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INTRODUCTION

The fourteenth century had other aspects . . . which seem paradoxical until they are viewed in connection with the general course of human history, in which the ebb and flow of the life of nations is seen to depend on higher laws, more general purposes, the guidance of a Higher Hand. . . . Weak as is the fourteenth century, the fifteenth is weaker still; more futile, more bloody, more immoral; yet out of it emerges, in spite of all, the truer and brighter day, the season of more general conscious life, higher longings, more forbearing, more sympathetic, purer, ripener liberty.

—WILLIAM STUBBS

When he wrote these words more than a hundred years ago, it was the political and constitutional history of England that Bishop Stubbs had in mind. For his contemporaries and immediate successors, however, the same words could equally well have applied, both in their gloomy conviction of decline and the countervailing hint at benign providential movement, to the history of the English church during the same period. By the closing decades of the nineteenth century, most historians were no longer disposed to regard the entire history of the medieval church as one of gross superstition, moral turpitude, and religious degradation. But the strictures witheld from the English church of the High Middle Ages continued to be applied, with scarcely mitigated force, to the later medieval church. It is hardly surprising, then, that in their accounts the preoccupations of the Reformation Parliament should cast backward across the centuries
immediately preceding so very long a shadow. Nor is it surprising
that beneath the confused alarms and clumsy maneuverings of these
centuries the same historians should detect the working of an imma-
ment dialectic, the complex interactions of a series of movements and
events flowing remorselessly in the direction of the Act in Restraint
of Appeals and the final breach with Rome. "We have now to trace,"
wrote W. W. Capes in 1900.

the growth of a spirit of opposition to ecclesiastical pretensions, which
had different rallying cries as time went on, and often changed its
objects and methods of attack. At first it was a question mainly of
privileges and material rights; there was no talk of doctrine or church
practice. The movement may be called anti-clerical at times, as it
questioned the status and privileges of ecclesiastics. . . . Later on it
was not so much anti-clerical as anti-papal, for it was felt more and
more keenly on all sides that the aggressions of the Court of Avignon
disorganised the national Church, robbed responsible patrons of their
rights, drained off vast sums to be spent on alien objects, and paralysed
the administrative powers of the bishops.3

Capes was a sober historian, who, unlike some of his contempo-
raries, does not give the impression of having been on nodding terms
with Providence. But that does not prevent him from finding mani-
festations of the underlying spirit of opposition to which he refers in
phenomena as diverse as open defiance of episcopal authority, town-
grown riots at Oxford, attacks on monasteries and convents, the pil-
laging of churches, and rioting for charters of liberty at St. Albans
and Canterbury. Nor does it prevent him from detecting expressions
of that spirit above all in the Wycliffe movement and in the anti-
papal legislation of the fourteenth century—the several statutes of
Provisors and Praemunire, destined after 1393, he tells us, "to rank
henceforth as the great bulwark of the independence of the National
Church."5

About this approach to the history of the later medieval church in
England much was of specifically English origin—not least the stub-
born underlying conviction (present indeed in Capes though ex-

3. Hunt, pp. vii
5. Ibid.
torians of the English church have moved long since to kick the habit of reading history backward from the break with Rome, historians of the late-medieval church at large, and especially those concerned with doctrinal or theological developments, have been much less consistent in their efforts. As a result, the Protestant Reformation contrives still to cast a surprisingly long shadow backward.

This attitude is at once more readily comprehensible and less distressingly anachronistic than might be supposed. The Reformation involved a doctrinal upheaval of truly formidable dimensions and one that called urgently and immediately for historical explanation. The impulse to equip Luther with appropriate late-medieval forerunners, therefore, was not felt already in his own lifetime, and by his Catholic adversaries as well as his Protestant apologists. Thus, in the judgment rendered on the ninety-five theses by the Faculty of Theology at Paris and published in April 1521, Luther's views were linked with those of a whole series of previous troublemakers—among them the Waldensians, the Wycliffites, the Hussites, and the Brethren of the Free Spirit—and he was accused of trying "to restore the doctrines of the aforementioned heretics." And writing to Erasmus in 1523, Cuthbert Tunstall, bishop of London, said of the new Lutheran ideas: "It is no question of pernicious novelty; it is only that new arms are being added to the great crowd of Wycliffite heresies." 8

On the Protestant side, likewise, the notion of Luther's medieval forerunners—picked up early and bent to the exigencies of Protestant polemics by Philipp Melanchthon (1497–1560)—was given its most explicit expression by the Lutheran controversialist and historian Flaccus Ilyricus (1520–75), and, for the English-speaking world, its most influential formulation in John Foxe's Book of Martyrs. By the seventeenth century, the tradition of the forerunners was well established in the Protestant camp. By the nineteenth century it had be-

6. See Oberman's interesting essay "The Case of the Forerunner" in his Forerunners, pp. 1–49, on which much of this paragraph is based.


come an historiographic cliché. And in mid-century Karl Ullmann provided the classic formulation in his monumental Reformers before the Reformation, laying great stress on the contributions of such fifteenth-century theologians as John Puffer of Goch (d. 1475), John of Wesel (d. 1481), and Wessel Gansfort (d. 1489). 9 Ullmann was by no means the last prominent historian to adopt this approach. As time wore on, however, it fell increasingly into disfavor and scholars became less reluctant to concede Luther's fundamental originality. Nevertheless, if in the present century the particular quest for Luther's forerunners has forfeited much of its respectability, the general concern with the antecedents of the Reformation has lost none of its urgency. Protestants are still tempted to see in the religious and ecclesiastical turmoil of the fourteenth and fifteenth centuries above all signs and portents of the greater upheaval to come. And Catholic scholars have become inclined increasingly to agree with them, to regard the period as a regrettable one distinguished by a "movement away from the church," by "theological confusion," and by a "fatal lack of Catholic clarity" in doctrinal matters. 10 Indeed, for the proud career of Christian thinking in the Middle Ages it was "journey's end," the period that witnessed "the decay of scholasticism," one marked by "doctrinal confusion," by the rise to prominence of the "radically unCatholic" Ockhamist system, by "the utter corruption of Christian thought which nominalist theology represented." 11 This was a theology, we are assured, that the great scholastic thinkers of the High Middle Ages would scarcely have recognized. Although it was undoubtedly the theology in which Luther was trained and which he sought finally to overthrow, it has


11. Lottz, How the Reformation Came, p. 107; idem, Reformation in Germany, 1:75, 156.

12. In order of citation, Gilson, History, p. 528; Denifle, 1:522, 587; Lottz, Reformations in Germany, 1:196; Bouyer, p. 164; Van der Pol, pp. 38–40.
to be admitted that in so doing he was breaking with "a Catholicism that was no longer Catholic." And although church historians of less obtrusively confessional bent have been less flamboyant in their formulations, they, too, have sometimes been apt to see the big discontinuities as having occurred already in the late thirteenth century, to perceive the religious and ecclesiastical life of the fourteenth and fifteenth centuries as no more than an epilogue to the history of medieval Christianity, something to be treated briefly or more superficially and imprecisely than earlier centuries. They have frequently been tempted, in effect, to concede the later Middle Ages to the Reformation historians. 

Under these circumstances it is not too surprising that the Reformation continues to loom large in the thinking of those concerned with the history of the late medieval church, or that they do not always resist the temptation to see an inordinate amount of that history as pointing in the direction of the sixteenth-century Reformers. But although this approach enables them to bring some order and clarity to a period of notorious complexity, and although, in the present state of research, no comparably unified vision is ready at hand, it must still be insisted that the historiographic price being paid is too high. And for three main reasons.

In the first place, and in general, to adopt the approach is also in some measure to endorse the practice of reading history backward; that is, to run the risk of viewing the religious and ecclesiastical history of the fourteenth and fifteenth centuries too selectively and of subordinating its complexities too rigidly to the alien problematic of a later era. Whatever the discontinuities of the late thirteenth century, they can hardly compare with those that marked the religious life of north and northwestern Europe in the sixteenth century.

13. Lortz, Reformation in Germany, 1:200; cf. Dewitt’s remark (1:516) to the effect that Luther, being formed intellectually in the Oxbridge tradition, lacked “training in a sound theology.”

14. This is certainly true of two brief accounts of medieval church history that are widely used in U.S. classes: Baldwin, Medieval Church; and Russell, History of Medieval Christianity. It is true also of the excellent longer account by Knowles and Obolsensky, The Christian Centuries, 11, which devotes only about sixty of roughly five hundred pages to the fourteenth and fifteenth centuries. The contributions, however, of such scholars as Rapp, Möllner, Panin, and Hay are cast in a different mold.

It is clearly more appropriate, then, to follow the course pursued by Panin in approaching the history of the late-medieval English church: to choose “to tackle the problem from the other end, and to ask ourselves, how does the fourteenth century grow out of the thirteenth century? In what respects is it a logical continuation or a mis-handling of opportunity? A climax or an anti-climax?”

In the second place, even if one is not squeamish about reading history backward, it must still be insisted that to read it backward solely from the ideas and activities of the magisterial Reformers—or, as is so often the case, from those of Luther alone—is misleadingly restrictive. Radical Reformation and Catholic Reformation alike also had their medieval antecedents. To ignore them is to mistake the complexity of the Reformation era itself, the continuities that bound it to the life of the preceding centuries, and the discontinuities that separated it from the life of the next century.

In the third place, to allow the Protestant Reformation to bulk too large in one’s thinking about the later Middle Ages may also be to mistake the very shape of European history. It is certainly to ignore the case Ernst Troeltsch made for understanding the Reformation as fundamentally “medieval” in its spirit, preoccupations, and inspiration, and for seeing the Enlightenment, instead, as the great watershed of modernity. By the same token, it may also be to decide for Dilthey and to view the Reformation as the great divide, as having sponsored the critical break with the earlier medieval past and the decisive departure in the direction of modernity. More damagingly, it may well be to make that decision in ignorance, without a conscious effort to address the competing points of view. The problem is not that in this venerable debate a decision for Dilthey cannot be defended. The point, rather, is that it should be defended.

15. Panin, op. 2.

16. Succinct statements by Dilthey and Troeltsch of their positions can conveniently be found in Spitz, Reformation, pp. 8-27. For current thinking on the issue, see the papers printed in Oberman, ed., Luther and the Dawn of the Modern Era, especially Gerhard Ebeling, "Luther and the Beginning of the Modern Age," pp. 11-39. In that same volume (p. 127, n. 6), William J. Bouwsma draws attention to the little-known fact that Troeltsch himself at the end of his life retreated somewhat from his "medieval" interpretation of Reformation theology.
CHAPTER I · PROBLEMS OF ORDER: ECCLESIASTICAL GOVERNMENT IN TRANSITION

Behold, Reverend Father, at dawn of the vigil of the Nativity of the Blessed Mary just past, suddenly and unexpectedly there came upon Anagni a great force of armed men of the party of the King of France and of the two deposed Colonna cardinals. Arriving at the gates of Anagni and finding them open, they entered the town and at once made an assault upon the palace of the Pope. . . . Sciarrà [brother of the deposed Colonna cardinals] and his forces broke through the doors and windows of the papal palace at a number of points, and set fire to them at others, till at last the angered soldiery forced their way to the Pope. Many of them heaped insults upon his head and threatened him violently, but to them all the Pope answered not so much as a word. And when they pressed him as to whether he would resign the Papacy, firmly did he refuse—indeed he preferred to lose his head—as he said in his vernacular: "E le col, e le capé!", which means: "Here is my neck and here my head!" Therewith he proclaimed in the presence of them all that as long as life was in him, he would not give up the Papacy. Sciarrà, indeed, was quite ready to kill him, but he was held back by the others so that no bodily injury was done the Pope.

