchengeschichte* Bd. I. S. 55. Halle, 1827) has been published by M. de Kalaidowitsch in *Denkmalern d. russ. Literatur aus dem 12ten Jahrh.* 1821. see *Wiener Jahrb.* d. Lit. Bd. 20. S. 237. — *Vili Doxopatrii* (1143) τάξις τῶν πατριαρχικῶν θρόνων (see p. 43, note 10). *Nicetas Acominatus* in *thesauro orthod.* (see § 90, note 4) Lib. XXI et XXII. Others still are mentioned by *Leo Allatius de Eccl. occ. et orient. perp. cons.* p. 627 seq.

<sup>7</sup> This feeling showed itself in A. D. 1183, under the usurper Andronicus, in the persecution of the Latins at Constantinople, see *Willemus Tyrensis*, Lib. XXII. e. 12 (in Bongarsii *Gesta Dei per Francos*, T. I. p. 1024 seq.) cf. *Nicetas Acominatus annales*, ed. Paris. p. 162 seq. — Cone. Lateranense IV. ann. 1215. e. 4: *Postquam Graecorum ecclesie — ab obedientia sedis apostolicae se subtraxit, in tantum Graeci coepérunt abominari Latinos, quod inter alia, qua in derogationem eorum impie committebant, si quando sacerdotes Latini super eorum celebrassent altaria, non prius ibi sacrificare volebant in illis, quam ea tanquam per hoc iniquitatem lavissent. Baptizatos etiam a Latinis et ipsi Graeci rebaptizare ausu temerario præsumebant, et adhuc, sicut accepimus, quidam agere hoc non verentur.*

1233;<sup>8</sup> though they were rendered ineffectual by the unreasonable demands of the Latins, who would yield nothing, and asked every thing.

After the expulsion of the Latins from Constantinople (A. D. 1261), the Greek emperor Michael Palaeologus, in great fear of a crusade, hoped to propitiate the Pope by new overtures for a union of the two churches.<sup>9</sup> The Pope consulted the theologians on the subject, and Thomas Aquinas wrote his *opusculum contra Graecos*,<sup>10</sup> whilst the zeal of the emperor varied constantly with the degree of his danger. At last, however, Charles of Anjou, king of Sicily, having united himself with the expelled emperor Baldwin II. (A. D. 1267), and hostilities having actually commenced (A. D. 1269), Michael found it necessary to go to work in earnest.<sup>11</sup> His bishops were brought

<sup>8</sup> The correspondence by which these negotiations were introduced in *Matth. Paris*, ad ann. 1237, p. 457 seq. First *Germani Ep. ad Papam veteris Romæ*: e. g. p. 459: *Nos junctis manibus vobis uniri, vel vos nobis—instantissime postulamus, nec amplius schismatis scandalo immerito deturpari, et a Latinis defamari, vel vos a Graecis depravari. (Et ut veritatis medullam attingamus, multi potentes ac nobiles vobis obtemperarent, nisi injastas oppressiones et opum proterras exactiones et servitutes indebitas, quas a vobis subjectis extorquetis, formidarent.)* Hinc et crudelia bella in alterutrum, civitatum desolatio, sigilla januis ecclesiasticis impressa, fraternia schismata, etc. The words in brackets *Raynaldus* ad ann. 1232, no. 48 and 49, did not find in his Roman Ms.: nearly the same thing, however, is found in *Germani Epist. ad Cardinales*, the authenticity of which *Raynald*, l. c. no. 59, silently admits. We there read, p. 461: *Divisio nostræ unitatis processit a tyrannde vestrae oppressionis, et exactionum Romanae ecclesiæ, quæ de matre facta noverca, suos, quos diu educaverat tunc rapacis volucris suos pullos expellentis, filios elongavit. Quæ etiam quanto humiliores et sibi prioniores, tanto magis conculeat et habet viliores, etc.—Si autem culpa et initium scandali a veteri Roma prodiit, et a successoribus Petri Apostoli; illa verba Apostolica legite, quæ ad Galatas (2, 11) Paulus scribit, sic dicens: Cum autem renisset Petrus Antiochiam, in facie ei restiti, quia reprehensibilis erat, etc.—Mentibus autem nostris scrupulum generat offendiculi, quod terrenis tantum inhiante possessionibus, undecimque potestis abradere, aurum et argentum congregatis, discipulos tamen ejus vos esse dicitis, qui ait: Aurum et argentum non est mecum. Regna vobis tributo subjicitis: negotiationibus numisma multiplicatis: actibus dedocetis, quod ore predicatis.—Multæ et magnæ gentes sunt, quæ nobiscum sapient, et nobiscum, qui Graeci sumus, convenient in omnibus. Primi, illi qui in prima parte Orientis habitant, *Ethiopes*, deinde *Syri*, et alii qui graviores sunt, et magis virtuosi, scil. *Hyberi*, *Lazi*, *Alani*, *Gothi*, *Chazari*, innumerablem, plebs *Russia*, et regnum magna victoria *Bulgarorum*.* To this two answers of the Pope (*Gregorius*—venerabili fratri Germano, Graecorum Archiepiscopo, etc.) *Matth. Paris*, l. c. p. 462 seq. — Of the fruitless negotiations begun in the year 1233 by two Dominicans and two Franciscans with the Greeks in Nice, see the report of the monks in *Raynald*, ann. 1233, no. 5–15.

<sup>9</sup> *Raynald*, ann. 1263, no. 22; especially *Urbani IV. Ep. ad Palæogum*, *Ibid.* no. 23 seq.

<sup>10</sup> *Opusculum I.* The auctoritates patrum appended are remarkable on account of the numerous interpolated passages: so, for instance, with regard to the papal primacy.

