

**CHURCH AND STATE IN THE
MIDDLE AGES, THE FORD
LECTURES DELIVERED AT
OXFORD IN 1905**

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Church and state in the Middle Ages, The Ford lectures delivered at Oxford in 1905 by A. L. Smith

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A. L. SMITH

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CHURCH AND STATE IN THE MIDDLE AGES

THE FORD LECTURES
DELIVERED AT OXFORD IN 1905

By A. L. SMITH

HALLIOL COLLEGE, OXFORD

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LECTURE I

SYLLABUS

THE Papacy as a working institution ; new documents available for its study. The two sides of its history contrasted. (1) Its civilizing influence ; (2) the growth of bitter feeling against it. The English ' No Popery ' view, not merely due to the Reformation, though the Reformation does have its roots deep in the past ; the causes were at work as early as 1250, along with very opposite influences.

The subject of the lectures therefore is, The good and evil of the connexion of England with Rome, especially in the middle of the thirteenth century.

LECTURE I. The effects of this connexion upon the English Church, as shown in—

(1) The Legatine constitutions of 1237, and their most important articles. Comparison of these with the long series of English canons, the affiliation of these latter and the general evidence which they supply.

(2) The Gemma Ecclesiastica, its limitations and its general character ; its thaumaturgy shows that the Church did not create but did control superstition ; the abuses, ignorance, slackness, and immorality among the clergy ; the influence of Papal central power.

(3) Grosseteste's letters, as confirmatory evidence ; also his own constitutions.

(4) In the Burton Annals, the Coventry visitation gives the same picture. The Berkshire rectors' protest examined ; very outspoken, but containing no attack on the Papal *plenitudo potestatis*.

(5) The commentary of John Athon, later in date but may be used ; his criticisms on the English clergy ; his acceptance of the Pope's supremacy and judicial and dispensing powers.

(6) The Papal Register : its historical value as authentic, contemporary, genuine, careful, and representative. It shows (a) the ordinary administration of the Papacy, and the effect of its central decisions ; the good and evil of Rome's influence ; the monasteries as needing the help of Rome and the control by Rome. The evidence from the Bulls issued to Grosseteste. (b) The abnormal features under Innocent IV, pluralities, &c. (c) The normal administration turned to partisan purposes.

(7) The Papacy as an appeal court ; the causes of its development, (i) especially in England ; (ii) appeals a gravamine ; (iii) a choice between anarchy and centralization ; (iv) it did not imply foreign judges ; (v) the resort to Rome for advice ; (vi) the Pope as *iudex ordinarius*. The prejudices about canon law apply to its later stages ; the ideal aimed at in the system was a kingdom of God on earth. Can such a system be entrusted to ordinary men ? Can religion be made a system, without detriment to it ?

(8) The confessional ; Innocent III's rule of confession ; its later results, to make obedience the one virtue, to make a tariff of penances, to centre the aims of the Church on clerical domination, to develop casuistry. Yet the objects of the rule had been noble, and its first effects good, including further centralization.

LECTURE II

SYLLABUS

THE action of the Papacy upon English social life, illustrated from the province of the law of marriage.

