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Comprehensive coverage of the developments in western Europe is balanced by attention to the east of Europe, including the Byzantine world, and the Islamic lands in Spain, North Africa and the Levant. Thematic articles look at the fine arts, the vernacular, communications and other aspects of a period in which the frontiers of Latin Christendom were expanding vigorously outwards; and attention is paid to the frontier societies that emerged in Spain, the Baltic and the Mediterranean islands.

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Volume v *c.* 1198–*c.* 1300



Frontispiece

Augustalis coin of Emperor Frederick II, issued for his Sicilian kingdom in or after 1231 (Fitzwilliam Museum, Cambridge)

THE NEW
CAMBRIDGE
MEDIEVAL HISTORY

Volume V c. 1198–c. 1300

EDITED BY

DAVID ABULAFIA

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and Fellow of Gonville and Caius College*



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CONTENTS

<i>List of plates</i>	<i>page</i> xi
<i>List of maps</i>	xiii
<i>List of genealogical tables</i>	xiv
<i>List of contributors</i>	xv
<i>Preface</i>	xvii
<i>Acknowledgements</i>	xxi
<i>List of abbreviations</i>	xxii
Introduction	I
DAVID ABULAFIA	

PART I COMMON THEMES

1	Social change in the thirteenth century	
	(a) Nobles and knights	13
	ROBERT STACEY	
	(b) Urban society	26
	STEVEN A. EPSTEIN	
	(c) Rural society	38
	GÉRARD SIVÉRY	
2	Commerce and communications	50
	KATHRYN L. REYERSON	
3	The vernacular	71
	COLIN C. SMITH	
4	Art and architecture	84
	PAUL BINSKI	

PART II THE CHURCH IN THE THIRTEENTH CENTURY

5	The papacy J. A. WATT	107
6	The Albigensian Crusade and heresy BERNARD HAMILTON	164
7	The Church and the laity ANDRÉ VAUCHEZ	182
8	The Church and the Jews KENNETH R. STOW	204
9	The religious Orders ANDRÉ VAUCHEZ	220
10	The universities and scholasticism JACQUES VERGER	256

PART III THE WESTERN KINGDOMS

11	The Capetians from the death of Philip II to Philip IV WILLIAM CHESTER JORDAN	279
12	The Plantagenet kings D. A. CARPENTER	314
13	The kingdom of Burgundy, the lands of the house of Savoy and adjacent territories EUGENE COX	358
14	Germany and Flanders (a) Welfs, Hohenstaufen and Habsburgs MICHAEL TOCH (b) Flanders WIM BLOCKMANS	375 405

PART IV ITALY

15	Northern Italy (a) The maritime republics JOHN H. PRYOR	419
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	(b) Sardinia and Corsica from the mid-twelfth to the early fourteenth century	447
	MARCO TANGHERONI	
	(c) The rise of the <i>signori</i>	458
	TREVOR DEAN	
	(d) Florence	479
	LOUIS GREEN	
16	The kingdom of Sicily under the Hohenstaufen and Angevins	497
	DAVID ABULAFIA	
PART V THE MEDITERRANEAN FRONTIERS		
17	Byzantium after the Fourth Crusade	
	(a) The Latin empire of Constantinople and the Frankish states in Greece	525
	DAVID JACOBY	
	(b) Byzantium in exile	543
	MICHAEL ANGOLD	
18	The crusades	
	(a) The thirteenth-century crusades in the Mediterranean	569
	NORMAN HOUSLEY	
	(b) The crusader states	590
	PETER EDBURY	
19	Islam and the Mediterranean	
	(a) The rise of the Mamluks	607
	ROBERT IRWIN	
	(b) The Maghrib	622
	MICHAEL BRETT	
	(c) The Nasrid kingdom of Granada	636
	DAVID ABULAFIA	
20	The rise of Aragon-Catalonia	644
	DAVID ABULAFIA	
21	Castile, Portugal and Navarre	668
	PETER LINEHAN	

PART VI THE NORTHERN AND EASTERN FRONTIERS

22	The Mongols and Europe	703
	PETER JACKSON	
23	Scandinavia and the Baltic frontier	
	(a) The Scandinavian kingdoms	720
	SVERRE BAGGE	
	(b) The military Orders in the Baltic	743
	MICHAEL BURLEIGH	
24	Eastern Europe	
	(a) The central European kingdoms	754
	S. C. ROWELL	
	(b) Albania, Serbia and Bulgaria	779
	ALAIN DUCELLIER	
	(c) Rus'	796
	SIMON FRANKLIN	
25	The Celtic lands of the British Isles	809
	ROBERT BARTLETT	
	<i>Appendix: genealogical tables</i>	828
	<i>Primary sources and secondary works arranged by chapter</i>	835
	<i>Index</i>	983

PLATES

Frontispiece

Augustalis coin of Emperor Frederick II, issued for his Sicilian kingdom in or after 1231 (Fitzwilliam Museum, Cambridge).

between pages 492 and 493

- 1 East end of Trinity Chapel, Canterbury cathedral, showing site of shrine of St Thomas (RCHM, England, Crown Copyright)
- 2 Chartres cathedral, nave, after 1194
- 3 Amiens cathedral, nave, after 1220 (A.F. Kersting)
- 4 Lincoln cathedral, Angel Choir, after 1246 (Conway Library, Courtauld Institute of Art)
- 5 Christ, from the central portal, south transept, Chartres cathedral, early thirteenth century (E. de Mard)
- 6 Veronica, from a mid-thirteenth-century English psalter (British Library Royal MS 2 A. XXII, fol. 221v) (Conway Library, Courtauld Institute of Art)
- 7 Naumburg cathedral, rood screen, c. 1250
- 8 St Edward the Confessor sees the Christ Child in the Host, from a Life of the saint illuminated c. 1255 (Cambridge University Library MS Ee. III. 59, fol. 21) (by permission of the Syndics of Cambridge University Library)
- 9 The tombs of Henry III (d. 1272) (centre right) and Edward I (d. 1307) (left) in Westminster Abbey (RCHM, England, Crown Copyright)
- 10 Paris, Sainte-Chapelle, dedicated 1248 (Giraudon)
- 11 Westminster Abbey, choir elevation, 1245–69 (Conway Library, Courtauld Institute of Art)
- 12 Caernarfon castle (A.F. Kersting)
- 13 The story of Joab and Abner (2 Samuel), from the Morgan Bible Picture Book, Paris or north-east France c. 1250 (New York, Pierpont Morgan Library MS M638, fol. 37v)

- 14 *Somme le roi* illuminated in Paris c. 1290–1300 (British Library Add. MS 54180) (Conway Library, Courtauld Institute of Art)
- 15 The Visitation, Rheims cathedral, west central portal, c. 1225
- 16 Charles of Anjou (late 1270s?), Museo Capitolino, Rome (Julian Gardner)
- 17 Tomb of Pope Clement IV (d. 1268), now in S. Francesco, Viterbo (GFN)
- 18 Confirmation of the rule of St Francis, fresco of c. 1295 in nave of S. Francesco, Assisi (Casa Editrice Francescana)

MAPS

1	Europe in the thirteenth century	<i>page</i> 2
2	The Papal States	108
3	France, c. 1260	280
4	England	315
5	Germany and the western empire	376
6	Genoa, Venice and the Mediterranean	420
7	The kingdom of Sicily	498
8	The Latin empire of Constantinople and its neighbours	526
9	The Latin east, c. 1220	591
10	Aragon and Anjou in the Mediterranean	662
11	The Iberian peninsula, c. 1300	669
12	Scandinavia and the Baltic	721
13	The central European kingdoms	756
14	The Celtic lands of the British Isles	810

GENEALOGICAL TABLES

1	France	<i>page</i> 828
2	Hohenstaufen Germany and Sicily	829
3	England	830
4	Aragon-Catalonia	831
5	The dynasties of central and eastern Europe	832
6	Scotland	834

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PREFACE

THE volume of the original *Cambridge Medieval History* dealing with the thirteenth century was published seventy years before this one, and carried as its subtitle *The Victory of the Papacy*. The thirteenth century was characterised as an age of ‘completion’, when early medieval barbarism was at last laid to rest and the great institutions of the Middle Ages, notably papacy and empire, reached their apogee, even if the empire after Frederick II entered a long and steep decline. One reflection of this sense that the thirteenth century was the time of ‘completion’ was the editors’ decision to include a number of chapters on cultural developments across a much wider time span. Jessie Weston, the author of a controversial study of the Grail notable for its influence on T.S. Eliot, was commissioned to write on ‘The legendary cycles of the Middle Ages’, and there were chapters on political ideas, chivalry and the art of war. Space was found for the treatment of Spain, Poland, Hungary, Bohemia and Scandinavia from the middle of the eleventh century onwards. However, Byzantine history was reserved for the separate fourth volume, itself re-edited in 1966. The contributors represent a galaxy of the distinguished historians of the time: Pirenne, Petit-Dutaillis, Powicke, Clapham, A.L. Poole, Jacob, Rashdall, Altamira, with Oxford for some reason so well represented that it seems more the *Oxford* than the *Cambridge Medieval History*.

The subtitles used by the volumes in the *New Cambridge Medieval History*, in this case ‘c. 1198–c. 1300’, seem by contrast extremely cautious, even if, as has been explained in the introduction, the present volume has been constructed on the principle that the interaction between frontier regions and the old heart of western Europe is a fundamental theme in the study of the thirteenth century. Indeed, this is not simply a history of western Europe, and full advantage has been taken of the flourishing state of Byzantine, Slavic and Islamic studies so as to include important and lengthy chapters on eastern Europe and on the Muslim neighbours of the Christian states. Rus’, the Teutonic Knights and the east European kingdoms have all been granted some attention, as have

the Celtic lands, whose position at the end of the volume is a poor recognition of the great expansion of distinguished research on this region. Overall, the geographical range of this volume is far wider than that of the old *Cambridge Medieval History*. Europe itself, as Norman Davies has reminded readers of his massive *History of Europe* of 1996, is capable of being defined culturally and geographically in any number of ways, and a generous definition has been used here. The editor takes it as axiomatic that the history of Europe is not simply the history of the Latin Christian legacy to modern times; rather than this 'vertical' view of European history, a horizontal perspective has been adopted, in which an attempt has been made to identify and treat adequately the regions and topics that were important to the thirteenth century itself; hence, indeed, the space devoted to the Balkans in Professor Ducellier's chapter. So, too, the further shores of the Mediterranean, including not merely the states established by the crusaders but Mamluk Egypt and the Muslim states in the Maghrib, which had such close, if not necessarily friendly, relations with Latin Europe, have been given space in this volume. Nor would it make sense to omit the Mongol empire from such a volume.

All this adds up to a more demanding agenda than that which the editors of the old *Cambridge Medieval History* set when treating this period. Some chapters simply cannot be presented, in the space available, in quite the concentrated and detailed form that characterised the old version of this work, especially if some space is to be found for the results of recent research in the social, economic and cultural history of thirteenth-century Europe and the Mediterranean. Clearly a limit had to be drawn somewhere, and treatment of the Seljuq Turks, who at this time were heavily involved in the Iranian world, or of Armenia and Georgia, which have only recently once again been admitted into the ranks of European nations, seemed (though with some regret) to the present editor to threaten to throw the volume off balance; still, for the Turks plenty of relevant material will be found in chapters on Byzantine, Mongol and Near Eastern affairs. Given the extraordinary richness of research on Italy, it has seemed right to devote separate sections to different aspects of thirteenth-century Italy, including one section by Louis Green devoted mainly to Florence. The current tendency to speak not of 'Spain' but of the 'Spanish kingdoms' or of the Iberian peninsula is reflected in the separation of the history of Castile and its lesser neighbours, in the hands of Peter Linehan, from that of Catalonia-Aragon, in my own hands. The major brief accorded to authors has been the provision of a balanced and authoritative coverage of political history, with a good leavening of economic, social and cultural topics as well, integrated where possible into the wider account of political developments. Most chapters are kept within the confines of the thirteenth century (with ragged ends), but in some cases, where corresponding chapters could not

be found in other volumes, it has made sense to extend the time range, as in the chapter by Marco Tangheroni on Sardinia and Corsica, and as in Colin Smith's piece on the vernacular. On the other hand, W.C. Jordan's chapter on the Capetians picks up from the previous volume in 1223, the obvious date. This is not to pretend that there is anything magical about the dates 1200 and 1300. Topics such as the presence of the Jews in Christian society have been treated the same way; authors have been invited to find room for such issues within their chapters. In addition, several thematic chapters, devoted to major economic and social developments and to religious changes in the period, are intended to set the scene for the political history that follows. Naturally, the existence of the *Cambridge Economic History of Europe*, of which a new edition of volume II appeared in 1987, has meant that readers could be referred elsewhere for rich assessments of economic developments in the thirteenth century, and the excellent *Cambridge History of Political Thought* has also covered much ground that it has not been thought necessary to survey once again here.

Warmest thanks are due to the authors, so many of whom diligently provided drafts, final texts and bibliographies without fuss. This is a far more international, indeed intercontinental, project than the original volume of 1929, with authors resident in Australia, the United States, Israel, Italy, France, the Netherlands, Norway, Lithuania, as well as the United Kingdom; the 1929 edition had no American authors at all, surprising then, and inconceivable now. Where possible, I have tried to obtain the services of scholars who have not already provided a survey of the topic about which they are writing, so that this volume is not, by and large, a summary of what can be read from the same pen elsewhere. As editor, I crave the indulgence of the individual contributors when, as a result of overlap or other considerations, their contribution has been altered in some way. Inevitably, some contributors have wanted fuller annotation or bibliographies than others, and in some cases this also reflects the very different state of research in various areas of medieval scholarship. It is a particular pleasure to thank Dr Stephen Rowell of the University of Klaipeda, Lithuania, for stepping in at short notice to replace the author of the one chapter which failed to arrive. Professor Roger Wright of Liverpool University kindly offered his help in preparing for press Colin Smith's chapter on the vernacular, after Professor Smith sadly died in 1997. Mrs Sandra Smith expertly translated the two chapters by André Vauchez and those by Professors Sivéry and Verger; I myself took the responsibility for translating the chapters by Alain Ducellier and Marco Tangheroni. Many contributors to the preceding and following volumes, especially Michael Jones, editor of volume VI, have been extremely helpful in discussions of where to make the joins between corresponding chapters.

Transliteration from other alphabets has followed the basic rule that an

effort should be made to reproduce the rough pronunciation of the term or name. In *Arabic*, the sound change that accompanies the fourteen ‘sun’ letters has been respected: ad-din rather than al-din; as-Salih rather than al-Salih. The emphatic S, T, D, and DH have not been indicated, though *‘ayn* generally has been. In *Greek*, the model has been classical Greek rather than the Latinised forms often current: Komnenos rather than Comnenus, Doukas rather than Ducas. However, late medieval pronunciation has not been consistently represented: Basileus is used rather than Vassilefs, but all the same the form Vatatzes is used (though some bibliographical entries do give Batatzes). Most accents are now out of fashion in Greek, and little effort has been made to incorporate them systematically when printing words in the Greek alphabet, though the breathings ‘ (for h) and ’ (silent) have been respected. In *Hebrew*, transliteration follows the norms of modern Sephardi or Israeli Hebrew, which are fairly close. In *Russian*, the distinctive sign ‘ indicates the ‘soft sign’ Ъ, as in Русь, Rus’. In *Icelandic*, Þ and þ have been retained for unvoiced th, Ð and ð for dh (voiced th). The *German* ß, indicating ‘ss’ or more properly ‘sz’, has generally been retained. As for languages written in the *Latin* alphabet, Catalan forms have been used in those cases where they have now been revived and English usage is flexible: Girona, not Gerona, Penyafort, not Peñafort, but names of rulers are given in English forms (James not Jaume or Jaime).

This book presents to view a thirteenth century which is more than the conflict of popes and emperors that dominated the vision of the editors in 1929. Medieval horizons have expanded. They continue to expand. This volume will at least enable its readers to see where the horizon is now thought to be, and, I hope, to pick out some of the details in the fuller picture as well.

DAVID ABULAFIA

ACKNOWLEDGEMENTS

THIS book has been long in the making, and the main acknowledgement must be to the authors of the chapters for their patience, particularly after one chapter had to be recommissioned. It is, too, with great regret that I have to record the death of Colin Smith, whose chapter was kindly reread by Roger Wright, to whom I am indebted also for the relevant bibliography. Sandra Smith translated some of the chapters from French; I translated some chapters from French and Italian, and should like to apologise for any violence done to the intended meaning of those contributions. William Davies has been a model publisher, combining encouragement with the right sense of urgency. On the Board of Editors, Peter Linehan has constantly reminded us that we must not entrap ourselves in the delays and arguments that bedevilled the original *Cambridge Medieval History*. Linda Randall has been a spectacularly meticulous copy-editor, identifying a host of inconsistencies, unintelligibilities and uncertainties in text, notes and bibliography. The Computer Office at Gonville and Caius College, Cambridge, facilitated access to the Vatican, British Library and other catalogues, thanks to which I have tried to resolve most of those inconsistencies with what I hope is a fair degree of accuracy. Catherine Holmes and Edna Pilmer in Caius patiently xeroxed or retyped a good many chapters on which I had wielded my red pen. Without all this teamwork, I cannot imagine that this volume would have appeared in the twentieth century.

DAVID ABULAFIA

ABBREVIATIONS

<i>Annales ESC</i>	<i>Annales: économies, sociétés, civilisations</i>
BEFAR	Bibliothèque des Ecoles françaises d'Athènes de Rome
<i>BIHR</i>	<i>Bulletin of the Institute of Historical Research</i>
BN	Bibliothèque Nationale, Paris
<i>BSOAS</i>	<i>Bulletin of the School of Oriental and African Studies</i>
<i>CAJ</i>	<i>Central Asiatic Journal</i>
'CLI'	'Chronique latine inédite des rois de Castille (1236)', ed. G. Cirot, <i>Bulletin hispanique</i> 14–15 (1912–13)
<i>COD</i>	<i>Conciliorum oecumenicorum decreta</i> , ed. G. Alberigo, <i>et al.</i> (1962)
<i>DA</i>	<i>Deutsches Archiv für Erforschung des Mittelalters</i>
<i>DOP</i>	<i>Dumbarton Oaks Papers</i>
<i>DRH</i>	Rodrigo Ximénez de Rada, <i>Historia de rebvs hispanie sive historia gothica</i> , ed. J. Fernández Valverde, in <i>Corpus christianorum continuatio mediaevalis</i> , Turnhout (1966–), LXXII
<i>EcHR</i>	<i>Economic History Review</i>
<i>EHR</i>	<i>English Historical Review</i>
<i>EIr</i>	<i>Encyclopaedia Iranica</i>
<i>JA</i>	<i>Journal asiatique</i>
<i>JEH</i>	<i>Journal of Economic History</i>
<i>JMH</i>	<i>Journal of Medieval History</i>
<i>MGH</i>	<i>Monumenta Germaniae historica</i>
<i>Epp. XIII</i>	<i>Epistolae saeculi XIII e regestis pontificum romanorum selectae</i> , 3 vols.
<i>Leg. IV Const.</i>	<i>MGH Leges, part IV. Constitutiones et acta publica imperatorum et regum</i> , 9 vols.
<i>SS</i>	<i>Scriptores</i> , 32 vols.
<i>PL</i>	<i>Patrologiae cursus completus, series latina</i> , ed. J.-P. Migne, 221 vols., Paris (1844–)
<i>P&P</i>	<i>Past and Present</i>

PRO	Public Record Office, London
<i>Reg.</i> [with name of pope]	<i>Bibliothèque des Ecoles françaises d'Athènes et de Rome</i> , 2nd and 3rd series. <i>Registres et lettres des papes du XIIIe et XIVe siècles</i> , Paris (1884–)
<i>RISS</i>	<i>Rerum italicarum scriptores</i> , ed. L.A. Muratori, 28 vols., Milan (1723–51)
<i>RISS</i> ²	<i>Rerum italicarum scriptores</i> , 2nd series, Città di Castello and Bologna (1900–)
<i>ROL</i>	<i>Revue de l'Orient latin</i>
RS	Rolls Series
<i>TCE</i>	<i>Thirteenth-century England</i> , 7 vols.: I–V: <i>Proceedings of the Newcastle upon Tyne conference, 1985 to 1993</i> , ed. P.R. Coss and S.D. Lloyd, Woodbridge (1986–95); V–VII: <i>Proceedings of the Durham conference 1995/1997</i> , ed. M. Prestwich, R.H. Britnell and S.D. Lloyd, Woodbridge (1997–8)
<i>TRHS</i>	<i>Transactions of the Royal Historical Society</i>

INTRODUCTION

David Abulalla

THE dominant theme in the history of thirteenth-century Europe is arguably that of expansion: the expansion of Latin Christendom, to encompass Orthodox, Muslim and pagan lands previously on its outer fringes; the expansion of the economy, as western merchants (Italian, German, Catalan) penetrated deeper into the Mediterranean, the Baltic and the European land mass; the expansion too of population, to which a halt was called only around 1300; the expansion also of government, as rulers in western Europe consolidated their hold over their territories, and as the papacy made consistent claims to its own authority even over secular rulers. By the end of the thirteenth century the political and demographic expansion of powerful European kingdoms could be felt, too, on the edges of the British Isles, as the English king posed an ever sharper threat to the autonomy of the Welsh princes and the Scottish kings. To see the thirteenth century in this light is not simply to see it from a western, Latin, perspective. It will be obvious already that a major feature of the period is the encroachment of the Latin west upon the Greek and Slavonic east, as upon the Muslim world: this was the era of major crusades, under royal and princely direction, against Egypt, Tunis, Muslim Spain and indeed pagan Prussia and Livonia, but it was also the period in which a diverted crusade, aiming originally at the mouth of the Nile, found itself able to overwhelm Constantinople, fragmenting the already fragile Byzantine empire and imposing (not very successfully) the authority of the bishop of Rome over the Orthodox Church in Greece. Nowhere in Europe, nor indeed in the Mediterranean, were the Latins totally invisible. Even if it were not the case that the history of medieval Europe can only be written after paying attention to the east of Europe (including Byzantium), and the Islamic lands bordering on Europe, it is hard to see how a volume on the thirteenth century could lack detailed attention to areas far from the Ile-de-France, and issues remote from the conflict of popes and emperors, the theme that has dominated many surveys of this period.¹

¹ See the old *Cambridge medieval history*, vi: *The victory of the papacy* (Cambridge, 1929).



Map 1 Europe in the thirteenth century

The successes, military and commercial, of Latin Christendom engendered new types of relationships, between the westerners and those now subject to their authority. There were now large areas of Spain under Latin rule but possessing a Muslim majority; and a similar situation prevailed in Greece, where Franks exercised dominion over resentful Orthodox, who showed little appreciation of unsubtle attempts by the Franks to force the union of the Churches (indeed, such efforts only increased the gap between the communities). Greater awareness of the existence of barely suspected peoples in the Asian steppes also led the western Church to cast its eyes eastwards, hoping for an alliance with the Mongols against Islam, hoping too that rumours of Christian kings far to the east had substance; yet at the same time it was difficult to equate the terrifying Mongol hordes that swept into eastern Europe in 1243 with the Christian armies of Prester John so long and eagerly awaited. Among the kingdoms that found themselves in the Mongol path, Hungary was a borderland between not two but many worlds, with its mixed population of Catholic Christians, Orthodox Christians, Jews, Muslims and also pagans. Western rulers can be seen taking a greater interest in missionary activities, strongly encouraged by the Franciscans and Dominicans; but this involvement with missions was not simply directed outwards to Asia, and those who have treated the missionary activities of the friars only in relation to the Mongol threat (thinking of Giovanni di Pian Carpini, the Polos and others) have seriously underestimated the range and purpose of their activities. Indeed, evangelisation was needed within western Europe as well, not merely against heretics and infidels, but also as a necessary and urgent way to strengthen the religious awareness of Catholics tending all too easily towards sin. As the career of Ramon Llull, at the end of the century, would show, the act of evangelisation was itself a way of bringing a deeper Christian awareness to those, within the Church or at princely courts, or indeed in city streets, who gave their assent and support to such efforts.

The existence of non-Christian groups elicited a variety of responses. In some regions, notably Sicily, Muslims were cleared off the land altogether. Within western Europe, the one significant non-Christian group to persist outside Spain, the Jews, were under increasingly ruthless pressure to convert, as the traditional 'Augustinian' guarantee of the right to live in a subordinate condition within Christian society gave way to denunciations of contemporary Jewish beliefs and practices, and as fantastic accusations against the Jews began to gain a following; the blood libel and accusations of child murder, which had begun to spread in the mid-twelfth century, were unsuccessfully challenged by rulers such as Frederick II and Pope Innocent IV, who were aware of their lack of foundation. On the other hand, the Talmud was increasingly targeted as proof of the contempt Jews felt for Christianity. Jews could also be seen as

lacking in reason, by virtue of their failure to accept the 'reasonable truth' that Christianity professed itself to be. Lacking in reason, they might even appear to be lacking in humanity, if reason were the outstanding characteristic of humanity. Jews, Muslims, Greeks, pagans under Latin rule were not simply a marginalised 'other', and the Jews in particular had been granted a place, though a difficult one, in Christian eschatology; but by defining these groups as outsiders western rulers and churchmen sought to define as well their expectations of their Latin Christian subjects and followers. Indeed, it was in the thirteenth century that vigorous attempts were first made to combat the spread of heresy, not just the blatantly anti-Catholic beliefs of the Cathars, but the misdirected (as it seemed) evangelism of Waldensians and of wayward Humiliati or beguines: by fire and the sword during the Albigensian Crusade; by the relentlessly thorough investigations of inquisitors in southern France, Germany and Italy. The thirteenth century is the period in which Catharism was virtually driven off the map, persisting into the next century only in remote villages, of which the best recorded was Montailou in the Pyrenees; but new challenges emerged, some of them from the heart of the Church itself, as the Spiritual wing of the Franciscans became more insistent upon the need for absolute poverty. The worries of the Spirituals were themselves a loud echo of the many voices that were questioning the commercialisation of society, from the late twelfth century onwards. Indeed, such worries had themselves been a major element in Francis of Assisi's career. The dilemma about the treatment of usurers, and indeed the definition of usury, was addressed by such influential figures as Ramon de Penyafort, for a time the Dominican general, and by Thomas Aquinas. In sum, the Church needed to find ways to satisfy the spiritual yearnings of Christians, and to ensure that these yearnings did not turn into challenges against the teaching of the Church. Already at the Fourth Lateran Council in 1215 the text of the creed was laid out, in the first canon of the Council, not merely in Latin but also in Greek, to meet the needs of the Uniate Church which had been so greatly and reluctantly expanded after the fall of Constantinople.