<sup>11</sup> See especially the account of the contemporary historian *Georgius Pachymeres*. Προτείχισες of the church of Constantinople, hist. *Michaelis Palæologi*, Lib. V. c. 8 seq. In particular cap. 18, the representations of the emperor to his clergy, where he assures them, μὴ δὲ χάρον ἄλλου περιγιατεύσθαι τὸν εἰρήνην, οὐ τοῦ δικαιού πολέμου ἀνακοπῆγει, καὶ Παραίων αἱματα περιποιήσθαι ιερούσαται κινδυνεύοντα. μέντον δὲ καὶ σάλιν τὴν Ἐκκλησίαν ἀκαινοτέμπτον. — τρισὶ δὲ εἰφαλαιοῖσι καὶ μόνοις

over by various means, and at the council of Lyons (A. D. 1274) the learning of Thomas Aquinas or Bonaventura was not necessary to convince the Greek commissioners,<sup>12</sup> who were ready to subscribe to any thing that should be laid before them. At the same time the union was wholly the work of the court, and the detestation of the people at large.<sup>13</sup> The imposture was at length perceived by Martin IV., and the emperor excommunicated (A. D. 1281).<sup>14</sup> After the death of Michael (1282) the union was annulled in form by his successor, Andronicus.<sup>15</sup>

### § 93.

#### HERETICS.

The Paulicians (see § 45) who inhabited the regions round Philippopolis, were first humbled by the emperor Alexius Comnenus (reigned from A. D. 1081 — 1118),<sup>1</sup> on occasion of their deserting him in his wars with the Normans (A. D. 1081 — 1085). At a later period (A. D. 1115) Alexius took advantage of a visit to Philippopolis to reclaim these heretics, partly by theological argument, and partly by the force of rewards and punishments.<sup>2</sup> The orthodox city of Alexiopolis was built over-against the heretic Philippopolis, and great privi-

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τὸ πρὸς τὴν τῶν Παύλων Ἐκκλησίαν πρατόμενον περιστήσεθαι, πρωτεῖα, ἐκκλήτῳ (Appeal to the Pope), καὶ μνημοσύνῃ (mention of the Pope in the prayers of the church), ὃν ἔκστον εἴ τις ἀγριβῶς σκοποί, κενὸν εἶναι ἀνάγκην. πότε γὰρ καὶ παρουσίας ὁ Πάπας προκαθίσει τῶν ἄλλων; πότε δὲ τοι καὶ ἐπίλθει δίκην ἔχουσι, Θάλασσαν τοσαῦτην ταριθεῖ, καὶ τόσον ἀναμετρῆσαι πέλαγος, ἵφ' ὃ τῶν νομίζομένων πρωτείων τυχῖν; τὸ δέπτι τῇ ἡμετέρᾳ καὶ μόνῃ Ἐκκλησίᾳ, καὶ διεντόρᾳ τῇ καθ' ἡμᾶς καὶ μεγάλῃ τὸν Πάπαν μνημονεύσαδι τοῦ Πατριάρχου λειτουργοῦντος, τί ἐν τῷ ὅρθῳ προστάτιν; πόσαις οἰκονομίαις οἱ Πατέρες πρὸς ὧδι γενέσθαι συμφίξονται ἐχεῖσαντο; κ. τ. λ.

<sup>12</sup> Clemens IV. had already laid before the emperor the confession of faith of the Roman church, to be adopted implicitly (*Raynald*, ann. 1267, no. 72 seq.). Michael repeats it word for word, and subscribes to it in the Epist. ad Gregor. X. presented by his ambassadors in Lyons (*Mansi XIV.* p. 67 seq.), adding only: Rogamus Magnitudinem vestram, ut ecclesia nostra dicat sanctum symbolum, prout dicebat hoc ante schisma usque in hodiernum diem, et quod permaneamus in ritibus nostris, quibus utebamur ante schisma, qui scilicet ritus non sunt contra supradictam fidem, etc. cf. *Sacramentum Imp. Græcorum*, l. c. p. 73, *Litteræ Prælatorum Græciæ*, p. 74, *Sacramentum Græcorum*, p. 77.

<sup>13</sup> *Pachymeres*, Lib. V. c. 22.

<sup>14</sup> *Pachymeres*, Lib. VI. c. 30: τὰ γὰρ καθ' ἡμᾶς ὡς εἶχον μαθόντες (namely, the Romans), καὶ δπει ἦν ὑποτοπάσαντες, χλεύην τὸ γεγονός καὶ οὐκ ἀλήθειαν ἀντικρέψ. παρὰ μόνον γὰρ Βασιλία καὶ Πατριάρχην, καὶ τινας τῶν σερὶ αὐτοὺς, πάντες ἰδουμέναινον τῇ εἰρήνῃ. — τέλος δὲ Βασιλίᾳ μὲν καὶ τοὺς ἄμφ' αὐτὸν, ὡς χλευαστὰς — ἀφορημοῖς καθηπίσαλον. The act of excommunication in *Raynald*, ann. 1281, no. 25.

<sup>15</sup> *Pachymeres hist. Andronici*, Lib. I. c. 2.

<sup>1</sup> See the account of Anna Comnena, Alexius' daughter, in her *Alexias*, Lib. V. ed. Paris. p. 131; and Lib. VI. p. 154 seq.

<sup>2</sup> *Anna Comnena*, Lib. XIV. p. 450 seq. The pious daughter calls him τρισ-καΐδικατος ἀπέστολον.

leges bestowed on those who abjured their former errors.<sup>3</sup> But though the open rule of heresy in these regions was thus abolished, it was not wholly rooted out. Not long before his death Alexius detected Basil, the founder of a new sect, called the Bogomiles, and condemned him to the stake (1118).<sup>4</sup> The peculiar doctrines and usages of

<sup>3</sup> Anna Comnena, l. c. p. 156: Ήλιος γὰρ ὅλας καὶ χώρας τὰς παντόπεταις αἰσθεσὶ κεκρυπτίνας τολυπότητας εἰς τὴν ἡμέτικην ἀπόδοξον μετανήψει τοῖσιν. Ταῦς μὲν τὰ τῷτα φεγωτας μεγάλων ἡγεμονῶν τροφοῖς, καὶ τὸν στρατιῶν τοῖς λογάσι κατίδειγε· τούς δὲ χριστικούς συναδούσις ἄταπας, — καὶ σόλην τούτοις διμάκινος ἀγχοῦ του Φιλιπποπόλεως καὶ τίκαν Εὔρου τοῦ ποταμοῦ, ἵκεσθαι τούτους μετάκιστον, Ἀλεξανδρεῖαν τὴν πόλιν κατορμάσας, ἢ καὶ Νικηφόρου — ἀπόδυσάρενος καὶ τούτοις κάκηνοις ἀρρώσας τε καὶ οὐπότιδα καὶ σίκιας καὶ κτῆσιν ἀπώντος.