Mediaeval Church views seem unpleasing on marriage; but had great difficulties due to rival law codes, and to Scriptural texts, in bringing principle into a chaos of Jewish, Roman, and Teutonic traditions. (1) Why the Church was timid as to the sacramental view of marriage, and never insisted on the presence of a clerk in orders for the validity of marriage; case of dower and other divergences from Church law show (a) a growing hostility of secular lawyers; (b) less spirituality and less tolerance on their part. (2) How distinction of *praesenti* and *futuro* arose; argument of Peter Lombard; practical results, e.g. on infant betrothals; Paris versus Bologna; Pope required as arbiter, and the law approaches certitude. The Papacy also checks extremists and enforces compromise, and raises a presumption in favour of marriage, and insists that only the Papacy can declare voidances. (3) How rule as to affinity arose, though modified in practice, especially by Papacy as to degrees of affinity. The Papacy restricts the principle also of spiritual affinity even if created by the confessional. Relation of local customs to Papal authority. (4) Papal decisions as to marriages with heathen, as to adultery, widows, prohibited seasons. The motive of these rules as to consanguinity and affinity; the more lax the practice, the higher the ideal. (5) Struggle between the Papacy and the canonists on the vow of celibacy; can the Pope dispense from such a vow? The *votum simplex* and *votum solenne*. Clerical celibacy a necessary stage in history; growth of the theory, collides with the theory of Papal *plenitudo potestatis*. (6) Divorce; it took the Church eleven centuries to make marriage indissoluble; but this rule collides with monasticism. Papal compromises on this and on other questions. (7) Development of Pope's dispensing power, despite practical limitations, up to Boniface VIII; acceptance of it in England in the thirteenth century compared with the twelfth; its value. (8) Were the Reformers quite fair to the canon law? Is it fair to describe all this law as 'a game of skill', 'a maze of flighty fancies', something which outweighs 'all the merits of the mediaeval Church'? Which was more to blame, the mediaeval Church or mediaeval society itself?

Summary. Importance of Papacy as final appeal, as peacemaker among canonists, as representing workable compromise, as protecting the marriage tie. It can only be judged in its historical setting and working.

LECTURE III

SYLLABUS

THE hold of the Papacy upon the best minds of the age. The Papacy as a Church-State a rival of the lay State; their relation in the thirteenth century. Grosseteste's view of the Pope as the head of the Church-State, contrasted with his famous letter and with Matthew Paris's picture of him, will show (a) the hold which the Papacy had, (b) how and why that hold began to relax.

Examination of the letter (not written to the Pope); its peculiarities in style and argument; compared with his other letters, e.g. to Cardinal Otto, to the Pope, and to the King, which show complete submission to Papal orders. Could the writer of these have written that one? It closely resembles typical mediaeval 'forgeries', such as those attributed to the Emperor Frederick. Grosseteste's conduct in other parallel cases; his watchword 'rebellion is as the sin of witchcraft.' The letter is part of a group of documents and events; (1) the dialogue between Pope and Cardinals. (2) Grosseteste's death-bed speeches, which profess to be his voice but the hand is the hand of Matthew Paris. (3) Do contemporaries support the letter? (4) Why is it not in his collected letters? (5) The story of a Papal rebuff to Grosseteste in 1250 very suspicious as told in Matthew Paris. (6) His sermon to Pope and Cardinals, its great interest and conclusions to be drawn from it; Matthew Paris's account of its results and story of Grosseteste's suspension and his estimate of Papal exactions. (7) Papal answers of May and November 1253. (8) The letter to English laity, certainly not Grosseteste's. (9) Story of Grosseteste being excommunicated is unsupported.

But even without the suspicious documents some general conclusions may be drawn: (a) the great hold which the Papacy still had on England; (b) the intense Papalism of the best men; (c) the breach made by Innocent IV; (d) the untrustworthiness of Matthew Paris with all his merits.

Mediaeval unity, compared with modern disunion, despite some tendencies to reunion. Causes of modern acquiescence in this condition; prejudices which obscure our view. Is it safe to say that 'all has been for the best'? Or need the Reformation have come just in the way it did? Have we lost nothing in the process? Has not a theory like Grosseteste's the interest of a challenge to us?

LECTURE IV

SYLLABUS

THE movement against the Papacy; the crucial years 1246-54 added Provisions to Papal Taxes. The English grievances at Lyons, chiefly touch Taxation; the Pope's answer, renewed protest by clergy and the exact bearing of this protest on the theory of Papalism. The protest of Louis IX, its remarkable line of argument; its admissions explain why the Reformation did not come for nearly three centuries; character of the protest, and its date 1247, not 1245 as Matthew Paris thought; its complaints verified from the Papal Registers, showing vast growth of abuses under Innocent IV. Contrast of the English and French positions. Immovableness of the Pope despite new protests from English laity and clergy, 1247. 'Unheard of' grants to Archbishop Boniface; complicity of Henry III, his vow of crusade. Papal attitude about Provisions, 1247-8, as reflected in the Registers and in the cases given by Matthew Paris.