—William Hundleby

As the great turning point in the history of the late-medieval church, the traditional choice of Boniface VIII's pontificate (1294–1303) and "the outrage of Anagni" (September 7, 1303) is not without its advantages. A few years later, it is true, the arrival in Italy of the German emperor-elect, Henry VII (1308–13), was still in itself
enough to promote turmoil throughout the peninsula. Dante, writing enthusiastically in what he called "the first year of the most auspicious passage of the sacred Henry into Italy," was moved to refer to him as "the king of the earth, and minister of God," and even to affirm that "when the throne of Augustus is vacant, the whole world goes out of course."! A few years later still, Pope John XXII (1316–34), claiming the right to pass definitive judgment on the validity of the imperial election, was still bold enough to excommunicate Lewis of Bavaria, Henry's imperial successor, for refusing to accept that claim. Such formulations and gestures, however, were redolent of an age that was already slipping away. With it were fading not only the imperial dreams of the German kings and the pretensions of the popes to some sort of temporal supremacy in Christendom, but also the whole universalist ideal that had proved in the West to be one of the most enduring Roman imperial legacies. In his clash with the powerful national monarchies of France and England, Boniface VIII had come into collision with forces antipathetic both to papal temporal pretensions and to the very ideal of universalism itself. And the events at Anagni serve as well as any other (and certainly more dramatically than most) to symbolize the type of transition that was occurring.

The choice of Anagni, then, does indeed have its advantages. They are more than offset, however, by the degree to which that choice directs attention to the papal claim to exercise authority in temporal matters and away from the peculiar characteristics pertaining during the Middle Ages, to ecclesiastical jurisdiction in general. This latter is an issue less obvious, perhaps, but one of more profound and enduring significance. Those advantages are more than offset, too, by the concomitant tendency to endow the period in ecclesiastical history preceding Anagni with attributes of hope, vigor, and zeal, while burdening the two centuries following it with characteristics of weariness, decadence, and despair. Such qualities were certainly manifested often enough by the ecclesiastical life of the late Middle Ages. But the problems confronting the church in the fourteenth and fif-


teneth centuries cannot properly be understood without some comprehension of the more ancient and fundamental disabilities under which the medieval church had labored long before the pontificate of Boniface VIII, as well as some sense of the deterioration in the position of the papacy during the half-century before the start of his pontificate. Jurisdictional peculiarities, long-term disabilities, and short-term disadvantages must all be addressed before we turn to the complexities of fourteenth- and fifteenth-century ecclesiastical life.

Ecclesiological Fundamentals

About the conditions prevailing in the primitive apostolic church the possibility of anything approaching complete historical agreement is exceedingly remote. But it is becoming something of a commonplace today to acknowledge that the New Testament authors appear to have resisted in considerable measure the temptation to understand their own organizational structures in terms applicable also to secular organisms. Thus they eschewed most of the more obvious words available in the Greek vocabulary of politics in favor of a new term—diakonos, "service." Whereas the rejected words expressed "a relationship of rulers and ruled" and conveyed "overtones of authority, officialdom, rule, dignity, or power," diakonos did not. Instead, bearing connotations of self-abasement and used by the New Testament authors to denote service to one's fellows, it suggests a conception of ecclesiastical office as ministerial, as grounded in love for others, contrasting sharply with secular notions of office as grounded in power and in law. ²

With the growth in the number and size of the Christian communities, however, there developed a tendency to assimilate this peculiarly New Testament conception of office to the more generally familiar, less demanding and administratively manageable political pattern of thought. By 313, when Constantine granted toleration to Christians, bishops had already for some time been acting as arbiters, administrators, and legislators in the churches under their

supervision. But they had been doing so as leaders of private societies whose membership was no less voluntary than is that of modern denominational churches and chapels or of such comparable social organizations in the modern world as universities and trade unions. These were societies that concerned directly only one area of human life, and the decisions of their leaders attained binding force only in the degree to which they succeeded in touching and molding the consciences of the faithful.

It was the fundamental importance of the “Constantinian revolution” and of the later disintegration of Roman imperial power in the West that they succeeded in engineering a radical change in this whole state of affairs. By the fifth century, when the transformation of Christianity from the proscribed creed of a minority to the official religion of the empire, ecclesiastical authority, supported increasingly by the public force of the imperial administration, was itself becoming political and coercive and was beginning to reach out into areas that today are regarded as pertaining to the state. During the centuries that followed, these developments persisted, and, as overt paganism died out or was suppressed, the distinction between spiritual and temporal became blurred; church membership and membership in the state gradually became coterminous. By the end of the eighth century, from its beginnings as a voluntary, private organization, the church had blended into the república christianæ, an all-inclusive and coercive society that was neither voluntary nor private. Over that Christian commonwealth, until the latter years of the eleventh century, at least, the holders of the revived imperial office—the Carolingians and their German successors—could claim more convincingly than anyone else, and in matters religious as well as temporal, to wield supreme authority.

The Gregorian reformers finally launched a frontal assault against the ancient tradition of “pontifical kingship” reflected by this state of affairs. Nevertheless, Gregory VII (1073–85), by laying claim to a jurisdictional authority superior to that of emperors and extending even to the right to deprive them of their titles, revealed himself to be responsive to the allures of that tradition. For a while in the twelfth century, when appeals from the decisions of lower courts began to flood into the papal court, it appeared that in its judicial aspect papal jurisdiction was destined to embrace a system of appeals not just from ecclesiastical courts but from secular courts as well. Royal opposition and the development of secular law quickly foreclosed that possibility. But that limitation notwithstanding, the popes of the High Middle Ages emerged in no small measure as sacral monarchs, true medieval successors of the Roman emperors, claiming many of the attributes of those emperors and using some of their titles, surrounded by their ceremonies, wearing their regalia, and showing by the mid-thirteenth century little hesitation about invoking the most secular of sanctions against those powers that seemed seriously to threaten their imperial position.

By the time of Boniface VIII, nevertheless, however forcefully reiterated in theory, such essentially temporal claims were already teetering in practice on the edge of bankruptcy. Far more important for an understanding of the problems of late-medieval ecclesiastical life is the profound effect of the developments we have been describing on the very notion of ecclesiastical office itself. The major effect had been the displacement of the New Testament terminology by an essentially political vocabulary drawn from Roman law and the concomitant corrosion of the New Testament understanding of the ministry by a vision of very alien provenance. By the seventh century the word jurisdicius had been taken into canonistic usage from Roman law and over the following centuries it was used intermittently to denote the general administrative activity of ecclesiastical government. By the thirteenth century, with the immense growth of papal governmental activity promoted by the Gregorian reform and by papal leadership of the crusading movement, and with the great contemporaneous revival of legal studies, canon lawyers were distinguishing the power of ecclesiastical jurisdiction (potestas jurisdictionis).

3. See Southern, p. 146. In 1215 the Fourth Lateran Council, seeking to contain the flood of appeals to Rome, attempted to make a clear distinction between the competencies of the secular and ecclesiastical courts and warned the latter against attempting to extend their jurisdiction at the expense of the former. See Alberti et al., P. 229, Conc. 42.
from the sacramental power, or power of order (potestas ordinis), which priests and bishops possessed by virtue of receiving the sacrament of order. Within that power of jurisdiction, in turn, they distinguished a double modality, one pertaining to the internal and the other to the external forum. The former (potestas jurisdictionis in foro interiori) concerned the domain of the individual conscience; it was a power exercised through the sacrament of penance, it was exercised only over those who voluntarily submitted themselves to its sway, and it was directed to the private good. This was not the case, however, with the power of jurisdiction in the public sphere (potestas jurisdictionis in foro exteriori), which was a coercive power pertaining to a public authority, exercised even over the unwilling and directed to the common good of the faithful. Unlike the powers wielded by ecclesiastical bodies either today or in the pre-Constantinian era, it was a truly governmental power. And it remained such long after the specifically temporal claims of the papacy began to lapse into desuetude.

From the end of the thirteenth century, then, when the decline of universal empire and the rise of national monarchs had begun to sponsor a shift in the meaning attached to republica christiana, it became increasingly common to distinguish the international church from the secular states within the boundaries of which it functioned and to treat it as a separate entity, juridically self-sufficient and autonomous. To this entity now the term "Christian commonwealth" came to be attached, and along with it the related terms "ecclesiastical commonwealth," "ecclesiastical polity," "ecclesiastical kingdom," and so on. So that by the late Middle Ages the church had come finally to regard itself as a "perfect society"—indeed, as the Kingdom of God on earth—over which presided a papal monarch in whom reposed, the canonists commonly argued, the fullness of jurisdictional power (plenitudo potestatis).

In all of these developments, and especially as they pertain to the papacy, two interrelated factors stand out as fundamental. We have already looked at the first—namely, the profound impact upon ecclesiastical law and institutions of the Roman empire, which was felt most directly in the last centuries of the ancient world and again during the course of the twelfth-century renaissance. The second factor to be considered is the enduring significance of the initiatives taken during the late eleventh century by Gregory VII and his reforming successors.

Anyone prone to minimize the essential continuity of late-medieval papal history with that of the earlier period would find it a sobering experience to glance at the twenty-seven blunt propositions of the Dictatus papae, the famous document that was entered in the papal register in March 1075. Those propositions not only reflect the thinking of Gregory VII himself but also provide the key to the principal directions of papal policy right through into the fourteenth century. Several of them—notably the unprecedented claim that the pope could depose emperors—point in the direction of the development of papal claims to temporal power that peaked in the thirteenth century. And in the others—for example, the claim that the pope could depose or reinstate bishops, or, if necessary, transfer them from see to see—we can see adumbrated that drive to exercise the fullness of papal jurisdictional power over the provincial churches that was to be pushed so vigorously by Alexander III in the twelfth century and Innocent III and Innocent IV in the thirteenth, but reached its peak only in the fourteenth century after the papal curia had been settled at Avignon.

Scarcely less revealing, however, are the silences of the Dictatus papae. What Gregory and his followers actually did succeed, for good or ill, in laying down the main lines of papal endeavor for the remainder of the medieval period, but what they left undone goes a long way toward explaining much that is otherwise inexplicable about papal policy in the late Middle Ages. It also helps explain the fundamental and enduring weaknesses of the medieval church and the difficulties with which subsequent reformers had again and again to grapple: Whatever the success of the Gregorians in reducing the degree of direct royal and imperial control over episcopal appointments (and they could not eliminate it), they did little to undercut that

5. Ehler and Morrall, eds., arts. 3, 5, 15, 29.
whole system of noble proprietary control over churches, which, under the influence of barbarian custom and feudal institutions, had grown up during the early-medieval centuries and spread throughout Western Europe until it embraced most of the parish churches and a goodly portion of the monasteries, too. The fundamental significance of this failure lies less in the further measure of lay control it left—standing—for churches had come to be owned outright by bishops and monasteries as well as by kings and nobles—than in the permanent impetus it had on the notion of ecclesiastical office. To point this we have been stressing the degree to which, in the centuries following the Constantinian era, the church had been politicized, and, with it, the categories of its structural self-understanding. It is the enduring significance of the proprietary-church system that it effected a further transformation of the notion of ecclesiastical office, a further departure from that found in the New Testament.6

What was involved was a blurring of the crucial distinction that the Romans had made and that we ourselves make between the holding of office and the ownership of property. This mingling paralleled a comparable development in secular political life and is reflected in the medieval use of a single word—dominio—to denote both proprietary right and governmental authority.7 It is reflected also in the use of the word “benefice,” drawn from the vocabulary of feudalism, to denote a spiritual office. Just as churches had come to be conceived of as pieces of real property, to be bought, sold, inherited, or granted out as a sort of fief, so too their incumbents had come to be regarded as quasi-feudal dependents and their offices as beneficia or rewards.

