

THE CRISIS OF CHURCH & STATE 1050-1300

Brian Tierney

with selected documents



PRENTICE-HALL, INC.
Englewood Cliffs, N. J.

Robert Lee Wolff and Crane Brinton

General Editors

Copyright © 1964 by Prentice-Hall, Inc., *Englewood Cliffs, N. J.*

All rights reserved. No part of this book may be reproduced in any form, by mimeograph or any other means, without permission in writing from the publishers.

Library of Congress Catalog Card Number: 64-23072.

Printed in the United States of America—C. P 19347, C 19348

Part I

THE FIRST THOUSAND YEARS

1. The Church & the Roman State

Before turning to the great clashes of spiritual and secular power that occurred between 1050 and 1300 we must first consider some of the documents from the early centuries of the church that were most frequently quoted by the writers of the medieval period.

The possibility of a continuing tension between church and state was inherent in the very beginnings of the Christian religion. Most often, as a society grows from primitive tribalism into an ordered civilization, a common religion permeates all its activities and helps to form all its characteristic institutions. The rise of medieval Islam provides a typical example. In such circumstances the creation of political institutions quite separate from the organization of the accepted religion seems hardly conceivable. Christianity, on the other hand, irrupted into an ancient civilization that already had its own established hierarchy of government and its own sophisticated tradition of political thought based on non-Christian concepts. In the early centuries, therefore, the Christian church had to develop its own structure of governing offices, sometimes parallel to but always apart from those of the secular hierarchy, and from the first there was always the possibility of a conflict of loyalties.

Moreover, the distinction between the secular and religious orders of government inherent in this situation found expression in the earliest sacred writings of Christianity, which provided the starting point for all medieval discussions on problems of church and state. There could be little likelihood of a simple, straightforward identification of spiritual with temporal authority in the religion of a Founder who had said:

"Render therefore to Caesar the things that are Caesar's: and to God the things that are God's" (Luke 20:25). Christ himself claimed to be a king, but he added that his kingdom was not of this world (John 18:36). Most important of all for the future controversies, he said to his disciple Peter: "I will give to thee the keys of the kingdom of heaven. And whatsoever thou shalt bind upon earth it shall be bound also in heaven" (Matthew 16:19)—without, however, explaining how this apparently unlimited power to "bind and loose" was to be applied to the political activities of secular rulers. It was taken for granted by all the medieval controversialists whom we shall consider that the powers originally conferred on Peter by Christ were transmitted to Peter's successors in the see of Rome. They disagreed profoundly, however, about the extent of those powers and especially about their applicability to the sphere of temporal government. Peter himself said, "Fear God. Honour the king" (1 Peter 2:17), and then again, "We ought to obey God rather than men" (Acts 5:29). St. Paul provided the classical text in favor of submission to civil authority as a Christian duty when he wrote, "There is no power but from God: and those that are, are ordained of God" (Romans 13:1). But he also rebuked for their lack of true wisdom "the princes of this world that come to nought" (1 Corinthians 2:6).

The genuine difficulties of unraveling the political concepts inherent in New Testament terminology (which continue to perplex modern theologians) were complicated for medieval commentators by their habit of seeing political allegories in passages that probably had no such significance when they were first written. The most famous such text is Luke 22:38: "But they said, 'Lord, behold, here are two swords.' And he said to them, 'It is enough.' " From the eleventh century onward it became very usual to regard the "two swords" as symbols of spiritual and temporal power, and a whole inverted pyramid of political fantasy was erected on the slender basis of this one verse of Scripture.

For the first generations of Christians the problem of church and state as later ages would know it could not exist at all, for as long as the Roman empire remained pagan, the church could hope for nothing from the state except, at best, freedom from persecution. The whole situation was transformed, however, by the conversion of the emperor Constantine in the fourth century and the subsequent spread of Christianity as the official religion of the Roman empire. The church had found a new champion. The crucial question that arose at once was whether she had found a new master too. The emperors of the fourth century were men of autocratic disposition, and they expected everyone, including the leaders of the church, to obey them. There were no real precedents for deciding where the bishops' authority began and where the emperor's ended or if, indeed, any limits at all could be set to the imperial power.

The future course of events was profoundly influenced by Constantine's decision to move his imperial capital from Rome to Constantinople

(A.D. 330), for, almost from the first founding of the new city there was a perceptible divergence between the ecclesiastical tradition of this new Rome in the East and that of the old Rome on the Tiber. Overshadowed by the splendor of the imperial court, protected (and if necessary coerced) by the imperial armies, the prelates of Constantinople tended to accept the claims of the emperors to control the church and to decide any disputes that arose in the ecclesiastical sphere. In the West the gradual disintegration of all effective imperial authority made possible the growth of a quite different tradition, and by the end of the fourth century it had already found its first great spokesman in St. Ambrose, bishop of Milan.