General conclusions as to results, 1245-50, the death of the Emperor Frederick—

1. The practical effect of Provisions, why they were so hated. Even Innocent IV has to temporize.
2. The complete acceptance nevertheless of the *plenitudo potestatis*; this explains the Papal inflexibility.
3. The contrast between the position of Louis IX and that of Henry III; England 'the milch cow of the Papacy'.
4. Innocent IV's pontificate constitutes an epoch; the idea of appeal to a Council.

Critical examination of Matthew Paris as the general authority on this period; his personal character; in many ways, though not all, a typical Englishman and a typical man of his time. How he has come to dominate English history; the varying worth of his testimony; it needs to be sifted. But does he give an adequate picture of the Papacy as (a) a spiritual power, or (b) a political power?

It is necessary to test him

1. As a monastic chronicler; state of the Benedictine Order in the thirteenth century; his attitude to general Church aims of the time and to the Friars.
2. As a censor of the Papacy; the grounds of his opposition; its inconsistencies and onesidedness.
3. As a political partisan; his aristocratic sympathies, his dislike of centralization, his lack of constitutional insight.
4. His omissions and defects; his want of great ideas, his discontents, his want of true critical faculty; his textual carelessness; finally, is he always honest and scrupulous?

LECTURE V

SYLLABUS

THE general belief that the middle of the thirteenth century was to be a new epoch in the history both of the Church and the world; 'the age of the Holy Ghost was to begin as predicted by the holy abbot Joachim' (Salimbene). Meaning of this Joachimite persuasion.

Henry III and the Papacy, especially (A) from the English side, 1250-8. Mediaeval principle of commutations, now applied to crusading vows for the benefit of Henry III; his closer alliance with Rome, 1250; its objects, e.g. Aymer in the see of Winchester; similar cases, 1250-3, Henry's retort; climax of the alliance is the offer of Sicilian crown to Earl Richard, 1247 (?) and 1250 and 1252; his wary refusal; but Henry III accepts; his debts and struggles, 1253-8, and final renunciation of it, 1258, but not till it had caused the national revolt of 1258-65.

The same relations (B) from the Papal side, 1250-4. Innocent III's policy, to create the Papal States, taken up by Innocent IV; it led him to attempt the conquest of Sicily, 1248, by Cardinal Peter; his successes, 1249; then complete recovery of power by Frederick, 1250; Innocent recalls Cardinal Peter, makes advances to Earl Richard; the Emperor's death, December 1250, on the eve of final victory; importance of his death; Innocent's scheme revived at once, 1251, but failed again, 1252; he lets the peace party try a settlement with Conrad, January-June 1252; on their failure, Sicily is offered both to Earl Richard, in November 1252, and to Charles of Anjou, who draws back at the last moment, October 1253; Innocent has to surrender again to the peace party at a heavy cost; his objects in this and his double dealing with England; the part played by Thomas of Savoy; Innocent was on the eve of humiliation to Conrad IV when the king dies suddenly, May 1254.

Reflections on the great duel of Papacy and Empire; the relation of Church and State ought not to be hostile; they have the same end by different means; the mediaeval failure due to their passion to realize their ideals and to embody them; of this both Papacy and Empire are instances, but the mistake was greater in (a) turning the Church into a State, (b) adding the ever widening idea of Papal States, for this proved a fatal legacy. But in the great duel the Empire must fall; even Frederick could only have postponed the day; for (i) his was not a real Empire and not Roman; (ii) the head of Christendom must be the Pope; (iii) his unpardonable sins were his claim to rule Rome, his hold over the Matildine lands, his menace to the Papal allies the Lombards, and his being king of Naples. In the struggle he was more honest than Innocent IV, but the Papacy still represented higher ideals than the Empire in many ways. Yet, but for Innocent IV, the Empire might have gone on awhile, and (i) continued the experiment of an orderly tolerant centralized government in South Italy, (ii) continued to produce great results from the idea of Christendom, (iii) continued to aim at a noble vision, the co-operation of the two swords, the Caesar and the Apostle.