The canonists of the twelfth century did succeed in substituting for the notion of outright ownership that of the possession of certain legal

6. There has been much disagreement among historians about the origins of the proprietary church. Despite its overemphasis on Germanic origins, the best introduction to the subject is still the inaugural address at Basel of Ulrich Steur, Die Eigenkirche. An English translation of this classic statement is in Barralouge, ed., Medieval Germany, 2: 35–70.

7. Whereas Roman lawyers had used the word solely to denote proprietary right and we ourselves use its derivative “dominion” to denote authority of a governmental type.

eights in a church, notably the jus patronatum, the right of choosing the incumbent and bestowing the benefice upon him. But in the latter half of the century those same canonists, when they sought to classify according to the categories of the revived Roman law the accumulated body of rules concerning the disposition of benefices, took a fateful step. They classified them as belonging not to public law but to private;—not, that is, to the branch of law concerned with the public welfare and enforced in the interest of the common good, but to that branch pertaining to the protection of proprietary rights and enforced in the interest of the private suppliants. Hence the persistent, almost instinctive, tendency of mediæval, clergy and laity alike, to conceive of the benefice in overwhelmingly material terms, to regard ecclesiastical office less as a focus of duty than as a source of income or an object of proprietary right.

As a result, it was to the benefice that underfinanced kings, princes, and popes alike felt free to turn when, burdened with increasingly onerous and expensive governmental tasks, they had to find the wherewithal to remunerate and reward the growing bureaucracies upon whose diligent service their administrations depended. Hence the “widespread system of sinecurism, absenteeism, and pluralism” that characterized late-medieval ecclesiastical life, in which the actual pastoral duties were discharged by hired substitutes. “If we wanted to imagine a modern equivalent to this system,” Pantin has suggested, we should have to suppose a cabinet minister, for instance, instead of drawing a salary, holding the headship of three or four colleges at Oxford and Cambridge, the professorships, let us say, of Roman Law, Forestry, Gynaecology, and Classical Archaeology at various other universities, Directorships of Education in several countries, and the headmasterships of two or three of the more expensive public schools, drawing the revenues of all these offices, and performing the duties by deputy. Such a picture will give us some idea of how an important official in the medieval Church or State was provided for.8


The Emergence of the French Affiliation

Just as it is important to keep these long-term disabilities in mind when approaching church history of the fourteenth and fifteenth centuries, it is necessary to be aware of some short-term disadvantages. The chief disadvantage was the deterioration in the position of the papacy that occurred in the latter years of the thirteenth century, without which the humiliation of Boniface VIII would have been inconceivable.

As early as 1245, during the First Council of Lyons, disturbing signs of trouble to come appeared.\(^\text{10}\) That council, it is true, like its great predecessor the Fourth Lateran Council of 1215, bore witness to the pope's supreme legislative authority, and so did in striking fashion. Despite some misgivings,\(^\text{11}\) it also witnessed the solemn judgment and deposition of the Emperor Frederick II, whose combination of the imperial title with the kingship of Sicily and whose assertion of authority in Lombardy successive popes had seen as a threat to their own territorial independence at Rome. No bishop rose to the emperor's defense. The disposition of the kingdom of Sicily was left to the pope and that of the imperial title was left to the electors. With the death first of Frederick in 1250 and then of his son Conrad in 1254, an unparalleled interregnum of almost a quarter of a century ensued in the empire.

In some ways, no doubt, the outcome was a great triumph for the papacy. But distressing signs pointed to a gloomier future: the Council of Lyons met during a six-year exile of pope and curia not only from Rome but also from Italy; it was forced to hear a formal appeal from its sentence to the judgment of a future pope and future general council; and it received a protest from a group of English noblemen against the papal grant of English benefices to Italians. Though unsuccessful, this protest is particularly significant. It came in the con-

30. Signs evident in the interesting account given by Mathew of Paris is his *Chronica Majora*, ed. Luard, 4:150–73. See especially pp. 146–44 for the English letter of complaint to the pope against the extortions of the curia.
11. Ibid., pp. 452–56.
which they had so persistently striven. Such a reunion was actually achieved by Gregory X (1271–76) and proclaimed in 1274 at the Second Council of Lyons. It was, admittedly, a shaky affair right from the start. But, even so, the moral prestige of the papacy was hardly enhanced when Martin IV (1281–85)—another pope who had risen in the service of the French king and was very much, it seems, an Angevin creature—proved willing to sabotage it altogether by excommunicating the Byzantine emperor and backing Charles of Anjou’s plans to conquer Constantinople. Still less was that prestige enhanced by Martin’s further willingness—after Charles’s Sicilian subjects had revolted and offered the crown to Peter, king of Aragon—to pronounce Peter deposed, to encourage Philip III of France to take possession of his kingdom, and to preach a crusade against Aragon to achieve that end.

It is one of the ironies of this whole uninspiring stretch of history that the tendency of so many popes of the late thirteenth century to support Angevin ambitions and side with what they took to be French interests did not strengthen the old papal alliance with France. Quite the contrary, in fact. If the success of the crusade against Frederick II had done much to disillusions Europeans in general with the quality of papal leadership, the failure of the crusade against Aragon did even more to disillusion the French in particular. Philip III died on the way home from the crusade; the reign of his successor was marked by increasing coolness toward papal policies; and, as we have seen, it was the French—for centuries the faithful allies of Rome—who finally launched the attack that so many historians have regarded as signaling the downfall of the medieval papacy.

They could hardly have launched that attack, however, had there not been a significant deepening in the discontent caused by the increasing centralization of ecclesiastical government in Rome. Much of that discontent can be traced to the expedients to which the popes were driven by the need to finance their crusades—increases in direct taxation of clerical income and intensified interference in the process of ecclesiastical preferment. But part of it can be traced also to the
dissatisfaction of the secular clergy at the disorder generated in the normal diocesan administration by the privileges and exemptions that the popes had heaped upon the Franciscan and Dominican friars. Their dissatisfaction had found influential theoretical expression during the 1250s at the University of Paris, where secular and mendicant masters had embarked upon a vigorous exchange of polemical writings on the subject. For their part, the more radical or “Spiritual” wing of the Franciscans were alarmed at the degree to which their order, by being drawn into the network of the ecclesiastical establishment, was being lured away from the apostolic ideal and the life of poverty envisioned by its founder.

Meanwhile, at Rome itself, the fulcrum upon which the whole machinery of ecclesiastical government pivoted, the college of cardinals, was riven by feuding between the representatives of the local Roman nobility, notably between the Orsini and Colonna families. As a result, the latter part of the thirteenth century was punctuated by a series of very difficult papal elections and by scandalously long vacancies in the papal office. And it was in the wake of a particularly long vacancy lasting from April 1292 to July 1294 that matters came to a head. They did so with the onset of two particularly significant but singularly ill-juxtaposed pontificates—those of Celestine V (July–December 1294) and Boniface VIII.

It was a case of the wrong men in a crucial role at wholly the wrong time and in quite the wrong sequence. A deadlock created by the rivalry of Orsini and Colonna led the cardinals to turn to an eighty-year-old outsider, the devout Benedictine hermit Peter of Morrone, whose name the Franciscan general, Malabrancia, had suggested. The reluctant accession of Peter as Celestine V was greeted with rapture by the Spiritual wing of the Franciscans and with glee by Charles II, Angevin ruler of what we must now call the Kingdom of Naples. The Spirituals saw in him the “angel pope” awaited by those who had embraced the apocalyptic ideas attributed to the abbot Joachim of Fiore. Charles II saw rather a chance to divert the papal authority to the support of the Angevin cause. This chance he did not miss. He was able to prevail upon Celestine to make his residence at Naples
rather than at Rome and, before Celestine's abdication in December 1294, certainly influenced his decision to include among the twelve new cardinals he created no less than seven Frenchmen, four of them subjects of Charles II from the Angevin Kingdom of Naples itself.

Celestine resigned his high office amid signs of mounting administrative chaos. But it was less governmental confusion than Celestine's manifest unworldliness and the fact that a papal abdication was unprecedented that made the task confronting his successor so very difficult. And Boniface, apart from his advanced years, was in almost every way a marked contrast to his predecessor. Capable and hard-headed, he was suspected already of having had a hand in Celestine's abdication and, after 1296, in his death, too. Even his unquestionably positive achievements generated problems for him. Thus the regulations he introduced to counteract the disorder and dissension promoted in diocesan government by the extensive privileges and exemptions previously granted to the mendicant orders, while they were carefully and impartially framed, nonetheless alienated many of the friars. Similarly, the improvements he wrought in papal fiscal administration, along with his concomitant success in suppressing disorder and extending his control and property holdings within the papal states, led him into conflict with the Colonna interests.

That conflict proved fatal. It led first to Boniface's harsh measures of 1297, excommunicating the two Colonna cardinals, James and Peter, and depriving them of their rank. It led next to the Colonna memorandum questioning the legitimacy of his title, charging him with grave sin, and calling upon the rulers of Christendom to have a general council sit in judgment upon him. It led finally to something of a coalition of forces between the deprived cardinals, now out for revenge, and the counselors of the French king, already locked in combat with Boniface on the issue of royal taxation of the French clergy. Although capable and hard-headed, Boniface was also a formidable old man, committed to what was by now an anachronistically high notion of papal authority and to a vigorous implementation of the jurisdictional and fiscal rights that flowed from it.

The destruction of the Hohenstaufen and the onset in mid-century of the great interregnum had marked the end of any truly effective imperial authority. But although the old imperial threat to papal independence had been vanquished, there was no lack of potential new threats to replace it. Had Boniface had the eyes to see the situation as clearly as we can see it in retrospect, he would have realized that by his own day the power, prestige, and pretensions of the English and French monarchs had risen to such a degree that they posed a threat not only to each other but also to the smooth operation of the whole machinery of jurisdictional and fiscal control over the universal church that the papacy had constructed during the course of the previous two centuries. Boniface, however, did not have the eyes to see. He did not realize the nature of the threat posed by the new national monarchies, and the policies he adopted were fated rather to heighten than to assuage the dangers that now confronted him.

Hostilities between England and France broke out in 1294, and neither Edward I nor Philip IV, harassed by the costs of war, was willing to tolerate Boniface's untimely assertion that in the absence of papal permission he lacked the right to tax the clergy in his kingdom ( Clerici lati, 1296). In the prevailing mental climate, with public opinion in the two kingdoms favoring the monarchs and significant numbers of clergy inclining to support them, too, threats of excommunication proved to be of no avail. The prestige of the papacy had fallen too low to permit the successful deployment of such spiritual weaponry—so low, indeed, that in 1297 Boniface was forced to compromise on the question of taxation. So low, too, that a subsequent clash—touched off four years later when Philip prosecuted a French bishop on a trumped-up charge of treason—led to the final confrontation. Boniface issued his ringing affirmation of his own supreme authority in the bull Unam sanctam (1302). The deprived Colonna cardinals then renewed their coalition with the advisers of the French king and called for a general council to judge the pope. Finally came the extraordinary chain of events leading up to the assault upon Boniface at Anagni, his escape, and his death only a month later.