The Church insisted upon the duty of secular rulers such as the counts of Toulouse or Frederick II to join in the active suppression of heresy; usury too often came within the purview of enthusiastic princes such as Louis IX of France. The problem of heresy itself opened up once again the difficult issue of the right of the Church, and in particular the papacy, to command secular rulers. The tension between increasingly powerful secular authorities and the Church was not a novelty in the thirteenth century, but the bitterness with which both Frederick II in the 1230s and 1240s and Philip the Fair of France around 1300 attacked papal pretensions surpassed anything visible in the so-called Investiture Dispute of the late eleventh century. Propaganda machines

came into existence which made full use of the skills of rhetoricians trained in the emergent universities. The harnessing of arguments based on Roman law gave the councils a much sharper edge, as the secular rulers found themselves increasingly able to argue a case which appeared to have its own set of consistent principles, upon which the safety of the entire social structure appeared to rest. The conflicts between Frederick II and the papacy were accentuated by Frederick's role as king of Sicily as well as German emperor; the engagement between the leading secular power and assertive popes revealed that the papacy was not prepared to allow itself to be scared away from the most severe challenge: war with a ruler who might prove able to dominate all of Italy, including the Papal State, who, moreover, had the will and the means to persuade other Christian monarchs not to offer more support to the papacy against the empire. Apocalyptic images of Frederick as Antichrist had their propaganda value, as well as reflecting deeply held beliefs in some factions close to the pope; it was in the thirteenth century that secular rulers too began to harness propaganda campaigns, culminating in Philip IV's defamation of Boniface VIII and the Order of the Temple. Probably Frederick had no serious intention of reducing the papacy to an imperial chaplaincy. What matters, none the less, is how the papacy reacted to a supposed threat. The struggle between the universal powers of papacy and empire was, in another sense, anachronistic. Frederick's own conception of his imperial authority was concerned more with the trappings of Romanism, with pomp and display, than with any serious claim to or exercise of universal power; it was far from clear whether even his Sicilian kingdom formed part of the Roman empire. The collapse of Byzantium had effectively solved the *Zweikaiserproblem*, the problem of the existence of two claimants to the title of Roman emperor, which had so exercised Frederick's namesake and grandfather. But, as has been seen, the appeal to Roman law (with the help of legal professors in Bologna and, rather less successfully, of Frederick's own university in Naples) justified the claims to authority of the *princeps*, but they could be used by other princes than the emperor, as the career of Edward I of England, Alfonso X of Castile or Philip IV of France would in different ways reveal, and as is also amply revealed by the development of canon law. Rulers were increasingly seen as kings of territories: *rex Francie* rather than *rex Francorum*, *rex Anglie* rather than *rex Anglorum*; in some kingdoms, the increasing use of the vernacular in public documents such as law codes helped further to define a growing sense of nationhood, even if it was not yet by any means coterminous with political boundaries. In this world, the German kingdom, ruled by a *rex Romanorum*, king of the Romans, eligible for papal coronation as Roman emperor, was increasingly obviously the oddity, a kingdom whose method of succession to the throne (by ever more bitterly contested elections), whose royal power base, whose bureaucracy – or lack of

one – placed it apart from centralising monarchies with capital cities at Paris, Westminster, Naples, centres in which they were able to glorify the dynasty by erecting monuments on the scale of the Sainte-Chapelle, Westminster Abbey or Santa Chiara in Naples. Art glorified dynasties but also, by the end of the century, individual rulers, whose images became diffused and, at the top end of the scale of piety, acquired reputations for sanctity which could help overcome political crises not merely in their own lifetime but in that of their heirs. ‘Saint Louis a-t-il existé?’ Jacques Le Goff has pertinently asked. What mattered was the way a royal saint gave sanction to his successors’ ambitions, not merely in France but in any kingdom whose ruler could claim Capetian blood.

Yet royal authority was easier to declare than to enforce. The search for funds to achieve royal objectives (ranging from crusades to wedding bills) forced rulers into the arms of their more influential subjects, by way of assemblies with which different rulers experienced very different relationships. The estates in France were quite different in character to what emerged elsewhere, and they never achieved the degree of leverage exercised by the Lords and (in due time) by the Commons in England. In Aragon-Catalonia the existence of different *corts* or *cortes* for the ruler’s different realms did not, as might be expected, permit a policy of divide-and-rule by which the king could make himself master of his subjects; contrasting political aims, the crushing cost of the ambitious Aragonese-Catalan wars, and a distinctive theory of state origins, enabled these parliaments to exercise an unusual degree of influence over royal policy. Often an issue was the king’s advisers: there were campaigns to exclude Jews from office in Aragon, and ‘foreigners’ from office in England (led by one who was himself a foreigner, Simon de Montfort). The appeal to the authority of a Roman *princeps* was thus not always pressed successfully. In some cases, too, the authority of one king over another became a crucial issue: in Scotland the issue that had to be confronted was whether the king of Scots paid homage to the king of England for his English lands or for his entire kingdom; the relationship between the king of Aragon and the king of Majorca was no less fraught with complication.

Nor were these exclusively phenomena of the Christian world: in the Muslim lands on and beyond the edges of Europe, old universalisms were challenged, and local kingdoms, ruled by Nasrids in Granada, Marinids in Morocco, Hafsids Almohads in Tunis, replaced the unitary, theologically unitarian, Almohad empire that had conquered much of the Maghrib and southern Spain in the mid to late twelfth century. There, as in Egypt, caliphs were at best a cipher, and local bureaucracies, anxious to exploit to the full local economic resources, helped build states of remarkable longevity. The Mongol invasions rocked but did not destroy the Mamluk state in Egypt and Syria, whose military strength would remain surprisingly sound until the Turkish irruptions around

1500, thanks in part to the willingness with which the Genoese and others provided Circassian slaves for the military elite.

Turning back to western Europe, there were also the areas that escaped royal supervision: imperial cities in Germany, in theory accountable directly to the emperor; cities in northern and central Italy, mostly under the nominal authority of emperor, pope or some other ruler of stature, but in the case of Venice quite clearly independent of any higher authority. By the end of the thirteenth century, the Swiss rural communes, later joined by several major towns, insisted on rejecting local lords, forming a union that was to acquire formidable physical strength. In the thirteenth century appeals to Hohenstaufen emperors, Angevin kings of Naples and popes by the citizens of the Italian towns formed part of a wider network of alliances among the faction-ridden urban elites. One solution seemed to lie in the submission of the commune to the authority of a local lord, such as the Este in Ferrara, the della Torre in Milan, the della Scala in Verona, who would often leave existing communal institutions in place, but would offer an end to internal strife. The coming of the *signori* was not universally welcomed; Florence and Genoa generally managed to keep the traditional commune alive, along with its vendettas and turbulence. In these cities, as elsewhere, the claims of the wealthier artisans to a political voice, often expressed through the mechanism of the *popolo*, contributed further to tensions. What is thoroughly remarkable is that Florence and Genoa remained important centres of industry and of trade in the face of such profound political fragmentation. Yet royal involvement in city life was not necessarily a threat to economic success. Barcelona flourished precisely because king and citizens possessed a community of interests. Marseilles, on the other hand, suffered at the hands of its Angevin rulers, by being transformed from a role as a trading entrepot into one where its naval arsenal became the prime source of profit. Moreover, it was Barcelona (like Venice and Genoa) that exercised influence far afield through a network of consulates, warehouses and diplomatic leverage that Marseilles had no ability to match. Overseas possessions, whether the Genoese and Pisan lands in Sardinia and Corsica, Venetian ownership of Crete or Catalan penetration under the Aragonese flag into Majorca and Valencia, and ultimately Palermo too, brought access to foodstuffs, raw materials and captive markets. Western producers bought eastern cotton through Venice, Ancona and elsewhere, processing it, dyeing it with eastern dyes such as indigo and reselling it in eastern markets; this way the industrial ascendancy of the west was gradually being expressed, though there were endless dogfights as (for instance) Venice tried to limit the access of Ancona to eastern markets. By contrast, the German merchants of the incipient Hansa adopted a less overtly competitive framework for their trade, though there were tensions between German towns such as Cologne and Lübeck, and there were lengthy periods of

peace between supposedly inveterate Mediterranean rivals such as Genoa and Venice. As in the classic Mediterranean, trade within the 'Mediterranean of the North' constituted by the Baltic and the North Sea was characterised by exchanges of luxury goods for basic raw materials and for grain; crusaders pressed ahead (in this arena, the Teutonic Knights most notably), and cleared spaces for the traders. Trade and crusade together conquered the Baltic.

The Mediterranean itself became the battle ground of emergent empires: Aragonese-Catalan expansion in the west was challenged by the aspirations of the French house of Anjou (and France itself celebrated its arrival on the shores of the Mediterranean with the building of the port of Aigues-Mortes). Further east, the Latin kingdom of Jerusalem became embroiled in the conflict of two new forces, the Mongols, of limitless ambitions, and the Mamluks, clear in their desire to sweep the Franks into the sea. The fall of Acre to the Mamluks in 1291 did not undermine fervour for a crusade; but without a firm bridgehead beyond Cyprus a crusade for the recovery of Jerusalem became increasingly difficult to set in motion. It does mark a major moment in the history of the crusades, the point at which (except for the allied state of Cilician Armenia) the Latin presence on the shores of Syria and the Holy Land came to a decisive end. A great variety of objectives had, in any case, come to compete for crusading manpower since Innocent III launched the Albigensian Crusade: crusades against Christian lay powers ('political crusades'), notably those against the Hohenstaufen dynasty in Germany and Italy; crusades in the Baltic and in Spain, the former of which contained an unusually strong conversionist element. Even if the crusade to Jerusalem retained a special reputation and glory, the possibility of redeeming crusade vows in other theatres of war could be, for the more cynical, practically very opportune. On the outermost edges of Europe crusading and political conquest became easily intertwined, and elaborate theories were easily transmuted into broad, gross justifications, whether of Swedish wars against Orthodox Russians (led by the nearly legendary Alexander Nevskii), or Norwegian wars against pagan Lapps. Naked ambition, too, propelled Norway's rulers to acquire their claim to Iceland and even Greenland, though in Man and the Hebrides it was the Scottish rather than the Norwegian king who won the day. And, as has been seen, trade and crusade became closely intermingled in attempts to gain authority in Finland, Estonia and along the fur trappers' routes into Russia.

These areas seem remote from the Latin Christian heartlands that are the focus of so much that has been written on the thirteenth century. It is hard to remember that France and England were the only significant kingdoms without non-Christian inhabitants (their Jews apart) or without neighbours who were non-Latin; however, there was an occasional wicked temptation to compensate by classifying the Irish as to all intents pagan. In Spain, southern

Italy, eastern Germany awareness of the Muslim, Orthodox or pagan neighbour was a fact of life. This is not to say that such awareness translated easily into toleration, which, when practised at all (as in Valencia or Sicily), was highly pragmatic, conditional and based on the firm assumption that Latin Christians took precedence. It was this sense of the integrity of Latin society, professing one faith or 'law', that remained from the aggressive universalism of the late eleventh- and twelfth-century Church, and that still formed a significant core of the teaching of such lawyer popes as Innocent III and IV and Boniface VIII. But by the end of the century, in Boniface's years as pope, it was western kings – in France, England, Castile, Naples and so on – who emphatically utilised this awareness of Christian identity in order to enhance their own, and not the pope's, authority. In extreme cases, such as the expulsion of the Jews from England in 1290, or the sale as slaves of the inhabitants of Muslim Lucera by King Charles II of Naples in 1300, the insistence on the Christian identity of the kingdom could lead to terrible hardship for outsiders.

The papacy began and ended the century with clarion calls for the submission of the Christian flock to its one shepherd, Peter. In his bull *Unam sanctam*, Pope Boniface insisted that such submission was entirely necessary for salvation. But it was secular rulers who most successfully took up the message of submission to higher authority to serve their own ends, and to bring their own subjects more securely under their own authority: not Peter's deputy, but anointed kings, found themselves in the best position to achieve moral reform, on their own terms, in a society which they brought increasingly tightly under their own control.

PART I
COMMON THEMES

NOBLES AND KNIGHTS

Robert Stacey

THE thirteenth century was an era of growing population, extensive land clearance, expanding towns and rapid social mobility. Governments grew more powerful and legal systems more complex. Distinctions of legal and social rank also became more elaborate. All these developments affected the aristocracy of thirteenth-century Europe, but none will serve to define the aristocracy itself as a group within society. Rather, the aristocracy of thirteenth-century Europe defined itself by its self-conscious adherence to a European-wide set of common cultural values and assumptions embodied in the cult of chivalric knighthood. Before we discuss how the aristocracy changed, we must first know who they were. It is with chivalry, therefore, that we must begin.

By the end of the twelfth century, the ideology of *chevalerie* had gained widespread acceptance among the mounted, heavily armoured warriors of western Europe. Contemporaries were increasingly aware that together these *chevaliers* could be conceived of as constituting a distinctive order within society. Like the other orders of late twelfth-century society, this *ordo militaris* comprised a very wide range of social ranks, from kings and emperors at the top, down to the landless warriors who in turn shaded off into the ranks of the wealthier peasantry. Chivalric ideology did not originate with the great lords, and in the empire particularly they were latecomers to it. But by the last decades of the twelfth century it was these great lords who, through their patronage of tournaments, heraldry and literature, fostered a notion of *chevalerie* as a social order which bound together men of such otherwise disparate status in life, and who, by identifying themselves with it, identified *chevalerie* with true *noblesse*. Not all the men called *militēs* in Latin sources were noble in the year 1200, and not all nobles would have been flattered to be called *militēs* or even *chevaliers*. But by 1200, nearly everywhere in Europe, those who fought in heavy armour while mounted on horseback shared in a common ideology of chivalry which associated them in some manner with kings and princes, and distinguished them

utterly from peasants, from whom some at least would on any other grounds have been entirely indistinguishable.

Chivalry was thus established by 1200 as the self-conscious ideology by which the aristocracy of thirteenth-century Europe would define itself and its boundaries. By emphasising qualities of loyalty, generosity, military prowess and courtly style as constituent elements in true nobility, chivalry facilitated the incorporation of the *chevaliers* into the ranks of an aristocracy to which many had not been born. This was no small thing in a society as socially mobile as that of twelfth- and thirteenth-century Europe, and helps to explain why thirteenth-century commentators were so tenacious in their efforts to devise schemes of social classification that justified the essential unity of the *chevaliers* as an aristocratic order, yet acknowledged the enormous differences in wealth, power and status that differentiated the mounted retainer from his lord, and that in many areas continued to divide the ancient families of noble lineage from the knightly families who had risen in their service. We must not mistake such prescriptive schemas for descriptive reportage, however. The elaborate hierarchical gradations of noble rank enshrined in the German *Heerschildordnung*, in Eike von Repgow's *Sachsenspiegel* (c. 1225) or the later *Schwabenspiegel* (c. 1270), or in Alfonso X's *Siete partidas* (c. 1260), reflect some of the ways contemporaries thought about their world, but they tell us little about the real complexities of thirteenth-century aristocratic social structures. Nor will any single 'model' for aristocratic social change be equally valid for all of Europe. Regional, even local, variation is everywhere apparent. In a very general way, however, the association of chivalric ideology with the greatest lords of the age raised the prestige of knighthood in thirteenth-century society, while raising also the requirements of descent, status and display necessary to enter into and sustain it. As a result, the number of men who took up formal knighthood declined in most areas, more rapidly as the century proceeded. This process of social elevation and exclusion had begun already by the end of the twelfth century, and continued into the fourteenth. By 1300, however, nearly everywhere in Europe, it had transformed the meaning of knighthood. *Chevalerie* began the century as the ideology of an *ordo*, the *chevaliers* ended the century as a social class, reduced in numbers, but now securely installed in the lower ranks of the nobility.

This transformation occurred first and most clearly in northern and central France, where chivalric ideology struck its earliest and deepest roots, and where the growing power of the crown fostered the development during the thirteenth century of clear criteria for noble status. Here, the unfree mounted warriors who could still be found in parts of Flanders, Champagne, Berry and the Paris basin in the first half of the twelfth century were gone by 1200. By about 1250 the *milites* were widely recognised as *domini*, extracting revenues from

their dependent peasantry, living in fortified houses and addressed indifferently with counts and dukes as 'lord', *messire*. When French contemporaries sought to express the quality these *domini* shared, they spoke usually of *gentillesse*, 'gentility', a flexible concept which combined knightly descent with an aristocratic style of life and behaviour. *Nobilitas* was more controversial. It is true that in southern Burgundy *nobiles* and *milites* were interchangeable terms by 1100. But elsewhere *nobilitas* was ascribed indifferently to all *milites* in the formal language of charter witness lists only from the late thirteenth century on, as intermarriage between the knights and the pre-1150 aristocracy at last began to displace the endogamous traditions of these ancient noble families. As the standard descriptive term for this emerging class of lords, however, *noblesse* triumphed over *gentillesse* only around 1300, as 'nobility' in France achieved a distinct legal status conveying specific fiscal, judicial and military immunities to its possessor.

In practice, however, definitions of nobility in northern and central France were worked out on a case-by-case basis throughout the thirteenth century, when someone – a royal official, or sometimes another noble – had reason to challenge someone else's claim to noble status. Such cases became increasingly common from the mid-thirteenth century on, as restrictive taxes were imposed on fiefhold property sold to 'non-nobles'. Genealogical descent, possession of existing lordships or fiefs, style of life and local reputation were all relevant to determining 'nobility', although lineage became an increasingly important criterion as the century progressed. As the king's power to tax non-nobles grew, the *parlement* of Paris emerged as the normal tribunal which adjudicated claims by families aspiring to the tax exemptions accorded those of noble rank. The development of royal patents of ennoblement under Philip the Fair marks a further stage in the emergence in France of a notion of nobility as a legal rank defined by royally sanctioned privilege. So too do the Leagues of 1314–15 in their elaboration and defence of nobility as a heritable legal status possessed by a social class. It was not until the last half of the fourteenth century, however, that criteria of nobility were fully established in law, that knightly descent or a patent of nobility became the *sine qua non* of noble status, and that derogation from nobility became a matter of legal consequence. These developments were well advanced by 1300, but they were far from irreversible.

The legal unity of the French nobility was the product of royal fiscal and judicial policy. It did not reflect the structural realities of aristocratic society. Great disparities of wealth and power separated the simple knights from the great lords in 1200. The gulf grew larger as the century progressed. Lordships multiplied rapidly in the first decades of the century, some with rights of low justice, but others with no jurisdictional revenues beyond their rents. At the same time, the claims of the king and a few other great territorial lords to a monopoly of banal authority were depriving many long-established lords of

their rights to impose tolls and taxes and to exercise high justice within their localities. The result was a marked levelling of seigneurial authority in the countryside. As inflation ate away the value of fixed rents, however, especially after 1270, only the great lords who had retained their banal privileges were able to compensate for their declining agricultural income by increasing their jurisdictional revenues. Lesser lords were increasingly unable to keep up with the rising contemporary standards for an appropriately noble style of life. By 1300 there are clear signs of crisis amongst the numerous petty lords of areas like Picardy and Flanders.

Some knights responded by entering the service of greater lords or of the king, and those who prospered were sometimes able to re-establish their positions from the proceeds of office holding. Marriages with prosperous burghers or peasants were another route to survival and to continuing social mobility. Others moved to the towns and branched out into commerce, a phenomenon well known in southern Europe, but more widespread in northern Europe than is often realised. The prejudices that declared commerce incompatible with nobility were still taking shape when the thirteenth century ended. They did not become legally enforceable until the end of the fourteenth century, and even then, only in France, Castile and parts of east central Europe. In the thirteenth century, commerce remained an avenue of opportunity open even to the greatest lords throughout western Europe.

Lords threatened by the declining real value of fixed rents cut costs where they could; and from the mid-thirteenth century on, we find growing numbers of lesser knights' sons in France failing to take up knighthood, remaining instead as *armigèri*, *damoiseau*, 'squires'. By 1250, more than half the fief holders in Forez were unknighthed squires, while in the Mâconnais the undubbed sons of knights made up more than half the aristocracy. In Picardy, dubbing remained customary until about 1270, but squires multiplied rapidly thereafter in all but the greatest families. The ranks of squires were further increased by the fact that thirteenth-century French knightly families frequently divided their estates amongst all their children, or at least all their sons, rather than concentrating their inheritances in the hands of a single heir. Customs varied by region, and in areas like the Beauvaisis and the Vexin, primogeniture was carefully preserved. But in most areas, partible inheritance had long been practised by the greatest aristocratic lineages even where customary law might appear to dictate otherwise. As the knights became more firmly a part of this aristocratic elite, they adopted its succession practices also. In thirteenth-century Champagne primogeniture was actually prohibited with respect to fiefs. Elsewhere, as with Picardy, changes in inheritance customs can be traced only by their results. The results, however, were clear: a markedly increased number of small lordships, whose holders proved especially vulnerable to the eco-

conomic difficulties of the later thirteenth century; fragmentation of the great estates, which facilitated their acquisition by the crown or other lords; and high extinction rates among aristocratic lineages. In Forez, 66 of the 215 aristocratic families disappeared during the thirteenth century. In Picardy, only twelve of the fifty greatest families in 1190 survived in the male line to 1290; but they had been joined in the meantime by no less than sixty-four other families who had risen into aristocratic ranks.

By 1300, the *chevaliers* of France were securely a part of the nobility, and their privileged legal status was increasingly seen as heritable even by their undubbed descendants. As a social class, however, the nobility itself was still in flux, and would remain so. By 1300, the wealthiest men in France were merchants, not nobles; and although newly constructed distinctions of legal rank might retard the merchants' entrance into the ranks of the nobility, they could do little to counteract the changing balance of economic power between them.

Patterns of change among the English aristocracy were broadly similar to those of northern France. Here too the years between 1180 and 1240 were the critical ones for the assimilation of local knightly families into the ranks of the *domini*. It is in these years too that it became fashionable for the greatest lords to style themselves as *milites*, a chivalric acknowledgement of the common values that united them with the often landless knights who comprised their retinues. More clearly than in France, however, the rising status of the knights in England rested on the massive transfer of land from tenants-in-chief to their knightly followers which took place in the century prior to 1180. Such transfers may have purchased loyalty initially, but as these heritable grants were passed down to children and grandchildren, the links which bound knightly tenants to their honorial lords became increasingly attenuated. In Ireland and on the Welsh marches, continuing colonisation and military necessity preserved these links rather longer. But in England itself, the tenurial security provided by royal justice combined with the increasing value of their landed resources to render most shire knights substantially independent of lordly control by about 1225. Thereafter, great lords who aspired to control the localities generally had to achieve this in partnership with local knightly families, offering fees, offices and patronage at court in return for their service and support. Always, however, the power of the king and his agents stood as a potential counterweight to such territorial ambitions. As a result, the shire knights emerged in the thirteenth century as a distinctive political group, whose independence from both the king and the great lords can be traced in parliamentary negotiations from the late 1260s onward.

Notwithstanding the knights' developing role in parliament as spokesmen for 'the commons', knights themselves were securely a part of the English aristocracy, increasingly so as their numbers diminished from perhaps 3,000 in

1200 to around 1,100 in the early fourteenth century. The rising costs of aristocratic display, the administrative burdens imposed on shire knights by the crown and the desire to avoid personal summonses to military service all played a role in the rapid decline of knightly numbers in the countryside. From the 1240s on, kings responded by periodically attempting to coerce all £15, £20 or £40 freeholders to accept knighthood. Exemptions were easily purchased, and so the policy had little effect on the overall numbers of knights, but it did help to keep open the lower boundary of the English aristocracy to the rapidly growing number of squires. As in France, the landed wealth and local reputation of these thirteenth-century squires were sufficient to rank them among the gentle-born, although in England it was not until the fourteenth century that the squires moved fully into aristocratic ranks by taking up heraldic insignia. In England, however, gentility never gave way to nobility as the characteristic quality of this aristocracy, because in England nobility never became a term of legal art. From the thirteenth century on, the English 'nobility' enjoyed no exemptions from royal taxation, no judicial rights of consequence beyond their manorial courts and no privileges in legal procedure beyond a right to be tried by their peers, a guarantee provided to all free men by Magna Carta, but which came to mean that lords summoned personally to parliament should be tried only by the king himself or by their lordly 'peers' in parliament. In some respects, for example in their freedom to sell fiefhold property, the great lords of late thirteenth-century England were even more tightly bound by legal restrictions than were lesser men because they were more likely to hold their lands directly from the crown.

The absence of a legally privileged nobility from thirteenth-century England is conventionally seen as a sign of the overwhelming power of the English crown. It may also reflect the enormous prosperity of these great lords. Direct exploitation of their estates made them the beneficiaries of the rising prices for agricultural produce which characterised the century. Their continuing connections with towns and trade provided them with markets for their produce and substantial cash incomes from markets, tolls and fairs. Some, like the earls of Arundel and Pembroke, engaged in trade directly, especially with Ireland and the Low Countries, sometimes even with their own ships. Others developed urban property, especially in London, or founded new towns. Nowhere were the lines between the aristocracy and the townsmen clearly drawn. Knights and townsmen sat together in thirteenth-century parliaments as the representatives of shires and boroughs; the ruling oligarchies in the towns were often drawn from country families; while the men of London and the Cinque Ports were conventionally addressed as 'barons'. Tax burdens on the aristocracy were light until the 1290s, and the stability of the English currency lessened the impact of inflation on their fixed rents, which made up a

far smaller proportion of their incomes anyway than for the lords of northern France.

Among the knights and squires, stability was somewhat less than it was among the greatest families. In the shires, the improvident and the unlucky disappeared, and new families took their place, rising through royal favour, administrative service, trade, land purchase, marriage and successful litigation. Political miscalculations could be disastrous, and in the wake of the mid-century civil wars, an extraordinary redistribution of landed resources took place within aristocratic ranks. But the structure of the aristocracy itself did not change dramatically. No systematic crisis overtook the English aristocracy of the sort we see by 1300 in northern France. In France, the construction of a noble class in law was in part a response to the nobility's own perception of threat. In England, where no such threats materialised, no legally protected nobility emerged.

In the German-speaking lands of the empire, by contrast, it was free knights who were rare by 1200; by 1300 in many areas they had disappeared altogether as a distinguishable group within aristocratic society. The ranks of the *chevalerie* were instead filled by the legally unfree *ministeriales*, whose military and political influence and aristocratic style of life corresponded fully to those of their knightly counterparts in France, but whose legal status continued in principle to distinguish them from the free nobility until the fourteenth century. In the early twelfth century, when a distinctive *ordo ministerialis* took shape in Germany, the ministerials' unfreedom had involved three principal restrictions on their conduct: they could not alienate their lands except to other ministerials of the same lord; they could not do homage to or hold fiefs from any other lord without their personal lord's permission; and they could not marry outside the lordship, again without their lord's permission. By 1200, these restrictions on alienation of lands, homage and on multiple fief holding had already largely broken down, and were even further relaxed in the troubled years between 1197 and 1218. Werner von Bolanden, imperial ministerial under Frederick Barbarossa, held land from more than forty different lords in addition to Barbarossa; and in practice, especially in areas like the Rhineland, ministerials by 1200 were freely alienating their property through sales, donations and sub-infeudations, subject only to a customary requirement that they recompense their lord for his 'loss' with lands of equal value. Despite their legal unfreedom, ministerials were thus in practice freer by 1200 in their ability to alienate feudal property by sale or gift than were the knights of northern France or England, and continued to be so until the end of the thirteenth century. Their rights of inheritance were also firmly secured in local custom, so much so that on occasion free men voluntarily took on ministerial status apparently so as to safeguard the succession of their estates.