<sup>4</sup> The circumstances related in detail by Anna Comnena, Lib. XV. p. 486 seq. who, however, passes over the doctrine of the Bogomiles, p. 490: Ηθουλόμον δὲ καὶ πάσαν τὴν τῶν Βογομίλων διηγησαθεῖς αἴρεσθαι, ἀλλά με καλέσι καὶ αἴών, ὡς του φησίν ἡ καλὴ Σαταφά. ὅτι συγχραφίας ἔχει γενὴ καὶ τῆς τορφίας τὸ τυμάτων, καὶ τῶν Ἀλεξιον ποταμίοντος βλάστημα. — Παραπέμπω δὲ τοὺς βογομίνους τὴν ὄλην αἴρεσθαι τῶν Βογομίλων διαγνῶντας εἰς τὸ οὕτω καλούμενον βιβλίον, Δογματικὴν Πανοπλίαν, ἐπιταγῆς τούμον πατρὸς συντεθῆσαν. Καὶ γὰρ μητρὸν την Συγχραφήν καλούμενην — ὁ Αὐτοκράτωρ μετατιμένων ἱεράτεψιν ἀπαύγει ταῦς αἴρετος ἐκτίσθαι ἐκάστον ιδίᾳ, καὶ ἐξ' ἑκάστη τας τῶν ἀγίων πατέρων ἀντροτόπων ἐγγάφασθαι, καὶ αὐτῶν δὲ τῶν Βογομίλων τὴν αἴρεσθαι, καθὼς ὁ ἀστιθη ἰκενός Βυσιλίος ὑφηγήσατο. Ταύτην τὴν βιβλίον Δογματικὴν Πανοπλίαν ὁ Αὐτοκράτωρ ἀνέβασε, καὶ μήχει τοῦ ὕητα προσαγορεύεται τὰ βιβλία. Euthymius Zigabenus has written against the Bogomiles, e. g. an 'Επιστολὴ στηλιτεύουσα σταλεῖν ἀπὸ Κωνσταντινούπολεως πρὸς τοὺς ἐν τῇ αἰτοῦ πατρὶδι (cf. Lambæci comm. de biblio. Vindob. Lib. V. Cod. CCNII. no. 8, p. 38, and Cod. CCXLVIII. no. 1. p. 134); another Epistola steliteutica (cf. Ibid. Cod. CCXLVII. no. 14, p. 122); a Συγχραφὴ στηλιτεύτικὴ (ex Cod. Vat. edita in Anecdotis literariis. Roma 1783, vol. IV. p. 21 seq.); finally the "Ἐλεγχος καὶ Θοιρμὸς τῆς βλασφήμου καὶ πολυιδοῦς αἵρεσις τῶν ἀθίου Μασσαλιανῶν, τῶν καὶ Φωνδαῖτῶν καὶ Βογομίλων καλουμένων, καὶ Εὐχιτῶν, καὶ Ενθουσιαστῶν, καὶ Εγχειτῶν, καὶ Μαρκιωνιτῶν (in Jac. Tollii insignia Itinerarii Italici, Trajecti ad Rhēm. 1696. 4. p. 106 seq.); the most important document concerning them, however, is still *Titulus* XIIII. of the Panoplia (see § 90, note 3), the Greek original of which is in fragments in *Jo. Christ. Wolfi historia Bogomilorum*, qua, potissimum ex Panoplia Dognaticea Euthymii Ziegabeni ejusque codice graeco non edito, corum fata, doctrinae et mores exponuntur, disserrt. III. Vitemberg. 1712. 4to. The credibility of Euthymius in essentials, called in question chiefly by J. L. Oederus, in prodromo historiae Bogomilorum criticae Goetting. 1743. 4to. (reprinted in Heumanni nova sylloga disserrt. P. II. p. 492 seq.) is proved especially by the resemblance between his Bogomiles and the Cathari of the West. — Of the name he says: Βογὴ μὲν γὰρ ἡ τῶν Βογομίλων γλώσσα καλεῖ τὸν θεόν, μίλουν δὲ τὸν θεόν. εἴη δὲν Βογομίλος κατ' αὐτοὺς δὲ τοῦ θεοῦ τὸν ἔλειον ἐπιστάμενος: and relates then as to its origin (14 off., l. c. p. 9): Η τῶν Βογομίλων αἵρεσις οὐ τῷ πολλῷ συνίστη τῆς καθ' ἡμᾶς γενίας, μέσος οὖθα τῆς τῶν Μασσαλιανῶν, καὶ συμφερούμενη τὰ πολλὰ τοῖς ἕκεινοις δογμασι, τὰ δὲ καὶ προτεξένευσσα καὶ τὴν λύμην αὐξάσασα. (p. 14.) Λιγιώσθη δὲ κατὰ τοὺς Χρόνους Ἀλεξίου τοῦ Στρατηγεύστου βασιλέως ἡμῶν, ὃς ἐντέχεις καὶ τάνι θαυμασίως τὸν ἵσαρχον αὐτῆς θηρεύσας. (p. 17.) Βασίλειος ἡνὶ οὗτος ὁ ἀστρος, ἀντὶ δὲν διδρός μᾶλλον, καὶ λοιπος, καὶ φιδοῦς μετόπε, καὶ πάσος κακίας δεγγανον. — Anna Comnena, l. c. p. 486. — μέγιστον ἐπιγίγεται νέφος αἱρετικῶν, καὶ τὸ τῆς αἱρεσίων ἔδος κακιῶν, μητρὸν πρότερον ἐγνωμόνιον τῇ Ἐκκλησίᾳ. Δύν γὰρ δόγματα συνελθίστην κακιστα καὶ φαιδότατα ἐγνωμένα τοῖς πάλαι χρόνοις, Μανιχαῖον τε ὡς ἄν τις εἴ τοι δυσσέβεια, ἢν καὶ Παντοκράτων αἱρεσίων ἕπομεν, καὶ Μασσαλιανῶν βέλευσία. Τοιούτον δὲ ἔστι τὸ τῶν Βογομίλων δόγμα, ἐκ Μασσαλιανῶν καὶ Μανιχαίον συγκείμενον, καὶ, ὡς ἔοικεν, ἢν μὲν κακὸν τοῖς πρὸ τούμον πατρός χρόνοις, ἐνανθάνει δέ. Δινότατον γάρ τὸ τῶν Βογομίλων γένες ἀρρένων ὑποκρίνεται. Καὶ τρίχα μὲν κτηματικὴν οὖν ἄν θεοῖς Βογομίλισσαν, κέκρυπτον δὲ τὸ κακὸν ἐπὸ τὸν μαΐδην καὶ τὸ κυνοκόλιν, καὶ ἐσκυθρώπακεν ὁ