The very independence of the papacy was now threatened by French policy and by the extremes to which, in pursuit of that policy, Philip's
close advisers were willing to go. Much therefore depended upon the moves that Boniface’s immediate successors chose to make. Those successors, however, turned out to be pliant men who preferred not to risk the type of defiance that might well have mobilized support on their behalf across Europe. The second of them, indeed, may have owed his election to French influence. As archbishop of Bordeaux, Clement V (1305–14) had been a vassal of Edward I of England in his capacity as duke of Aquitaine; but he was a subject, nonetheless, of the French king, and his pontificate was punctuated by a series of compromising concessions to French wishes. Not least of these concessions was his exoneration of Philip’s agents for their actions against Boniface and his scandalous suppression of the order of Knights Templar at the Council of Vienne (1311–12). Even more damaging was the degree to which he built up French influence on the college of cardinals. So, too, his failure even to visit Rome: n 1309, after four years of peregrination in southern France, he took up residence at Avignon—not at that time French territory but divided from France only by the river Rhône. Clement did not transfer the seat of the papal curia from Rome and there is no reason to think that he regarded his move to Avignon as in any way permanent. But it is customary to date the beginning of the Avignonese papacy from that year.

Avignon and the Monarchical Papacy (1309–77)

It was Petrarch—poet, humanist, fervent Italian patriot, vitriolic critic of the worldliness and moral turpitude of the papal court, disappointed aspirant to a bishopric—who did most to attach the expression “Babylonian Captivity” to the Avignonese period, implying thereby a tragic exile of the papacy from its proper home and its scandalous subordination to the exigencies of French royal policy.

Much support for his point of view can be found in the literary sources of the day—especially in the English, German, and above all Italian chronicles—though not, understandably enough, in their French counterparts. Until the voluminous materials preserved in the Vatican archives were made accessible to scholars some ninety years ago, it was customary for historians to base their views uncritically on “the malevolent accounts of contemporary chroniclers, and the tendentious writings of Petrarch, St. Catherine of Siena and St. Bridget of Sweden.” Thus, they portrayed an Avignonese papacy—morally corrupt, financially extravagant, administratively tyrannical—as “the source of the greatest evils for the Church, and, in the last analysis, the chief cause of the great schism of the West.” Few, I imagine, would now deny that the very existence in 1378 of a well-established alternative capital at Avignon (with half the curia still, indeed, in residence there) helped make schism feasible. Apart from that, however, the work of the revisionists during the last half century and more has done much to modify, if not always successfully to transform, the traditionally negative picture of the Avignonese papacy. It has done so with reference to the three features of that papacy customarily represented in the darkest of hues: the matter of the French affiliation; the personal moral character of the pontiffs themselves; the growing centralization and absolutism of the ecclesiastical government. For those eager to minimize the extraordinary nature of the Avignonese phase in the history of the papacy, it has become customary to stress how much time the popes of the two centuries preceding it had spent away from Rome in other parts of Italy, and how much time such popes as Innocent IV and Gregory X (1271–76), who actually left Italy, had spent in France. There was, in fact, nothing

13. Ibid., pp. xii, 343.
14. For a brief account of these changes in interpretation, see Guillemain, “Punti di vista.” Mollat and Guillemain have made the most important contributions to these changes. See especially Mollat, Papes at Avignon, and Guillemain, Cour pontificale.
15. Thus it has been said, as the result of a calculation frequently repeated, that “in the two hundred and four years from 1100 until 1305, the popes spent one hundred and twenty-two years away from Rome and eighty-two in Rome; that forty years more away from Rome than in it” (Mollat, Papes at Avignon, p. xii; citing L. Gayet, Le Grand Schisme d’Occident [Florence, 1889]), p. 3).
particularly unusual about popes' choosing to reside away from Rome. More unusual, but still not unprecedented, was their choosing to reside beyond the borders of Italy. Truly striking, however, was the duration of their absence from Rome and Italy—which extended through no fewer than seven pontificates—and the fact that they established a more or less itinerant curia in a fixed location and (eventually) in more or less permanent quarters outside Italy. This was a very serious and wholly unprecedented step. As such, it was not taken without considerable hesitation. However strategically located Avignon was as a potential capital for the world of Latin Christendom, and however safe, convenient, even ideal a place of residence when compared with the rigor of Rome, there is little to indicate that any pope before Benedict XII (1334–42) had resigned himself to making his permanent residence there. Throughout his long pontificate, John XXII (1336–44) made do with quarters in the episcopal palace that he had occupied in his younger days as bishop of Avignon, and the various departments of his curia had to function in buildings scattered around the town. The papal archives were allowed to molder at Assisi, where they had been since 1304. It was left for Benedict XII to signal a change of heart when, in 1336, he began the building of the papal palace, a fortress designed to house not only the pope's immediate household but also the offices of the curia, and to which, in 1339, he had the archives transferred.

It seems clear in retrospect that this change of heart, this decision to make Avignon the permanent residence of the papacy, reflected changes in the situation in Italy—as also did the later decision to return to Rome. Conditions in Italy in general and at Rome in particular, unsettled already at the end of Boniface VIII's pontificate, had become so turbulent in the wake of the emperor Henry VII's foray across the Alps that John XXII realized it would require a major military effort at pacification to render feasible any return to Rome. That effort he had undertaken, expending on the project during his pontificate no less than 63 percent of the papal revenues. By the time of his death, however, his armies had failed to achieve their goal and his Italian policy lay in ruins. Thus, in deciding to make the papal residence at Avignon permanent, Benedict XII was accepting the harsh corollary of his predecessor's failure in Italy. His own policy of papal appeasement, however, did nothing to slow the erosion of papal authority in the papal states, and his four successors returned, as a result, to the militant policy of John XXII. This time the huge expenditures of papal treasure were not made in vain. The renewed interest of the popes in returning to Rome can be partially attributed to the Anglo-French truce, the concomitant threat posed by hordes of unemployed mercenaries, and the resulting deterioration in the security of Avignon. Cardinal Gil Albornoz's successful reconquest and reorganization of the papal territories during the 1350s even more fully explain the change in conditions that made the return possible.

In 1358 Clement VII's own legate, Ansebrolo di Ceccano, narrowly avoided assassination during his jubilee pilgrimage to Rome. In 1367, however, Pope Urban V himself was able to return for a short period of time, and in 1377 his successor, Gregory XI, returned on what promised to be a more permanent basis.

Given these circumstances, the prolonged residence at Avignon, however unprecedented, does not in itself support the traditional charges of servile subordination to the wishes of the French crown. Nor, despite the fact that all seven Avignonese popes were French, do the policies that most of them actually pursued. What one sees instead—at least after the close of Clement V's harassed pontificate—is something of a return to the proto-Angevin and generally pro-French policy that had been so marked a feature of the late-thirteenth-century papacy, a revival of the sense, so painfully violated during the pontificate of Boniface VIII and his two successors, that France was the papacy's natural ally and the French king the natural leader of the renewed crusading effort in the East that most of these pontiffs sought (unsuccessfully) to promote. It is this strengthened affinity, then, rather than any "servility" in their relationship with France, that explains the partiality of these pontiffs to the French cause during the Hundred Years' War as well as the extent and variety of the finan-
submissiveness of these popes to the will of the French monarch. It is well to be reminded, after all, that so many of these men—popes, cardinals, curialists—hails from a region that had long enjoyed a distinct cultural identity, that they were not Frenchmen at all in any modern sense of the term, and that “John XXII could not read, without the help of a translator, the letters which Charles IV sent to him and which were written in the language used at Paris.”

No minor point, either, for those concerned with our second issue—the moral stature of the Avignonese pontiffs—because still further analysis of the figures uncovers the remarkable degree to which they preferred to confer the cardinalate or curial office upon those they best knew, upon churchmen from their own native regions (Quercy, Gascony, and above all Limousin), and, in the cases of Clement V, John XXII, and Clement VI, upon members of their own family circles.

The nepotism of these three pontiffs is very marked indeed: Clement V, for example, raised five members of his family to the cardinalate. But in his case, as also in that of John XXII, nepotism reflects above all the need to build up a faction of supporters on whose loyalty he could truly rely. Nor did nepotism necessarily imply an extravagant or luxurious mode of life. Clement V, it must be admitted, was wildly extravagant, and Clement VI's magnificence of style and easygoing generosity is summed up well in the reply he was allegedly accustomed to give to those who reproached him for it: "My predecessors did not know how to be pope." But John XXII was of simple habits and unostentatious life; so was Benedict XII. And the frugality of Urban VI's life went far beyond that imposed upon all of Clement VI's Avignonese successors by the burden of debt from Clement's excesses, exacerbated by the grinding demands of the Italian campaigns. Like Benedict XII before them, all three of those successors, moreover, were men of reforming instinct. It is in the pontificate of Clement VI alone that one can discern at the papal court truly convincing evidence of the profligacy, dissipation, and luxury of life that came to be associated with the Avignonese papacy not court.

17. Benoist, pp. 73, 104.
18. I base these figures (and those cited later) on the careful calculations of Guillemin, *Card pontificale*, pp. 441–80 and 700–702; see also the helpful maps, 5, 7, and 8. The department in which the most crushing preponderance of French personnel occurs (85.6 percent) is that of domestic services (including the kitchen).
This being so, the explanation for the enormous freight of contemporary criticism heaped upon the Avignonese papacy must be sought elsewhere than in the personal characteristics or moral stature of these men. Moreover, the overwhelmingly French complexion of that papacy, however relevant to English, German, or Italian complaints, sheds little light upon those charges emanating from France itself. The underlying reason, then, must be sought in what these popes actually did—especially in the policies pursued by John XXII during what was the most significant of these pontificates and in the extension of that whole structure of administrative centralization and fiscal exploitation pursued so persistently throughout this period.

Capable administrator though he was, John XXII’s stubbornness and inflexibility did much to diminish his effectiveness as a policy maker. The death of the emperor Henry VII had been followed by a double election, with Lewis of Bavaria and Frederick of Habsburg both laying claim to the title. After the battle of Mühlendorf (1322), however, Lewis was clearly triumphant. John’s stiff-necked refusal to recognize that fact, his claim that the imperial throne was still vacant, and his subsequent decision (in the teeth of opposition within the sacred college) to excommunicate Lewis together provoked a great deal of hostility in Germany. At the same time, his equally imperious intervention in the Franciscan controversy concerning apostolic poverty succeeded in broadening the base and deepening the bitterness of that hostility, leaving to his successors a formidable legacy of rancor, despair, and alienation from the policies and procedures of the ecclesiastical establishment.

Early in the history of the Franciscan order difficulties had inevitably arisen concerning the interpretation of the Rule, which included, in imitation of the life of Christ and the apostles, the obligation of individual and collective poverty. Gregory IX (1227–41) had sought to solve the problem by the bull *Quo clongasti*, which not only permitted the reception and employment of money on behalf of the friars by “spiritual friends” but also distinguished between the ownership (dominium) and simple use (usu ficti) of goods, and asserted that the friars, neither individually nor in common, actually enjoyed own-
revived the old antipapal gambits of Philip IV’s publicists (such as the appeal to a general council), and they ventured also into much more radical territory, leaving behind a veritable mine of arguments against what the papacy and ecclesiastical establishment had come to be in their own day and would continue to be until the end of the Middle Ages.

In framing their arguments, these critics and others understandably made much of John XXII’s alleged heterodoxy. But their criticisms bit much deeper and were of more enduring significance when they focused on and responded to the great and ever widening gulf between the simplicity of the apostolic church, as they intuited it, and the triumphantly rationalized and increasingly bureaucratized structure of central government in the church of their own day. To the development and articulation of that structure the Avignonese contribution was immense. The curial staff, which had numbered about two hundred under Nicholas III and three hundred under Boniface VIII, grew to over six hundred, a level at which it stabilized until the eighteenth century. Systematized and reorganized by John XXII, this enlarged curia became above all a great fiscal machine.