Nor were the restrictions on their marital freedom unusual when compared to customs elsewhere in northern Europe, at least prior to the late twelfth century. Thereafter, however, we note a change. Whereas in northern France and England seigneurial control over knightly marriage increasingly broke down from the mid-twelfth century on, in Germany this legal limitation was preserved; and although in fact a great many thirteenth-century ministerials did marry outside their lordships without their lord's permission, a ministerial who did so had no legal defence if his lord chose later to make an issue of his unsanctioned marriage by confiscating his fiefs. Indeed, as the principalities of late thirteenth-century Germany assumed more precisely defined boundaries, restrictions on ministerial marriages were sometimes applied with even greater rigour by lords like the archbishop of Salzburg, struggling to assert and maintain the territorial integrity of his *terra*, and anxious not to lose control of valuable ministerial inheritances through marriages with dependants of competing lords.

Like their knightly counterparts elsewhere, the ministerials rose in the world through the service of greater lords. Their unfree status derived from their role as vassals in a seigneurial *familia*, but the services they performed were the honourable ones of fighting on horseback, office holding and administration; and as ties of vassalage spread during the twelfth century to encompass free knights, counts and even dukes, traditional equations of 'nobility' with 'freedom' became increasingly irrelevant to the realities of aristocratic German life. As ministerials acquired fiefs, they also began to acquire the heraldic insignia linked with fief holding. As with the other knights of thirteenth-century Europe, the assimilation of the German ministerials into the ranks of the aristocracy was marked by their adoption of heritable armorial bearings. In Germany, the arms borne by ministerials in the thirteenth century were often derived from the arms of their principal lord, symbolising their unfreedom, but emphasising their potentially ennobling proximity to the upper ranks of the 'free' aristocracy. The standing of ministerials in the thirteenth century was a complex mixture of both these elements.

Despite great disparities in wealth and social standing, ministerials in the twelfth century were widely perceived by contemporaries as constituting a single and distinctive order within German society. In the thirteenth century, however, this unity broke down. The most powerful ministerial families, those holding fiefs of many lords, in possession of castles and exercising seigneurial authority in the countryside, had already begun to style themselves as *nobiles* in the twelfth century. And although such claims would not be generally accepted in aristocratic society until the fourteenth century, they were addressed as *domini* from about 1200 on in common with the free nobility. Free knights continued to enter the ranks of the ministerials throughout the thirteenth century, especially in areas where strong princes were successfully consolidating their

authority. Elsewhere, the most powerful ministerials were beginning to establish a *de facto* independence from their lords, a development hastened in areas where the extinction of comital or ducal lineages left them without a personal lord altogether. After 1254, the extinction of the Staufen emperors released a new flood of lordless imperial ministerials into German society. By the end of the thirteenth century, the greatest ministerial families had merged with the remaining free nobility of the countryside, to constitute in areas like Austria, Styria and the Rhineland an 'estate of lords' (*Herrenstand*). The majority of lesser ministerials, however, either attached themselves to other lords and merged with their own retainers to constitute an 'estate of knights', the late medieval *Ritterstand*, or else dropped back into the ranks of the peasantry. Above them both, of course, stood the *Reichsfürstenstand*, the estate of imperial princes, whose ranks were defined by a series of royal edicts between 1180 and 1237, with continuing adjustments thereafter. Not every region witnessed this split between knights and lords; and in areas where a single prince predominated, like Salzburg, or in the expanding areas of eastern settlement, like Brandenburg, Mecklenburg and Meissen where an 'old' nobility had never existed, only a single lordly estate of knighthood formed.

Regional peculiarities should not obscure the general phenomenon, however. Like the knights of England and northern France, the German ministerials by 1300 had risen into the ranks of the hereditary nobility, dividing as they did so into an upper and a lower stratum. Except in a few outlying areas like Guelders and Zutphen, where ministerials survived until the sixteenth century, they shed the remaining vestiges of their unfreedom during the fourteenth century. As with the free nobility, the thirteenth-century prosperity of the *ministeriales* which enabled them to rise rested on three main props: their possession of landed wealth, acquired as fiefs and through purchase, but vastly increased through internal colonisation and land reclamation; their control over castles; and their connections with towns, where many twelfth-century ministerial families were installed by their lords as administrators. The result, especially in the old settlement areas of Swabia, Franconia, northern Bavaria and the Rhineland, was the emergence during the thirteenth century of a very important urban nobility, living in fortified townhouses, engaging in commerce, but closely associated with the nobility of the surrounding countryside. As it was in northern Italy, the Low Countries and north-eastern France, chivalry in late medieval Germany was as much an urban enthusiasm as a rural one. Everywhere in western Europe, however, it remained the distinctive ideology of an increasingly self-conscious noble class.

Against this background, the often-alleged distinctiveness of the urban-dwelling, commercially oriented nobility of northern and central Italy loses

much of its force. Long-standing relationships of vassalage and service between the nobility of the countryside and the administrators and merchants of the towns had created an important urban nobility in the Italian towns by 1100. These links between town and *contado* were further strengthened by the involvement of the rural nobility in urban commercial ventures, and by the efforts of the new communal governments to encourage the nobility of the *contado* to reside in the towns. Not all agreed to do so, and throughout the thirteenth century about half the rural nobility resisted any significant connection with commerce or the communes. By the thirteenth century, however, the communes themselves were dominated by closely integrated patriciates drawn from both the landed nobility of the countryside and the wealthy merchants and moneylenders of the towns. These urban magnates lived in fortified towers in the city while drawing much of their wealth from rural property. They maintained networks of clients and kin throughout the *contado*, and lived by a code of honour and vendetta that by the 1240s posed a serious challenge to political stability. But what principally distinguished them from their fellow citizens was their self-conscious allegiance to the cult of chivalry, the French origins of which paradoxically increased its importance in Italy as a marker of aristocratic solidarity. Even more markedly than elsewhere in Europe, chivalry in northern and central Italy defined and unified an elite of extraordinarily disparate social origins around a common set of aristocratic cultural values.

In most Italian cities, mounted military service was compulsory for all male citizens above a set level of wealth. The incessant warfare that characterised thirteenth-century Italian life thus helped to maintain knighthood as a means of entry into aristocratic society open even to former serfs. It was thus not mounted military service itself, but rather the full ceremonial trappings of chivalric knighthood that came to distinguish the merely wealthy from the truly noble families among the thirteenth-century urban patriciate. Dubbing to knighthood became the accepted ritual by which a family proclaimed its magnate status, and remained so until the 1330s, despite the efforts of several communal governments (most famously Florence) from the 1280s on to limit the power of magnate families by banning dubbed knights and their lineages from political office. Throughout the century, however, it remained possible for new families to enter the patriciate by adopting the chivalric values of the urban nobility. The social narrowing of knightly ranks visible elsewhere in Europe during the thirteenth century appears clearly in Italy only in the fourteenth, when it coincided with a general 'refeudalisation' of rural society and, in Tuscany, with an economic crisis for the lesser nobility.

In southern Italy, by contrast, chivalry was less often an urban phenomenon, and knighthood more often restricted to the descendants of knights. Urban life itself was far less developed, and the structures of rural lordship were more

securely in the hands of a territorialised nobility. In northern Italy, the growth of property taxes during the thirteenth century reduced the fiscal privileges attendant upon nobility, making nobility more than ever a matter of values and style. In the south, however, the opposite occurred. Tax exemptions on feudal property became more securely established, and a growing prejudice against noble involvement in commerce increased the economic dependence of the nobility on their estates. Inheritance customs differed also, indivisibility in the south preserving the integrity of powerful noble lordships, while the partible inheritance customs of the north acted to dissolve them.

The closest parallels with northern Italian knighthood during the thirteenth century were thus not with the south, but with Spain. In Castile, an ancient nobility defined by heritable fiscal privileges, descent and knightly service existed by the eleventh century, divided into a small group of *ricos hombres* (from Gothic *reiks*, meaning 'powerful'), and a much larger group of lesser *hidalgos* or *infanzones*. In the north the *hidalgos* remained a largely rural group. The word *hidalgo* was itself derived from *Wjo d'alguno*, 'son of somebody'. In central and southern Castile, however, kings recruited mounted troops and settlers for the *Reconquista* by offering the privileges of *hidalguía* to any frontier townsman who fought on his own horse with knightly arms. In theory, the knightly status and attendant tax exemptions of these *caballeros villanos* did not pass automatically to their descendants; status was to this extent strictly dependent upon service, and so distinct from *hidalguía*, which was heritable. In practice, however, mounted service in frontier towns was obligatory for all males wealthy enough to sustain its requirements; and since horses, arms and wealth were heritable, the distinctions between *hidalgo* and *caballero* families in the towns became increasingly blurred. By the early thirteenth century, an effectively hereditary group of *caballeros villanos* dominated most towns, along with a much smaller group of urban *hidalgos*. Their mounted service secured for them the largest share of the booty from raids and conquests, while their monopoly of local offices guaranteed them the lion's share of the tax revenues from the surrounding countryside. Their dominance was further encouraged by the efforts of Ferdinand III and Alfonso X to fuse these two groups into a single, closed urban aristocracy of 'knights by lineage' (*caballeros de linaje*), by increasing their tax exemptions, relaxing military service requirements and insisting that they alone could hold urban offices and represent their towns in the *cortes*.

The rich opportunities for plunder and conquest offered by the *Reconquista* made mounted military service a continuing avenue for social advancement within the towns, particularly during the first half of the century. After mid-century, however, we find a growing insistence in Castile on the necessity of a knightly lineage to true nobility (*hidalguía*). This was partly a matter of maintaining urban tax rolls, but it also reflected developments within Castilian

society: lessening military opportunity as the Reconquista came to an end; the declining economic position of the *hidalgos*, especially in the north where they were most numerous; and the growing power and wealth of the urban patriciate, composed largely of *caballeros villanos*, but in Andalusia comprising also merchants whose status as *caballeros* was dependent on their wealth. Alfonso X's very deliberate efforts, through sumptuary legislation, court ceremonial and the *Siete partidas*, to define chivalric values, to identify them with true nobility, and to focus them on his court, were attempts to construct a cultural unity for this new Castilian nobility he sought to promote. His success is apparent in the cult of the *Cid*, the particular hero of the *caballeros villanos*, who emerged by 1300 as the pre-eminent chivalric hero for the entire Castilian nobility as well. By 1300, the *caballeros villanos* were securely a part of a hereditary nobility that would thereafter define itself increasingly strictly by birth and lineage. In the late medieval *cortes*, this knightly nobility would sit together as a single estate.

Social change amongst the Aragonese aristocracy was much less marked. The small group of *ricos hombres* in Aragon proper remained fairly stable throughout the thirteenth century, tightening their grip on their dependent tenants, and increasingly assertive of their independence from the crown. Neither they nor the larger group of lesser nobles (*infanzones*) profited much from King James I's conquests of Majorca and Valencia, while the non-heritability of their tenancies appeared even more unjust when contrasted with the heritable fiefs of Catalonia. The towns of Aragon grew markedly in the first half of the century, but remained too small to accommodate the ambitions of more than a few families of urban knights. Knighthood in Aragon therefore remained an almost exclusively noble enterprise, notwithstanding the presence of a few *caballeros villanos* along the twelfth-century borderlands. Divisions between the greater and lesser nobility are reflected in the Aragonese *cortes*, in which these two groups sat in separate estates. Their mutual alienation from the crown grew steadily, however, producing in 1265 at Ejea and in the 1283 Union a co-operative defence of the tax exemptions and judicial privileges that characterised their joint nobility.

In Catalonia, by contrast, the ancient nobility of counts and viscounts declined dramatically during the twelfth century. In their place arose a much larger group of castellans (hence, perhaps, the very name 'Catalonia'), whose noble status was well enough established by 1200 to allow invidious comparisons between the true nobility of counts and castellans, and the pretensions of an *arriviste* group of knights who had risen as the agents of the crown's expanding authority in the last few decades of the century. The conquests of King James I brought new opportunities to all three groups; but what really transformed thirteenth-century Catalan society was the explosive growth of the city of Barcelona. Like the great cities of northern Italy, Barcelona was controlled

by a tightly knit patriciate of 'honourable citizens', here drawn overwhelmingly from the city itself. But despite important differences in family structure between the urban patriciate and the rural nobility, some noble families, such as the Moncada, did participate in the urban development of Barcelona and the commercial expansion of the Catalan empire. Even more importantly, both the Barcelonan patriciate and the rural nobility shared in the common cultural and political world of the Catalan court, acting together as lenders, office holders and emissaries in the interests of the count-kings. One of the consequences of such co-operation around the court was intermarriage between merchant and noble families, which remained common throughout the century and helped in turn to promote the remarkable social mobility apparent at almost every rank of thirteenth-century Catalan society. Knighthood may have been less common among the 'honourable citizens' of Barcelona than it was among their Italian counterparts, but the example of Ramon Llull suggests that chivalric knighthood was indeed an aspiration among patrician families, perhaps especially in the new world of conquered Majorca. We know too little as yet about the cultural life of either the rural nobility or the urban elites of Catalonia to determine with confidence the extent to which a common chivalric culture defined and united them. But in a culture so cosmopolitan as that of thirteenth-century Catalonia, it would be surprising indeed if chivalric values did not in some measure contribute, as they did nearly everywhere else in Europe, to the process by which a socially diverse aristocracy of barons, knights and urban magnates became a noble class.

URBAN SOCIETY

Steven A. Epstein

THE line between urban and rural society, the small town and the big village, is a fine one and traditionally depends on whether or not a majority of the population supported itself other than by fishing, farming, mining or tending herds. In the past, there has been a tendency to identify towns solely by their legal status; this is not entirely satisfactory. Some unusual villages contained 1,000 people; a small town might not have much more. Thousands of small market towns existed across Europe and fulfilled the vital local functions of providing a place where people could exchange goods and supplies, repair their farm implements, have their children baptised or attend a fair. At around 5,000 people (in more densely settled regions) a city assumed certain features more characteristic of urban society, but in Scandinavia or eastern Europe even smaller places were impressive in local terms. A symbiotic relationship existed between all cities and their countrysides; any contrast between urban and rural society runs the risk of posing a false dichotomy. Arbitrary chronology is also a problem; the years 1198 and 1300 do not mark any decisive events affecting urban society across Europe.

Europe in the thirteenth century remained an overwhelmingly rural society, and so cities were still distinctive islands in a sea of villages and hamlets. The theme of urban societies must not turn these cities into generic types. Important regional differences must not be obscured, and nor should these places be rendered so typical as to conceal the process of change. On the most basic level, western Europe had more cities than the east, but this century marks the rise of some newly significant places as distant as Moscow. Many of Europe's largest cities dotted the Mediterranean from Gibraltar to the Bosphorus, but a similar band of newer towns followed the sea coast from the English Channel to the Gulf of Finland. Differences in climate and geography account for some special features of urban life; the canals of Venice do not freeze; the steep roofs in Bergen do not resemble the tiled ones in Valencia; rainfall would help to clean the streets of London but not Palermo; some

marshy areas, like the Maremma near Pisa, remained so malarial as to stifle successful urban life near them. Different physical appearances of cities help to mark regional flavours; the Mediterranean city does not look like one in the Low Countries. Yet some features of life cut across boundaries of space and weather. Walls or water surrounded most thirteenth-century cities. In every Christian city the biggest building was generally a church, almost invariably either a partially completed Gothic cathedral or a Romanesque basilica. A rough line from the Baltic to the Mediterranean fixed, from east to west, whether the language of the Mass in that church was Greek or Latin, whether the people looked to Constantinople or Rome for spiritual guidance. And of course Jews everywhere and Muslims in Spain and Sicily followed their own religious practices, in synagogues and mosques that did not tend to thrive where Christians ruled.

The thirteenth century witnessed a rapid growth of population, and this increase fuelled an expansion of Europe's cities. No census or reliable estimate of population survives for any thirteenth-century city.¹ Some contemporary figures provide a basis for guessing the size of the population. Tax lists give the number of households; military service yields the number of men capable of bearing arms; city walls may define the main inhabited area. These more or less reliable figures generally require a multiplier – average household size, gender and age distribution in the population, people per hectare – to produce the hypothetical figures. Small differences in the number of people per household or how many people can fit into an urban hectare can lead to great differences in the gross numbers. More useful are simple orders of magnitude – from a few thousand to 100,000 covers the range. Since the larger cities were generally dangerous and unhealthy places, infant mortality was high and hence much of the increase in urban population resulted not so much from city people reproducing themselves as from people migrating from the countryside or small towns. By 1200 the vast majority of Europe's cities already existed in some form, and in the following century these places would mostly continue to expand, while a few notable new towns like Stratford-upon-Avon were founded by enterprising lords. In the east, places like Vienna, Prague and Warsaw serve as examples of rapid growth from more obscure origins. On the Iberian frontier traditional Muslim cities such as Valencia, Seville, Córdoba and Ciutat de Mallorca were reborn, in some cases with a new population, as Christian centres of social and economic life.

The giant city of Europe was Paris, at about 200,000 people by 1300; Venice and Florence reached a population of around 100,000, a ceiling of sorts in medieval society, probably set by the problems of transporting food to such

¹ Russell (1972), pp. 25–9.

huge centres. In the next rank are cities like Cologne, Milan, Bruges, Genoa and London, with populations of half or more that of Florence and Venice. Two areas of Europe, northern Italy, and the Low Countries and lower Rhineland, had more sizeable cities by region than the rest of Europe. Constantinople, probably the largest city in Europe in 1200, wrecked by the Fourth Crusade in 1204 and badly ruled by a French dynasty for most of the century, was by 1300 a shadow of its former self. Three other cities, Rome, Naples and Palermo, still giants or nearly so for most of the thirteenth century, drew much of their strength from their role as centres of government. Many other places, like Pavia or some small ports on the southern English coast, did not grow very much in the century and are not so much examples of failures as they are witnesses to the success of their neighbours. The case of Buda and Pest, each developing on its bank of the Danube, highlights two important features of urban growth: the importance of being at a geographical point where roads intersect or the method of transport altered; a substantial town generally precluded another one in the vicinity (in this example the Danube defined the limit). Port cities are clear examples of places thriving on necessary changes in transport. But the expansion of cities requires a closer look at some individual cases.

Capital cities of national monarchies, like London or Paris, or of important lordships, like Cologne or Munich (capital of Bavaria from 1255), highlight the advantages of having a royal, episcopal or ducal household and bureaucracy present at times, but the peripatetic kings of Aragon, for example, did not remain in one place long enough to make Saragossa into a great capital. A city's size also benefited from having an important bishop, as did Lincoln and Rouen, or a university, like Bologna and Oxford. The most important bishop of all, the pope, ruled a city that was also the leading goal of pilgrimage in Europe, but other places like Santiago de Compostela and Canterbury also benefited economically from pilgrimages. These special characteristics, being a capital or a holy place, can account for a city's existence, but by themselves they no longer guaranteed substantial growth.

Cities also served as regional centres of production, distribution and consumption. Port cities illustrate how these factors fostered growth. Venice's fleet enabled it to draw upon food supplies from as far away as Crete, and the city supplied, from sources as far away as Egypt, cotton and spices to another hinterland in southern Germany. Profiting from sea and river links, Venice became great through trade, but also led the way in manufacturing on a massive scale a complex and labour-intensive product: the medieval galley. Venice used its position and its naval power to establish by the late thirteenth century mastery over much of the Adriatic and Aegean, but other towns such as Marseilles, Genoa, Barcelona, Pisa, Bremen and Lübeck, and smaller ports like

Dublin and Lisbon, also served large regions by collecting and distributing the products of the city's own region, as well as the goods of more distant ones. Foodstuffs and wool were the most distinctive products. Every city acted as a magnet for people who drove cattle and pigs along the roads or brought grain in carts or barges to a centre of consumption. Bordeaux thrived on the local production of wine and other places did so through the collection of wheat from a fertile countryside. The cities that consolidated supplies of food in turn enabled the classic manufacturing towns to thrive. In the thirteenth century the leading industry of Europe, and alongside wool one of its great items of trade, was woollen cloth. Florence, Bruges, Ypres, Ghent and others were major cloth-manufacturing towns, while at the same time serving as regional centres of distribution. Masters and artisans weaving wool into cloth required many people in their home towns and other places to manage the difficult logistics of keeping them supplied with food and wool. England and the Spanish kingdoms exported wool and enabled weavers in the Low Countries and Italy to make a living.

The developing interconnections of medieval cities, principally through trade but also from migration of artisans, help to explain this rapid increase in size in the thirteenth century. Cities were magnets for people and food. Immigration depended on as well as fostered the decline of serfdom in the rural areas – another sign of the dynamic relationship between city and countryside. Migration from rural areas filled up new neighbourhoods, uprooted people from their primordial kinship networks, and hence also forced people at times to rely upon impersonal urban institutions for help. The food trade required wider use of another distinctive urban product – coins – and hence more cash filtered into agricultural, livestock-rearing and fishing regions. The crucial point is that no one planned this growth or its consequences. Hence people everywhere had to react to the challenges of unforeseen growth. These changes in turn led to competition and specialisation in cities.

Successful cities continued to grow in this century by meeting the challenges of creating and defending their physical space. One great problem was urban infrastructure; larger cities required new walls to protect the suburbs and faubourgs that grew up around the older centres. Town maps reveal the new urban sprawl, which on old sites in the west often still had a Roman grid at the centre, as at Florence. Larger ports and bridges were required to handle the increasing volume of transport. The spiritual needs of these larger cities demanded more and bigger churches. Increases in walls and harbour size punctuated the rhythm of growth. Immense building projects of the thirteenth century – the cathedrals, walls, bridges and harbour moles – resulted in enormous expenditure that was a tribute to the prosperity, patience and piety of urban people.

The city also played a distinctive role in marginalising certain groups of people. Because cities were, in Richard Sennett's words, 'a milieu in which strangers were likely to meet', thirteenth-century townspeople began to insist that certain 'undesirable persons' – Muslims, Jews, lepers, prostitutes – identify themselves to the unwary public.² Distinctive clothing, badges and bells helped urban people to recognise and to avoid strangers and also to keep these undesirable out of respectable neighbourhoods. In Avignon and Arles, prostitutes were not allowed to wear veils – that Mediterranean badge of respectable modesty.³ By the end of the thirteenth century areas were set aside for Jews in some cities, for example the closely regulated *Call* of Mallorca. Clothing and veils marked men and women, and the long tradition of special clothes for specific trades and professions is an urban legacy. These cities contained the first anonymous crowds in medieval Europe, but also some fresh signs of personal expression intended to establish a social identity. Funerals designed by the deceased, family burial chapels or crypts, the increasing use of surnames, sumptuary laws and other aspects of city life testify to the desire of some to carve out a familial or personal space even though such opportunities were limited to the better sort.

The typical thirteenth-century city was a cluster of neighbourhoods organised along craft or professional lines, common rural origins or membership in some sort of urban group or religious minority. Street names in some cases still preserve the names of crafts that dominated particular neighbourhoods: in 1285 the prostitutes of Montpellier were directed to live on what earned the name The Hot Street; the gold trade of Florence has been on the Ponte Vecchio for more than seven centuries.⁴ Although most urban development was unplanned, 'dirty' trades like slaughtering, tanning and fulling cloth tended to be located on the outskirts of town or at least downstream from sources of drinking water. Thus James I of Aragon obliged Jewish dyers to move their workshops to the edges of Barcelona. Cities with extensive metal-working industries endured the sound of hammering at the forge during daylight hours and frequently into the night. The location of various trades in particular parts of cities meant that urban parishes, which themselves helped to define neighbourhoods, often included a high proportion of people in the same craft or business. These urban neighbourhoods, particularly in the 'old city', tended to include a mix of people from all social levels. A rare account of a neighbourhood meeting in Bergamo in 1292 reveals people concerned at such humble but important matters as the condition of their fountain.⁵ Ideas about public money and property involved ordinary people at the grassroots. The

² Sennet (1977), p. 48. ³ Otis (1985), pp. 18, 161. ⁴ Otis (1985), p. 26.

⁵ Little (1988), pp. 158–72.

neighbourhood around the church of San Matteo in Genoa is an example of vertical social stratification with its small parish church in the centre of a cluster of fortified towers. (These towers, famous examples of which survive in Bologna and San Gimignano, were typical of cities in which land was at a premium or civic strife endemic: Genoa was an example of both.) In this neighbourhood lived the Doria clan, powerful nobles, and their allies and dependants. The family drew on two sources of strength, the Scrivia valley north of the city and the area of the Riviera to the east of the city near San Fruttuoso. Migrants from these areas tended to settle in San Matteo. Buildings three or four storeys tall mimicked the vertical social organisation of the quarter: poorer folk on the noisy, gloomy bottom floors and alleyways, the more exalted on the upper floors paid higher rents.⁶ This social mixture helped to foster an urban paternalism in which wealthy and powerful people looked out for the interests of their wards, quarters and neighbourhoods.

Perhaps the most distinctive, and relatively recent, feature of urban society was the large number of people who supported themselves through wage labour.⁷ Casual labourers, journeymen and women, and apprentices worked in small shops and some large enterprises like shipyards for masters who had frequently organised themselves into guilds. A variety of vernacular terms (*métier*, *gild*, *arte*, *Zunft*) conceal a general pattern of corporate organisation so characteristic of medieval society. Urban men and women had to support themselves in some way, and for most the daily wage, paid on the payday of the six-day week, Saturday, was the method by which many lived or simply survived. Coinage, the rise of markets and the division of labour helped to foster an increasingly specialised economy. Paris had at least a hundred different guilds organised according to some very specific trades: for example only a university town could support an organised, if small, craft devoted to making book clasps.⁸ The thirteenth century witnesses the rise and elaboration of guilds across Europe. The system of apprenticeship helped young boys and girls to acquire some vocational education, often at no expense to their parents, while supplying extra hands to some thriving entrepreneurs in the trades. Once the apprentice completed the term, the majority faced a life of journeyman status, especially in those trades in which capital requirements for operating a shop meant that most people would have to spend a lifetime working for others. At the top of the hierarchy stood the masters, usually independent entrepreneurs but still in a sense working for their customers, or in the case of the building trades, working for the king, city government or the Church. Being a master was no guarantee of security. Accidents, illness or the decline of a

⁶ Grossi Bianchi and Poleggi (1980), pp. 76–7.

⁷ Epstein (1991), pp. 3–9.