these Bogomiles are so like those of the Cathari,<sup>5</sup> that the connexion

Βογόμιλος, καὶ μέχρι ρίνες σκέπτεται, καὶ κεκυρώσθει, καὶ ὑποφέμενός τοι στόμα, τὰν δοῦ θὲ λύκος ἵστην ἀκάθετος.

<sup>5</sup> Their doctrines in *Euthymii Panoplia*, Tit. ΧΝΗ. Sect. 1. (Wolf, I. c. p. 46): 'ΑΘετῶν πάτας τὰς Μωσαϊκὰς βίβλους μετὰ καὶ τοῦ ἐν αὐτοῖς ἀναγραφόμενου Θεοῦ καὶ τῶν ἐνεργεοτησούντων αὐτῷ οἰκιών, ναὶ μὲν καὶ τὰς μετ' αὐτάς ἀπάσσας ὡς κατ' ἐπίνοιαν τοῦ Σατανᾶ συγγραφίσας. — Μέντος δὲ παρερχόνται καὶ τιμῶσιν ἵπται, — λέγω δὲ τὸ φαλάριξ, καὶ τὸ ἔξαιδικαπρόφυτον, καὶ τὸ κατὰ Ματθαῖον Εἰναγγέλιον, καὶ τὸ κατὰ Μάρκον, καὶ τὸ κατὰ Λουκᾶν, καὶ τὸ κατὰ Ιωάννην, ἔβδομον τὴν βίβλον τῶν πρεξέων σὺν ταῖς ἐπιστολαῖς πάσαις καὶ τῇ Αποκαλύψῃ τοῦ Θεολόγου Ιωάννου. — Sect. 6. (I. l. p. 76): Λέγουσι, τὸν δάμανα, τὸν παρὰ τοῦ Σωτῆρος ἐνομασθέντα Σατανᾶν, μὲν καὶ αὐτὸν εἶναι τοῦ Θεοῦ καὶ πατέρος, ἐνομαζόμενον Σατανᾶν, καὶ πρώτων τοῦ ιδού καὶ λόγου, καὶ ἴσχυρότερον, ἄτε πρωτότοκον, ὡς εἶναι τούτους ἀδελφούς ἀλλήλων. Εἶναι δὲ τὸν Σατανᾶν οἰκονόμον καὶ διευτερόντα τοῦ Πατρὸς, τὴν αὐτὴν αὐτῷ πρεξίμερον καὶ μορφὴν καὶ στολὴν, καὶ ἐν δεξεῖ αὐτοῦ καθήμενον ἐπὶ θρόνον, καὶ τὸν μετ' αὐτῷ εὑνός τιμῆς ἀξιόμενον. 'Υφ' ἂς μεθισθέντα καὶ εἰς ἀπόνιαν ἐπερχόντα μελετῆσαι ἀποστολίαν, καὶ τότε ὀραζόμενον καρῷον καθεῖται πύρρον τοις τῶν λειτίνγιαν δυνάμεων, εἰ βούλειτο κονιζόμενοι τοις βάροσις τῆς λειτουργίας ἀκολούθους τούτῳ καὶ συγκατιτάξαστον τοῦ πατέρος. — Εἴτα τοὺς εἰσημένους ἀγγέλους — συναταχθῆναι τούτῳ καὶ ποιανθῆσαι τῆς ἐπιβολῆς, αἰσθέμενον δὲ ταῦτα τὸν Θεὸν γένθαι τούτους ἄνων ὅμοιού τάντας. — Sect. 7. (I. l. p. 77): Λέγουσι, τὸν Σατανᾶντὸν ἀναθενήσιν καὶ μὴ δυνάμενον τοὺς ὄντας ἐφιζάνειν, ἢ γῆ γάρ Φρονὸς ἢν ἀβράτος καὶ ἀκαταστενάτος, ἐπείπερ ἔτι καὶ τὸν Θείαν περιέκειτο μορφὴν καὶ στολὴν, καὶ τὴν ὄντημαργικὴν ἐκίκεπτο δύναμιν, συγκατέσαι τὰς συγκατατεύσουσαν αὐτῷ δυνάμεις, καὶ θάρσος αὐτῷς ἐμβατεῖν, καὶ εἰπεῖν, ὡς ἐπὶ τὸν οὐρανὸν καὶ τὴν γῆν ὁ Θεὸς ἐποίησεν. 