It was designed to make up for the loss of revenues from the papal states and to extract from the provincial churches in the most orderly and efficient way the vast sums of money most of these popes needed to finance their Italian wars. It served other ends, too, notably the vindication, at the expense of the episcopal hierarchy, of direct papal jurisdiction over those churches. But, then, the exercise of jurisdiction usually carried its financial rewards; and the centrality of their concern with the whole fiscal organization is perhaps best illustrated by the willingness of three popes as different in character, aims, and personality as John XXII, Benedict XII, and Clement VI to continue in office from 1319 to 1347 the same papal chamberlain, Gasbert of Laval, one of whose primary responsibilities during those years was the articulation and improvement of that organization.

21 In a series of sermons preached in 1331–32, John ventilated a novel view concerning the Beatific Vision, which he was later to withdraw when it was condemned by the theologians of the University of Paris.

The specific situation and burdens of the Avignonese popes may have suggested the need to develop the central administrative apparatus of the church, and the establishment of a sedentary curia in permanent quarters at Avignon may have provided the opportunity. Nevertheless, it is important always to remember that the institutional logic they were following was one long since established. It was the logic that had led their predecessors to lay claim to the fullness of that potestas jurisdictionis in foro exteriori—the governmental power in which all prelates shared—and to commit themselves in their day-to-day administration to so vigorous a vindication of that claim as to provoke complaints from the provincial churches as early as the First Council of Lyons. More specifically, if we are properly to understand the “fiscalism” for which the Avignonese popes and their successors were so roundly condemned in their own day and so persistently criticized since, it is important also to recall both the extent to which ecclesiastical office had already been politicized and the degree to which it had been “materialized”—transformed, that is, into an object of proprietary right.

Like all other rulers in the Middle Ages, secular as well as ecclesiastical, the popes had traditionally been expected to “live of their own.” They were to support themselves and their administrative machinery on the customary revenues accruing to them from the papal territories in central Italy, from the kingdoms that were vassals of the Holy See, and from the churches, abbeys, and exempt ecclesiastical foundations that were under its protection. As the popes came to undertake more extensive governmental tasks, as ecclesiastical administration came increasingly to be centralized in the Roman curia (a process similar to contemporaneous developments in the monarchies of Europe), such customary revenues proved to be as inadequate to their needs as were traditional sources of income to the needs of their royal and princely counterparts. Already at the start of the thirteenth century, in the context of the crusading movement, Innocent III (1198–1216) had laid the foundations for a papal system of taxation, securing agreement to the notion that all benefices should be expected to contribute a percentage of their revenues to the support
of the crusade. That percentage had come usually to be fixed at one-tenth, and such tithes continued to be demanded in the fourteenth century. The actual income they produced, however, was by now greatly diminished and in any event could hardly be relied upon as a regular source of revenue. What was needed, especially with the weakening of control over the papal territories, was the establishment of some sort of regular general tax. The fathers assembled at the Council of Vienne, however, had been hostile to that idea, and the Avignonese popes, already struggling to cope with a substantial reduction in revenue from their Italian possessions and soon to be confronted with the enormous expenditures required to recover them, were left to exploit and extend the remaining sources of income.

Those sources of income were of uneven promise, considerable complexity, and great diversity. They ranged from visitation fees to the *pas spoli* (the right, under certain conditions, to take possession of the goods of an ecclesiastic), from charitable subsidies requested of groups of clergy to profits of one sort or another accruing from the fees or fines imposed by papal courts. Common to many sources of revenue, however, and certainly to most of these systematically exploited by the Avignonese pontiffs, was some connection with the privileges, major or minor, which the pope himself claimed the right to fill. The Gregorian reformers had striven hard, though not with complete success, to constrain lay interference in the realm of ecclesiastical appointments, and, whatever the degree of influence exerted by kings, to ensure that the normal and formal procedure for filling major benefices (bishoprics and abbeys) should be canonical election by the cathedral chapters or monastic communities. Appointment to minor benefices, both sinecuruses (*sim cura*) like cathedral canories and parish rectorships with cure of souls, they left where it had been before—in the hands of bishops, who could nominate to canories and to deaneries, and in those of lay or clerical patrons, who could place their candidates in parishes or chaplaincies.

Bodies of electors, however, whether canons or monks, were im-

22. Lunt, *Papal Revenues*, gives a useful listing and analysis of these various types of revenue, along with documentary illustration.


mune neither to internal faction nor to external pressure, and the papacy by virtue of its higher jurisdictional power was frequently called upon (or tempted) to intervene and settle disputes either by arbitration or by direct nomination. As early as the twelfth century the popes had intervened to supersede the rights of normal electors or patrons and to "provide" their own candidates to ecclesiastical positions. Indeed, the distinguished theologian Peter Lombard (d. 1160) had been one of the first to benefit from this procedure. For the interested parties such interventions were often desirable because they were authoritative; for the popes themselves they were desirable because they carried with them enhanced influence over the higher clergy along with the promise of new sources of revenue. They tended, accordingly, to multiply, as did comparable interventions to provide papal candidates to minor benefices. But it was on a rising tide of petitions from interested parties and would-be provincs that the whole system gathered momentum, and it was only after 1269 that the papacy began to regulate it by means other than the appeal to judicial precedent. In that year, declaring that "the plenary disposition of churches, honours, and dignities, and other ecclesiastical benefices is recognized to pertain to the Roman Pontiff," Clement IV in the bull *Lixt ecclesiaram* affirmed as an ancient and laudable custom the exclusive right of that pontiff to nominate candidates to all benefices vacated by ecclesiastics who died while employed at the *cura* or present at the papal court (*vacantes apud sedem apostolicam*).

The first general reservation may well have done no more than place a long-established custom on firm legal ground and it seems not to have generated any immediate increase in the number of "papal provisions" actually made. That was certainly not the case with the subsequent extensions of such general reservations. Thus Boniface VIII in 1295 extended the notion of *vacantes in curia* to include those dying within two days’ journey from Rome, Clement V reserved for papal provision the benefices of all bishops consecrated at the *cura*; John XXII, Benedict XIII, and Urban V went further still. Indeed, after Urban’s extension in 1565 of reservations to include all patriarchates,
archbishops, and bishops, as well as all monasteries and convents above a stipulated income level, a system had been created whereby the pope had the right to provide to all major benefices and to a very large proportion of those minor benefices that were in the gift of clerical patrons.24

All this represented an immense and systematic intensification in the exercise of the pope’s jurisdictional power. It is frequently difficult to compute with certainty the precise numbers of provisions involved, but Guillemau’s careful calculations for the eight years of Benedict XII’s pontificate (1334–42) reveal a total of 4,002 provisions and expectations (that is, provisions to benefices not yet vacant) issued—by any standards a massive intervention in the realm of collocation to benefices. The more so, it should be noted, in that it actually reflected a slackening in the tempo of provision after the intense centralizing activity of John XXII. And after Benedict’s death the pace was to pick up once more and become increasingly rapid.25

What percentage of these interventions reflect the desire of the popes to respond to the great waves of petitions from the provinces that inundated the papal court or to satisfy the wishes of kings and princes to furnish their own ministers or favorites with benefices is not clear. Nor is it clear how many of them reflect the need of the popes to make suitable financial arrangements for the members of their own growing bureaucracy. But whatever the case, for every provision that successfully installed a papal candidate in a benefice (by no means all did), some financial benefit accrued sooner or later to the papacy. These benefits ranged from the ius goliæ, already mentioned, or the income from benefices reserved to the pope that stood vacant, to the two great benefice taxes: first, the “services” paid by all prelates holding bishops or abbeys worth more than one hundred florins per annum and amounting to about one-third of that annual income, and second, the annates, a substantial portion of the first year’s revenue of those benefices conferred by papal provision but worth less than one hundred florins. With the progress of administration and centralization and the concomitant extension of the system of papal provision, the relative importance of those benefice taxes also mounted. In fact, by the end of the Avignonese era they had come to constitute about one-half of the total revenues of the papacy.

A system of this sort clearly could not have operated without widespread clerical support, and such support was later on to manifest itself at the Council of Constance (1414–18), when reformers raised the question of provisions. If that system presupposed the treatment of benefices primarily as property, the law itself endorsed that presupposition. If it set aside the older rights of clerical electors or patrons, many of whom had become increasingly subservient to corrupting aristocratic influences, it opened up, as university authorities quickly realized, opportunities for advancement to educated men whose lack of social standing would, in the view of those electors or patrons, have made them ineligible for office. If, in the case of the minor benefices, it did not guarantee certain possession and the avoidance of litigation, it still offered the best route to security of title. If, finally, in the case of the major benefices, it interfered with the old procedure of canonical election, it avoided in return the confusion and diarary provoked with such tiresome regularity by disputed elections. Complaints, therefore, at least in countries with which the pope’s policies were not at odds, tended characteristic to come either from disgruntled patrons or from disappointed candidates for ecclesiastical preeminence.

But not always. For the system of papal provisions entailed its own corruptions, and in many ways did so progressively. Presupposing the material conception of the benefice, that system nourished accordingly the stubborn abuses of pluralism (accumulation of several benefices in the hands of one man) and nonresidence. Attempts were made to curb such abuses, but the wars, plagues, and deteriorating economic conditions of the fourteenth century ran counter to such reforms. These external conditions caused severe drops in the revenues from landed estates and made more frequently necessary a combination of benefices to produce the requisite income. Moreover, although the system of papal provisions had grown largely in response to the

24. Care was normally taken to avoid encroaching upon the rights of lay patrons.
need of individual petitioners, by the mid-fifteenth century it had become an essential feature of the whole centralized administrative machinery implementing the wishes of a monarchical pacy, which was distinguished increasingly by the lack of institutional restraints on the exercise of its power. By that time also it had been transformed into a system rigorously and not always fastidiously exploited in the furtherance of the pope's political objectives and the satisfaction of his financial needs. And, as the years of schism were to show, the more crushing those needs, the less fastidious the mode of exploitation.

None of this, of course, was calculated to assure thoughtful Christians, clerical or lay, that they could afford entirely to ignore the criticisms of established ecclesiastical structures voiced so noisily, so intemperately, and occasionally at such unconscionable length by the Franciscan dissidents or by the propagandists of Philip IV and Lewis of Bavaria. It was, after all, in the context of papal leadership both of the crusading movement and of reform that the pacy had begun to exercise the fullness of jurisdictional power in the church. But already by 1291, when the last Christian stronghold in Palestine fell to the Muslims, the crusading movement had become moribund, and long before that the leadership in the drive for reform had passed out of papal hands. The cry for change, heard already at the First and Second Councils of Lyon, had swelled at the Council of Vienne into the far-reaching program of reform "in head and members" laid out by William Durand, bishop of Mende, in his De modo concilii generalis celebrandi. This program called, in effect, for the reversal of the whole trend toward the centralization of ecclesiastical government in Rome and a return to the ancient regime of ecclesiastical synods and strong independent bishops. But nothing had come of it, and Vienne turned out to be the last in the series of general councils begun and dominated by the reforming pacy of the High Middle Ages. Dissidents might call for the convocation of a general council, but it was not until 1409 that another was to assemble, and then without papal summons and under extraordinary circumstances of great crisis.

In the absence of a council, the sponsorship of reform and the impo-

sition of restraint on the exercise of papal power would have to come from some other quarter. But although secular rulers were not averse to toy ing with that role, they usually did so for diplomatic reasons, in the attempt to put pressure on the pope to further their own aims. The fact is, of course, that the whole papal system could hardly have operated without their complicity and their ability to bend it to serve their own ends. While not disposed, then, to concede in principle to papal jurisdictional claims, they did not refrain from sharing in practice the proceeds accruing from the implementation of that jurisdiction.