⁸ Lespinasse and Bonnardot (1879).

trade might bring individuals or entire groups into unemployment or poverty. Much work remained outside this system, but everywhere in western Europe the guild system of employment was a distinctive feature of social and economic life, particularly in the manufacturing towns and centres of distribution. Guilds existed in the port towns as well, but tended to be weakened by trade and the competition it introduced into local economies.

Much medieval work depended on daylight, so cities began to stir at day-break. Church bells helped to define the working day, and sundials were a ubiquitous if occasionally confusing (on cloudy days) feature of thirteenth-century towns. Some work was seasonal. The sailing seasons dominated the pace of urban work along the Baltic and North Seas, and in parts of the Mediterranean, and seafaring took thousands of men away from their towns for months at a time. Nearly every day bread was baked in the great ovens scattered across the city, firewood and other necessities hawked in the streets, vats of urine emptied. In Paris and other northern cities town criers shouted out the price of wine in taverns every day (except on Good Friday or when the monarch or a member of his family happened to die).⁹ Some neighbourhoods were dominated by the clatter of the loom or the newly prominent cotton and silk industries and the smells on some streets advertised the trades practised there. Wine and ale were consumed in enormous quantities and served as a means of temporary escape from the drudgeries of daily life.

In the midst of all this noisy artisan activity other urban groups functioned as well. The merchants, that mixed bag of nobles who moved into town from the countryside and interested themselves in trade, as well as the proverbial self-made men, struck deals, and exchanged money at rudimentary banks; these new institutions first appeared in Italian cities like Florence, Lucca, Piacenza and Siena, and then in the north. The daily round of religious observances in the urban churches and monasteries found a new expression in the growing number of the distinctively urban Franciscan and Dominican convents. As night fell, some work continued and crime increased; candles were expensive and firelight rather dim. Night watchmen kept a vigil on the dark and dangerous streets. Sundays and church feasts, by the thirteenth century amounting to some seventy or eighty days a year, provided some rest and enjoyment for those who could afford it, but for the many paid by the day, they were unpaid holidays. The richness and variety of urban life attracted bored nobles, religious innovators, runaway serfs and paupers alike.

Although the principal theme of thirteenth-century urban society is, in most places, the challenge of population growth, perhaps the most decisive changes in urban society reflect what responses were made to the problems of growth;

⁹ Lespinasse and Bonnardot (1879), p. 23.

most importantly the health and welfare of the inhabitants. All the constants of urban life – illness, poverty, crime, sanitation, fraud, ignorance – did not lend themselves to neat or simplistic solutions that were the same throughout Europe. In order to make sense of disparate problems and attempted solutions, some preliminary observations will be helpful. One international, and hence interurban institution, the Church, remained responsible for dispensing much of urban charity, and hence imposed some common features on the many cities under review. Poor, sick, abandoned people turned to urban parishes, monasteries, the Franciscans and Dominicans, orders like the Hospitallers, or the leper houses established by the new order of St Lazarus. Abandonment of children increased in the thirteenth century as pressures on the urban poor became more intense. A hospital in Troyes decreed in 1263 that it would not accept abandoned children for fear of being overwhelmed by them.¹⁰ Most guilds took care of their own distressed members and some donated goods, food or money to the broader community. Christ's poor were the business of the Church; in general city governments were not providers of social services to the needy. Surviving thirteenth-century documents like wills and statutes for hospitals and guilds reveal that urban people handed over many problems to the Church. But legacies and charitable donations enabled the Church, with its trained bureaucracy and sustaining ideology, to provide a level of assistance that saved some, if not all, from starvation, abandonment or a solitary death.

In other ways cities themselves provided service to the inhabitants, mostly in public health and safety. Night watches and town criers, sometimes private people drafted into public responsibilities, sometimes employees of the government, helped to make cities safer and to spread the news. The Assizes of Bread and Ale in London took an interest in the price and quality of these vital commodities. During the thirteenth century Henry III and Edward I encouraged the city authorities to guarantee the hygiene of the meat markets and to look into the broader issues of urban sanitation. Regulating the price of bread and the quality of loaves was in many cities public business, as was the difficult problem of urban refuse. Guilds of butchers, bakers and retailers of prepared food provided convenient groups of men and women to be made responsible for maintaining standards of quality and controlling prices. Rudimentary committees of citizens also attempted to take charge of these problems. Cities, assuming the burden of keeping the public peace, also needed to establish and to pay for courts and jails, which in turn brought in some income and provided jobs to lawyers, guards and executioners. The careers of men like Etienne Boileau, the *prévôt* of Paris for Louis IX, or the many who worked as *podestà*

¹⁰ Boswell (1988), p. 361.

(city manager) for Italian towns demonstrate the increasing professionalisation of public service.

During the thirteenth century cities across Europe witnessed an explosion of education, from the humble apprentices learning a craft to the expanding number of leading universities. Once again, public authorities left much of education, and especially universities, in the hands of the Church. The masters of the guilds regulated the training in the crafts. The pace of business increasingly required some men and women to be literate and capable of using an abacus; city life rewarded the educated at all levels, at least if they were men. The professional writers, the notaries and scribes, found jobs outside the Church, either as individuals or as the paid employees of the small bureaucracies of city government. In towns such as Lucca and Genoa parish schools and entrepreneurial schoolmasters provided the elementary level of literacy and arithmetic, but the records everywhere are sadly uninformative about the basic system of urban education. However, the most pervasive system of teaching and learning in pre-industrial Europe, the vocational training by the guild masters, provided thousands of young men and women with the skills necessary to support themselves in the crafts and trades. Urban work enabled some women (forerunners of Chaucer's *Wife of Bath*) to learn and to live independent lives outside the convent, but their wages remained low and the guilds circumscribed their formal role and rights in the crafts. By 1300, a majority of urban people probably experienced some sort of apprenticeship, and in places like London serving an apprenticeship was one possible path to citizenship.

In southern Europe some cities in the Iberian peninsula and at least till the 1220s Sicily had substantial Muslim populations, and in these areas as well as southern France, the Rhineland and elsewhere, small urban Jewish communities also existed. The Jews even more than the Muslims were an urban phenomenon. Jews and Muslims lived in these cities in their own distinctive neighbourhoods. The densely populated medieval cities brought these religious differences into sharp focus and probably fuelled animosities in the workplace and social intolerance. Cities also served as incubators for experimental groups among the Christians: most notably the beguines and beghards in Liège and cities along the Rhine like Cologne, Frankfurt and Mainz, and the *Humiliati* in northern Italy, with important communities in Milan and Cremona. The heretical Cathars, living along the arc from the Pyrenees to the Apennines, were not exclusively urban, but at first they formed a substantial if undercover segment of the population in Béziers and Florence, and were present in St Francis's native Assisi. Francis himself exemplifies how the urban environment, with its wealth and moral problems, helped to forge new, distinctive religious ideas. The expansion of the money economy generated concern at the growing materialism of urban society, expressed in vigorous

ecclesiastical condemnation of usury and in the mendicants' uncompromising message that the renunciation of worldly goods would open the road to heaven. The Franciscans and Dominicans frequently built their new churches in the fast-growing suburbs where the poor and recent migrants lived and needed the most attention.

During the thirteenth century cities across Europe continued to face the problems of self-government. Rare cities like Genoa and Venice were absolutely free while virtually all others were subject to some external power. Nearly all cities, even those like Paris firmly under royal control, had some form of self-rule to manage those affairs of little or no interest in the more lofty levels of government. Cities which were in effect states, like many of the communes in northern Italy, were the exception, and in most areas of Europe cities remained a part of some larger political entity or were in the process of being incorporated into one. These varying circumstances imperil generalisations about urban society. But in the context of self-rule, however narrow in scope, a principal urban theme was the rise of the people or *popolo* (the non-noble citizens, a trend taking its name from Italian history but one having wide significance across Europe. To the extent that cities managed their own affairs, tensions inevitably developed over just which people would do the managing.

Cities with a functioning commune had to decide, or have decided for them, who had the right to participate in decisions. The concept of urban citizenship was as yet a hazy notion, but in places where the city was the state, being a citizen conferred advantages. Although there remained a residual idea that all free adult men had some right to participate in the affairs of their city, in practice the summoning of a great assembly or parliament of the people was reserved for especially solemn or fraudulent occasions and did not provide any democratic basis for rule in a city. Hence on a practical level the issues were: who ruled cities, made laws, administered justice and paid taxes? In the thirteenth century women, religious minorities and slaves were excluded from a political role, but not necessarily denied the obligation to pay taxes. But people viewed society in various ways, depending on their own status, and the line dividing their own numbers into participants and subjects might be drawn in different places.

A fundamental distinction was between the relatively small number of nobles and magnates on the one hand, and the great mass of commoners, simple or little people on the other. The structure of guilds also suggested a natural line between those who provided employment and those who took it. Moreover, those who were not members of guilds might enjoy fewer political opportunities than those who were members, irrespective of relative prosperity. The central issue was the source of power in urban society, and how new

ideas about sovereignty changed traditional views of rulership. Power descended from higher social levels and did not flow up from the bottom of society. The trends of the twelfth century continued to emphasise that cities were places of personal freedom – in the succinct German formulation *Stadtluft macht frei* (city air makes one free). Although the actual opportunities ordinary people had to participate in civic affairs varied immensely, the occasional chance to have a say was new and important.

This political and economic freedom was an ambiguous benefit to half of urban society: women. Here again regional differences must be kept in mind. In northern Europe the law in most cities and states sharply limited the right of married women to make contracts without the husband's consent; in England it was increasingly difficult for a married woman to act as a legal person at all. Some of these strictures held in the south as well, but women seem to have had a wider scope of personal activity in Languedoc and northern Italy. Urban society offered some single women new opportunities, either through religious experimentation or the burgeoning wage economy, to live in ways not completely shaped by men. Widows were in the best position to take advantage of all this, but of course poor women remained the most desperate members of urban society. Political freedom had few practical consequences for urban women of any class. Economic opportunities and the new range of occupations – silkweavers, spinners of gold thread, inn keepers, and many others – made certain ways of living possible in cities that would have been difficult and even suspect in the countryside. Outside artisan trades, many women found a refuge as domestic servants in the households of the wealthy merchants and prosperous artisans, and poorer women could supplement their incomes by wetnursing the children of others. These new choices in the urban economy offered some women independence. Women who had apprentices, ran shops or invested in trading ventures participated in urban society but were also attracting, as the century progressed, increasing restrictions on the scope of their freedom.

All these broad trends and generalisations apply in varying degrees to the lives of millions of people who lived in cities in the thirteenth century. Only biography evokes the richness of this collective experience. While in a Genoese prison in the 1290s, the Venetian Marco Polo told tall tales about his travels, including the cities of China, to a Pisan writer who put it all down in French. Dante's remarkable blend of love sonnets, autobiography and literary criticism, the *Vita nuova*, was available to readers in the early 1290s and revealed the state of love in a city, and in the model of Beatrice gave future city women another reason to be veiled in church. In the academic centres men like Thomas Aquinas in Paris, Robert Grosseteste in Oxford and Albertus Magnus in Cologne extended the frontiers of theology and science while also establish-

ing the fact that, with some astonishing exceptions, great cities have great schools. The well-born St Clare of Assisi found a path that made her more important than most noble women, and her contemporary Marie d'Oignies was also a city woman active in the earliest phase of what would be the beguine movement.¹¹ These prominent people exemplify on the grander scale the lives of thousands of ordinary merchants, notaries, schoolteachers, nuns and working women whose individual efforts *made* urban society.

During the thirteenth century most of Europe's cities became wealthier and bigger places, even as in the 1290s there were signs of strain and stagnation in some urban economies. The wealth of the prosperous urban classes made cities more impressive in a physical sense as the medieval building boom reached its zenith, and in a spiritual sense as urban charity became more effective, just as it faced bigger challenges from the growing ranks of the poor. Individual cities grew more distinctive, and their citizens were more interested in edifying foundation stories and maintaining civic pride. Even where the city was not coterminous with a state, by 1300 urban people were more conscious of local loyalties. Cities fostered the money and wage economy, rewarded literacy and encouraged the idea that some people could rise through individual effort and merit. Urban men valued personal freedom even as they created a world of light and shadows for the minorities and downtrodden in their midst.

¹¹ Bynum (1987), pp. 99–102, 115–21.

CHAPTER I (C)
RURAL SOCIETY

Gérard Sivéry

RESEARCH carried out over the past few decades no longer allows rural society in the thirteenth century to be described according to the simple supposition that general developments were the same everywhere. Of course, there were fundamental influences that were felt almost everywhere in western Europe by a rural population which represented approximately 90 per cent of the total population at the beginning of the century and 85 per cent towards 1300, figures which emphasise the relative numerical insignificance of city dwellers. One has only to look at the Florentine *contado* and at Flanders, where the urban population was only about 30 per cent of the total at the end of the thirteenth century, to see that even in heavily urbanised areas a very high proportion of the inhabitants were engaged in rural occupations. In fact, despite consistent features that characterised seigneurial societies at this period, the general factors inducing change sometimes came up against obstacles, and often took on different forms, depending on the region, the level of access to the more important markets, their age-old traditions and the strength of the influence of political institutions.

THE FUNDAMENTAL TRENDS IN THE DEVELOPMENT OF
RURAL SOCIETY

Population growth

The population continued to grow in the thirteenth century, but more unevenly and less strongly than in the past, measured both in time and in space. The growth rate of the population as a whole dropped from approximately 15 per cent to 10 per cent between 1200 and 1300, but rural depopulation reduced this percentage even more in the countryside, and it appears that there was a levelling off of growth in England, as well as in Picardy and in the Ile-de-France. There were also many periods when mortality rates were extremely

high, and the years 1257–8 in western France and England were especially traumatic, with great floods causing many deaths. There was also an abundance of epidemics (seven in England, four in the former Low Countries) as well as famines, even though these were local (six in the Escaut and Meuse regions, seven in the Rhineland). In many areas, the era of land clearance came to an end in about 1250, but the extension of the polders along the North Sea continued, while eastern Europe was still attracting a great number of pioneers and offered the *locatores*, who were lively entrepreneurs organising the settlement of the east, immense landed opportunities. In addition, in the Iberian peninsula, handsome privileges were handed out in the lands conquered from Islam, and some areas such as Andalusia remained lightly populated in the late thirteenth century. The situation was very different in the well-populated regions of north-western Europe, where the optimum threshold of inhabitants is generally argued to have been exceeded.

The social consequences of the rural population explosion

Examination of the social consequences of the rural population explosion has led the previous generation of historians to engage in a wide variety of theoretical debates. For some historians, the increase in the rural population brought only misery to the villages, accompanied by a widespread decrease in landholding. On the other hand, population growth has been seen by some historians almost exclusively as a source of progress. In truth, the situation was rather more complex. On the one hand, on each estate, some of the larger peasant holdings resisted this trend. On the other hand, the proportion of small tenures was often much greater in north-western Europe than in England. Certainly, taking England overall, 46 per cent of tenures were between two and four hectares, but in the manors of the diocese of Winchester, 45 per cent of the tenant farmers worked four to six hectares, in other words, they had access to an amount of land that was adequate to sustain rural family life. In Havering, Essex, a quarter of the tenant farmers had holdings that consisted of twelve hectares or more. In the north-west such proportions were unknown. In Haltinne, in the region of Namur, only 15 per cent of villagers had holdings of 5.5 hectares or more, and in Herchie, in the Hainault region, the situation was even worse. In 1267, out of 255 tenures, 60 per cent of the total, i.e. 152, had less than 1.12 hectares, and 56 had between 1.12 and 4.48 hectares. In other words, 81 per cent of the villagers could not support their families by farming alone. On the other hand, only twenty-two tenures of ten hectares or more are recorded in the territory, and only 8.5 per cent of the tenant farmers owned a proper plough with at least two horses, had access to skilled labourers and could count on producing a surplus which they could sell

on the open market. Once the clearing of land of the great neighbouring assart had been completed, the situation of the worst-off did not really improve, since the tenant farmers of the former estate actually received new land in proportion to the surface area of their previous holdings. How can this disparity be explained? In two ways, which both lead to the same conclusion: the influence exerted by the most well-off, and each individual's opportunity to work, which depended on his tools and the importance of the work he did.

Chance, poverty and technological progress

There are many examples of such micro-societies found in villages: in Havering, half of the tenant farmers may have had surplus goods to sell, but elsewhere, and most often, the great majority could not do so, which meant they could not benefit from technological advances, such as heavy ploughs, the opportunity to rotate crops (which was indispensable for cultivating the land), purchase of seeds, etc. On the other hand, the larger tenant farmers were able to take advantages of these possibilities, and the dependence of the smaller land-holders on these *coqs de villages* was highlighted in the scope of their work and illustrated by the fact that the leaders of the rural communities (mayors, magistrates, jurors, members of associations, consuls) were counted among the better-off tenant farmers. Technological progress, therefore, only served to amplify the divisions in prosperity.

Even in the villages which were well placed in relation to the urban markets, the small landowners had no surplus to sell; in fact, they barely had enough to survive. If disease struck or the father of the family died, and the head of the family could not find work as a manual labourer on a large nearby farm, or as a craftsman, for example in rural cloth making, the family would fall into the category of paupers, who were more and more often supported by the rural community. Previously, charitable institutions were mainly located in the cities, but in the thirteenth century, community coffers for the poor were established in a growing number of villages. However, this trend was not strong enough to prevent popular disturbances, such as the so-called Children's Crusade of 1212, and the movement of the Pastoureaux in 1251, which saw the roads of France and the Low Countries filled with thousands of people in severe difficulty because of overpopulation and crises in grain production or in the cloth-making industries.

Religious and cultural aspects of rural society

It is worth asking whether the development of charitable funds to cope with emergencies in the villages is linked in some way to the increasing

Christianisation of rural society. Rural societies were strongly aware of the need to defend their cohesive character, and this was something that had to be maintained at all costs, despite the tensions which already existed or were about to erupt in these village micro-societies. None the less, it is certain that the appearance and distribution of the Gospel in the vulgate and prayer books were a great help to the rural priests, who were often ill-suited to their duties, and that such literature contributed to a better understanding of Christianity and the duty to be charitable.

A small number of villagers could read and write. In the Cambrésis region, the *Pater* and the *Credo* were inscribed on large panels and placed in front of the cemeteries near churches, so that the faithful could learn them by reading them. Small rural schools were already forming in villages near to abbeys, but throughout the thirteenth century, others began to become established in villages which were further away from the monasteries and were generally situated in areas more favourable to stock farming. Nevertheless, even in regions which had the least involvement in commerce, a certain amount of culture was beginning to spread. After the official liquidation of the Cathar heresy in the Midi region of France around 1242, itinerant preachers taught reading and writing, as did the parish priests in other localities. There are further indications of a distinct improvement in the cultural level of the rural population. Rural charters from the thirteenth century are more detailed in their description of collective morality and insist more on precise details than do earlier charters. The act of confession by the laity, which was made obligatory by the Lateran Council of 1215, marks an important stage in the development of lay psychology. The construction of fine new churches to replace older ones, or the building of brand new churches in recently established villages as soon as they were densely enough populated to be granted parish status, offered the country people an everyday visual reminder of the role of the Church and of religion in society.

Without forgetting the silent communities which brought together in the same house brothers with their wives and children, and which were common in the southern regions, the family – the ultimate unit of rural society – became more and more monogamous. After the Lateran Council of 1215, there was stricter observance of the obligation to prevent marriages between close blood relations. This favoured exogamy and obliged landlords no longer to oppose marriages of their tenant farmers and their children outside the seigneurie.

The diverse fortunes of the country people were reflected in their houses. It was not the materials used (wood, straw and mud, stones, bricks), which mainly depended on the region, but rather the size and layout of the dwellings which reflected the various groups within society. The humble one-room abode of certain manual labourers stood in contrast to houses with several rooms,

sometimes on more than one floor. Chimneys became more widespread, but were still not very commonplace outside the northern areas by 1300. Nevertheless, this did not prevent the use of heating, thanks to the herd of cows separated from the living room by a low partition, even in the manor houses of seigneurs of moderate social standing.

The use of a family name became more and more commonplace in the countryside. In the villages with a very high population, the Christian name and a simple indication of the parentage by using the father's Christian name (John, son of Peter) was no longer sufficient. The addition of the father's surname occurred as often in free families as in those that were not free.

The decline of serfdom

The decline of serfdom within this period is very noticeable in numerous areas in the west, but it can now be seen that the thirteenth century did not see the end of serfdom. In fact, sometimes the conditions of the country people deteriorated, notably in England where the revival of direct farming which was so successful on the open fields incited manorial lords to impose duties on free men, who found themselves becoming 'villeins', and no longer free. In northern Spain, Germany, the Mâcon region, Aquitaine, the Lyons area, Champagne and Brie, peasants were considered serfs as soon as they settled on dependent tenures. This 'new serfdom' was only linked to a tenure and did not extend to the children of the tenants, so it was very different from the real serfdom which was passed on from generation to generation through the father or mother and which was far more related to an accident of birth than to specific duties. But true serfdom increased in Poland and Catalonia and continued to exist elsewhere, for example on the isolated plateaux of Burgundy, in certain foothills in the Ardennes region, and in a certain number of English open-field manors. Even in regions reputed to be the most 'liberal', there were still sometimes little islands of resistance where serfdom continued. Around 1270, 20 per cent of the rural population was still bound by serfdom in the Paris region. In the Ponthieu and the Hainault regions, rare cases of inherited serfdom persisted. Perhaps there were families in these areas which did not wish to follow the common trend towards personal liberty. There is no doubt this was the case in central Hainault where families of serfs of the counts of Hainault were set apart from the other serfs by certain benefits, for example the stipends of the canons of the cathedral chapter of Tournai were distributed to their sons.

All of this must not overshadow a profound and intense movement of liberation from serfdom. This was accomplished in Flanders and most of Picardy around 1200, but it was still in full swing in Sweden, Hungary and Italy, and on the *contado* lands which were dominated by the cities even though the lay

seigneurs were opposed. In England, the common practice in Kent recognised by the monarchy in 1293 confirmed that 'all men of Kent should be free'; other free lands were Devon and Cornwall, which were still being colonised in the thirteenth century. How can this expansion of personal liberty be explained? Despite the persistence of real slavery in a certain number of cities and rural farms confined to the southern portion of Christendom, the influence of Christianity was much more clearly felt in the early and total disappearance of slavery in many lands than in the struggle against serfdom, which, in fact, recognised certain fundamental rights of men and women, such as the right to marry and have legitimate children. On the other hand, the great increase in the population had an undeniable affect: the privileges accorded the original cultivators meant that the lords of those lands which had been cultivated for a long time were forced to grant personal freedom to their serfs in order to keep them in their seigneuries. In certain places, the granting of freedom was infectious, as was an extension of benefits awarded in these areas to the free men of former estates, such as the suppression of arbitrary taxation. Moreover, the intermingling of the populations helped create confusion in the statutes. In Bavaria there were peasants who enjoyed limited freedom. Towards the middle of the thirteenth century in Vermandois, the landlords could no longer tell whether certain families were serfs or free. While in preceding centuries the confusion worked against free men, who were often merged with the serfs, on the continent, the serfs were classed as free men. With the loss of the majority of their grain reserves, many seigneurs only required that their serfs perform the labour required of free men (three or four days a year). Finally, the public authorities (kings, lords of the great feudal families, leaders of certain cities) withdrew from the lords of the manors and other influential seigneurs usurped royal privileges (criminal justice, mobilisation of men, unfair taxation), which reduced their power and diminished their influence. On the other hand, in England, where royal power was becoming weaker in the thirteenth century, the power of persuasion of a certain number of seigneurs who wanted to return to direct farming was increasing.

Charters granting freedom to individual serfs exist, but there are many more which apply to entire groups. The sale of rural products also allowed the villagers to buy their freedom. Nevertheless, liberation was not always easy: witness the bitter debates between the abbot of Saint-Pierre de Sens and his serfs on the subject of the price to be paid for their freedom. Sometimes these debates could even be described as true battles for freedom, for example in 1251 when the League of 2,000 free men and serfs fought the chapter of Notre-Dame de Paris in the Orly region. On this occasion, as on others, the French royal authority which had freed many of its own serfs supported the demands of the serfs belonging to other seigneurs because this meant gaining the support of

the peasants and limiting seigneurial powers. In some areas, the distinction between the ‘mainmorte libre’ (the herlot: by which the seigneur inherited some of his serfs’ goods, the right of inheritance consisting only of one animal from the livestock, one object) and the ‘mainmorte servile’ (by which he had a right to all the serf’s possessions) was an additional incentive for the serfs to wish to obtain their personal freedom.

Since the kings and masters of the great territorial domains preferred a wealthy peasant who could purchase armour and a war horse to an impoverished nobleman incapable of buying such costly items, the common people gradually managed to escape from their previous condition as peasants.

The effects of growing commercialisation

Social transformation was more profound and happened much faster in those rural regions rendered prosperous through the widespread sale of rural products. In areas which remained on the edge of subsistence, without active trade and lacking an incentive to produce a significant surplus, traditional features persisted. In regions which participated more in economic growth, in credit, in extensive sales to cities near and far of products such as wheat, wine or wool, social status based on socio-professional groups, or groups differentiated by their income was more rapidly, more profoundly and more obviously replacing classification by birth and by legal standing, both of which went into decline. Here is one example: the peasants who farmed sufficiently large lands and were motivated to produce more had enough money to buy themselves tools and various objects from craftsmen, who were becoming more numerous in the villages. The smiths who were constructing ploughs were working in more and more villages and their surrounding areas, and making tools – notably mould boards – which were indispensable in many areas for increasing production. Moreover, the number of water and wind mills was growing, and the miller became an important element in village life and culture.

The types of tenant farmers and farms also became more diversified more quickly in those areas which enjoyed vigorous economic expansion and had better-established commercial activities. However, development was uneven, and two principal areas can be distinguished. The first corresponds to the southern fringe of western Europe and, more generally, to the Mediterranean regions. Their ancient heritage and secular customs left the responsibility for supplying provisions to the cities and their leaders. The bishops, rich merchants and noblemen living in the city retained their ownership of the lands of the *contado*, in particular thanks to the *mezzadria* (or share-cropping) which in exchange for indispensable crops, livestock, tools and capital guaranteed them an important part of the harvest (often half) and allowed them to control the

price of provisions, especially grain, which normally only varied significantly in times of famine.