'Εν ἀρχῇ γάρ Φρονὸς ἐποίησεν ὁ Θεὸς τὸν οὐρανὸν καὶ τὴν γῆν, τοῖς καὶ γῆν ὁ θεός, καὶ τὰ ἔξης ἀκολούθως. Thus he created man and the world. Unable to give the former a soul (Wolf, p. 70), διεπερσιθέσατο πρὸς τὸν ἀγαθὸν Πατέρα, καὶ παρεκάλεσε πεμφθῆναι παρὰ αὐτῷ τοῦτον, ἐπαγγειλάμενος ποιὸν εἶναι τον ἀδελφότον, εἰ ζωοτοιχεῖον, καὶ ἀπὸ τοῦ γένους αὐτοῦ πληροῦσθαι τοὺς ἐν οὐρανῷ τόπους τῶν ἀποφύριθέντων Αγγέλων. Τὸν δὲ Θεὸν, ὡς ἀγαθὸν, ἐπινόσσον, καὶ ἐρυθρόποσιν τῷ παρὰ τοῦ Σατανᾶν πλασθέντι πνεῦμα ζωῆς, καὶ γενέσθαι παρεντίκα τὸν ἀνθρώπον εἰς Φυχὴν ζόσαν. After this were begotten of him and Eve, Cain and a daughter Καλαμεῖα, and Abel of Adam. Sect. 8. (Wolf, p. 61): Λέγουσιν, ὅτι τῶν ἀνθρώπων πικρῶς τυχανουρένον, καὶ ἀπηνῶς ἀπολημένων, μήτις ἀλίγιν τινὲς τῆς τοῦ πατέρος μεριδῶς ἐγίνονται, καὶ εἰς τὴν τῶν Ἀγγέλων τάξιν. Τούτους δὲ εἶναι τοὺς ἐν ταῖς γενεαλογίαις τούτες κατὰ Ματθαῖον Εἰναγγέλιον, καὶ τοῦ κατὰ Λουκᾶν μνημονευομένους. 'Οψέ ποτε δὲ συνῆκε κατασφιθεῖσι ὁ Πατήρ, καὶ ἀδικεῖσθαι γνῶνται, — καὶ ἀμα κατελέγουσας τὴν Φυχὴν, τὸ δύον ἐμβόημα, πάσχουσαν οὕτως ἀθλίως καὶ κατευναστευμένην, διαναστῆναι πρὸς ἀμνοναν, καὶ ἐν τῷ πεντακεχιλιοστῷ πεντακοσιοστῷ ἔτει ἐξερεισθεῖσας τῆς ἱαντοῦ καρδιᾶς λόγου, τοῦτον δὲ τὸν ιδού καὶ θεόν. — (p. 63.) Κατειλθεῖν δὲ ἀναθεν καὶ εἰσρυνθεῖν διὰ τοῦ δεξιοῦ ἀπὸ τῆς παρθένου, καὶ περιθέσθαι σάρκα τῷ φυνερένῳ μὲν ὑλικῶν καὶ ὄμοιαν ἀνθρώπου σάρκας, τῇ δάλιδεσσι ἀὖλον καὶ θεοπρεπῆ, καὶ ἔξελθεῖν αὖθις, ὅπερ εἰσῆλθε, τῆς πατέρου μήτε τῇ ἐσόδοις αὐτῷ γνοῖσθαι μήτε τὴν ἔξοδον, ἀλλ' ἀπλῶς εὐραύσθως αὐτὸν ἐν τῷ σπηλαίῳ κείμενον ἐπισχεγματικόν. Καὶ τελέσαι τὴν ἐνσυρκούσιονορίαν, καὶ ποιῆσαι καὶ διδάσκαι τὰ ἐν τοῖς Εἰναγγέλοις ἀνατατόμενα, τὰν ἐν φαντασίᾳ ταῖς ἀνθρωποτεξτίσιν ὑποτείμενον πάθεσι, σταυρωθέντα δὲ καὶ ἀποδανεῖν, καὶ δέσματα τὸν ἀστεράριον διακονίαν ἀναδραμεῖν εἰς τὰν Πατέρα, καὶ καθίσαι ἐν δεξιᾷ εἰς τὸν θεόν τεῦ ἀποφύριθέντος Σατανᾶν, εἴτε εἰσελθεῖν, ὅπερ εἴπελθε, καὶ ἀνατοῦθαι τάλιν εἰς τὴν Πατέρα, εἰς ὃν ἐν ἀρχῇ ἦν τῷ γαστρὶ τούτου συγκεκλεισμένος. — Sect. 9. (Wolf, p. 81): Λέγουσι τοὺς ἀτοπισθόντας Αγγέλους, ἀκούσιντας, ὅτι ὁ Σατανᾶς ὑπίσχετο τῷ Πατρὶ, τηλεορθεῖσας τοὺς ἐν οὐρανῷ τόπους αὐτῶν ἀπὸ τοῦ γένους τῶν ἀνθρώπων, ἰδεῖν ἀσελγῆς τὰς θυγατρές τῶν ἀνθρώπων, καὶ λαβεῖν αὐτὰς εἰς γυναικας, ἵνα τὰ στέμματα αὐτῶν εἰς τὸν οὐρανὸν ἀνέλθωσιν, εἰς τοὺς τοτεύς τῶν πατέρων αὐτῶν. Ιδόντες γάρ φασιν, εἰ νικοῦ τὸν θεόν τὰς θυγατίας τὰς ἀιθρώπων, ὅτι