Thus, the kings of France and England both received a large share of the tithes levied on the churches within their respective kingdoms—a share amounting in England over the years 1301–24 to about £230,000, and set in 1330, for example, at 50 percent of the particular subsidy being raised in that year: "a convenient arrangement," as Pantin has said of the English case, "by which the pope incurred the odium and the king got the money."24 Similarly, those kings were by no means reluctant to seek, in lieu of the salaries they could not afford to pay, papal provisions to bishops and minor benefices for their ministers. English historians, as we saw in the Introduction, used once to make much of the statutes of Provisors (1351) and Præmunire (1353). Those measures, however, were less "the bulwark of the independence of the National Church" than sophisticated pieces of weaponry added to an already well-stocked legal armory, making it even easier for the king to increase his own ecclesiastical patronage while still contriving to pose "as a defender of the rights and liberties of English churchmen against the Papacy."25 That is, should he actually choose to enforce the statutes. Should he not—as was frequently the case—they remained available nonetheless, as powerful inducements to ensure the pope's willingness to provide the candidates whom the king nominated.

By the end of the Avignonese era, it is true, there were already

25. Pantin, p. 84.
indications that rulers were becoming dissatisfied with such de facto arrangements, or at least with the share in the ecclesiastical spoils that the popes had hitherto been willing to concede to them. During the following half century, the strain of war, plague, and deepening economic depression moved many of them to assert a greater and more direct measure of control over the national and territorial churches within their jurisdictions—but only, again, under the extraordinary conditions of schism and the unprecedented degree of papal weakness generated by that cleavage within the church.

In the meantime, the college of cardinals remained the only other instrumentality capable of imposing limits on papal power and of sponsoring reform. Any driving concern with reform it may have felt at this time it succeeded in keeping well under control. But the involvement of the cardinals in the government of the universal church had been deepening ever since the eleventh century, when the election of popes had become their exclusive prerogative. Already in 1289 Nicholas IV had granted to them no less than half the revenues that the Roman church possessed at that time. By the beginning of the fourteenth century their independent power was formidable, their financial strength impressive, the perquisites attached to their position multitudinous. The state of affairs at Avignon encouraged them to insist increasingly on what they considered to be their rightful share in the spoils accruing from papal financial policy: it also strengthened their determination to guarantee more effectively their fluctuating involvement in the framing of papal policy, perhaps even to transform it into a constitutional right. That determination found notable expression in 1352, during the vacancy after the death of Clement VI, when they drew up and swore to the first known electoral capitulation affirming both the fiscal and governmental rights of the college. If the papal conception of the shape of church government was unquestionably monarchic, theirs was becoming increasingly oligarchic. Tensions mounted accordingly—the more so in that many of them served as the paid advocates of secular rulers, lobbying at the curia on behalf of the policies of their patrons. So long as


policy, aims and interests of popes and cardinals were identical," Walter Ullmann has said, "there was no reason for resistance on the part of the latter."

Once they diverged, however, trouble was to be expected.

In 1378 they did diverge, in the wake of the first papal election since the return of the papacy to Rome, that return itself achieved despite the reservations expressed by many in the sacred college. But the anticipated trouble attained unexpectedly serious proportions—nothing less, in fact, than the outbreak of what has since come to be known as the Great Schism of the West. And it was in the context of that scandalously protracted schism that cardinals, councils, and kings—all three—succeeded in coming together to cooperate, if not in effecting reform, at least in imposing their will on the rival claimants to the papal office.

The Great Schism and Its Aftermath (1378-1449)

Historians concerned with the critical events of 1378 have been more than usually fortunate in the quality and amount of relevant source materials surviving from that time. But in an area of historical investigation across which later theological disputes have always cast particularly long shadows, the availability of evidence has not been enough to secure harmony of interpretations. This is readily comprehensible. Although the story of the events of 1378 is simple enough in its broad outlines, in its detail it is extremely complex and has been hotly disputed. The detail, unfortunately, proved to be determinant at the time and has since continued to be the focus of disagreement.

It was in 1377 that Gregory XI had finally been persuaded to bring
ian cardinals (who had abandoned Urban in July), they proceeded to elect in his place Robert of Geneva, one of themselves, who assumed the title of Clement VII (1378–94). After failing in an attempt to seize Rome, Clement departed from Italy in May–June 1379 and took up his residence at Avignon.

Since neither of the rival claimants proved able to displace the other or to command the allegiance of all the Christian nations, the schism they engendered was far more serious than its numerous predecessors in the West had been. Despite all the efforts of churchmen and temporal rulers to end it, it endured for almost forty years. Both claimants went on to appoint whole new batches of cardinals; both obstinately refused, either individually or concurrently, to withdraw. Loyalties quickly hardened, and as the years went by their rival curias strove to perpetuate their claims. Benedict XIII was elected in 1394 to succeed Clement VII at Avignon, and Boniface IX, Innocent VII, and Gregory XII, in 1389, 1404, and 1406 respectively, to succeed Urban VI at Rome. The outcome was the development within the church of widespread disorder and an exceedingly grave constitutional crisis.

Much of the blame for this development has customarily been placed upon the national and dynastic animosities then prevailing in Europe as well as upon the growing ambitions and pretensions of the cardinals. There is much to be said for this point of view. The territorial composition of the two “obediences,” Roman and Avignonese, was in large part predictable on the basis of previous political and diplomatic alignments. Thus England and much of the Empire sided with Urban, and France, Scotland, and Castile with Clement. Similarly, the resentment that the cardinals had betrayed at Urban’s immediate and ill-tempered assaults upon their dignity, their privileges, and their opulent style of life is very well attested.

Recent studies of the disputed election and its background con-

31 Though they abstained from actually voting, the fourth Italian, Tedaldeschi, had died on September 7, but not before affirming the legitimacy of Urban’s election. See Ullmann, Gregori, pp. 62–63.
Urban's claim to be pope. Similarly, however convenient such questioning may have been to their own political interests, those rulers who aligned themselves with Clement VII were able to do so with reasonably good conscience, though sometimes only, it should be noted, after considerable hesitation. Not even Charles V of France rushed to recognize Clement, and it certainly appears improper to infer that that monarch had come to an understanding with the dissentient cardinals at the time of the second election. Similarly, it was only after extensive hearings at both Avignon and Rome and as the result of a lengthy judicial process that the Kingdom of Castile declared for Clement.

Thus, however desirable a clear solution to this vexing problem may be, the historical evidence simply does not permit one to insist on the exclusive legitimacy of Urban's title to the papacy (and, therefore, of the titles of his successors in the Roman line), although this has often been done. It should be remembered that not only the Urbanists had the support of dedicated Christians, clerical or lay. Whereas St. Catherine of Siena (ca. 1547–80) supported Urban, St. Vincent Ferrer (1350–1419) supported Benedict XIII. Men at the time, it seems, were in a state of "invincible ignorance," and so too, as Mollat insists, are we. The best we can do is to recognize that after April 8, 1578, there was one man with a doubtful claim to the papacy and after September 20, 1578, there were two.

The impact of this unprecedented state of affairs was, of course, far-reaching and immense. Apart from the spiritual anxiety and distress of conscience that it generated in the minds of thoughtful Christians everywhere, it resulted also in a great deal of administrative confusion and jurisdictional conflict. Those religious orders organized on a truly international basis had to be split into two, and in the borderlands of the empire, where the line between the two obediences was fluctuating and unclear, the schism spawned divisions within such dioceses as Cambrai, and related dissension invaded even
cathedral chapters and individual monastic houses. Moreover, even after the lines had been fairly clearly drawn, calculating rulers showed a distressing tendency to switch obediences. Thus, in Italy, Naples and Bologna, for example, oscillated in their allegiances; in the Spanish peninsula, Portugal switched in 1381 from Clement to Urban; in the British Isles, as late as 1406 the Welsh prince Owen Glendower went over to Benedict XIII.

The disruption of the central administrative machinery of the papacy was even more traumatic. It led to a crippling (if understandable) strain on the whole fiscal system erected with such care by the Avignonese pontiffs but now, along with the urgently needed revenues it had been designed to channel into the papal treasury, divided into two. There is a great gap in the Vatican archives where one would expect to find the documents for these years of the Roman camera apostolica, and that gap has been said to reflect very faithfully a “total abdication of the central administration” in the larger and geographically more scattered Roman obedience.38 Hence we know little about the financial situation of the Roman pontiffs except for the degree to which they had to rely on such hand-to-mouth financial expedients as the sale of privileges, offices, indulgences, and property, as well as on a hastily improvised administrative structure incapable even of supervising the frequently questionably activities of their tax collectors.

The Avignonese pontiffs, on the other hand, inherited the archives, the treasury, and most of the trained curial officials of Gregory XI. Despite the smaller size of their obedience and the loss of revenue from the papal states, they maintained, accordingly, a smoothly functioning administrative machine that succeeded in furnishing Clement VII, at least, with a revenue somewhat greater (according to Favier’s calculations) than half of that accruing to Gregory XI. But they did so at the price of raising the “fiscalism” of the Avignonese papacy to its peak and of taxing at levels geared to the more favorable economic conditions of an age long since gone. These were truly crippling levels that failed to take into account the deleterious impact of war, plague, and an economic slump that had by now reached fairly massive proportions. Hence, as early as 1392, the protest of the French clergy against a tenth levied by Clement VII and in 1398 their willingness at the Third Council of Paris to lend their support to what was essentially a royal withdrawal of obedience (and therefore of revenues) from Avignon. Hence, too, the deepening reaction on the part of provincial churches elsewhere, driving them away from the bankrupting “protection” of the rival pontiffs and into the welcoming arms of monarchs and princes whose ecclesiastical policies were rarely dictated by considerations of unambiguously religious character.39 And in the intricate diplomacy surrounding the repeated attempts to bring the schism to an end those monarchs and princes were destined to play a very large role.

Apart from efforts by the two pontiffs to settle the issue by force of arms (the so-called via facti), hope centered initially on the possibility of some successful arbitration between the two claimants and still more on the possibility of assembling a general council representing the entire church to render a judgment on the validity of the contested elections. This latter view, sponsored originally by the Italian cardinals in the months immediately following Urban’s election, was given forceful expression by St. Vincent Ferrer in Aragon, at Paris in 1379–81 by the German theologians Conrad of Gelnhausen (ca. 1350–90) and Henry of Langenstein (ca. 1350–97), as also (somewhat more tentatively) by their younger French colleague Pierre d’Ailly (1350–1420). The “conciliar movement” was something of a reality, then, right from the beginning of the schism, although the pressure that the French king successfully exerted on the University of Paris in order to make it align with Clement quickly led to a bracketing of conciliarist views there.

As time went on, however, members of both obediences came to

38. Favier, p. 698. So crippling is this lack of documentation that in this lengthy study Favier abandoned the attempt to cover both obediences and finally concentrated on Avignon alone (see p. 5).

39. For France and England, see P. Ozilac in Delarooze et al., 1, especially p. 305, where he notes that the cathedral priory of Canterbury had to devote 46 percent of its revenues to meeting papal and royal imports.
regard both claimants as sharing more or less equally the responsibility for prolonging the schism, and support shifted accordingly to what was known as the *via cessionis*, a plan that envisaged the renunciation of both claims by the rival pontiffs and the subsequent combination of the two colleges of cardinals to elect a new and universally accepted pope. This shift was particularly marked in the years after 1394, when the cardinals at Avignon, on the death of Clement VII, ignored the pleas of the French king and insisted on proceeding to the election of a new pope. These were years of mounting pressures on behalf of the *via cessionis*, pressures exerted on the Roman pope by the German rulers and on his Avignonese rival by the French king—the latter going so far in his attempts to coerce an abdication as to embark in 1398 on a unilateral national withdrawal of obedience from the pope.