Certainly, share-cropping was found in other areas apart from Italy, for example in western France where financial weakness and the irregularity of the grain harvests provided favourable conditions for it. But it appeared only rarely in north-western Europe and surrounding areas. Here the situation was quite different. The urban authorities of both the new cities and those well-established cities which were experiencing a renaissance had to introduce changes. They limited themselves to setting maximum tariffs at times when increases in the prices of grain were too extreme, but they did not control the provision of food or raw materials. Instead, they left that responsibility to the merchants and rural producers, who adjusted supply and demand in the light of their constantly changing prices. Thus at the end of the twelfth century in England, which exported much of its grain and wool, as well as in north-western Europe, a new type of economy emerged, a distinctive feature of which was the existence of cyclical phases of high prices. When price increases happened extremely quickly, a crisis resulted, which reversed the tendency and led to a decrease, harsh at first, but gradually lessening before a new period of growth. The consequences were considerable within the world of the producers, landlords and tenant farmers. In England, the lords of the manor returned to direct farming, but on the continent, many seigneurs had been aware since the twelfth century of the increase in grain prices, as well as how much easier it was to have work done using more expensive equipment to increase production. For these reasons, they kept their woods and prairies under the system of direct farming, but gave over a large part of their land for grain production. Showing a distrust of cash payments (*cens*) which were rapidly decreasing in value, they preferred tenant farmers, who owed a part of their payments in goods, or even better, *tenanciers à champart* or *à terrage* (tenant farmers who paid in grain or other products), who would give them part of their harvest. These types of tenant farmers were rarely found in the polders or in areas where great forests had been cleared (rent-paying tenants were preferred in those areas), but they existed in great numbers in territories more favourable to the production of cereal grain, either on that part of the seigneurial land which had been cultivated for a long time, or in an area which had recently been cleared. Tenure *à part de fruits* (with payment in fruit) was rare in England, perhaps because there was less inflation.

Nevertheless, the most progressive form of rural farming was temporary tenant farming. The tenant farming of rather long duration known in England in the twelfth century was modified at the beginning of the next century in the southern Escaut basin and became a strictly temporary transfer of seigneurial reserves (most often limited to a period of nine years). Once the lease had expired, the seigneur had the option of returning to direct farming. However,

this rarely happened and, in fact, a new social class emerged in the countryside: the farmer, a true entrepreneur who owned his own livestock, equipment and capital. He would farm the land for nine years, and when the lease expired, he would agree new terms and renew it, or move on; but in either case, he had to make a higher bid than the other farmers if he wanted to carry on farming. In addition, the decreasing – and sometimes total disappearance – of the *villikatio* (linking the land and the farmers through tied labour) led to the evolution of the wage earner, who eventually became the only means of direct farming in the wine-growing and pastoral sectors of the most fertile regions of Lombardy and in the great stock-farming areas of the count of Hainaut at the end of the thirteenth century, notably in the southern valley of the Sambre and in the area around the Mormal forest.

The urban demand for products related to stock farming was the motivation behind the development of companies or associations of butchers and rural stock farmers, which gave rise to the *bail à cheptel vif* (leasing of land for rearing livestock). In the regions rich in pasture and grazing lands, the unified single herd – which was often first seen in ecclesiastical seigneuries – brought with it clashes and alterations to the countryside and rural society. The villagers fought to keep their common land, sometimes ignoring the seigneurial boundaries, and discovering, in their turn, the advantages of the single herd. Differences then began to emerge. In the north of the Thiérache, the rural stock farmers resisted and soon imposed their own boundaries. In England, generally speaking, seigneurial stock farming won out, and the landlords began enforcing their boundaries, evicting a good number of small tenant farmers. Yet in a manor like Havering and often in those areas most favourable to stock farming (the south-west, Kent and its surrounding area) stock farming by the country people persisted.

In those areas where the financial situation was favourable, an economy based on money and credit developed. The lenders earmarked loans based on a particular piece of land, thus guaranteeing themselves a portion of the harvest. The village micro-societies in particular became very complex in these regions, thanks to the diversity of professional categories and the large variety of social groups. Positions were determined by the role each person assumed: the local seigneur, the parish priest (who often took the part of the tenant farmers in disagreements with the seigneur), country people who might be freeholders, share-croppers, farmers or tenant farmers (cottars, bordars, virgaters or semi-virgaters, stockmen, tenant farmers who paid in rent or in produce, etc.).¹ Very

¹ With the orchards and vineyards there also arose the *tenure en complant* (plantation tenancy): the seigneur would give some land to a tenant farmer who would plant trees or vines; as soon as the plantation became productive, the seigneur and the tenant farmer would have equal shares of the yield.

small tenant farmers could even live off their meagre holdings if they produced wine which could be sold at far-off markets, or if they developed market gardening near to the cities. The rural wage earners increased in numbers, and from among them permanent elements in the rural population emerged: the stewards, secretaries, carters, milkmaids, serving girls, herders of horses, cows, pigs, sheep, as well as seasonal workers at times when there was the most work to do. These seasonal workers sometimes formed teams of harvesters or reapers, often engaging in price wars. There also emerged the administrative assistants to the rural world (the sergeants of the landlords, clerks of the rural or parish communities), skilled craftsmen (smiths, masons, roofers, etc.), farmers producing basic provisions (millers, bakers), carters, inn keepers, merchants of livestock, grain, butter and cheese, who rarely specialised in a single product. In a certain number of villages there were also skilled fabric and cloth makers, and men paid to work in the quarries, brick works and tile works.

The basic distinction between lords and peasants was no longer determined by a rural society linked to a market economy. It was possible to be a peasant and rich, a nobleman and in debt. Various social groups emerged, determined by the resources they had to hand, or generated by sheer chance. Apart from the poor people whom it was considered necessary to help, there were the *petits* (manual workers, those on a low salary), then the *aisés* (workers or high men who might have been landowners, farmers, tenant farmers of large properties or even owners of some fiefdoms). This category of the *comfortable* also included curates, clerks, secretaries/scribes, sergeants and sometimes even less important seigneurs. The next social class included the wealthy: great stock breeders, farmers with large estates, important merchants and seigneurs of middling rank. The very great seigneurs who owned several seigneuries fell into a separate, distinct category, which was less and less an integral part of rural society.

Modifications and disruptions in the framework of the rural micro-societies

Rural communities existed before the seigneuries; others were born during the great period of land clearing. Moreover, in the thirteenth century, the number of areas under the jurisdiction of a single seigneurie became rare in the overpopulated regions. However, despite the presence in a village of several seigneurs (only one of whom owned the right of 'ban'), the rural community remained unique, as did the parish community, with only a few exceptions. Moreover, the French royalty came to use the term 'parish' to indicate the inhabitants of an area under the jurisdiction of a single seigneurie, thus emphasising the decreasing power of the seigneurs.

The relationship between seigneurs and peasants could not be defined in the

same way in all areas. On the plateaux of the river banks which sometimes existed since prehistoric times, the privileged areas of the Carolingian *villae*, the custom of obeying a master had facilitated the transition to the seigneurie of the feudal period. In the thirteenth century, on the continent, without being totally silent, the rural communities of the open fields favourable to grain production scarcely opposed their seigneurs, who appointed mayors and magistrates chosen from among the peasants and the more comfortably off. After the loss of parcels of land usurped by royal authorities, the seigneurs found ways of maintaining part of their power by controlling common goods (mills, ovens) and in the management of the obligatory crop rotation (which was intended to compel people to respect the fallow land and was necessary for obtaining good crops), and in the responsibility of reallocating the fields under rotation into quarters, or sometimes into three large portions (Cambrésis, Artois, south-west Hainault, etc.). These rural communities held fast to their customs and refused to set them down in writing for a long time.

On the other hand, the territories favourable to stock breeding located on polders and cleared lands were often characterised by freedom and great autonomy. The Frisians and the Flemings in the coastal areas were very strongly independent communities.² In the fens, the 'circles' formed by the great rural communities comprised several villages and controlled the pasturelands. Violent incidents were recorded after the end of the thirteenth century in the villages of eastern England, where stock breeding held an important place. The servitude of the peasantry in Old Catalonia was in direct opposition to the rural freedom of New Catalonia, which had been repopulated after the *Reconquista*. In this area, the tradition of obedience to a master had been lost, but elsewhere it was completely unknown, and the descendants of the pioneers often violently opposed the seigneurs who wished to impose it. These rural communities only recognised the authority of the public powers (lords of the manor, counts and kings) who gave them charters of freedom and sometimes charters to establish free towns. Their privileges were, therefore, guaranteed in writing, and these communities did not have public ovens and only sometimes owned mills. The charters of Lorris, Prisches and Beaumont had many offshoots in the thirteenth century. The rural communities also organised themselves into federations of communes; for example in 1290, in Nouvion-en-Thiérache, four neighbouring villages adopted the charter of Prisches and

² In southern Germany and Switzerland, the *seigneur justicier* (administrative seigneur) was forbidden from entering the protected boundaries of the inhabited areas; this seemed primarily linked to regions that were more favourable to stock farming or wine growing. But the origin of the great German commune, as it appeared in the thirteenth century, remains very controversial: for Dopsch, it is related to the association between the *réserve* tenures; for Blicke, it is linked to the suppression of tied labour; for Bader, its origins date back to the High Middle Ages (see Bibliography).

were even accorded power over life and death.³ In the Laonnais region, there were also several federations of communes of villages and vineyards, and the federation of the Andorran villages, along with its customs, has survived into the twentieth century. The rural communities of the Alpine villages (in Briançonnais, for example) bought the seigneurial rights from the abbeys, which benefited the peasant stock farmers who could move into pasturelands on the higher altitudes and begin farming them.⁴ The differences between the outlook of the villagers of the open-field regions and those of the lands better adapted to stock farming are clear. But many of the villages cultivated a mixture of lands: open spaces which had long been under the plough, and newly cleared areas. The writing down of their customs and privileges after the thirteenth century (charters of freedom, reports of laws, records of customs) often prevented the abusive expansion of the rights of the seigneur, especially where land was concerned. In France, the revival of royal power which favoured the personal freedom of the peasantry was accompanied by an increase in the financial demands and abuses of the king's agents in his domain, as is witnessed by the complaints revealed in the responses to enquiries ordered by Louis IX in 1247.

In the thirteenth century, the rural societies of the Byzantine empire and the Islamic countries apparently underwent less obvious transformations than those in the west. In these regions, there was no revival of royal powers by states which had always retained them, even in the concession of *iqta* in the Islamic countries, or in the socially stratified regions of the Byzantine empire. In the Islamic countries, the dual life of the nomad-oasis persisted without great changes, and the rural exodus towards the cities which allowed the departure of the surplus rural population was especially cause for concern in the cities.

³ *Charte de Prisches* (France, dép. Nord) (1158) in *Cartulaire de la Terre d'Avesnes*, ed. M. Leclercq, Avesnes-sur-Helpe (1911), pp. 174–81 (see p. 179, for the right of life and death in the rural community).

⁴ Vaillant (1967).

COMMERCE AND COMMUNICATIONS

Kathryn L. Reyerson

WITH the undisputed revival of long-distance commerce in tenth- and eleventh-century western Europe, communications between north and south intensified. Historians such as Robert Lopez have categorised this era as the beginning of a commercial revolution. For two centuries Europe enjoyed undisputed prosperity even if the crises of the late Middle Ages can be found in embryo before the year 1300. Scholars have discerned the emergence of a new economy in this period, one grounded in the burgeoning cities and towns, sustained by artisan industrial production, and inextricably linked to international trade. The new commercial economy existed side by side with the traditional rural economy which would survive in many areas until the effects of the Industrial Revolution were generalised in the nineteenth century.

For most economic historians the thirteenth century represents the apogee of medieval economic expansion. The early fourteenth-century famines, with their culmination in the deadly famine of 1315–17, ushered in an era of late medieval crises. Prior to this period, there is general scholarly agreement that for about two hundred years, from the eleventh century well into the thirteenth, medieval Europe was in a phase of economic growth. By contrast, historians disagree about the nature of economic change thereafter in the fourteenth and early fifteenth centuries. The fruits of the commercial revolution were fully evident in the thirteenth century. As Gérard Sivéry has remarked, the new economy was, by the thirteenth century, characterised by cycles which are best detected in this pre-statistical era in the evolution of grain prices and in that of cloth exports. Significant inflation was evident in the thirteenth century.

Traditionally, economists divide the economy into three sectors: a primary sector concerned with raw materials and agriculture; a secondary sector concerned with industry, construction and public works; and a tertiary sector which involved transport, commerce and services. In the Middle Ages the primary sector was the prime mover of economic change. The motor of eco-

nomic growth has been variously identified: the revival of international trade, population growth, technological innovation, the emergence of a spirit of entrepreneurship, the crusades. Of these, the demographic increase was perhaps the most significant, affecting all three economic sectors. European population tripled from the eleventh to the early fourteenth century; European cities were the primary beneficiaries of population growth.

A certain threshold of agricultural productivity was necessary before there could be significant urban growth. The spread of technological innovations, some realised much earlier, such as the heavy plough, the horse harness and possibly the three-field system, contributed to greater agricultural productivity. By the end of the thirteenth century overpopulation outstripped food resources. For most of the thirteenth century, however, Europe experienced optimum economic conditions, propitious for urban growth and the expansion of trade. Although Europe's population remained only about 10 per cent urbanised, perhaps 30 per cent in the areas of greatest density of population in the Low Countries and in northern Italy, the impact of urban civilisation was far greater than numbers alone would tell. Cities would be the locus of commerce and communications.

A propitious environment for trade and travel resulted also from the progression of law and order; the process was inaugurated in the eleventh century with the Peace and Truce of God, and acquired new vigour with the re-emergence of concepts of political theory in the thirteenth century, fostering the growth of states. The development of larger political units and the concomitant greater power of rulers permitted a wider scope of policed territory over which trade might pass and communication take place.

There has been a tendency until recently to see a gulf between the urban and rural worlds of the Middle Ages. An anecdote from the *exempla* literature illustrates this dichotomy. A villein leading donkeys along the Street of the Spice Merchants in Montpellier fainted before a shop where apprentices were mixing spices, overcome by the unaccustomed odours. To bring him back to consciousness, a shovelful of manure was placed under his nose. He revived immediately, and the medieval moral of 'to each his place' was drawn. Such an anecdote suggests a great divorce between town and country, reinforced by the symbolic and substantive separation (walls, crossroads, commerce, urban law), but this contrast is, in all likelihood, exaggerated. In spite of the co-existence of the new urban and traditional rural economies, there were many linkages of the urban and rural worlds through immigration of surplus rural population and significant urban/rural commercial exchange. Particularly in the provisioning of towns in foodstuffs, urban/rural links were vital. Grain imports formed an important source of urban mercantile fortune.

Permanent population movements can be discerned in thirteenth-century

Europe. Surviving manorial records contain the category of newcomer or foreigner, a permanent resident, called *hôte*, or any one of a number of other names, according to the locale. A specific legal status was often attached to such newcomers and their lands. Surplus population clogged the rural landscape in the thirteenth century. Medieval towns enjoyed an enormous influx of population from the surrounding countryside and from much farther afield, particularly as the medieval population expanded in the thirteenth century. The Massif Central region of France sent its surplus population west towards Toulouse and south towards the Mediterranean and Montpellier. Towns such as Metz drew heavily on the surrounding countryside for newcomers. Traditionally devourers of people, given their dismal hygienic conditions, dangers of contagion, malnutrition and disease, medieval cities, as all pre-industrial cities, were dependent on continuous immigration in order to sustain population, let alone expand in numbers.

Colonisation movements pushed the frontiers of the old Carolingian geography far to the east in central Europe. But frontier colonisation alone did not suffice in the thirteenth century, and the effects of demographic expansion were felt increasingly in town and country, within the European core. Most historians would agree that Europe in the thirteenth century proved unable to develop solutions to the deepening Malthusian crisis. Europeans travelled a great deal in the Middle Ages, belying the stereotype of the peasant who ventured no farther than the nearest modest town on market day. Refugees and vagrants peopled the highways and byways of medieval Europe. The crusades continued to attract large numbers of people of every social group to the Near East in the thirteenth century. Within Europe people of all stations made vows of pilgrimage and travelled to venerate famous shrines near and far. The miracles of a local saint could inspire a cult of the body in a nearby town. The search for a cure drove many people to travel to saints' shrines to implore assistance.

The major sites of Christian worship, Rome, Jerusalem and Santiago de Compostela, attracted many a medieval pilgrim. The four pilgrimage roads traversing France in the direction of Santiago, three winding down from the north, one, the Cami Roumieu, stretching across Provence and Languedoc in the south of France, are perhaps the most famous medieval thoroughfares. All four roads crossed the Pyrenees and joined to traverse northern Spain as far as Galicia. Major religious edifices, among others Autun, Vézelay, Cluny, Moissac, Sainte-Foy de Conques, Saint-Sernin of Toulouse, Saint-Michel de Cuxa, Léon, Burgos and Santiago itself, were influenced by the cultural interchange that forms the great movement of Romanesque art in western Europe. Travelling ateliers of stonemasons and artists transmitted similarities of style within regional variations. Along these and other routes flowed much inter-

change across cultures, intra- and extra-European. In the thirteenth century it would be from urban centre to urban centre that flowed the new cathedral style of Gothic. Again, the travelling architects of this style – epitomised by architect and engineer Villard d’Honnecourt – studied the great monuments, digesting innovations, and spreading them across Europe. Students travelled widely in the thirteenth century, with the major university centres witnessing the presence of large numbers of foreign students. The University of Bologna Law School attracted students from the south of France and Catalonia in the 1260s. The faculties of theology and philosophy in Paris counted many a foreigner, such as Thomas Aquinas, among students and masters in the thirteenth century.

Monks and secular clergy were great travellers from the earliest times of the Middle Ages. Information flowed freely along the monastic grapevine, orally and in written letters. St Bernard, in his ample correspondence of the twelfth century, bemoaned the lack of stability among his own monks, first and foremost. The merchant/foreigner was often the mediator between cultures, bringing new material objects and techniques as part of his trade; he also transmitted ideas, cultural, aesthetic and moral values, and religious beliefs in the course of his contacts with indigenous inhabitants. The newcomer brought with him or her a cultural mindset but was also transformed by experiences within the culture with which he or she interacted. Some European cultures were more receptive to newcomers than others. In Genoa it sufficed to take an oath to the city administration, providing property qualifications were met, to be admitted into citizenship. In Venice, twenty-five years of residence were necessary before one could qualify for citizenship. Thus communication and commerce were part and parcel of medieval life, in spite of the arduous nature of travel. Great precision and co-ordination of action were possible; one need only recall the arrest in 1307 of Templars all over France on the same day at the same hour by officers of Philip the Fair.

THE INFRASTRUCTURE OF COMMERCE AND TRAVEL

The Middle Ages witnessed the continued use of Roman road systems and the addition of many secondary routes creating a dense network across western Europe. North/south communications in western Europe were based on overland and river travel until the introduction of the Atlantic sea route linking the Mediterranean with the English Channel and the North Sea in the late thirteenth century. The great river systems of western Europe, the Rhine, Meuse, Moselle, Weser, Oder, Main in imperial territory, the Scheldt in Belgium, the Seine, Loire, Rhone and Garonne in France, the Po in Lombardy, the Thames in England, were an enormous boon to commerce with the decline of Roman

roads and bridges. Less useful were the rivers of southern Europe which dried up in summer months and became torrents in spring and autumn.

Bridges were strung across most of the significant rivers of Europe. Some, such as the Pont du Saint-Esprit over the Rhone river near Avignon, became particularly famous as the objects of medieval charity. The nomenclature of bridges was evocative of the mentality of the time. The many Ponts du Diable suggested the treachery of rivers which might swell to flood stage in the rains of the wet seasons.

By the thirteenth century medieval Europe had a well-developed road system. Medieval roads, in contrast to the Roman roads running between important urban centres, wandered from the straight line of communication to serve towns of middling importance. Italy and the south of France were linked with the Champagne fairs by two main routes: the Rhone valley route and the Regordane. The Rhone route, involving travel partly on water, partly on land, lay for the most part in imperial territory. The Regordane route, used by many medieval merchants, lay entirely within France and stretched from Montpellier or Nîmes to Alès and north across the Cévennes to Le Puy, Brioude, Issoire, Clermont and beyond. Passage further west between the Mediterranean and Paris ran through Lodève, Millau, Rodez, as far west as Figeac and then back north-east to Aurillac and from there north through La Force to Clermont. The Massif Central region of France, rich in contact with the Mediterranean coast throughout the Middle Ages, contained many roads twisting across the mountains.

Travel time between the Mediterranean coast of France and Paris was between twenty and twenty-four days for the caravan merchant, though this distance could be traversed in twelve days by a messenger on horseback. The condition of the roads was a source of constant concern for travellers. About twenty days was necessary for merchant caravans to reach the fairs of Champagne. From Lower Languedoc medieval merchants travelling overland to the Atlantic coast of France normally chose one of three different routes. Francesco Balduccio di Pegolotti, in his famous commercial manual of about 1320, *La pratica della mercatura*, indicated a route from Montpellier north-west to Cahors and from Cahors to Libourne, which was used frequently by merchants since the twelfth century. Another ran from Montpellier to Toulouse, following the Mediterranean coast through Béziers to Narbonne and from Narbonne inland to Carcassonne through Castelnaudary to Toulouse. An alternative road led from Narbonne through the Montagne Noire via Saint-Pons to Toulouse. From Toulouse it was possible to reach the Atlantic either through Agen and the valley of the Garonne as far as Libourne and Bordeaux, or further south to cross through Auch to Bayonne. Sea travel to England was then possible.

Already in 1237 the overland route across the Reuss and through the Saint-

Gothard pass had made possible travel from northern Italy via the Rhine to Flanders, bypassing Champagne. Travel in Europe was revolutionised by the opening of the Atlantic sea route in 1277 when the first Genoese, Nicolozzo Spinola, reached Bruges. England was the destination in 1278. Majorcans too sailed this route by 1281. By 1298 the Genoese had a regular maritime service to Bruges and London. The savings of maritime transport were enormous, the distance from London to Libourne by sea costing only one seventh of that overland from Libourne to the Lower Languedocian centre of Montpellier.

With the reign of Philip VI of Valois (1328–50) in France, royal policy towards Italians in Champagne was relaxed somewhat, reversing the tight control exercised from the time of Philip III (1270–85), who had required Italians to use the port of Aigues-Mortes and to reside in Nîmes. Philip of Valois, none the less, obliged Italians to pass through the *sénéchaussées* of Carcassonne or Beaucaire to reach Champagne if they desired safe-conducts. This order, in effect, outlawed the Rhone valley route and the passage over the northern Italian Alps because these two itineraries lay outside French territory. Across the south of France east to west from Italy ran the Via Domitia, the old Roman road which travelled inland from the coast. Once in Italy on the Francigena, one descended to Rome via Lucca, Siena and Viterbo. To reach Rome from northern France one went to Lake Geneva, crossing the Jura at the Cluse de Jougne, then following the Upper Rhone, crossing the Alps at the Great Saint-Bernard pass and descending into the valley of Aosta to the Po river plain and on to Vercelli. One could also cross the Alps at the Simplon pass and go on to Milan and finally to Venice across the Po plain. Other crossings of the Alps were possible at the Little Saint-Bernard pass and at the Mont Cenis pass. To reach Rome from Germany and central Europe, one went from Arezzo to Orvieto and then joined the Francigena at Viterbo. There were many passes across the Apennines. Local age-old routes frequently supplemented the old Roman road system in a particular geographic area. In the vicinity of Montpellier the Cami Salinié or salt road left the Via Domitia above Lunel and ran south to the inland bays below Mauguio, linking the salt-producing areas of Villeneuve-lès-Maguelone, Maguelone and Vic-la-Gardirole.

The surviving itineraries of famous medieval travellers provide further information on the routes of communication of the thirteenth century. Yves Renouard traced the travels of Eudes Rigaud, archbishop of Rouen (1248–69), to Rome. Promoted to the episcopate on the eve of St Louis's 1248 crusade, Rigaud travelled widely within his archiepiscopal province, but his longest trip was a voyage to Rome just after Christmas, 1253, with an entourage of perhaps ten people, returning to Rouen in early September. His purpose was not pleasure, but rather to reach the pope before the latter made a decision about the

appeal of suffragan bishops of the diocese against the jurisdictional power of the archbishop to hear direct appeals.

The trip to Rome included several detours and was not rushed, taking seventy-three days with an average of twenty-five kilometres a day; the return trip took sixty days with an average of twenty-nine kilometres a day. The mapping of the Rigaud trip suggested that the prelate used the major commercial axes by section, departing according to his curiosity and taste, reflecting his position as French archbishop, of Franciscan and university background. A hundred years later, the trip of the merchant of Montauban Barthélémy Bonis to Rome as a pilgrim for the 1350 Jubilee, probably on horseback, was at a more rapid pace, fifty-four kilometres a day; it was also more direct, inspired, it would seem, by a pilgrim's guide for the trip from the papal residence of Avignon to Rome.

In addition to significant travel within the continent of Europe, Europeans, particularly merchants and missionaries, explored well beyond the European frontiers by the end of the thirteenth century. Genoa established commercial outposts as far east as the Black Sea port of Trebizond and at Caffa in the Crimea; the Venetians traded at Alexandria in Egypt and had outposts as far east as Tana on the Caspian Sea. Trebizond was the destination of caravan routes from central Asia; Alexandria was the western endpoint of routes from southern Asia, including India and the Arab world. In the thirteenth century European merchants would travel far afield to India and China – the voyages of Giovanni di Pian Carpini, William of Rubruck and Marco Polo are well known. The medieval expansion of Europe had begun in earnest in the thirteenth century. Italians, admittedly few in number, were trading in China by the end of the thirteenth century, but this ephemeral European access was dependent on the vast political structure of the Mongol empire, which disintegrated in the first half of the fourteenth century.

METHODS OF TRANSPORT AND TRANSACTION COSTS

Professional transporters handled a portion of medieval overland- and river-based trade. Such transporters worked the Champagne fairs and all towns feeding into them. There was a swift traffic in beasts of burden in most medieval towns, particularly the pack mules which were so valuable to the caravan traders. The geographical origins of carriers in the commercial transport contracts of Montpellier favoured the Massif Central – Mende, Saint-Flour, Millau, Vabre and Rodez. Other muleteers came from the region of Montpellier and of Nîmes. In the High Middle Ages, caravans of merchants roamed the highways and byways using inns and hospices as did pilgrims and official travellers on royal or ecclesiastical missions.

Water travel was substantially less expensive than overland transportation. Mediterranean maritime travel was dominated by two main types of ships, the galley and the nef. Gallies, demanding large crews, were driven by sails, though they carried oars as well. They transported freight of several hundred tons at most. Nefs were sailing ships, necessitating fewer crew members, often with greater cargo capacity than the galley; they were suited to bulky trade items. Sails evolved from the square sail to the lateen sail, making the ship more manoeuvrable. The North Sea–Baltic trade network used the round cog with a single mast and generous cargo capacity, and rough imitations of the cog were sailing the Mediterranean by the early fourteenth century.

The transaction costs of medieval commerce were greatly enhanced by transportation expenses and import/export duties. The dangers of natural catastrophe during travel further increased the difficulties of doing business. Moreover, robbery on the roadways was a constant concern of merchants and travellers in general. While water transport – especially maritime over long distances – greatly reduced expenses, risks on the open seas were high. Piracy was a way of life in the Mediterranean. Pisans, Genoese, Majorcans, Catalans and Aragonese turned coat quickly from merchant to pirate, according to the circumstances. By the regulations of the law of *marque*, with the techniques of *aubaine* and reprisal, sovereigns and individual towns could confiscate the merchandise of compatriots if offenders had not compensated injured merchants and given satisfaction through the normal legal channels. Such tactics may have created sufficient peer pressure on privateers to curb some of these disruptive activities; yet law suits abounded, and treaties between Mediterranean towns sought constantly to regulate delicate mutual relations, often disturbed by incidents of aggression and piracy. The towns of southern Europe developed veritable diplomatic relations with one another, governing by agreement the commercial fate of their citizens in foreign ports and markets.