καλαί εἰσιν, ἔκαθεν οἱ αὐτοῖς γυναικες. Βίους δὲ τοῦ θεοῦ τούτους ὄντα μάζασιν, ὡς καὶ αὐτοὺς ἀπ' ιεροῖν γραμμότες. Εἰς δὲ τῆς συνοικίας αὐτῶν ἀπογένθωσι τοι; Γιγαντες, οἵ; ἀντιστῆναι τῷ Σατανῇ, καὶ ἴμαυμβύσται τοῖς ἀνθρώποις τὸν ἀτοπετοῖν αὐτοῖς. Τὸν δὲ Θυμιαθίντα ἵταγματιν αὐτοῖς τὸν κατεκλυστιν, καὶ μαζήσι τοὺς αὐτοῖς τάχας ζόρα σάρκα. Μάνης δὲ τὸν Νῦν θυγατήρα μὴ κατκαίνειν ἀγνοῦσσι τοὺς ἀτοπετοῖν τῷ Σατανῇ, καὶ δικρίνειν θρονούντα τούτον, εἰ τῇ λατρείᾳ τοῦ Σεργεντοῦ ὄντας μέντον ὑποτίθεσθαι τὰ ποιῆα τοῦ κιβωτοῦ, καὶ διατῶνται τούτον μόνον μετα τοῦ ἐν αὐτῷ. — Sect. 11 (Wolff, p. 116): Ατιμαζόντοι τοις σιδηρούσιν εἰκανας, τα μεταλλικά λιγότες τῶν ιθανῶν ἀργύρους καὶ χρυσίν, ἥργα κυρτῶν ἀνθρώπων — Sect. 13 (Wolff, p. 117): Λίγουσιν ἀπ' αὐτῶν μὲν μόνον, τοῖς τοις τοῦ Βούδηλου φίλοις ἀπ' τοῖς ὄνταις, ὡς τοῖς βραχίονι, εἰκότεροι δὲ τῶν ἀλλων ἀτάκτων ἴνονται ἀστινούνται, καὶ μεταποιοῦνται τοις τοις τοῦ λιγότες καὶ ἡργαὶ ἐπι τοῦ τάφρου, καὶ ἀναριψοῦν τον ἀνάστατον, τοις συν αὐτῷ καθαίσιον, καὶ μηδὲ ἐν πολλάκις τοῖς διαχωρίζοντο. — Sect. 14 (Wolff, p. 105): Ατιμαζόντοι τοις θεοῖν σταυροῖν, ὡς ἀναριψοῦν τοῦ Σωτῆρος. — Sect. 16 (Wolff, p. 81): Τὸ μὲν ταῦτα ἡμῖν βαττίσμα τοῦ Ιωάννου λέγουσιν, ὡς οἱ θεοτοκοὶ ἐπιτίθουσιν, τὸ δὲ ταῦτα αὐτοῖς τοῦ Χριστοῦ οὐκ σπουδάτοι, ὡς αὐτοὺς ὅπκει τιθούσιν. Διὸ καὶ τὸν τροπευόμενον αὐτοῖς ἀναδεκτήζονται, πολλάκις μὲν ἀρριγγούσιοις αὐτῷ προὶον εἰς ἔξοδον ἔχονται, καὶ ἀγρύπνοις καὶ σύντονοι τροπευόμενοι. Εἴτα τῇ κιριάκῃ ἀπό τοῦ τὸ πατέρα Ιωάννου Εὐαγγέλιον ἐπιτίθενται, καὶ το ταῦτα αὐτοῖς ἡργαὶ τοῦνται πικαλούμενοι, καὶ τὸ Πάτερ τὸν ἔπεισον. Μίτικά δὲ τοις ποιήσιν βαττίσμα καιροὶ αὐτοῖς ἀποκληροῦσιν εἰς ἀρχαίστερον ἀπ' ὧν ἡν καὶ πολιτικαὶ ἰραροτίστεροι καὶ καλογονταίραν τερούσιχνον. Εἴτα μαρτυροῦντας ἀνδρῶν ὅμιον καὶ γυναικῶν ἀγρύπνοις αὐτοῖς ἐπὶ τοι θεοδικεύσιν τοῖς νοούσι δαιμόνοις ταῦτα ἀποκαλοῦνται. — Sect. 18 (p. 102): Λίγουσιν, ἐν ταῖσι τοῖς ἱεροῖς ναοῖς κατακοινοῖς τοὺς δαιμόνους, διελαχήσιταις αὐτοῖς ἀπλόγως τῆς ἐκάστου ταξίνων καὶ δυνάμεων. Τὸν μίντον Σατανᾶν πάλαι μὲν ἀποκληροῦσι ἐντὸν τὸν πολυμένηλαλτον ἐν Ιεροσολύμοις ναὸν, μετὰ δὲ τὴν ἐκίνουν ἀναστροφὴν ἔξιδωτανθει τοις ἐν τῇ βασιλείᾳ ταῦτη τῶν πόλεων ὑπερφεροῦ καὶ τιμωνυμον τοῖς τοῦ Θεοῦ σορβίσιοι οἶκον. Οὐ γάρ ὁ θύσιοτός φασιν ἐν χριστοποίησι ναοῖς κατακοινοῖς, τὸν ὀνομαν ἔχων κατακοινοποίουν. — Sect. 19 (p. 112): Μάνης ὄντα μάζασι προσινχή τὴν ὑπό τοῦ Κυρίου παραδοθῆσαι εἰς τοῖς Ειαγγείλιοις, ἦγου τὸ Πάτερ ἡμῶν, καὶ ταῦτη μόνον προσινχνται, ἵσταντο μὲν τῆς ἡμέρας πεντάκις δὲ τῆς νυκτός. — Ταῦς δὲ ἀλλαζοῦσας πέτρας προσινχήσι ἀπομάζονται, βαττολογίας αὐτοῖς ἀποκαλοῦνται, καὶ τοῖς θεικοῖς μισθοῖς. — Sect. 20 (p. 78): Εἰλιγητοὶ δὲ τῆς αἰγισσεως αὐτοῖς ἔσαρχοι, ἐγγεγέρθαι τοῖς Ειαγγείλιοις αὐτῶν φωνὴν τοῦ Κυρίου λέγουσαν· τιμῆτε τὰ δικαιόνια, οὐχ ἵνα ἀφειλθῆτε παρ' αὐτῶν, ἀλλὰ ἵνα μὴ βλέψωσιν ὑμᾶς. — Sect. 20 (p. 99): "Ετι προσιγγεγέρθαι καὶ ταῦτην ἔλεγε τὸν Κυρίον φωνὴν· παντὶ τοθῷ σώθητε, ταυτίστη μιττὰ μορχαῖς καὶ ἀτάκτης, ὁ τοκρυμένον τὸν πίστιν τῶν ανηγκαζόντων ἔμας. — Sect. 22 (p. 83): Λίγουσι τοῖς ταῖς πίστινς αὐτῶν, ὅτοις ἐνοικήσται τὸ πλεῖον αὐτοῖς ἡγιον πινδῆμα, θεοτόκους καὶ ἔναις καὶ ἔνομάζοθει, βαττάτανταις καὶ αὐτοῖς τὸν λόγον τοῦ Θεοῦ, καὶ γινέστανταις αὐτοῖς ἵνα διδάσκαλον ἔρισσον, καὶ μηδὲν τλίον αὐτῶν ἔχουν τὴν πρότυνθην θεοτόκον. — (p. 95): Λίγουσιν οὐκ ὅμοιοι μόνον παλλάκις, ἀλλὰ καὶ ὅπας βλέπει τὸν Πατέρον μὲν ὡς γίγοντα βαθυγένειον, τὸν δὲ νιὸν ὡς ὑπνητην ἄνδρα, τὸ δὲ τινῆμα τὸ ἄγιον ὡς λιοτρότωτον νεανίαν. — Sect. 24 (p. 133): Στολίζονται κατὰ Μοναχούς, namely, to make themselves more acceptable. Sect. 25 (p. 110): Πάστοις ἰδιαιμάδος δινοτίσαν καὶ πτεράδα καὶ παρουσιὴν παραγγέλλονται πατερίσιν ἔως ὥρας ἐνάτης. Sect. 26 is seen how they gradually introduced their converts to their doctrines. Sect. 27 seq. of their allegorical mode of interpretation. Sect. 37 (p. 122): μετέπειτα πατερίσιας ἀκριβεστιογαν τε καὶ καθαρωτέραν, ἀπεκριμένους κοινωφχγίας, καὶ πυροῦ, καὶ ἀστοῦ, καὶ γάμου, καὶ τῶν τοιουτῶν.