To the allegation that everything was subject to the power of the emperor, Ambrose replied that divine things were not so subject and added, "Palaces belong to the emperor, churches to the priesthood." In response to a summons to appear before the imperial council he declared, "Where matters of faith are concerned it is the custom for bishops to judge Christian emperors, not for Emperors to judge bishops," and again, "The emperor is within the Church, not above the church." In 390 Ambrose went so far as to excommunicate the emperor Theodosius himself, and Theodosius eventually acknowledged his faults and performed a public penance in the cathedral at Milan before being readmitted to communion. Medieval popes liked to remember the episode when they found themselves embroiled in controversies with the emperors of a later age.

The most profound theological inquiry into the intrinsic nature of the political order undertaken during the early period of the church was that of Ambrose's great pupil, St. Augustine, who wrote at the beginning of the fifth century during the first great wave of barbarian incursions into the Western empire. He described two societies competing for men's allegiance through the centuries: a City of God and a City of World. The City of God was the community of those who loved God and who would therefore find their final home in heaven; the City of the World was the community of those whose hearts were set solely on worldly things (*No.* 1). Augustine did not clearly identify the organized church with his City of God or the organized state with his City of the World, though that meaning suggested itself to some later interpreters of his thought. He did maintain that all subjection of man to man had been brought about by human sin and that, accordingly, the very existence of civil governments with coercive powers represented a departure from an earlier ideal order of things. Similarly, he maintained that the whole existing structure of property rights was a mere contrivance of imperial law made necessary by man's wickedness and greed (*No.* 2). Augustine did not, however, condemn the state. On the contrary: he thought that, precisely because so many men were in fact sinners, because they would rob and rape and murder unless they were restrained, there had to be

governments with police power, and that it was in accordance with God's providence for such governments to arise. The members of the City of God might indeed find some advantage in the civil order that worldly government maintained. But the state and its laws could never have the highest claim on the loyalty of a true Christian. He was a pilgrim and wayfarer on this earth, and his only necessary permanent allegiance was to the heavenly city.

St. Augustine's theology (often misunderstood) exercised a pervasive influence on the climate of Christian political thought at least until the end of the thirteenth century. The widespread acceptance of his view that the state was rooted in human sinfulness impeded for centuries the development of any adequate theory of the intrinsic dignity and excellence of the temporal power as an answer to prelates who regarded themselves as the only true spokesmen for the City of God. At the same time, Augustine's argument that all property rights were derived from imperial law was often used on behalf of secular rulers in the course of their conflicts with the church.

At the end of the fifth century Pope Gelasius (492-96) attempted to define more explicitly than Augustine had done the relationship of priestly to royal power. In a letter to the Eastern emperor Anastasius he declared: "Two there are, august emperor, by which this world is chiefly ruled, the sacred authority of the priesthood and the royal power. Of these the responsibility of the priests is more weighty in so far as they will answer for the kings of men themselves at the divine judgement" (*No.* 3). In the controversies of the Middle Ages this pronouncement appears over and over again, both to support papal claims and to oppose them, both to defend royal autonomy and to assert papal superiority. Its interpretation remains a matter of dispute among modern scholars as well. On the face of it the letter provides a clear statement of a balanced dualism, since it postulates the necessity for *two* governing powers in the world, but a closer scrutiny shows that the pope's terminology can lend itself readily enough to other interpretations. The problem is not only that Gelasius attributed a heavier burden of responsibility to the priesthood than to the kingship but also that he chose to designate the role of the priests by the term "authority" (*auctoritas*) and the role of the prince by the term "power" (*potestas*). Erich Caspar has argued that the word *potestas* implied a real sovereign power backed by effective force, the word *auctoritas* a merely moral authority. This reading makes the pope's statement quite consistent with the position of the Byzantine emperors themselves. Other scholars (most recently Walter Ullmann) have pointed out that in the language of Roman law, with which Gelasius was certainly familiar, *auctoritas* could mean an inherent right to rule and *potestas* only a delegated executive power to carry out instructions. On this interpretation Gelasius's letter becomes an early statement of papal theocracy. Still others have held that the words *auctoritas* and *potestas* were used as synonyms and that Gelasius's variation of terminology was simply a rhetorical device of no great significance, adopted to avoid an inelegant repetition.[1] It seems unlikely that this question will ever be resolved on merely philological grounds. Technical arguments can be adduced in favor of all the different positions. The reader can therefore best form a judgment on Gelasius's real meaning by considering his much-quoted aphorism in the context of the whole paragraph in which it occurs and also in the light of Gelasius's other major pronouncement on spiritual and temporal power, presented in his treatise *On the Bond of Anathema* (*No.* 4).

Augustine: The Two Cities

1. *The City of God* (413-426), Book XIX, trans. Marcus Dods, *The Works of Augustinus Aurelianus,* I (Edinburgh, 1871), pp. 323-24, 326-28.

Chapter 15. Of the liberty proper to man's nature, and the servitude introduced by sin. . . .