This attempt failed, as did all subsequent efforts to promote the *via cessionis*, but the years of seemingly barren diplomacy bore unexpected fruit toward the end of 1408 in the revival of the idea of a general council. This became a feasible alternative when the collapse of a final round of negotiations between the Roman and Avignonese popes led the French clergy to renew their withdrawal of obedience from Avignon and led disgruntled cardinals from both camps to swear allegiance to their pontiffs. Gathering together at Leghorn and addressing themselves to the secular rulers and bishops of both obediences, the cardinals summoned a general council of the whole church to meet in Italy. When this action began to draw widespread support, the rival pontiffs in desperation assembled their own councils at Perpignan and Civitavecchia respectively. But both of these councils (and especially the latter) were poorly attended. Neither, certainly, could boast of the impressively ecumenical character of the general council that opened at Pisa on March 28, 1409, which was better attended than the two councils of Lyons and that of Vienne had been.

This council of Pisa enjoyed the support of the greater part of Christendom. It was attended by four patriarchs, twenty-four cardinals, more than eighty archbishops and bishops (with more than an hundred and twenty-four cardinals, more than eighty archbishops and bishops (with more than an hundred represented by proxies), more than a hundred abbots (nearly two hundred more sent their procurors), the generals of the mendicant orders and of most other religious orders, several hundred theologians and canonists, and representatives of thirteen universities, of many cathedral chapters, and of most European princes (the kings of the Spanish peninsula and the German king Rupert were notable exceptions). When the two rival pontiffs refused to cooperate with the council, the assembly declared itself to be canonically constituted and an ecumenical council and then embarked on a careful legal process directed against the two popes. It culminated on June 5, 1409, with the formal deposition of both as notorious schismatics and heretics—a sentence signed by no fewer than twenty-four cardinals.

In proceeding thus, the council fathers followed the generally accepted canonist teachings of the day that a pope who deviated from the true faith or who was guilty of notorious crimes that scandalized the church and were therefore tantamount to heresy was liable to judgment by the church and even to deposition. They also followed a widespread and well-established canonistic opinion to the effect that, while in such a legal process the cardinals had certain powers of initiative, the body competent to proceed to judgment was the general council. Certainly, the greater part of Christendom seems to have regarded their action as valid, as it did the unanimous election by the cardinals from both obediences of a new pope, Alexander V. The Roman and Avignonese pontiffs were left with drastically reduced obediences, and their survival may have been assured only by the death of Alexander V in 1410 and the succession of John XXIII (1410–15)—by the most favorable of estimates a man of unpraiseworthy life and a less than worthy candidate for the high office into which he was thrust.

What actually emerged from the Council of Pisa, nevertheless, was the addition of a third line of claimants—a clearly intolerable situa-
tion, which led in 1413 to the summoning of the Council of Con-
stance, itself so well attended that it was undoubtedly the greatest
ecclesiastical assembly of the whole Middle Ages.42

John XXIII himself convoked the council in December 1413, but
he did so with extreme reluctance and only after considerable pressure
from the emperor-elect, Sigismund, who was to play a prominent role
throughout the conciliar proceedings. For John, the council was to
be simply a continuation of the Council of Pisa, and he hoped with
the support of the multitudinous Italian bishops to secure another
condemnation of his rivals and renewed confirmation of his own papal
title. Those hopes were dashed, however, when, within a few months
of the opening of the council in November 1414, the northern Euro-
peans insisted that voting be by conciliar "nations"—eventually five
in all—each casting a single vote in the general sessions regardless
of the number of its members.43 The council then proceeded, early
in 1415, to take up the problem of the schism, and quickly con-
cluded, despite general recognition of the legitimacy of the Council of
Pisa and of John XXIII's election, that the only hope for success lay
in the resignation of that pope along with the two rivals deposed at
Pisa. Eager to bring pressure to bear on John XXIII in order to secure

his cooperation, the assembly began to focus attention on the alleged
notorieties of his life.

Over the course of the next three years, until its dissolution in
April 1418, the council embarked on many projects and took some
very important actions—notably the condemnation of the teachings
of Wycliffe and Hus, the condemnation of tyrannicide, and the
promulgation of a series of reform measures, the most significant
of which was the decree Proponent.44 None of these conciliar achieve-
ments, however, can vie in importance with the successful termina-


42. In his Chronicles of the Council of Constance, the contemporary writer Ulrich
Richental, who had a taste for (sometimes rather fanciful) statistics, listed as being in
attendance, in addition to Popes John XXII and Martin V and a host of other official
figures as well as spirituals, 5 patriarchs, 55 cardinals, 47 archbishops, 145 bishops,
93 suffragan bishops, 152 abbots, 153 priors, 217 doctors of theology, 561 doctors of
law, 1,300 "simple priests and scholars," more than 3,000 merchants, shop-
keepers, craftsmen, musicians, and players, and more than 700 "harlots in brothels"—these last to be distinguished from those "who lay in stables and wherever
they could, beside the private ones whom I could not count." Trans. from Mundy and
Woody, eds., pp. 84–190 at 88–90. Cf. the useful collection of translated docu-
ments on the council in Crowder, pp. 63–145.

43. The five were the French, the Italian, the German, the Spanish, and the English.
These "nations," like the nations of the medieval universities, were combinations of
nationalities. Thus, the "English" nation included the Irish and the Scots, the "Ger-
mans" included the Poles, Czechs, Scandinavians, and others. Debate took place in the
separate meetings of the nations and in a special "steering committee," which was
made up of representatives from each nation. From July 1415, the college of cardinals,
as a corporate body comparable to the nations, was permitted to cast a single vote in
the general sessions of the council.

44. In accordance with the central provision of that decree general councils were to
assemble regularly in the future, the first after the lapse of five years, the second after a
further interval of seven years, and, thereafter, every ten years. For the text, see Al-
including even the pope himself, are bound to obey it in those matters that pertain to the faith, the extirpation of the said schism, and to the reformation of the said Church in head and members. It declares also that anyone, of any rank, condition or office—even the papal—who shall contemptuously refuse to obey the mandates, statutes, decrees or instructions made by this holy synod or by any other lawfully assembled council on the matters aforesaid or on things pertaining to them, shall, unless he recover his senses, be subjected to fitting penance and punished as is appropriate. 

This decree continues to be a controversial one, but there can be little doubt that the subsequent activity of the council was grounded in the claims it advanced. On May 17, 1415, John XXIII was taken prisoner. On May 29 he was deposed—not, it should be noted, because the council questioned the legitimacy of his title, but because it had tried him and found him guilty of simony, perjury, and other forms of scandalous misconduct. This sentence he did not challenge. Less than two months later, Gregory XII, the Roman pope already deposed at Pisa, offered to resign if he were permitted to convoke the council himself, thus legitimating it in his own eyes and in the eyes of his followers. By so doing, of course, he could also claim to have received from the council at least tacit confirmation of the legitimacy of the Roman line of popes. The council fathers were aware of this possibility, but their overriding objective was unity, they had his promise to resign, and they were even less disposed to make a fuss about a formality that very few of them took seriously than they had been the previous year when they treated the ambassadors of both Gregory XII and Benedict XIII as official papal delegates rather than merely as private Christians—despite the fact that they themselves endorsed the sentences of Pisa and recognized John XXIII as legitimate pope.

45. Alberigo, p. 385.
46. See de Vooght, Pouvoirs du concile, and the essays in Franzén and Müller, Kongelikke Konse, as well as Franzén, “Council of Constance.” For the contributions of de Vooght, Küng, Gill, Jedin, Franzén, Hurten, Pichler, Riedlinger, Brandmüller, and Tierney to the continuing debate about the deagonic status of Haec Sancta, see Oakesley, Council of Pistoia., pp. 105–11, and de Vooght, “Controverses sur les pouvoirs du concile,” two summary statements in which most of that literature is analyzed, criticized, or commented upon.

At the fourteenth general session of the council, therefore, held on July 4, 1415, Gregory's bull of convocation was read and his resignation accepted. His Avignonese rival, who finally lost the support of the Spanish kingdoms in December 1415, proved to be more stubborn. Indeed, surrounded by a tiny coterie of adamanat supporters, Benedict persisted in his claim to be the one true pope right up to his death in 1423. But by then events had passed him by. On July 26, 1417, long after the members of his obedience had declared their adherence to the council, he was judged guilty of "perjury, heresy, and schism" and declared deposed. Less than a year later, after a protracted wrangle on the issue of which should take precedence, reform or the election of a new pope, the latter won out. An enlarged body of electors, including deputies from each conciliar nation as well as the cardinals from all three of the former obediences, went into conclave to choose a new pope. With the election on November 11, 1417, of one of the cardinals of the Roman obedience who had adhered to the Council of Pisa and who now took the title of Martin V (1417–31), the years of doubt were over. The church had at last an unquestionably legitimate pope and the Great Schism was at an end.

The conciliar movement, however, was not. The schism had been ended only because a general council had formally claimed to be the legitimate repository of supreme power in the church on certain crucial issues, had been able and willing to enforce that claim, and, in the decree Frequens, had been careful to set up constitutional machinery to impede any reversion to papal absolutism. This machinery was to prove less effective than doubtless they had hoped, but clearly not so ineffective as Martin V may have wished. In accordance with the provisions of Frequens, Martin summoned a new council to meet in 1423 at Pavia, transferred it to Siena, and then in March 1424, without having himself put in an appearance, peremptorily dissolved it before it had really succeeded in getting its teeth into the task of reform. Seven years later, again in accordance with Frequens but this time only under pressure, he convoked another council to meet at Basel, appointing Cardinal Cesari (d. 1444) president and giving him the power to dissolve it. Shortly thereafter he died. When the council opened in 1431, it did so under his successor, Eugenius IV.
(1431–47), a much less capable and decisive man, and under very unpromising circumstances. The college of cardinals was undergoing something of a reaction to Martin V’s authoritarian administration, and the assembly in general bore an enormous freight of reforming expectations.

The fate of the Council of Basel (1431–49) was in large measure determined by two great external issues: the Hussite wars and the quest for reunion with the Greek Orthodox church. Nevertheless, the “great matter” of the council was still the constitutional question of the relationship of pope to general council. One might have assumed that this matter had been settled at Constance—both by the theoretical pronouncements of the council and by the action it had taken. But its failure to achieve any really thoroughgoing reform of the church and especially of the curia, the unwillingness or inability of Martin V himself to implement such a reform on his own authority, his ambivalence and that of Eugenius toward the conciliarist constitutionalist claims, and their attitude of “business as usual” when it came to operating the central administrative machinery of the church—all of these factors helped engender among the ecclesiastics assembled at Basel a deep suspicion and fear of papal intentions. They helped intensify, too, a growing reaction against the papal claims to a plenitude of power and against the centralized mechanisms of papal administration as they had developed over the two previous centuries.

It was Eugenius who precipitated the crisis. Because he was opposed to the council from the start, and because Martin V had reached an agreement with the Greeks to hold a council of reunion on Italian soil, Eugenius was not eager to prolong the life of the Basel assembly. On December 18, 1431, despite the opposition of some of the cardinals, he published in consistory a bull dissolving the council. But he had misjudged the mood both of the council fathers and of the cardinals, fifteen of whom (out of a total of twenty-one) now sided with the council. He had also misjudged the priorities of Cardinal Cesarini.