between them, for which there are also historical grounds,<sup>6</sup> cannot be doubted. The sect continued to exist after the death of their master, especially in the neighbourhood of Philippopolis.<sup>7</sup>

The schisms in the Russian church concerning certain unimportant usages,<sup>8</sup> which took place in this period, are a sufficient proof of the low state of Christianity in that country.

## APPENDIX II.

### HISTORY OF THE OTHER ORIENTAL CHURCHES.

#### § 94.

Amongst the Oriental Christians, the Jacobites alone can boast of learned men. These were Dionysius Bar-Salibi, bishop of Amida († A. D. 1171),<sup>1</sup> and the historian Gregory Abulpharagius, from the year 1264, Maphriau or Primate of the East († A. D. 1286).<sup>2</sup>

<sup>6</sup> See § 84, note 10 (Everdin), § 87, note 15 (Rainerius), ibid. note 16 (Matth. Paris).

<sup>7</sup> *Anna Comnena*, l. c. p. 490: ἐνεβόθυνε τὸ κακὸν καὶ εἰς οἰκίας μεγιστᾶς, καὶ πολλοῦ πλήθεος ἦψατο τὸ δεῖνον. *Euthymii Victoria de Massalianis in Tollus*, l. c. p. 112: ὃ πολυάρνυμος τῶν Μασσιλιανῶν, εἴπουν Βογομίλων, αἵρεσις ἐν πάσῃ πόλει, καὶ χάρα, καὶ ἐπαρχία ἐπιπολάζει ταῦν. — In the year 1140 a Synod in Constantinople condemned the συγγέγραμματα τινὰ τοῦ τὸν βίον ἥδη καταλιπόντος Κωνσταντίνου τοῦ Χεισούραλου, in which they found πλίον τῶν ἀλλων Ἐνθουσιαστῶν, καὶ Βογομίλων, to the flames, and punished the monks in whose possession they were found (the sentence of the Synod in *Allatius de eccl. occid. et orient. perp. cons.* p. 644 seq. *Mansi XI.* p. 551 seq.). — In the year 1143 two bishops of Cappadocia, Clement and Leontius, were deposed as Bogomiles by a Synod in Constantinople (the sentence in *Allatius*, l. c. p. 671 seq. *Mansi XI.* p. 583 seq.); at about the same time the monk Niphon was condemned to imprisonment on the same ground (*Joh. Cinanu hist. lib. II. c. 10. Allatius*, l. c. p. 678 seq.). — *Geoffroy de Ville-Hardouin*, who describes the conquest of Constantinople by the Latins, as an eye-witness, says, no. 208 (Collection des Mémoires relatifs à l'histoire de France par M. Petitot. Tome I. Paris. 1819. p. 385), that a part of the inhabitants of Philippopolis were *Popolieani*. Afterwards the patriarch Germanus (see § 91, note 8) opposed the Bogomiles in the *Oratio in exaltationem veneranda Crucis contra Bogomilos* (græce et lat. in *Jac. Cretseri comm. de Cruce. T. II.* p. 157 seq.), and in the *Orat. pro imaginibus restitutione* (l. c. p. 549 seq.).

<sup>8</sup> See Strahl im Kirchenhist. Archiv. 1824. Heft. 2 S. 48 ff., reprinted in his *Beyträgen zur russ. Kirchengeschichte*, Bd. I (Halle. 1827.), S. 252 ff.

<sup>1</sup> His chief work a commentary on the whole Bible. Besides this, dogmatical writings, *de Deo*, *de Trinitate*, etc. Defences of Christianity addressed to Mohammedans, Jews, Nestorians, and Greeks; *comm. in liturgiam S. Jacobi* in defence of it against the Latins (ed. in *Renaudotii Liturg. Orient. T. II.* p. 449 seq. cf. *Ejusd. hist. Patriarch. Alexandrinorum*, p. 479 seq.). — *Asseniani Bibl. Orient. T. II.* p. 157 seq. Pfeiffer's Auszug aus Asseniorient. Bibl. S. 234 ff.

<sup>2</sup> Particularly valuable as a historian. (His *Chronicon Syriacum* edd. *Ruens et Kirsch.* Lips. 1789. 2 voll. 4to. His *Arabic Historia compendiosa Dynastiarum* ed. *Ed. Pococke.* Oxon. 1663. 2 voll. 4to., is an extract from this chronicon, or political history.) — He was also celebrated as a theologian, physician, and philos-

During the crusades various attempts were made to unite the Oriental churches to that of Rome. The Armenians, to whom the protection of the Latins was of great importance, were the first to enter into such an union (about A. D. 1145).<sup>3</sup> From the time of Innocent III. the Armenian church seemed to be completely subjected to the papal power; though in fact this depended on the degree in which they stood in need of Latin aid. The Maronites, on the contrary, who went over to the Roman church in the year 1182, remained faithful.<sup>4</sup>

The Nestorians and Jacobites, to whom the aid of the Latins could have been of no use, never entered into this union with Rome. And if in the answer of the Nestorian Vicar of the East, Rabban Esra,<sup>5</sup> and three Jacobite bishops,<sup>6</sup> to the proposals of Innocent IV.