The kings of France indulged periodically in export prohibitions, forbidding the exit of raw materials from France to the Low Countries or to Italy, or refusing the importation of specific goods. For a price, merchants could obtain exemptions from these regulations. In such a way, regional industries could be favoured or penalised, and necessities could be controlled in times of war. In England the king dictated the wool export policy so essential to the cloth industry of the Low Countries. Outside England, where public works remained a responsibility of the monarchy in the Middle Ages, in most regions of Europe the maintenance of roads and bridges fell to the local lord. River tolls, levied by these lords, were a plague on traffic. Monastic tolls were common from the Carolingian period. By the thirteenth century princes had developed toll stations as a source of significant revenues. By the end of the Middle Ages river tolls had become so burdensome as to stifle trade which was

then redirected to the roads. Staple rights were another bane of water transport; they laid ships under an obligation to put in and unload and sell their goods before moving on. Transit tolls were everywhere evident, not just on rivers, but at ports, at specific toll stations, at the entrance to and exit from towns. Sales taxes on transactions at local urban markets also increased the cost of goods. Royal and regional lords' taxes on transactions at fairs further burdened traffic. The existence of monopolies obliged foreigners to reside in certain localities, such as the Flemish staple at London and the English staple at Bruges. The tight regulation of artisan industrial production in specific trades introduced further restrictions on free trade. The trade mentality of the Middle Ages discouraged competition and undoubtedly maintained prices at a high level. By the same token, access to particular trades became increasingly limited in the late medieval period by the requirement of inheritance of trades from father to son.

With few exceptions – the textile industries being the most significant, whether wool, silk, or cotton – import substitution was not a common medieval trade phenomenon. The favoured goods of the Mediterranean luxury trade – spices, drugs, exotic goods of all kinds – were climate-specific and could not be duplicated in western Europe.

MEDIEVAL TOWNS: FOCI OF COMMUNICATION AND SITES OF TRADE

Medieval towns were the sites *par excellence* of international trade, and of much regional traffic as well. Urban revival had reached an impressive stage of maturity by the thirteenth century. Towns were enjoying the greatest political autonomy of the Middle Ages in the early thirteenth century in kingdoms such as France, where by mid-century royal control would begin to make inroads on urban independence. Thanks to the political conquests of the northern French during the Albigensian Crusade, significant new territories were added to Capetian rule: Lower Languedoc after the Treaty of Paris-Meaux in 1229, with the exception of the Aragonese enclave of Montpellier; Upper Languedoc at the death of Alphonse of Poitiers and his wife Jeanne, daughter and heir of Count Raymond VII of Toulouse. French administrative structures, the *sénéchaussées* of Beaucaire–Nîmes, Carcassonne–Béziers and Toulouse brought Parisian directives to the Midi. The quasi-autonomous towns of the south were soon to experience the inroads of French royal rule, particularly through the vehicle of the law courts. But the politics of the thirteenth-century French kings, St Louis (1226–70) in particular, allowed considerable free rein to the bourgeois commercial dynasties of the French towns.

The needs of the royal budget were most severely felt in the region of Paris where a town such as Beauvais suffered from royal fiscal policy. Beauvais fell

victim to its own internal investment strategies, as well. In the striking parallel between Genoa and Beauvais, established by Robert Lopez, profits of the Beauvais cloth industry were invested in excessively ambitious cathedral building. The disastrous collapses of the over-tall Beauvais cathedral nave, combined with royal financial pressure, led to a decline in the Beauvais cloth industry by the end of the thirteenth century. Genoa, by contrast, reinvested the fruits of its commercial success in more trade. Even the archbishop of Genoa privileged commercial investment over church building, remaining content with a small cathedral.

In the thirteenth century one finds the first codification of corporate statutes, regulating the life of the medieval trade guilds with significant impact on commerce and industry. Urban administrations in France, first installed by communal revolution in the north and by consular agreement in the south, managed local resources, collected taxes, policed the fairs and markets within their jurisdiction, oversaw the maintenance of the roads, regulated the use of scarce urban space within the walls and oversaw the construction of those same fortifications, often enlarging on eleventh-century structures which had long since been bypassed by the expanding urban population. The medieval commercial economy was founded on trust, on the willingness of merchants to honour obligations. Medieval towns enacted charters which outlawed monopolies, regrating, engrossing and forestalling. Decent business practice was enforced by municipal officials who prosecuted fraud when it was uncovered. At the heart of the town governments were members of the merchant class. Medieval urban governments, far from being participatory democracies, were oligarchies of exclusion which communicated their separateness and their dominance through ritual and ceremony. Urban governments, composed of *échevins*, *consuls*, *capitouls*, and so on, were drawn from the privileged sectors of the community. Towns issued charters of *bourgeoisie* for their most prestigious citizens and for favoured foreign merchants. Urban enfranchisement was based upon property qualifications. Strict rules controlled access to the urban executive councils while general urban citizenship gave access to the large assemblies.

Towns and countries developed protectionist policies with regard to their trade specialities. England required special permits for foreigners to do business, yet London had large colonies of foreign merchants, Italians and Flemish in particular. The Rolls Series reveals the presence in England of highly specialised foreign practitioners such as the Montpelliérain who made spiced wine for the English royal court in the mid-thirteenth century. German towns prohibited foreigners from engaging in what would be termed today the 'retail trade'. Many cities designated specific geographical areas where foreign merchants were cloistered; so too Jewish quarters, where they developed or were

created, were often centres of crafts and of trade. Shrovetide was the only time of year in Ghent when foreigners could trade freely anywhere in the city.

Trade statutes often took a very restrictive position on the participation of foreigners. The scarlet dyeing industry of Montpellier, the pinnacle of the finishing trade for which the town was reputed and the products of which were sold from the early thirteenth century in the markets of Genoa and exported in the Mediterranean world, prohibited foreigners, by an article in the 1204 municipal *consuetudines*, from using the cochineal dye of the scrub oak parasite to colour wool cloth. By 1225 a new statute allowed foreigners to dye cloths with this scarlet dye if they had resided in the town for five years. By 1251 the industry had opened up, for the delay of residence was reduced to two years, with the proviso that the candidate had to have a fortune of at least £300 *melgoriens* and agree to reside in the town for ten years. The quality of the dyeing process was apparently declining over the thirteenth century since in 1265 King James I of Aragon required dyers to increase the amount of dye they were using, but this ordinance was not enough to stem the tide against substitution of dye from garance for the scrub oak cochineal. The drop in sales visible in the notarial evidence from Genoa in the later thirteenth century reflected these changes in technique and quality.

While the major conquests of the European crusaders were confined to the end of the eleventh and the early twelfth centuries, the effects of the crusader phenomenon took the form of commercial entrepôts and markets created among a crusader populace along the Syrian coast, and this had a significant economic impact in the thirteenth century. Even the fall of Acre in 1291 did not put this to an end, since thereafter trading stations at Famagusta in Cyprus and in Lesser Armenia and continuing contacts with Constantinople kept the Levant trade alive. The network put in place by Genoa, Pisa and Venice, in the aftermath of the First Crusade of 1096–9, was seconded by the participation of southern French towns, such as Marseilles and Montpellier, in the late twelfth century. This network was sustained in large measure, in spite of territorial losses, throughout the thirteenth and into the fourteenth century. The other side of the coin was the exposure of many Europeans to new cultural experiences, with the attendant development of their tastes to include an appetite for the luxury goods of the eastern Mediterranean and the Far East.

The thirteenth century represented in many respects the heyday of the Mediterranean trading network, when expectations were still high, the return on voyages significant. The prosecution of interest-bearing investments was not yet in full swing. The great diversity of trading operations evident at mid-century in Marseilles through the records of the notary Amalric and the documents of the Manduel family provide a window on this world from the

perspective of what is now southern France. Acre was the destination of many a ship setting out from Marseilles. *Commenda* partnerships financed this trade, permitting the modest investments of large numbers of Marseillais, men and women, as the cargo of the *Saint Esprit*, sailing in 1248, demonstrated. Spawning much of this commercial activity were the preparations for and actual departure of St Louis's first crusade from Aigues-Mortes in July of 1248. Though the crusade was a fiasco, the movement of people and cargo was a stimulus to the international economy. Sea loans among international merchants also facilitated this trade. The products of the Near East – silks and spices, purchased on the voyages east – were redistributed in the western Mediterranean, as far afield as Bougie and Ceuta. Trade flourished with Naples and southern Italy, as well. Merchants from other towns, such as Montpellier and Narbonne, utilised the port of Marseilles as did northern Italians, Genoese, Pisans and Venetians. For Marseilles this commercial heyday was stifled by the growing dominance of the Angevins from the 1260s. Charles of Anjou co-opted the fleet of Marseilles for his own political purposes. The trade of Marseilles would never recover the same prominence in the Middle Ages, after suffering the fallout of Angevin dreams of Mediterranean hegemony.

Privileged trading status was sought by mercantile towns. Venice was the most successful of all in garnering customs reductions with the Byzantine empire in 992 and finally, in 1082, an exemption from customs taxes and thus a significant trading advantage. These privileges, however, did not prevent the expulsion of the Venetians from Constantinople in 1172. The 1204 crusade gave Venice up to three-eighths of the Byzantine empire to enjoy as part of the dubious Latin conquest of Constantinople, an incredible commercial coup which would be only partially reversed by the Genoese-supported reconquest of the Byzantine capital by Michael VIII Palaiologos in 1261. Genoese/Venetian commercial rivalries blossomed into military conflicts with regularity in the thirteenth century. Particularly acute conflicts occurred between Genoa and Venice in the years 1261 to 1270 and 1294 to 1299, foreshadowing the War of Chioggia in the years 1377 to 1381.

The Genoese and the Pisans were also arch-rivals in the eastern and western Mediterranean. Their duel for commercial hegemony over the present-day south of France was thwarted by the assertion of independence of southern French towns such as Marseilles, Toulon, Hyères, Narbonne and Montpellier in the first quarter of the thirteenth century. The rivalry of Genoa and Pisa climaxed at the battle of La Meloria in 1284 when the Genoese defeated the Pisans, taking significant captives and returning to Genoa with the great chain of the harbour of Porto Pisano in tow. Pisa never again challenged Genoese preeminence, though the Tuscan town did not cease trading in the

Mediterranean world, and Sardinia and Corsica remained potential flashpoints of Genoese–Pisan conflict.

The North Sea/Baltic trading network experienced growth in the thirteenth century after the founding of Lübeck in the twelfth century. Commercial ties stretching from England to Novgorod had long characterised this northern trading network. The administrative structure of the Hanseatic League was just beginning to appear in the thirteenth century and would enjoy much development in the later Middle Ages. Earlier twelfth-century trading links between Cologne, Bremen and England were now expanded with the introduction of the so-called Easterlings in the thirteenth century, including merchants of Lübeck, along with traders from Visby, Rostock, Stralsund and as far east as Riga. The sea link around the Jutland peninsula was inaugurated, replacing the older overland route from Hamburg to Lübeck. The three Hansas of Cologne, Hamburg and Lübeck were united in one German Hansa in London in 1281. The implantation of Hanseatics in the Low Countries was also an affair of the thirteenth century; trading privileges were accorded to them in mid-century by Countess Marguerite of Flanders. In contrast to the Steelyard at London and the Peterhof, or St Peter's Court, at Novgorod, where they were confined, Germans intermingled with the population at Bruges.

The thirteenth century witnessed the contact of the Mediterranean trading network with the commerce of northern Europe both overland and, by the end of the century, by sea. Italians were resident in all the regions of north-western Europe by the end of the century. Bruges became the keystone to this interaction of northern European and Mediterranean trading networks and the successor to that great medieval crossroads, the Champagne fairs. The objects traded in the two vast trading networks of the thirteenth century, the northern North Sea/Baltic network (the 'Mediterranean of the North') and the Mediterranean sphere were significantly different. Mediterranean trade was dominated by the luxury trade with important movement of grain in times of shortage. Fine wool cloths of Flemish and northern French fabrication, armaments, agricultural goods and raw materials, along with precious metals, formed the primary European exports to the Near East while products sought included silks and spices, drugs and exotic fruits, dyestuffs, some of these products of Near Eastern, some of Far Eastern origin. In the northern sphere, bulky goods, grain, tar, pitch, wax, furs, fish, wood were shipped from east to west. Grain was traded to the urbanised centres of Flanders and the Low Countries from the Baltic lands, England and the provinces of the productive northern French plain. Wool cloths and wine were among the western products in demand. Wool was traded from England to Flanders. The land salt of Lüneburg was expensive and insufficient in quantity for the demand of north-

ern markets. Hence, Atlantic sea salt from Bourgneuf and Guérande was sent to Bergen, Riga and as far afield as Novgorod.

MERCHANTS AND MECHANISMS OF COMMERCE

The growth of international trade in the commercial revolution of the eleventh century was underpinned by the existence of recording methods sufficient to permit complex business transactions at a distance. This century experienced an information explosion, whether one takes note of the re-emergence of rural records on a par with the great ninth-century estate inventories or of the beginning of commercial records in the hands of notaries and scribes. Preservation of records of obligations, indebtedness, transfers, sales becomes more common as we move into the twelfth century. In southern Europe these take the form of notarial acts, generally surviving in registers. The written law tradition inherited from the Romans had not been completely lost in the Mediterranean world. In northern France urban *échevins* signed sealed private law documents, including business contracts, which were preserved as chirographs in urban archives. The literacy of medieval urban inhabitants is, in effect, affirmed by the existence of chirographs in the vernacular, which private citizens in litigation had to bring to the town hall for verification of legitimacy. The growth of princely and royal legislative acts can be noted concurrently. By the thirteenth century, the habit of writing down records, the written inquest, written proof, the notarial act, the chirograph, were well established in medieval European society. More generalised literacy among members of the growing merchant class led to their greater technical expertise in the use of instruments of commerce and methods of financing and in long-distance communication, permitting the orchestration of complex commercial transactions. Literacy was a great motor of the growth of trade in western Europe. From the mid-twelfth century Genoese notarial acts became more numerous and are preserved by the thousand in the thirteenth century. Other Italian towns, such as Lucca and Pisa, also enjoy the preservation of multiple notarial registers for the thirteenth and later centuries. Southern French notarial registers are preserved in smaller numbers from the mid-thirteenth century. The same period finds the survival of significant notarial archives in Catalonia and Majorca, as well. Genoese notaries were active in this same era in outposts of European Mediterranean commerce in the Near East, as far away as the Black Sea. The commercial instruments used by medieval merchants were thus appropriately recorded. Accounting techniques – double entry book-keeping – were developed from the later thirteenth century, providing concomitant support for the burgeoning commercial economy. Fragments of accounts have survived – especially in the fourteenth century – for Italian companies

such as the Peruzzi, and for individual merchants, such as the Brothers Bonis of Montauban, Ugo Teralh of Forcalquier and Jean Saval of Carcassonne.

Partnership techniques greatly facilitated the conduct of local and international commerce. The early diffusion of partnership as a means of financing trade cannot be dated precisely. Already in the ninth-century will of the Venetian doge Giustiniano Partecipazio there is reference to investments in maritime trade. Examples of the Venetian *commenda* or *collegantia* partnership survive from the late eleventh century, and Genoese *commenda* and *societas* contracts are preserved in notarial registers from the mid-twelfth century. The *commenda*, the origins of which are complex, as John Pryor has shown (see ch. 15 (a) in this volume), involved in its prevalent high medieval maritime form, an investing partner who contributed the capital to a venture and derived three-fourths of the profits, and a travelling partner whose contribution was his labour and whose remuneration was one fourth of the profits of the affair after reimbursement of the initial investment. This contract was a particularly flexible vehicle for the stimulus of trade, allowing those without fortune, but with energy and ambition, to reap considerable success from one voyage, financed by multiple *commenda* partnerships. The earliest extant notarial register of southern Europe, that of Giovanni Scriba of Genoa of the mid-twelfth century, already contains many examples of this type of contract. The thirteenth-century Manduel contracts of Marseilles and the Amalric cartulary of 1248 demonstrate the use of partnership in the south of France slightly later. The *commenda* had a land form, which in Venice in the early fourteenth century was criticised as usurious in view of its similarities to the simple loan or *mutuum*, but in the heyday of high medieval commerce, from the eleventh to the thirteenth centuries, the maritime form escaped the usury condemnation because of the element of risk involved. The *societas* contract, of Roman origin, appeared in land and maritime forms. It offered a less one-sided division of investment with both partners generally contributing to the capital of a commercial enterprise. Profits were apportioned according to the percentage invested by each of the partners.

Hand in hand with the *commenda* and the *societas* went other contractual innovations such as the sea loan and the money exchange contract (*cambium*). The notarial contract of exchange, as it was employed in the thirteenth century, involved four parties, a debtor and creditor on the initiating marketplace and a corresponding payor and payee at another financial market in another town. At least one economic historian, Raymond de Roover, viewed the medieval Church's stance on usury as formative of an international banking system in Europe, based not on lending through *mutuum* loans, but on foreign exchange contracts which left their trace in notarial registers before 1300 as *instrumenta ex causa cambii* and later appeared as letters of exchange. Other interpretations

place less importance on the influence of the usury condemnation of the Church, maintaining that medieval merchants (and many another with money in his or her pocket) lent money at interest in spite of ecclesiastical opprobrium, though in some cases not without repentance on their death-beds; and in others, such as that of Italian companies like the Bardi, with columns in their account books for charitable donations *per Messer Domeneddio*. Exchange operations crisscrossed Europe, fuelling commercial interchange between the south and the north, with the liquidation of many obligations in the later thirteenth century at the great European financial clearing house of the Champagne fairs. The medieval economy was grounded in credit, a necessity given the limited European precious metal reserves which plagued merchant and king alike. Sea loans, present in considerable numbers in the notarial evidence of twelfth-century Genoa and mid-thirteenth-century Marseilles, were repayable only if the ship came safely to its port of destination. Such financial instruments helped to distribute more broadly the risks of trade. The concept of insurance developed at the end of the thirteenth century, again an invention of the Italians. A notary of Palermo in 1287 wrote an early insurance contract. At first, only a percentage of the value of a ship's cargo was covered. The sharing of risks helped stimulate economic growth. Along with moneylending and foreign exchange, medieval deposit banking was another fuel for the commercial economy. Term deposits and 'on demand' deposits were both present in medieval banking by the thirteenth century. Interest was in all likelihood anticipated on such deposits. For merchant bankers the acceptance of deposits represented one way of acquiring capital necessary to finance the expensive operations of international trade. With the development of a concept of representation, the ability to do business at a distance was greatly enhanced. The representative's mandate could be narrow or broad, according to the terms of the appointment. *Procuratores, nuncii, negotiorum gestores* and *factores* permitted the free flow of medieval trade along with partnership arrangements in *commenda* and *societas*. Notarial registers are replete with contracts of procuratorship in particular, designating intermediaries for the performance of business acts. The later Middle Ages witnessed the appearance of negotiable credit instruments in the form of bearer contracts and of endorsement.

While little has survived of merchant correspondence in the thirteenth century, and certainly nothing to compare to the remarkable collection of letters of Francesco da Marco Datini of Prato at the end of the fourteenth century, scattered letters remain for earlier merchants, such as the Veizian family of Montpellier, who in the mid-thirteenth century corresponded about an order of rose water from the queen of France. It was imperative for merchants to be informed about business conditions at distant markets in order to take advantage of demand. Merchant manuals have survived from the end of

the thirteenth century. Information about the commercial situation at the most prominent trade centres throughout Europe was vital for the successful operation of medieval merchants. Pegolotti about 1320 even gave precise information about the silk road across Asia to China. Products in vogue, rates of currency exchange, weights and measures, and shifts in volatile market conditions necessitated reliable sources of information.

The mentality of medieval merchants was another essential ingredient in the commercial expansion of Europe. Whether in the early example of Godric of Finchale or in the epitome of medieval merchants – the thirteenth-century Italian individualists like Benedetto Zaccaria or partners like the Tolomei of Siena, and the Bardi and Peruzzi of Florence – there was a willingness to take risks, explore new markets, interact and co-operate with colleagues, which accompanied a keen business sense, a grounding in accounting and in most merchants a basic literacy. Merchants, through their networks of communication, had to keep abreast of market changes and the relative rise and fall of the multiple European monies. France alone in 1300 counted perhaps forty such separate currencies. Merchants needed some comprehension of the widely differing systems of measurement in use from town to town, let alone from region to region. In their purest entrepreneurial incarnation, medieval merchants espoused the Pegolotti maxim: ‘E scarso comperare et largo venda’ (‘Buy cheap and sell dear’). Wealth became the motive and motor of mercantile society and an underlying foundation of European bourgeois society in the late Middle Ages and beyond. At times the result was unpleasant. Anton Boinebroke of Douai represented an extreme case in the thirteenth century of an exploitative proto-capitalist in the medieval cloth industry.

Imbedded in medieval commerce was a willingness to accept risks, along with great versatility of mercantile orientation. Merchants built the idea of risk into their partnerships. The twelfth-century Venetian merchant Romano Mairano made and lost several fortunes in his lifetime, perhaps dying with modest assets. The well-known Benedetto Zaccaria was alternately admiral, merchant and pirate, in good Genoese tradition. The great diversity of his activities and investments – ships, alum mines in Phocaea, mastic plantations, public debt securities, real properties – suggests the multiple dimensions of the medieval European economy and the far-reaching horizons of Mediterranean trade. But medieval merchant culture was not without its more conservative instincts also. The emergence of a rentier class of former merchants, particularly in northern Europe, reveals a more moderate approach to trade and wealth and a desire for integration into the upper echelons of the feudal hierarchy. The sedentarisation of medieval trade can also be noted by the end of the thirteenth century as commercial practices evolved from the caravan trade

mode of the travelling merchants to the branch office, agent-oriented form of commerce of the great Italian commercial companies, the Bardi and Peruzzi, and later the Medici, of Florence. The basis of these later partnerships was, however, fundamentally different. The Tolomei of Siena and the Bardi and Peruzzi partners assumed unlimited liability for the activities of their members, a practice which ultimately led to their bankruptcy and downfall, respectively, at the end of the thirteenth century and in the early 1340s.

Italians, particularly the Genoese, Pisans and Venetians, led the field in maritime commerce in the thirteenth century but were joined in merchant banking and overland trade by merchants of Lombardy and Tuscany and by members of other national groups such as the Cahorsins, whose reputation was on a par with that of the Lombards. The large number of towns associated with the Champagne fairs suggests the intense involvement of even small urban centres in trade. Merchants of Aurillac were important intermediaries between the markets of Montpellier and Paris, particularly in the spice trade. Merchants of Saint-Antonin specialised in the trade in Flemish cloths in Languedoc, Roussillon and Catalonia, trading to Perpignan. The great gathering point for all these groups in the thirteenth century was Champagne.

THE EUROPEAN FAIRS

The phenomenon of the medieval fair represents the best laboratory for the study of commerce and communications in thirteenth-century Europe. Medieval fairs had their antecedents in the *nundinae romanae*. Among the earliest was the seventh-century Merovingian October fair at Saint-Denis which was joined by the *lendit* fair in the eleventh century. The Merovingian and Carolingian periods witnessed the *mercatum palatii* as well. In England the king issued over 2,200 charters to markets and fairs in the period 1200 to 1270. Of all the European fairs which stretch beyond the later chronological boundaries of the Middle Ages, the Champagne fairs in the towns of Troyes, Provins, Lagny and Bar-sur-Aube represent the premier exponents.

Situated in east-north-central France, the fairs, though not equidistant from the Low Countries and Italy, lay none the less within convenient access of both. Beginning as agricultural fairs by the twelfth century, they benefited throughout their development from the consistent patronage of the counts of Champagne. The relatively primitive commercial economy of the time, beset by difficulties of communication and transportation, dangers of travel and a lack of guarantee in commercial transactions, was well served by the fair system. A geographical and temporal focus eliminated some of the insecurities in an age when permanent commerce on a large scale had not yet been established. One of the death knells of the Champagne fairs would be the

development of permanent branch offices of the Italian merchant banking companies in cities such as Bruges in the early fourteenth century and the concomitant decline of the caravan trade upon which the fairs were based.

It is possible to periodise the development of the Champagne fairs. There were three eras: from the early to the last quarter of the twelfth century; the period extending to 1260; and the era from 1260 to 1350 when the last Italians, merchants of Piacenza, ceased to frequent them. The fairs experienced a decline about 1260 from the strictly commercial standpoint, but at this point there was a change in orientation of the fairs from a place of commercial exchange to that of financial clearing house of western Europe. The highpoint of this financial market continued until about 1315–20. In the heyday of the medieval fair economy, Champagne was the crux of the caravan trade of western Europe, which permitted the exchange of high-quality wool cloths of the Low Countries and northern France for the products of the luxury trade of the Mediterranean world, spices, exotic drugs and other *avoir-du-poids* and fabrics, especially silks and damasks. Robert Reynolds identified four sets of merchants involved in this traffic, which was also facilitated by service trades in Champagne itself. The northern cloth exporters of the Low Countries collected cloth in Flanders and brought it to Champagne; the caravan merchants or transporters from northern Italian towns, such as Asti and Vercelli, bought the cloths and sold goods that they had brought up from Italy. They then sent the cloth to Genoa where cloth merchants purchased it, finished it perhaps, and exported it in the Mediterranean world. The importers of Genoa, important capitalists, were the fourth type of merchant, providing credit to the caravan merchants whom they supplied with Mediterranean wares to take to the fairs. Access to the fairs was controlled by the *conductus* or safe-conduct, accorded to foreign merchants, first by the counts of Champagne and then by the kings of France.

This commercial network was established by the end of the twelfth century when an Italian presence can be detected in Champagne. The Italian towns, Parma, Piacenza, Venice, Florence, Genoa, Siena, Rome, Lucca, Asti, Cremona and others, were organised under consuls at first and then, after the mid-thirteenth century, in a general union under a captain. Among the Italian companies represented at the fairs were the Peruzzi and the Bardi of Florence and the Tolomei of Siena. Northern European towns frequenting Champagne banded together in a Hansa of seventeen towns. Southern European towns under the leadership of a captain from Montpellier were also represented at the fairs.

The six fairs were organised in an annual cycle beginning with the Lagny fair on 2 January. With each fair lasting about fifty days, the cycle continued with the fair at Bar-sur-Aube, the May fair at Provins, the 'Hot' fair of St Jean at

Troyes, the St Ayoul fair at Provins, beginning in November and concluding just before Christmas with the 'Cold' fair of St Rémy at Troyes.