47. See the useful collection of translated documents on the council in Crowder, pp. 146–81.

In the wake of a crusade against the Hussites that had met with disastrous defeat, Cesarini had committed Basel to vital negotiations with the moderate party of the victors. These negotiations were now threatened by the papal bull of dissolution. When it arrived, therefore, he joined with the council fathers in refusing to obey the pope. Deadlock ensued, and, as support for the pope dwindled and as men of the stature of Cesarini and Nicholas of Cusa (1401–64) rallied to the council, it proceeded to reaffirm conciliar principles and ultimately to put them into practice.

Given the circumstances prevailing, it is hardly surprising that in 1432 the council chose to republish the decree Haec sancta. But in the following years, it devoted its energies not only to the struggle with the pope but also to the negotiation of a Hussite settlement and to reform of the church “in head and members.” It was the conclusion of an agreement with the Hussites that finally brought the pope to heel. That settlement was greeted with great relief in Germany and eastern Europe, enhancing the council’s prestige and making the pope’s opposition to its activities well-nigh indefensible. On December 15, 1433, therefore, he capitulated. In the bull Dudum sacrum he declared his earlier dissolution of the council invalid and proclaimed that the council’s activity had been legitimate all along.

What had been achieved, is turned out, was a truce rather than any final settlement. At the time, it may well have seemed to the conciliarists that their victory was complete. Their own conception of meaningful reform in the church proved, however, to be their undoing. Although they managed to take one or two steps to promote reform of the lower clergy and discussed many more measures, the bulk of their effort was directed to reform of head rather than of members. And that reform was concerned mainly with curtailing papal financial resources and limiting papal administrative powers. Against such measures Eugenius protested in vain. Not until 1437 was he able to impose his will, and then only because the council by its actions had begun to forfeit the support of some of its most distinguished participants.
The Restoration Papacy and the Era of National Churches (1449–1517)

Though the conciliar theory outlived the ignominious ending of Basel, the conciliar movement—the great attempt to engineer a constitutional revolution in the church—is usually regarded as having met its decisive defeat at that time. The popes of the restoration era emerged once more as monarchs of a distinctly absolutist stamp, but monarchs now equipped, in the formulations of the decree Laetus in orbi, with the first conciliar definition of the Roman primacy. This definition Jedin has described as "the Magna Carta of the papal restoration." It was later to serve as the basis for the solemn definition promulgated by the First Vatican Council in 1870 as part of its dogmatic constitution Pastor aeternus. But the road from Laetus in orbi to Pastor aeternus was neither direct nor untroubled. Although the papacy had triumphed over the conciliar movement, it had done so at the price of accepting—helping sponsor, even—what amounted to a constitutional revolution of a different type, and one that was determinative for the history of the papacy in particular and the Roman Catholic church in general right down to the nineteenth century.

Even before the outbreak of the schism some secular rulers had begun the process of asserting their jurisdiction in an increasingly direct fashion over the provincial churches falling within their territorial boundaries. They were thereby reversing a tide that had been flowing in the opposite direction ever since the eleventh century, when the Gregorian reformers had mounted their campaign to liberate the provincial churches from royal or imperial control. The

gendered by the struggle between Eugenius IV and the Council of Basel. In 1438, in the Pragmatic Sanction of Bourges, Charles VII of France, with the support of the French clergy, adopted in modified form several of the council’s decrees affirming conciliar supremacy, abolishing annates, restricting appeals to Rome, and limiting the papal rights of collation to benefices, and gave them the force of law in France. The German electors did something similar in the Accepatatio of Mainz; so too, in 1439, did the Visconti ruler of Milan. Although the Pragmatic Sanction and like instruments were not at all systematically enforced, they were persistently used as a means to blackmail the pope into conceding a more favorable share of the ecclesiastical spoils.

The fifteenth century witnessed the parceling among the secular rulers of Europe of the pope’s sovereign authority over the church, or, better, a frequently renegotiated division of that authority between pope and rulers. The concordats that Martin V had concluded in 1418 with the several conciliar nations at Constance reveal the type of variation that was to persist in such accommodations, the pope making his most damaging concessions in the concordat with England and retaining his traditional fiscal and administrative rights most effectively in the concordats with Italy and Spain. These variations simply reflect differences in the balance of power between the pope and the several rulers concerned. By the end of the century, accordingly, with the emergence of a unified and powerful Spanish state, it became necessary to concede to the Spanish crown a very far-reaching control indeed over the life of the Spanish church. What is surprising, however, is the extent to which Eugenius IV was willing to promote this whole process of establishing rulers as masters of their respective churches so long as those rulers were willing to withdraw support from the conciliar idea and from the threat of reform in head and members that went with it. Possession of the actual substance of power mattered less, it seems, than the enjoyment of a theoretically supreme authority in the universal church.

It was with the substance of power, however, that the money went. The era of councils and the damaging concessions made to kings and


Appropriately enough, it was during the pontificate of Sixtus that Italian superseded Latin as the language of the curia.

The endeavours of Pius II (1458–64) had made it clear that such efforts at territorial consolidation were not necessarily incompatible with an active concern for the twin tasks of reforming the church and uniting Christendom in a great crusade against the infidel—the ancient goals in pursuit of which the medieval papacy had risen to greatness.

But even apart from their moral stature or lack thereof, the role and preoccupations of an Italian prince were not such as to promote reform-mindedness in his successors. The question of reform inevitably raised (as the electoral capitulations of the cardinals reveal) their failure to adhere to the provisions of Ferrara and the chilling memory of the desperate struggle for survival that Eugenius IV had had to wage against the Council of Basel. Despite the outcome of that struggle, the idea of the council was not dead. During the latter half of the fifteenth century appeals from the judgment of the pope to that of a general council were frequent. And despite the understandable provocation of their princely rivals to use such appeals as diplomatic sticks with which to beat the popes, the canonists defended the procedure, and against it such popes as Pius II, Sixtus IV, and Julius II ruled in vain.53

When examining problems of ecclesiastical government in this period, one is understandably tempted to focus on the dubious personal morality of some of the popes themselves; to note, for example, their predilection for nepotism, and to chart the simoniacal intrigues that went into the elections of Innocent VIII (1484–92), Alexander

52. Partner, Papal State, pp. 153–54; we are also indebted, "The 'Budget' of the Roman Church," in Jacob, ed., Italian Renaissance Studies, pp. 256–74.
VI (1492–1503), and Julius II (1503–13). And, brooding about the two last, one is led to wonder perhaps at the circumstances that placed in succession upon the papal throne an urbane but unreconstructed philanderer and a gifted but bellicose diplomatic and military adventurer. A better grasp of what was at stake, however, may perhaps be gained by glancing in conclusion at the nature and achievement of the Fifth Lateran Council (1512–17), the last of the pre-Reformation general councils, and at the events leading up to its convocation.

That such a council should have been convoked at all is by no means to be taken for granted. An extraordinary contingency was required to overcome Julius II's distaste for the idea of the council, which he shared with both his predecessors and his successors. The contingency was the sudden transformation of what had seemed like a blunted diplomatic weapon into a potent ecclesiastical threat—noting less, in fact, than the independent conviction by opposition cardinals (one Italian, two Spanish, two French) of the would-be general council that has gone down in history as the concilia to the decree *Frequens*, should have taken such a step reflects not only their own disgruntlement with Julius II (and, indeed, with his predecessor, too) but also the persistence of the old curialist "oligarchic" tradition into the era of papal restoration and the veritable struggle for power that had raged between the college of cardinals and the popes during the latter years of the fifteenth century. In this struggle the efforts of the cardinals had been somewhat less than successful, and had the French king withheld his active support, it is as hard to imagine their risking the convocation of the council as it is to imagine its successful assembly.

Louis XII's wish to promote such a council is explicable entirely in terms of his political ambitions in Italy and the attempts of Julius II to thwart them. Early in 1510, in an abrupt reversal of his earlier policy, Julius had thrown his lot in with the opponents of the French presence in Italy; and Louis now sought, with the compliance of the emperor Maximilian I and the help of the cardinals of the opposition, to encompass his ruin. Not surprisingly, the council turned out to be a small and almost entirely French affair. It did little more than reissue the Constance decree *Hac sancta synodus* and pronounce Julius II to be suspended from office. Indeed, its major achievement was to provoke the pontiff into attempting to take the wind out of its sails by himself convoking the Fifth Lateran Council. In that attempt he was wholly successful; the first half-dozen sessions of the council were occupied almost exclusively with the condemnation of the activities of the Pisan assembly, the proscription of those who persisted in adhering to it, and the reconciliation of those who had abandoned it. Under such circumstances Louis XII changed tactics and after Julius's death in 1513 indicated that he was open to some sort of mutually satisfactory accommodation with Julius's successor, Leo X (1513–21).

In its organization and procedures the Lateran Council was very much a papal council, poorly attended by all except the Italian bishops, summoned to counteract the effect of the French exploitation of conciliar theory, and punctuated by anxious attempts to contain that theory. Even in convoking it, Julius II sought to prevent any misunderstanding of his action by pointing out that the decree *Frequens* had long since lapsed into desuetude and that, even if it had not, circumstances would have rendered it inapplicable in his own day.

Again, scenting presumably a whiff of "episcopalism" about it, Leo X rejected outright a modest proposal of the assembled bishops to establish an episcopal "sodality" or "fraternity" to protect their common interests (*episcopalis societas, confarernvitas, sodalicium*). With the concurrence of the cardinals, he imposed a "perpetual silence" on the whole idea. Even more tellingly, Leo and his successor moved to destroy the particular alliance that had always threatened to give the conciliar idea teeth and had recently succeeded in doing so—the alliance between the most vigorous proponent of conciliarism, the Faculty of Theology at Paris, and the ruler most frequently tempted

54. These are the words that occur in the documents. See Barninus et al., vol. 31, ann. 1516, nos. 1–4 (citing Paris de Grasso); also Hefele and Hergenrother, vol. 8, app. H. and J., pp. 845–53. For a discussion of this interesting proposal and for the arguments supporting the interpretation of *Pater aternum* preferred below, see Ockley, "Conciliarism at the Fifth Lateran Council," pp. 452–63.
Contrary to what has so often been said, and especially in the wake of the First Vatican Council, this bull did not attempt to repudiate, either explicitly or implicitly, the Constance superiority decree Hæc sanctora synodus. Even at this late date, it seems, to have attempted to do so would have been to go too far. 54 Certainly, the Gallican theologians discerned no such intent in the bull. For them, on matters conciliarist, it was business as usual. In March 1518 the Faculty of Theology at Paris, by way of protest against the compromising concordat of 1516, did not hesitate to follow the traditional route and to appeal to a future general council. By that time, of course, the Lateran Council itself had been dissolved, and with it the hopes for the long-awaited reforms that its opening session had helped excite. By that time, too, Martin Luther had disseminated his ninety-five theses. In November 1518, in anticipation of the papal sentence, Luther himself appealed from the judgment of the pope to that of a future general council. In his appeal, ironically enough, he drew the legal sections from the text of the earlier appeal launched by the theologians of Paris. 55 In March 1521, to compound that irony, those same theologians issued their Determunatis, branding Luther’s central doctrines as heretical and furnishing him with a truly formidable genealogy of heretical forebears. The die, it seems, was cast.

54. Though such a move was certainly not regarded as redundant at the time. Ferdinand the Catholic of Spain, in the instructions he gave to his representatives at the council, explicitly suggested the need for a formal repudiation of Hæc sanctora (see Domigueux, app. 50, 539).
55. The two appeals are compared in Thomas, Concilat, 3:72–74.