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opher. Of his theological works, the most remarkable the *Horreum Mysteriorum*, a collection of commentaries on the Scriptures. cf. *Assemani*, l. e. p. 211 seq. *Pfeiffer's Auszug*, S. 252 ff.

<sup>3</sup> *Otto Frising.* Chron. lib. VII. c. 32. The numerous lying tales which the Armenian ambassadors palmed on the Western nations (e. g. see § 90, note 2), seem to justify the suspicion of their honesty.

<sup>4</sup> Comp. vol. I. § 93. *Willenus Tyrensis* Archiep. lib. XXII. c. 8 (in *Bongars*, p. 1022): Interea dum Regnum pace, ut prædictimus, gauderet temporali, natio quædam Syrorum, in Phenice provincia circa juga Libani, juxta urbem Bibliensium habitans, plurimam circa sui statum passa est mutationem. Nam cum per annos pene quingentos cujusdam *Maronis* haeresiarchæ errorem fuisse sentiti, ita ut ab eo dicerentur *Maronitæ*, et ab Ecclesia fidelium sequestrati, seorsum sacramenta conficerent sua, divina inspiratione ad eorū redeuntes, languore deposito, ad Patriarcham Antiochenum Aimericum, qui tertius Latinorum nunc eidem præest Ecclesiæ, accesserunt: et abjurato errore, quo diu periculose nimis detenti fuerant, ad unitatem Ecclesiæ Catholicae reversi sunt, fidem orthodoxam suscipientes, parati Romanæ Ecclesiæ traditiones cum omni veneratione amplecti et observare. Erat autem hujus populi turba non modica, sed quasi quadraginta millium dicebatur excedere quantitatem, qui per Bibliensem, Botriensem et Tripolitanum Episcopatus, juga Libani et montis devenia, ut prædictimus, inhabitabant; erantque viri fortes, et in armis strenui, nostris, in majoribus negotiis que cum hostiis habebant frequentissime, valde utilis; unde et de eorum conversione ad fidei sinceritatem maxima nostris accessit laetitia. Maronis autem error et sequacium ejus est et fuit, sicut ex sexta Synodo legitur, que contra eos collecta esse dinoscitur, et in qua damnationis sententiam pertulerunt, quod in Domino nostro Jesu Christo una tantum sit et fuerit ab initio et voluntas et operatio. Cui articulo ab Orthodoxorum Ecclesia reprobato multa alia perniciosa nimis, postquam a cœtu fidelium segregati sunt, adiecerunt; super quibus omnibus ducti penitundine, ad Ecclesiam, ut prædictimus, redierunt Catholicam, una cum Patriarcha suo et Episcopis nonnullis, qui eos sicut prius in impietate præcesserant, ita ad veritatem redeunibus pium ducatum præstiterunt.

<sup>5</sup> See *Raynald.* ann. 1247, no. 32 – 35. He sent at the same time a confession of faith drawn up by the archbishop of Nisibis, ibid. no. 43. — This contains, it is true: *Maria virgo peperit perfectum Deum, et perfectum hominem, Filium unum, qui est Dominus Jesus: et hæc unio non fuit accidentalis possibilis separari, sed permanens et perpetua.* But afterwards: *cum dicatur: Maria peperit Deum, existimabit forte insipiens, quod ipsa peperit aut sanctam Trinitatem, aut Patrem, aut Spiritum Sanctum, nisi exponatur: Deum Filium unitum.* Cum igitur indiget expositione, et Deus Filius unitus ipse sit Christus, sub uno vocabulo erit, cum dicimus: *Maria peperit Christum;* verbum unum breviter comprehendens divinitatem et humanitatem.

<sup>6</sup> First that of the patriarch Ignatius in *Raynald.* ann. 1247, no. 36 – 38, the second of another patriarch Ignatius, ibid. no. 39, 40, the third of a primate Johannes, ibid. no. 41, 42. That Raynaldus considers these as orthodox, must be only

on that subject, Oriental courtesy has been interpreted into expressions of submission, the whole tenor of the letter, as well as its results, forbid such a construction.

because he does not find in them the doctrines of the Monophysites, such as it is stated by the Catholics, which is very different from the real doctrine of the Monophysites. Comp. in the first letter: *Christus est perfectus Deus et perfectus homo, sine mixtione, sine confusione: et ipse est unus Deus, unus Christus, una persona, sicut dicit Athanasius et Cyrilus; quod Deo l'herbo est una natura incarnata* (see vol. I. § 79, note 1). *Et propter hoc constemur, quod Maria est mater Dei in veritate, quia ipsa peperit Deum incarnatum, qui natus est, — et passus est et mortuus secundum carnem, et resurrexit tertia die; et cum impleret divina, erat in veritate perfectus Deus et perfectus homo, et iterum eum operaretur humana, erat perfectus Deus et perfectus homo, unus post unionem. Non recipimus igitur eos, qui contententur dualitatem dirisam unitatis, nec iterum eos, qui contententur mixtionem et confusionem, sicut Eutyches excommunicatus.* In the second letter: *Et ipse in veritate est perfectus Deus et perfectus homo, unus Christus ex duabus naturis, divina et humana.* In the third: *Una persona, una substantia ex duabus substantiis, non quod divinitas conversa sit in humanitatem, aut humanitas in divinitatem; nec quod composita sit ex iis duabus substantiis substantia tertia; sed est unita secundum normam unionis vitae, non accidentalis. Et licet unio excludat dualitatem, tamen indicia duarum naturarum et proprietates earum permanent in ipso, et discernuntur solo intellectu.* Et non attribuimus miracula et opera magnifica divinitati abstractae ab humanitate, nec attribuimus naturalia, et opera infirma humanitati abstractae a divinitate; sed dicimus, quod fecit miracula ex virtute divinitatis, et gustavit passionem et mortem voluntariam, quia natura humanitatis; et ipse tamen unus Filius Dei et hominis. Comp. the explanations of the older Monophysites, vol. I. § 86, note 2.