This is prescribed by the order of nature: it is thus that God has created man. For "let them," He says, "have dominion over the fish of the sea, and over the fowl of the air, and over every creeping thing which creepeth on the earth." (Genesis 1:26). He did not intend that His rational creature, who was made in His image, should have dominion over anything but the irrational creation—not man over man, but man over the beasts. And hence the righteous men in primitive times were made shepherds of cattle rather than kings of men, God intending thus to teach us what the relative position of the creatures is, and what the desert of sin; for it is with justice, we believe, that the condition of slavery is the result of sin. . . .

Chapter 17. What produces peace, and what discord, between the heavenly and earthly cities.

But the families which do not live by faith seek their peace in the earthly advantages of this life; while the families which live by faith look for those eternal blessings which are promised, and use as pilgrims such advantages of time and of earth as do not fascinate and divert them from God, but rather aid them to endure with greater ease, and to keep

[1] E. Caspar, *Geschichte des Papsttums,* II (Tübingen, 1933), pp. 65-71, 753-55; W. Ullmann, *The Growth of Papal Government* (London, 1955), pp. 14-28. A. K. Ziegler defended the third point of view mentioned above and also reviewed the earlier literature on the subject in his article, "Pope Gelasius I and His Teaching on the Relation of Church and State," *Catholic Historical Review,* XXVII (1942), pp. 412-37.

down the number of those burdens of the corruptible body which weigh upon the soul. Thus the things necessary for this mortal life are used by both kinds of men and families alike, but each has its own peculiar and widely different aim in using them. The earthly city, which does not live by faith, seeks an earthly peace, and the end it proposes, in the well-ordered concord of civic obedience and rule, is the combination of men's wills to attain the things which are helpful to this life. The heavenly city, or rather the part of it which sojourns on earth and lives by faith, makes use of this peace only because it must, until this mortal condition which necessitates it shall pass away. Consequently, so long as it lives like a captive and a stranger in the earthly city, though it has already received the promise of redemption, and the gift of the Spirit as the earnest of it, it makes no scruple to obey the laws of the earthly city, whereby the things necessary for the maintenance of this mortal life are administered; and thus, as this life is common to both cities, so there is a harmony between them in regard to what belongs to it. But, as the earthly city has had some philosophers whose doctrine is condemned by the divine teaching . . . it has come to pass that the two cities could not have common laws of religion, and that the heavenly city has been compelled in this matter to dissent, and to become obnoxious to those who think differently, and to stand the brunt of their anger and hatred and persecutions, except in so far as the minds of their enemies have been alarmed by the multitude of the Christians and quelled by the manifest protection of God accorded to them. This heavenly city, then, while it sojourns on earth, calls citizens out of all nations, and gathers together a society of pilgrims of all languages, not scrupling about diversities in the manners, laws, and institutions whereby earthly peace is secured and maintained, but recognizing that, however various these are, they all tend to one and the same end of earthly peace. It therefore is so far from rescinding and abolishing these diversities, that it even preserves and adopts them, so long only as no hindrance to the worship of the one supreme and true God is thus introduced. Even the heavenly city, therefore, while in its state of pilgrimage, avails itself of the peace of earth, and, so far as it can without injuring faith and godliness, desires and maintains a common agreement among men regarding the acquisition of the necessaries of life, and makes this earthly peace bear upon the peace of heaven; for this alone can be truly called and esteemed the peace of the reasonable creatures, consisting as it does in the perfectly ordered and harmonious enjoyment of God and of one another in God. When we shall have reached that peace, this mortal life shall give place to one that is eternal, and our body shall be no more this animal body which by its corruption weighs down the soul, but a spiritual body feeling no want, and in all its members subjected to the will. In its pilgrim state the heavenly city possesses this peace by faith; and by this faith it lives righteously when it refers to the attainment of that peace every good action towards God and man; for the life of the city is a social life.

2. On property. *In Joannis Evangelium, Tractatus VI* (413), ed. J. P. Migne, Patrologia Latina 35 (Paris, 1845) col. 1437. (Hereinafter cited as *PL*.)
(In this passage Augustine was arguing against the leaders of the Donatist sect who had complained about the confiscation of their estates by the emperor.)

Does not any man possess what he possesses by human law? For according to divine law, "The earth is the Lord's and the fulness thereof" (Psalm 23:1). Poor and rich God made from one clay and the one earth supports poor and rich alike. But by human law a man says, "This estate is mine; this house is mine; this slave is mine." By human law and therefore by the law of the emperors. Why? Because God distributed these human laws to the human race through the emperors and kings of the world. Do you want us to read the laws of the emperors and litigate according to them about the estates? If you claim to possess according to human law then let us recite the laws of the emperors. Let us see if they would have heretics possess anything. "But," you say, "what is the emperor to me?" You possess your lands according to his law. But take away the laws of the emperor and who will dare say, "That estate is mine" or "That slave is mine" or "This house is mine."