The administrative and jurisdictional structure of the fairs evolved considerably during the twelfth and thirteenth centuries. The counts of Champagne and the religious establishments who were the sponsors of the fairs retained most jurisdictional competence outside police duty and the enforcement of fair regulations. The comital or ecclesiastical courts were the tribunal for conflicts between merchants. Officials in charge of the fairs were numerous. Highest in command were the wardens – often two – with competence for all six fairs. They were often chosen from among the bourgeois or nobility of the fair towns. Under the wardens were numerous lesser officials, sergeants with police responsibilities, clerks with notarial functions, measurers, weighers, porters and tax collectors.

While criminal competence remained in the hands of the counts of Champagne and later the kings of France for the most part, after 1260, the jurisdiction of the wardens increased in one respect; it fell to them to enforce the fair contracts, or *lettres de foires*, sealed officially by the wardens' seal and recorded in the fair registers. Jurisdiction was limited to persons frequenting the fairs. Justice was harsh and rapid, the epitome of the piepowder court of the itinerant medieval merchant. Some of the normal protections of the law were eliminated, such as the right to delay a trial or to claim immunity from a particular tribunal. Courts of appeal existed in the *grands jours de Troyes* and later in *parlement*. Evidence admitted in court included the battle duel, the witnessed proof, the written oath, the *lettres de foires* and, finally, the evidence of the fair registers themselves. Fugitives from the justice of the fairs were harshly treated. Wardens sent a requisition to the home jurisdiction, demanding the seizure of the goods of the fugitive and their public sale with the profits used to honour the fair contracts. The last resort of the fair warden's justice was the prohibition of attendance at the fairs for compatriots of the accused, in the tradition of the law of *marque*. Parallel to the courts in Champagne, other courts of voluntary jurisdiction designed to serve commercial and urban law cases, the so-called *sceaux rigoureux*, emerged in the south of France (Cour de Petit Scel in Montpellier, Cour des Conventions in Nîmes).

The decline of the fairs has elicited several explanations. The onerous fiscality of the count of Champagne, and, from 1285, the king of France, may have taken its toll on traffic. Moreover, in the late 1270s Philip III of France favoured Nîmes and Aigues-Mortes over Montpellier (an Aragonese or Majorcan lordship) as ports of entry for Mediterranean goods, whereas southern trade with Champagne had been focused on Montpellier. In 1277 he issued a prohibition on the export of wine, grains, wool and other goods from France.

A further complication for the great cloth-finishing trade of Italy was the

emergence of a totally Italian cloth industry, producing cloth from raw wool itself. The new Italian industry, epitomised by the prospering *Arte della Lana* of Florence, was a fierce competitor against the Flemish and northern French industries and contributed to the decadence of the Florentine *Arte della Calimala*, the principal importer of Flemish cloth via Champagne and the largest client of the fairs. French export prohibitions also hampered the trade of the *Arte della Calimala*.

The opening of the Atlantic sea route in 1277–81 with the departure of the first Genoese galleys from the Mediterranean, accompanied by the Majorcans, offered an alternative route to England and Flanders, bypassing Champagne, as had the overland route across the Reuss and through the Saint-Gothard pass. The development of Paris and Avignon as French royal and papal capitals, respectively, also contributed to the decline of the fairs, as did municipal unrest in the fair town of Provins. The establishment of permanent branch houses by the Italians in Bruges in the early fourteenth century was an indication of a general shift in commercial business techniques. Merchants tended to settle in the important urban centres. Italian merchant banking companies installed factors in these centres.

The decline of the Champagne fairs did not signal the end of the fair phenomenon in Europe. Smaller fairs continued in Champagne and important fairs grew at Geneva, Frankfurt, Beaucaire and later at Lyons and continued into the early modern era. Nor were the Champagne fairs the only significant fairs. Regional fairs such as the Languedocian fairs at Pézenas and Montagnac saw intense trading in the late Middle Ages.

CONCLUSION

The thirteenth century has been called, in economic terms, the autumn of the Middle Ages. And a brilliant autumn it was. The gains of the era of medieval expansion would never be lost, though the crises of the fourteenth and fifteenth centuries would slow and, at times, temporarily reverse the direction of development. With the close of the medieval era, sophistication of commercial and financial methods and improvement in communications, which had first matured in the thirteenth century, would, with further breakthroughs in maritime technology, position western Europe for the Age of Discovery.

THE VERNACULAR

Colin C. Smith

THE rise of the vernaculars of Europe towards their thirteenth-century maturity in relation to (and eventually in competition with) Latin as the language of international religion, literature, learning, administration, and much else, was far from being a uniform or steady process in terms of time and place: in a full survey it would be necessary to consider each century and each region one by one.

In broad terms a first distinction may be made between the areas of the old Roman empire which remained Latin-speaking – and absorbed Germanic and other invaders and settlers to the extent that these rapidly or eventually adopted Latin speech – and areas of Celtic, Germanic and Slavonic speech. In the former, even though literacy must have declined sharply in the fifth century, the Latin alphabet and the ability to use it to write in Latin (with whatever novelties or deviations from classical norms) survived and was strongly buttressed by Christianity as it spread and as the Church took over many functions of the extinct secular state, Latin being the sole language of the Bible (at first, though early translations were very important), the liturgy, preaching and administration. In the other areas a distinction existed between Celtic regions and the rest, in that in post-Roman Britain enough Christianity and Latinity (both written and, for a short period, spoken) survived to sustain what became known as the ‘Celtic Church’ in the west of Britain and notably in Ireland from the days of St Patrick, this passing to Saxon Northumbria and introducing both Christianity and written Latinity there. The mission of Augustine accomplished the same in the southern Anglo-Saxon realms and soon more widely. The evangelisation of the Netherlands, of parts of Germany and later of Scandinavia and Iceland, of Hungary, carried the spoken and written Latin of the Church to those regions, while the Slavic peoples were first evangelised in Greek from Byzantium.

The need to write the vernaculars, some of which sustained a rich bardic culture of heroic verse, praise-poems, folktales, and the like, together with

orally maintained ritual and juridical practices, was presumably felt first by still pagan peoples as they became aware of the existence of Latin and Greek writing in the empire and the usefulness of a comparable system of signs for brief inscriptions which could be cut on stone or other durable materials: hence the invention, in unknown circumstances, of Irish ogam and Germanic runic alphabets. These led to early but always very limited habits of literacy and survived for a long time the invention of Latin-based systems with which to write long texts in the corresponding vernaculars on parchment and vellum.

The moment, place and manner of this invention are unknown but can be conjectured in some cases: thus for Common Neo-Brittonic (which would develop into Old Welsh, etc.) someone, probably in Wales but possibly in Cumbria, must have invented a way of writing the vernacular in Latin letters at some point in the mid-sixth century, the better to represent increasingly non-Latin proper names and apocopated forms, and later to convert previously oral verse into written forms (or indeed to stimulate new written compositions such as the *Goddodin*). Here and elsewhere the invention would have been the work of clerics and there would have been formal training for novice scribes, concerned in the first instance with the keeping of genealogies, king-lists and other records for royal and noble courts and for landowners, but literary cultivation followed quite soon. The adaptation of the Latin alphabet for writing in Old Irish seems to have taken place about 600 and a strong vernacular literary tradition developed beside the monastic Latin one.¹

For continental Germanic, the earliest alphabet replacing runes was that devised by Ulfilas in the mid-fourth century for his translation of the Bible into Gothic; it has twenty-seven symbols mostly based on Greek uncials, with a few from runic script and from Latin. Old High German seems to have been first written in a monastery of southern Germany in the later eighth century, and Old Saxon in northern Germany in the early ninth. From about 1150 there grew and flourished the Middle High German literary culture of the *Minnesänger* and of courtly epic and romance. In Anglo-Saxon England the vernacular might have been written to a small degree in Kentish charters of the seventh century, and more extensively in the famous Northumbrian schools, but these were extinguished by the Danish invaders and only a few fragmentary specimens of vernacular writing (such as Caedmon's hymn and Bede's death-song) survive. The important contribution of Mercia from the late seventh century has recently been emphasised, surviving documents including the Tribal Hidage and glosses and glossaries; in eighth-century Mercia writing of any sort in the king's name was a significant means of assert-

¹ Recent studies include those of Koch (1985–6); Harvey (1990); Bruford (1990). On the implications of oral versus written transmission of king-lists, etc., see Dumville (1977).

ing the royal power.² The re-creation of vernacular writing in its West Saxon form, doubtless stimulated by the decline of Latin culture under pressure from the invaders in the east and south, is owed to King Alfred, under whom extensive literary texts (including the Anglo-Saxon Chronicle) and translations from Latin were produced. Alfred commented in the preface to the translation of the *Cura pastoralis* on the decline of Latin learning and the fact that many could read English writing. The tradition of literary creation and of writing in English was almost extinguished for a long time by the Norman Conquest. The system of signs was basically that of Latin with adjustments such as the addition of the old runic 'wynn' symbol *ƿ* (replacing Latin u, v) and 'eth' *ð* and 'thorn' *þ* (voiced and voiceless modern th), while *h* did duty for the guttural sound of *ch* in *loch*, and digraphs *sc* represented the initial sound in, e.g., modern *ship* and *cg* the final sound in, e.g., *hedge*. For Icelandic, after official evangelisation in 1000, the Latin alphabet was adapted for writing the vernacular by missionaries from Britain and Germany at some date before 1100, and by 1300 there existed an exceptionally rich literature in various genres of prose and verse; we learn that in the pre-literary stage the law code of Ulfjótr of about 930 was recited at regular intervals by the 'law-speaker' (the president of the assembly) and that the writing of this was ordered in 1117.

The first system of writing for the Slavic languages was created in the mid-ninth century by St Cyril (hence Cyrillic) and Methodius of Thessalonika following a request for missionaries and teachers for Moravia; they devised the system on the basis of the Greek alphabet for what is now known as Old Church Slavonic, translating into it the Bible, the liturgy and homilies.

In the Latin-speaking regions our view of developments has been much influenced in recent years by the ideas of Roger Wright, still the subject of controversy but also widely accepted.³ The fragmentation of the old unity of spoken Latin into what were to become the Romance languages is to be placed later than was long thought, or, rather, the awareness of such fragmentation and divergence from the Latin parent among speakers and literate authorities is to be placed relatively late. Up to about 800 the Latin writing system had served to meet the needs of all users not only in writing but also in spoken discourse: a Latin text in standard international orthography could be read aloud to listeners (in church, in law court, in the marketplace or for literary entertainment) in whatever form and with whatever modifications were needed to be comprehensible. The process would be automatic, just as today a text in standard

² This is discussed by Toon (1983), especially pp. 16–43.

³ Wright (1982), supplemented by many papers in Wright (1991), and by further papers of his own gathered in Wright (1994). Wright's views of 1982 are assessed in the wider cultural context by McKitterick (1989); she appears to accept Wright's approach but has queries about Alcuin's precise role and the operation of the reform (pp. 11–12).

written English can be read with varying pronunciations from Scotland to the Caribbean and from Alaska (with the slight adjustments of American spelling) to India, and just as *right* and *through* are read out without the long-fossilised gh graphs causing a moment's difficulty.

It was the effort of Charlemagne's religious and educational advisers, especially of his minister Alcuin recruited from cultivated Northumbrian York, to impose good standards in the performance of the liturgy throughout his empire that wrought a profound change, not so much by edict as by example and texts (Alcuin's *De orthographia*) and by fostering schooling in the new system. This accompanied the notable revival of classical learning and the copying of ancient texts stimulated by the Frankish imperial court and Church. Alcuin insisted on each Latin letter being given a clear phonetic value in chanting and in recitation, in line with what were assumed to be classical values and in order to cease giving offence to God by mispronouncing sacred texts. The unintended consequence was to 'create' what is usually known as 'medieval Latin' as a language to be firmly marked off from the spoken vernaculars – early Romance – with their elisions and lack of synthetic case-endings and abundant post-classical vocabulary. The reformed system and new awareness of differentiation may have taken hold at once in some parts but in others, especially after the collapse of centralised Frankish rule, the old habits doubtless continued for a long time. In the first case it was early realised that if the liturgy in its new stilted pronunciation was much less comprehensible to most people in a congregation – the unlettered – it was necessary to stipulate that the sermon should now be in the vernacular, either Romance or Frankish depending on the region, as in a famous disposition of the Council of Tours in 813.⁴

The Carolingian reform of Latin pronunciation of the liturgy was extended to Spain beyond Catalonia (a Frankish domain since the capture of Barcelona c. 800) by the Council of Burgos in 1080, when the 'Mozarabic' liturgy which had existed since Visigothic times was replaced by the standard Roman form. In Spain outside Catalonia, then, the use of would-be correct Latin writing intended to be read aloud with all manner of Romance adjustments continued longer than in Frankish lands, and probably in some parts until about 1200.

On this basis a charitable view can be taken of the hosts of legal documents – charters, donations, bills of sale, conveyances and the like – from Romance-speaking lands which have correct Latin formulae at the start and the end but which enclose much Romance vocabulary and phrasing and syntax under a vaguely Latinate morphological covering (e.g. 'Hec est noditia de ganato de

⁴ Quoted by Wright (1982), p. 120: 'ut eadem omelias quisque aperte transferre studeat in rusticam Romanam linguam aut Thiotiscam, quo facilius cuncti possint intellegere quae dicuntur', with discussion of the meaning of 'transferre' here. This interpretation is challenged within the very detailed survey of the whole language situation of Carolingian times by Banniard (1995).

sancta Maria de Uec de Maruan que leuarunt inde sajones. Id est, una mula cum sua sella” – about 1050, province of Zamora, western Spain), spelled in a would-be Latin way, a conventional mixture adequate for the legal record and intelligible to the illiterate parties and witnesses to whom it was read out before being signed or marked.

The evidence from north and central Italy shows that the Carolingian reforms were accepted there, and Wright (p. 144) quotes several tenth-century sources which record the difference perceived between Latin and spoken Romance in various regions, including four documents of about 960 which show an experimental effort (soon discontinued) to write the vernacular as an aid to comprehension by legal parties.

As in the Germanic areas, some manipulation of the Latin alphabet was needed if the non-classical sounds of Romance were to be represented. At first this proceeded by isolated *ad hoc* methods, as when the versions of the Oaths of Strasbourg were set down in 842 and in the examples of early old French verse from the later ninth and tenth centuries. By the time of the full flowering of the *chanson de geste* and romance in the second half of the twelfth century it is clear that an agreed system – presumably taught in schools for scribes – existed for the writing of texts, this embodying a few concessions to Latin (such as final *t* of verb-endings, *vient*, when this was no longer pronounced, just as later written *s* before a consonant was long retained in *espee*, etc.). In Castilian one cannot speak of a system at that date but only of tentative efforts in the Romance versions of the local *fueiros*: within that of Avilés (Asturias), first composed in Latin in 1155 but surviving in a vernacular text of about a century later, one finds, for example, the same sound represented in the same word as *directo*, *direto*, *dreito*. The *Poema de mio Cid* probably of 1207 (known only in a single manuscript of the fourteenth century) still shows a variety of graphs for the palatal consonants which in modern Spanish are written *ll* (*l*, *ll*) and *ñ* (*n*, *nn*, *ñ*), with a very fluctuating use of purely scribal *h*, but more regularly in the use of *ch*, *ç* and *z* for non-Latin sounds. Standardisation of Castilian was to be the work of the scribes of the court of Alfonso X from 1252; it is recorded (though not until the sixteenth century) that the king ruled in 1253 that in cases of doubt the norms of Toledo, then the chief city of New Castile, should apply. A further factor favoured such a process in all countries. Early diversity of dialects had not mattered greatly when minstrels performing memorised texts or orally generated pieces, or other presenters reciting from manuscripts, had adjusted their delivery to suit their listening publics, but standardisation became needful when the growth of lay literacy encouraged the production of manuscripts designed for private reading, and when central authorities undertook the reform of national law codes.

The progress of the vernaculars as written and literary languages depended

greatly on political circumstance. In England the Conquest brought a new aristocracy and military caste whose language was French and whose literature was for a time a common possession with France, English being the tongue of the unlettered folk which was eventually able to emerge (after isolated attempts in the thirteenth century) to full literary respectability in the fourteenth. After Norman French ceased to be a naturally spoken language in England it remained secure for a long time as the medium of law and administration, having become a learned (and learned) language just as Latin was.⁵ In France the status of Paris as capital and residence of the court ensured the eventual triumph of the dialect of its region, francien, over others which even in the thirteenth century presented competition: Picard, Champenois, Norman, Burgundian, etc. It also seems likely that the First Crusade gave a strong stimulus to the development of Old French. Since the commanders and a majority of the soldiers were French, their language must have been that solely used in the chain of command, and whatever literature was produced in that and later crusades in Latin was more than balanced by that in the vernacular, whether crusading songs or epic (although it is still the subject of debate, it seems logical to place the composition of the prime 'Oxford' version of the *Chanson de Roland* at about 1100 and to associate it firmly with the spirit of the First Crusade). Later, the Knights of St John organised the various sections of the defences of their fortresses, as they did their hostels, according to *nationes* each with its own language, and a confessor for each language was made available in cathedrals in such pilgrim centres as Compostela.

In Spain the fragmented nature of political control among the diverse Christian states and the need for all to fight against the menace of revolutionary Islam from Africa (from 1086 the Almoravids, from 1146 the Almohads) sufficiently points the contrast with France and explains the relative lateness of vernacular developments: there was greater security after the victory of Las Navas in 1212, and union of Castile with León in 1230, the chief progress and literary maturity of Castilian coming in the second half of the thirteenth century. The growth of the crown of Aragon with the conquest of Valencia in 1238 and of Sicily in 1282, and the trading prosperity of Barcelona, encouraged the flowering of writing in Catalan in the same period.

The situation of Italian in the even more fragmented peninsula is similarly illustrative. Rustichello wrote the account of Marco Polo's travels in French, presumably considering this more prestigious than Polo's Venetian dialect when this lacked literary cultivation. The eventual triumph of the Tuscan

⁵ A useful discussion is that of Rothwell (1985). The reference is to the title of M.K. Pope's book of 1934, a title which continued with special consideration of Anglo-Norman. Of interest also is Rothwell (1980), with references at p. 125 to the linguistic complexities of life in medieval England drawn from the fundamental study of Clanchy (1979).

dialect depended partly on its being recognised as having special virtues but more, one assumes, on the sheer expressive and intellectual power of Dante, Petrarch and Boccaccio. Dante's *Convivio* and especially his *De vulgari eloquentia* of 1304–7 present the most detailed and penetrating consideration of all these questions which we find anywhere in the Middle Ages.

If Latin had the enormous advantage that its texts – papal bulls, canon law, theology, saints' lives, science and any other kind of serious learning, modern epics to rival the classics, playlets, Goliardic lyrics – travelled without barriers through the universal Church and the schools, some vernacular literary genres travelled almost equally well and had considerable stimulating effects. The first literary texts in Provençal show regional features, the Boecius poem composed about 1000 being probably from Limoges while the next, the Sainte Foi poem of the mid-eleventh century, was composed at the other extreme in the region of Narbonne; but when courtly lyric is first recorded a literary Koine was already in existence. The poets and performers of the lyric and music of Provence with its *fin'amors* ethos pervaded courtly circles widely in the twelfth century, setting off imitative lyric explosions and encouraging the polishing of existing native traditions of song not only in northern France but also as far afield as Galicia-Portugal (the *cantigas d'amor*, *cantigas de amigo*, also satirical and scurrilous verse at court level), southern Germany, and later Sicily under Frederick II (1194–1250). It still provided important models of technique and of sensibility for Dante and Petrarch. The northern French chansons de geste travelled widely too both in their original language (memorised by minstrels for oral delivery, and later written in manuscripts) and in translation: thus the *Roland* was known in several parts of northern Spain by the mid-twelfth century, and versions were translated or adapted into Navarrese (*Roncesvalles*), German (*Rolandslied*), Norse (as part of the prose *Karlamagnussaga*), Icelandic, Middle English and Welsh. The example of French epic at its zenith in about 1200 stimulated the creation of Castilian epic in the thirteenth century and its themes eventually joined native ones in ballads, prose chronicles, massive compilations such as *Gran conquista de ultramar*, and tales, whose popularity continued into Renaissance times.

Indeed, the very internationalism of Latin seems to have fostered a similar spirit among the vernaculars, certainly up to 1200, if not in the early thirteenth century. The amount of interchange of literary forms, motifs, themes and personages down the ages and across linguistic borders in both Latin and the vernaculars is astonishing.⁶ Since a language was not necessarily linked in the modern way to a political or regional frontier and had scant connotations of national identity (though this too would change by 1300), a literary vernacular

⁶ Various books by von Richthofen document these processes, the latest being (1989).

which served a particular genre could extend its use with surprising ease (the use of Italian in opera world-wide, or of Anglo-American in pop song, provide modern parallels of a sort). Thus we find Galician and presumably its musical modes used for much lyric composed in Castile from the thirteenth to early fifteenth centuries, Provençal used by some Catalan poets and by Sordello in northern Italy, and a mixed Franco-Italian language devised for the re-creation of French epic themes in Italy in the fourteenth century.

Rather than as competition, the relationship of any vernacular to Latin is best seen as a productive symbiosis. Translation of the Bible (by parts or as a whole) from Latin was essential to early proselytising and was not regarded with suspicion until a very late stage. All manner of classical and 'medieval Latin' texts were translated or adapted for a variety of purposes and often produced rich vernacular developments, as when Geoffrey of Monmouth's *Historia regum Britanniae* appeared as *Wace's Brut* in French (1155) and in turn as *Layamon's Brut* in Middle English in the early thirteenth century, and – with accretions from independent Welsh and Breton sources – may be said to have begun the vast cult of Arthur which continues today. Much of it entered – and bedevilled – European historiography, as did Book IV of the *Liber sancti Jacobi* (about 1140?), the *Chronica Turpini*, both in its original Latin and in any one of the five translations which were made into French. The *Disciplina clericalis* of the Aragonese Jew Petrus Alfonsi, who was born about 1062 and converted to Christianity in 1106, is a collection of *exempla* drawn mainly from oriental sources; it was translated into a number of vernaculars and was widely influential. The foundation of universities in Italy and soon elsewhere demanded high language standards, since the study of law (civil and canon) and of humanities was based on Latin texts ancient and modern, and all teaching in every subject was in Latin; if one extra-curricular result was the flowering of 'Goliardic' lyric in Latin (chiefly a product of Germans), another was the stimulation of new sensibilities and styles in the vernaculars, as when school study of Ovid produced a whole *aetas ovidiana*, vernacular versions such as that of the *Ars amatoria* by Chrétien de Troyes, the *Roman de la Rose*, and much else. The *artes poetriae* composed as teaching manuals for verse production in Latin soon enriched composition in the vernaculars.

In Spain Arabic, whose texts preserved Greek philosophy and science both in pure form and as augmented by recent study, constituted for Christians a 'classical' language at least as important as Latin. An early period of translation from Arabic into Latin under Church patronage (at first that of the French archbishop Raimundo, 1125–52) in the twelfth century at Toledo was followed by a period of translation from Arabic into Castilian under the patronage of Alfonso X (1252–84) at Toledo, Seville and elsewhere. Use of the vernacular for all writing except international diplomacy was a matter of royal policy, but it

may have been favoured in this case by the fact that some important intermediaries in translation were learned Jews who commanded Arabic and a Spanish vernacular, and of course Hebrew, but who had no Latin or refused to use it because it was the language of the Christian Church. In Sicily in these times Arabic was equally important, but translations from it seem to have been made always into Latin.

Translations meant, beyond content and themes and spirit, enrichment of the receiving language in lexis and often in syntax too. Even glosses of words and phrases into a vernacular may proceed by loan-translation or may stimulate the creation of new abstracts and compounds, Celtic and Germanic vernaculars being affected in this way from the earliest times. In Romance one can hardly speak of learned and half-learned forms until after the beginnings of distinctive vernacular writing, after which the (re)introduction of words from written Latin (and of course from Arabic and other languages) was common. Everywhere a stratum of essential Christian vocabulary (much of it Greek in origin) entered early. Later, a neologism might appear as an isolated technicism which has to be glossed, as in much work produced in Castilian under Alfonso X, passing then into literary usage and finally into spoken discourse.⁷ Legal terminology shows the same development, as when we find *entencion* 'allegation' drawn from the *intentio* of Roman law and used in the *Poema de mio Cid* (line 3464) in a courtroom scene whose objective may have been (beyond the purely literary one) to exemplify a juridical reforming programme. In vernacular literary genres Latinisms might appear with ennobling or decorative functions, as when Gonzalo de Berceo in his *Milagros de nuestra señora* in the mid-thirteenth century describes the Virgin as 'estrella matutina' (33b). In syntax, translating complex Latin sentences with their wealth of subsidiary clauses introduced by conjunctions fostered imitations and new creations in the receiving vernaculars. Not all the traffic was one-way: dictionaries of 'medieval Latin' are needed precisely in order to record and explain quantities of classical words in non-classical senses owed to the vernaculars and words newly formed on the basis of Romance and Germanic, etc. Similarly Anglo-Norman even at a late stage was not a 'dead' language but one capable of innovation and further divergence from continental French norms of the time.⁸

Vernacular writing began on a basis of simple needs, and vernacular literatures grew because of popular demand which paid performers could meet and because patrons stimulated composition for the entertainment or instruction of themselves, their families, courts and retainers, and later (if able to pay the considerable costs of copying and of book production in general) for private

⁷ An example begins Partida II.1.x: 'Tirano tanto quiere decir como señor cruel, que es apoderado en algun regno o tierra por fuerza o por engaño o por traicion.' See van Scoy (1940).

⁸ See Rothwell (1985).

reading. The Church had an interest in the instruction of the laity and also in entertaining it with respectable materials not concerned with the aggrandisement of secular heroes or with erotic yearnings. Political propaganda (as in Spanish ballads concerned with the civil war of the mid-fourteenth century), feuds between noble families (as in the *Poema de mio Cid* if we accept that it is a pro-Lara and anti-Castro work), and the need to assert royal power or to re-examine and exemplify aspects of the law by re-creation of the heroic age of Charlemagne (in French epic), are all common motives too. The progress of the vernaculars can, however, be best calibrated by a study of those kinds of writing which were most directly in the charge of the great authorities of state and Church.

The foremost of these for the crown or other authority, municipal or comital, was the statement and operation of the law. While great centralised kingdoms remained strongly conservative in this naturally conservative matter, employing Latin (or in England, Latin and Anglo-Norman) till a late stage, one finds in Romance lands enough confidence in the vernacular for what seem to be – apart from the isolated Italian examples mentioned above – new departures, though great care is to be taken in dating surviving examples, many or all of which may be later (thirteenth-century) translations of lost Latin originals. A donation of 1102 from Rodez has come down to us entirely in Provençal. This soon became common practice in the whole region. In Castile and León the local *fueros* of municipal laws were authorised by the crown as readily in the vernacular as in Latin: among the earliest vernacular texts known are the *fueros* of Madrid, the original of which dates from before 1141, of Avilés in 1155 and of Oviedo in the period 1171–80. The *fuego* of Uclés in New Castile was issued by royal authority in 1157–8 or at the latest before 1163 according to its latest editor, but was replaced by a revised Latin one in 1179 when the Order of Calatrava took control of the town; even if several of these texts were first issued in Latin, the coming of vernacular translations demonstrates that there was a rising interest in non-Latin versions too.⁹ In some cases bilingual Latin vernacular texts were produced. In the corpus of royal documents of Alfonso VIII of Castile (1158–1214) the first in Romance (part-Leónese) is the record drawn up at Carrión in 1194 of evidence presented by local people about the bounds of Ledigos; in all previous and for a time later cases of this kind, people naturally testified in the vernacular but their evidence was set down by the notaries in Latin. On 26 March 1206 the Treaty of Cabrerros between Castile and León was drawn up, apparently in Castilian only, and constitutes the first ‘high-level’ testimony of this kind. Early in 1207 a royal ordinance,

⁹ Gross (1991). Other scholars think that the surviving romance versions are thirteenth-century translations of twelfth-century originals in Latin.

recently discovered, for the regulation of the market of Toledo was drawn up in Castilian. On 1 January 1214 it appears to have been decreed that only the vernacular – presumably now amply proven in all aspects of its written usage – should be employed in the royal chancellery of Castile.¹⁰ In the matter of national codes, the ancient *Forum judicum* of the Visigoths, by which León had been governed for centuries, was by royal order translated into Castilian in 1241, as a prelude to the production of a national code for Castile-León (finally united in 1230). This reform was undertaken by Alfonso X, first in the work entitled *Espéculo* and then in the great corpus of the *Siete partidas* from 1256 to 1263, both entirely in the vernacular.

While heroic verse and sagas might well embody historical fact, and certainly include much material thought at the time to be historical, serious historiography was in prose and in the early centuries in most countries was in Latin written in monasteries, at first in the form of annals and brief chronicles. The exception was provided by the Anglo-Saxon Chronicle begun in Alfred's time; it is not known whether the materials on which it was based were in Latin or the vernacular. The first text of vernacular historiography in French was Villehardouin's on the Fourth Crusade, written about 1210. Soon after, certain Latin histories were translated into French; and weariness with the ever more fabulous chansons de geste in a now discerning and increasingly literate aristocratic and bourgeois public able to read for itself seems to have stimulated an appetite for 'true' historical texts in vernacular prose, these being deemed rich in moral lessons too.¹¹ Of central importance was the translation of the collection of Latin texts made in the mid-thirteenth century at Saint-Denis, the prime royal abbey of France (BN MS lat. 5925), as the *Grandes chroniques de France*. The translation was requested by St Louis (who died in 1270) and was presented to his successor on completion in 1274. It is clear that the Latin original was regarded as authoritative while the vernacular text was intended for wide dissemination.¹² In Spain brief historical writings in the vernacular appeared shortly before 1200 in Navarre, and soon after this the Aragonese *Liber regum* (a summary of universal history) and the Castilian *Anales toledanos primeros*. National histories by churchmen continued in Latin, the last great compilation being the *De rebus Hispaniae* of Rodrigo Jiménez de Toledo in 1243. This with its predecessors formed the basis for the *Estoria de España* on which work by Alfonso X's team of scholars began in 1270; it was unfinished

¹⁰ The background to this process is examined by Lomax (1971). On Alfonso X's policy, see Niederehe (1987) and a number of papers in Burns (1990).

¹¹ Nicolas de Senlis remarked in presenting his French translation of the *Chronica Turpini* (1202) that 'Nus contes rimés n'est verais; tot ert mençongie ço qu'il en dient.' (The Latin chronicle was as mendacious as any rhymed tale.) For a recent survey, see Buridant (1990).

¹² Spiegel (1978), especially pp. 72–91.

when the chief effort was transferred to the vast undertaking of the *General estoria*, also far from completed at Alfonso's death. Not all was for private reading: in the following century Don Juan Manuel recommended that those preparing to be besieged in a castle should lay in a good supply of chronicles, presumably so that their story content and heroic tales could entertain and inspire troops and families when read out to them.

For most of the Middle Ages the attitude of the Church to the vernaculars was a tolerant and even encouraging one. The liturgy and all theological writing and administration were naturally in Latin, but there was no bar on translations of the Scriptures (until at a late stage this became tainted with heresy) and these were often powerful instruments in early conversions and for preaching at all times. Saints' lives and collections of miracles began in Latin in most parts but were soon translated into the vernaculars as essential improving literature for the laity, being often destined for public recitation in this form when versified. In this last respect considerable stimulation was given by the IV Lateran Council of 1215 with its concern for (among much else) the Christian education of the people: among the few practical results of this in Spain may be reckoned the extensive poetic work of Gonzalo de Berceo from about 1220 to 1250, consisting of saints' lives and Marian materials, all specifically offered to a listening public in its own language.¹³ This also coincided with the revolutionary efforts of the new orders of friars to bring religion to the masses by their preaching and in other ways. Sermons even when known to us only in Latin forms were often prepared and delivered in the vernacular, unless delivered to a learned congregation. Much was probably not prepared or recorded at all, if the example of Abbot Samson of St Edmund's Abbey in Suffolk was common: he was apparently illiterate, but fluent in Latin and French discourse, and able to preach powerfully to the townsfolk in their dialect of English.

There has been no mention so far of one powerful factor which conditioned the rise of the vernacular: a very human laziness about learning and using Latin. Increasingly as time passed one finds references to poor Latin in use, even among responsible churchmen.¹⁴ Eventually the vernacular crept into the monasteries. At San Pedro de Cardeña near Burgos in Old Castile, which considered itself the shrine of national history, it was natural that the *Estoria del Cid* fabricated there probably in 1272 should be in the vernacular, since it was des-

¹³ See Lomax (1969).

¹⁴ These can be found even in learned France. In Spain for a variety of reasons literary Latin had always been poorly taught and studied, and even Cluniac reforms brought from France in the late eleventh and twelfth centuries had only a modest impact on standards, as did the work of the first university, that of Palencia, during its brief existence from 1210 to 1246 (this may in fact have provided greater stimulation for the creation of the vernacular verse *mester de clerecía* about 1220). Production of Latin literature of all kinds from the eleventh century onward was far smaller in Spain than in other western countries.

tined for incorporation in the vernacular royal chronicles and, in parts, to be read out to visitors to the hero's tomb in the abbey church; but soon after this one finds the monastery's internal records being kept in Castilian too. A decreasing complement of Benedictine monks, here and in parts elsewhere, was beginning to live like retired country gentlemen attended by their servants, with just enough Latin for their chapel duties. The Latin pass was being sold by its traditional defenders and the onrush of the vernacular forces would follow.¹⁵

¹⁵ This chapter has been revised for publication with the help of Professor Roger Wright, following the death of Professor Smith in 1997. The editor expresses his sincere thanks to Dr Wright for his helpful comments.

ART AND ARCHITECTURE

Paul Binski

THE visual culture of thirteenth-century western Europe saw the refinement and spread of the Gothic style throughout much of north-west Europe, and in this sense it consolidated and extended the substantial achievements of the twelfth. But while the dominant currents of patronage and thought in the twelfth century can be traced primarily in the sphere of reformed monasticism, by 1200 creative initiative was passing increasingly into the hands of the cathedrals, the cities and the lay aristocracy. This new pattern of initiative reflected the strengthening and centralisation of secular power, especially monarchy, the immense power of cathedral chapters especially in northern Europe, and the increasing momentum lent to patronage of all types by expanding urban economies. As a result, some of the outstanding creative accomplishments of the century of Innocent III and Boniface VIII can be ascribed to a new urban milieu; one line of thought on the Gothic style has seen it as essentially both royal and urban in inspiration. Nevertheless, clerical, and especially episcopal, patronage remained absolutely central, and we are fully entitled to see the main symbol of the creative energies of the century, the Gothic cathedral, as a sign of the triumphalist mood of a newly militant universalising Church.

Some authorities have chosen to see the major developments of the century most especially in the light of the relatively new sphere of royal court patronage, dominated by Paris.¹ To an extent this is justified. By 1200 Paris had already seen major innovations in visual, intellectual and musical culture which arguably rendered it the most dynamic artistic centre in northern Europe at a time when previously seminal cities, notably Rome and Constantinople, were witnessing a period of stagnation or decline.² The collapse of important art patronage in Rome until the last decades of the century should remind us that centres whose administrative and political power was if anything gaining in importance were not necessarily themselves flourishing culturally at the same

¹ Von Simson (1956), pp. 62–4; Branner (1965). ² Krautheimer (1980), pp. 203–28.

time. Dynamics of patronage varied from place to place. A full understanding of the period also requires attention to the interaction of secular and religious patronage, since in the latter sphere especially the period witnessed substantial efforts by the Church to spread at a broader pastoral level the intellectual, theological and aesthetic accomplishments of the twelfth century. To some, these efforts have been seen as innocently reformist; to others, they have represented the efforts of clerical elitists to sustain their dominance in the definition of social and religious norms.³ This melding of secular patronage and thought with new stimuli in the field of religious imagination has marked the century out as one simultaneously of integration and systematisation. ‘Qui pense XIIIe siècle pense aussitôt raison’, wrote Géricot of the century which produced the great systematisations of Aquinas, Durand, Voragine and the encyclopaedists; a century which in contrast to the fourteenth has been regarded more often as one of order than of conflict.⁴

CATHEDRAL CHAPTERS AND THE GOTHIC STYLE

Inevitably we begin with building. Since the late eleventh century, north-western Europe had experienced what some analysts have called a ‘building boom’ which benefited monastic establishments and the expanding cities; and it was this boom which underlay the massive architectural developments undertaken by monasteries and cathedral chapters in both the Romanesque and Gothic styles. Giant church building was a phenomenon first of the wealthiest monastic orders, as at Cluny in Burgundy, where the third church built on the site easily surpassed in scale the earliest contemporary twelfth-century buildings begun in the Gothic style of north-eastern France. The trend towards constructing truly large-scale buildings in the Gothic style, which had first emerged in Paris c. 1130–40, was primarily a phenomenon of cathedral chapters in the larger and richer dioceses north of the Alps. The Gothic style itself – in 1200 still predominantly an Anglo-French phenomenon – had been born in the milieu of reformed monastic patronage, and specifically in the Paris of Abbot Suger of Saint-Denis (d. 1151). Hitherto, in contrast to much of Romanesque northern Europe and Italy, Paris had been singularly devoid of deep-rooted traditions of church building and had not witnessed the range and sheer scale of building in England, Normandy, Burgundy and the region of the Rhine. But this may have rendered Paris a more fertile and unfettered base for experiment. In origin if not necessarily character, Gothic was both monastic and urban. The new style seems to have departed selfconsciously enough from northern European Romanesque art to

³ Southern (1986); Moore (1987). ⁴ Géricot (1968), p. 299; cf. Mâle (1958).

be described as a counterpart to the reforming vision of contemporary churchmen. Its appropriation for the cathedral was rapid: it has justly been noted that ‘the list of thirteen bishops invited to dedicate the new choir [of Saint-Denis] in 1144 reads like a roll-call of the cathedrals which would be rebuilt within the next hundred years’.⁵

The first truly large-scale church building in the Gothic style, Notre-Dame in Paris, under way from *c.* 1160, set the fashion for gargantuan building throughout the archdioceses of Sens, Rheims, Cologne and Canterbury (plate 1) for the next century or so.⁶ By about 1200 Gothic great churches of this type were notable for concerted displays of stained glass and portal statuary, the latter, with its victorious representations of the saints, best representing the trend to consciously triumphalist self-representation by the Church. Yet at a deeper level this trait was less innovative than at first sight appears. Excavations at Notre-Dame have revealed that the earliest fourth- or fifth-century basilica on the site possessed five aisles on the model of the Constantinian basilicas of Rome, exactly of the type taken over by the new twelfth-century Gothic plan. Recent commentators have increasingly stressed the dialectic in the formation of the Gothic style between structural and aesthetic innovation, and the restatement of traditions of late antique origin in ground planning and the use of classicising columnar supports in the design of the main elevations of great churches (as at Saint-Denis *c.* 1140, and Notre-Dame *c.* 1160).⁷ It is worth recalling that in this period the yardsticks of scale and excellence in building were still held, as for example by Abbot Suger, to be the great monuments of Rome and Justinian’s mighty sixth-century Haghia Sophia in Constantinople. Though in one sense developed as a reformed post-Romanesque idiom of building, the Gothic style from its earliest period still invoked older and aesthetically outmoded exemplars precisely to reinforce its new authoritative stance.

Until 1200, only France and England had produced distinctive versions of the great Gothic church, primarily in the service either of monastic pilgrimage churches (Saint-Denis, Canterbury, *c.* 1174) or secular chapters. Throughout the thirteenth century, numerous factors then contributed to the growth of a variety of Gothic styles elsewhere. Differences in design and planning reflected either regional or national preference and tradition, or the needs of new religious institutions, notably the urban Mendicant Orders, whose patronage took on mounting importance from about 1240. Indeed, until well into the thirteenth century, Gothic architecture in Germany, Spain and Italy was known primarily through an austere French Cistercian variant of the idiom which had

⁵ Wilson (1990), p. 44; Bony (1983), pp. 5–193. See in addition Panofsky (1979); Rudolph (1990); and Fassler (1993). ⁶ Bony (1983); Wilson (1990).

⁷ Erlande-Brandenburg (1994), pp. 51–2; Bony (1983), pp. 62–4; Onians (1988), pp. 85–90.

originated in Burgundy. This marked the Cistercian order out as ‘missionaries’ of the style until the triumph of thirteenth-century Parisian Gothic more generally in Europe from c. 1250.⁸ By the later years of the century Mendicant architecture, though never of formative importance, became influential in some spheres, as for example in the design of Albi cathedral in southern France which resembles the friars’ churches in Toulouse; it was also important in Italy and arguably influenced the design of some English parish churches.

Though the fashion for truly large-scale church building persisted in France, England, Germany and Spain until the later years of the thirteenth century, the period 1200–50 witnessed greater emphasis upon the refinement and systematisation of Gothic architectural design than upon sheer scale. In fact one frequently asserted viewpoint is that by about 1240, the key period of experimentation in Gothic structure and design, centred on Paris and north-eastern France, was over.⁹ A small number of cathedrals, beginning with Notre-Dame in Paris, then Laon and Chartres, had by 1200 attained unprecedented interior heights and economy of structure, the final outcome of the development of the rib vault, flying buttress and expanded window begun in the Ile-de-France in the mid-twelfth century. By the 1230s the idiom was dominated by a core group of monuments, at the centre of which stood Chartres cathedral (begun 1194) (plate 2), which established the main design principles of its successors, Rheims cathedral in Champagne (begun 1211), and Amiens cathedral in Picardy (begun 1220) (plate 3). These few monuments marked the ‘classic’, heroic, phase of Gothic great church design, a phase which reached its nemesis with the fall of the great vaults of Beauvais cathedral – the greatest interior space conceived in western Europe since the erection of the Pantheon in Rome – in 1284. Thereafter, with a relative slowdown in the economy which left many major projects unfinished until the sixteenth century, and with the apparent satisfaction of the internal imperatives of the Gothic ‘system’ of building, the path of development was marked in France by the aesthetic refinement associated with the Rayonnant style of extreme thinness and precision, and by the growing importance of other regional variants of the Gothic style, notably in England from the last years of the thirteenth century when the emergence of the internationally significant Decorated Style marked a return to the vigour of Anglo-Norman building two centuries earlier.¹⁰

The relationship between the central Gothic movement of northern France and England, and increasing diversity of regional patterns and control of patronage, is of growing importance in the assessment of the period. France still produced the largest and most obviously visionary structures. But it did not for the most part produce the richest; luxuriant interior finishes of the type

⁸ Wilson (1986). ⁹ Bony (1983); Wilson (1990). ¹⁰ Bony (1979).

which characterise the major thirteenth-century English cathedrals, notably Lincoln (plate 4), reflect the peculiar wealth of English diocesan chapters at this time, and contrast markedly with the patterns of building of most Italian dioceses of the period, which were generally smaller and poorer.¹¹ Nor is it now so easy to accept the widely held view that within France there was created something like a canon of buildings – represented especially by Chartres and its scions – which offered a yardstick by which all other Gothic churches might be judged. The high-minded analyses by Panofsky and von Simson of the Gothic style as an idealising embodiment either of quasi-scholastic forms of discourse, or of Neoplatonic aesthetic principles, were centred upon a relatively narrow range of exemplars which reinforced the sense of a single narrative for the style.¹² Canons are always acknowledged retrospectively, of course, and there is some evidence that by the later Middle Ages precisely this group of buildings did indeed represent a point of reference. When the master mason Bleuet of Rheims was asked in 1455 by the canons of Troyes cathedral for his opinion as to the design of the new west façade of their church, he replied that it would be necessary first to visit the churches of Rheims, Amiens and Notre-Dame in Paris, buildings which still possessed the most remarkable (or at least the richest) façades of the Gothic period.¹³ There was indeed no want of acknowledgement of the French achievement even in the thirteenth century: in the 1260s the French Pope Clement IV, when founding Narbonne cathedral (built in a southern inflection of the so-called Rayonnant style which evolved c. 1230 around Paris), praised its marvellous beauty, emulating the ‘magnificently worked’ churches then ‘being raised in the kingdom of France’. In the same vein a late thirteenth-century German chronicler of St Peter’s in Wimpfen-im-Thal wrote of its wondrous new church of French workmanship, *opere Francigeno*.¹⁴

Yet the emphasis by modern commentators on the spread on *opus Francigenum* itself reveals a certain cultural politics which are at once both Francocentric and, as we shall see later, courtly in focus. Chartres cathedral, though in no sense a courtly building, continues to stand as a symbol of a certain type of medieval French cultural supremacy. Chartres is an important building because it preserves much of its early thirteenth-century stained glass and sculpture (plate 5); since the writings of Emile Mâle it has stood as a coher-

¹¹ Brentano (1988), pp. 62–6.

¹² Panofsky (1951); Von Simson (1956); Page (1993), pp. xv–xxiv, 1–42.

¹³ ‘Qu’il seroit bon de visiter plusieurs eglises comme Rains, Amiens et Nostre Dame de Paris et se la fait il donroit son advis’: Murray (1987), p. 149.

¹⁴ ‘... mira sumptuosa pulcherrima et decora... in faciendo imitare ecclesias nobiles et magnifice operatas et opera ecclesiarum que in regno Francie construuntur’: Gardner (1990), pp. 83–4; Branner (1965), p. 1.

ent visionary symbol of French medievalism. But more recently Chartres, precisely because of this apparently unimpeachable status, has emerged as a site of tension. On the one hand it has continued to be regarded as a seminal monument shaping its successor buildings, notably Rheims and Amiens cathedrals. On the other hand it tends to obscure the importance of alternative contemporary visions of great church building no less well furnished with surviving sculpture and glass, notably Bourges cathedral (begun c. 1195) whose planning and design principles are essentially different and whose influence in western France, Spain and even Italy has been increasingly recognised.¹⁵ And with this reorientation of interest towards alternative visions of Gothic has come a certain ideological scepticism: Chartres has recently been debunked as a brilliant but in some ways incoherent building, built by gangs of anonymous contractors and not under the aegis of a master mason; as a basis for the projection of the new intolerant value systems of the clerical class; and as fodder for neo-Marxist interpretations of its image-systems. A once-serene sign of thirteenth-century harmony has re-emerged as a site of fragmentation, ideological division and ultimately social repression.¹⁶

The debate on Chartres is one characteristic sign of a tension in contemporary criticism of medieval art between the authority of the centre and the margin. It has to be said that this revisionism is probably healthy. Defining the canon has served to sap the study of French regional, and indeed non-French, Gothic building of much of its energy: thus thirteenth-century Spanish Gothic art remains to an astonishing extent *terra incognita* in the English-speaking world. As the study of the Gothic style widens, deepens and fragments, its heterogeneity becomes more apparent. As attention shifts to the diversification of the Gothic 'movement' in the regions – in northern and western England, in Normandy and Anjou, in Germany and Angevin Naples and in Mendicant Italy – so it turns also to the deeper structural premises of all art production in the period: to issues of nationality, decorum, ideology, production methods, and ultimately identity. The possibility of a single Gothic idiom representing an 'essential' thirteenth century now seems both improbable and unnecessary.¹⁷

RELIGIOUS ART AND DOCTRINAL CHANGE

Though the thirteenth century saw enormous regional variations in the way the great church was conceived, the period was in other ways marked by increasing standardisation. Between 1100 and 1300 urban cathedral churches throughout

¹⁵ Bony (1983), pp. 198–220; Wilson (1990), pp. 107–11.

¹⁶ James (1979–81); Camille (1989); Williams (1993). ¹⁷ Page (1993), pp. 1–42.

western Europe became highly centralised buildings, integrating beneath one roof religious practices previously dispersed across the complex of cathedral buildings (contrast the survival of separate baptisteries in Italy, for example).¹⁸ The period was also one of growing uniformity in liturgical practice, prompted by the widespread drive by the clerical and episcopal classes to regulate and reform clerical and lay behaviour. One instance of this would be the spread of the early thirteenth-century Use of Sarum, first developed by Bishop Richard Poore of Salisbury, throughout much of England. The process of formal canonisation of saints at Rome, as opposed to merely locally, now became a norm, and the lives of the saints attained a convenient format in the widely cited *Golden Legend*, produced c. 1260 by the Dominican Jacobus de Voragine.¹⁹ The thirteenth century was one in which the relationship between the local and the universal underwent a crisis partly because the centre was defining itself with a vigour and authority never before seen – the canons of the Fourth Lateran Council in 1215 are held to be a central document of this process of systematic definition of orthodoxy in the face of heterodox belief.²⁰ Notwithstanding what has been said already about the importance of seigneurial art, the patronage of the bishops in sustaining cathedral construction and the innovation of such genres as the canopied effigial tomb appears more important than ever.

The relationship between this clerical drive to order and the aesthetic and religious experience of the laity was now vital. We can trace it in three areas especially: the use and dissemination of images, the theology of the sacraments and the doctrine of Purgatory.

We turn first to the function and character of images. By the thirteenth century the cultural traditions of Latin and Greek Christianity which concerned images and relics had begun to converge. Early medieval western Christianity had accorded to the relics of the saints an importance which the Greek Church attached to images, icons especially. Latin art and architecture had thus focused to a great extent on shrines and pilgrimage. In the Greek Church images were ontologically closer to relics, and in a sense enjoyed greater power for this reason. During the eleventh and twelfth centuries the eastern and western approaches to relics and images drew closer together.²¹ Latin spirituality, especially that fostered within the monastic orders by such figures as St Anselm and St Bernard, was coming to lay greater emphasis on the importance of the humanity of Christ. It is for this reason that issues such as the sacrament of the Mass and the theology of the resurrection and of the bodily Assumption of the Virgin Mary enjoyed such prominence in twelfth-

¹⁸ Erlande-Brandenburg (1994), pp. 124–30, 156–217. ¹⁹ Kemp (1948); Ryan (1993).

²⁰ Moore (1987), p. 140. ²¹ Belting (1994); Geary (1994), pp. 163–76.

century theological debate.²² This theology of the Christian body was stimulated further by the spread from eastern Orthodox monasticism of liturgical and devotional practices which placed a premium on the role of images within liturgical and meditative practice. By 1200, and certainly after the sack of Constantinople in 1204, the images associated with these practices – principally icons – became much more widely known in the west, at first in clerical and then in lay circles.

The outcome of these developments was the gradual emergence of the ‘image-relic’, and so of a visual culture increasingly common both to Latin and Orthodox Christianity. This culture sustained an interest in local subjects and sites of devotion – the power of the saints was as widely felt in the thirteenth century as before – but supplemented it with a more universal imagery of Christ and the Virgin Mary. Image-relics like the Roman image of the Veronica, the Holy Face of Christ, provided a vital arena of devotional and imaginative liberation (plate 6), and it is in this period that essentially late medieval themes such as the Man of Sorrows and the *Arma Christi* gained additional importance by having indulgences attached to them, like that composed by Innocent III for the Veronica. The image-relic, then, was implicated not only in the rise of the economy of Purgatorial indulgence, but also in a quite fundamental shift in the focuses of religious attention towards the universal holy body of Christ.²³

The impact of these changes was widespread. Access to images (which meant primarily their reproduction) gained in importance as a means to salvation. This favoured the mass-production of those painted panels and illuminated manuscripts which included images of this new devotional type. The expressive content of images changed too: as theological emphasis shifted progressively towards meditation upon the humanity, joy and suffering of Christ and Mary, so the expressive range of images widened to reflect new rhetorical ideals, and in such a way as to implicate the spectator at a more intimate level. Images address psychological states of mind in the thirteenth century in a way not true previously, and this new attention is intimately bound up with what is often called Gothic naturalism: thus religious images for the first time in western art smile, or express grief. The intense, pathetic world of the icon and the lamentation image became a common visual currency, which the thirteenth-century Latin Church helped to consolidate and institutionalise. Their most outstanding visual expressions were eventually to be found in central Italian wall and panel painting from the late thirteenth century, though the tendency can also be followed from the mid-century in northern Gothic art, as for example in the sculptures of the rood screen at Naumburg cathedral (plate 7) and on the west façade of Rheims cathedral.²⁴ Even the most

²² Bynum (1992) and (1995); Belting (1994). ²³ Ringbom (1965). ²⁴ Sauerländer (1972), pl. 271.

conservative commentators, such as Matthew Paris, the xenophobic mid-thirteenth-century Benedictine historian-artist at St Albans Abbey, took note. Matthew's *Chronica Majora* of c. 1250 includes some of the first western representations of the Man of Sorrows and the Stigmatisation of St Francis (in 1224), perhaps the most widely known manifestation of the new theology of the body.

The interest of the thirteenth century lies secondly in the coalescence of these representational changes, however we account for them, and formal doctrinal change enforced by episcopal legislation, for at heart both embody a form of universalism in aspiration, if not always in practice. Here the doctrines of Transubstantiation, Penance and Purgatory are critical. The thirteenth century saw no attempts by the Church to regulate the production of art of the sort promulgated in the sixteenth century during the Tridentine reforms. Those regulations which did appear, such as English episcopal regulations about the dedication and maintenance of altars, chancels and liturgical equipment, were comparatively general and therefore versatile; they represented a lowest common denominator of regulated decency, which visitation records indicate were frequently themselves hopelessly optimistic.²⁵ Roman prescriptions of the period are represented by those of Durandus, bishop of Mende (d. 1296) and more specialised legislation was produced by the Cistercian and Mendicant Orders. The functional character of art was affected substantively, if gradually, by formal doctrinal statements by the Church. The canons of the Fourth Lateran Council of 1215 are typically regarded as central to this process.²⁶ Nothing in the canons of the Council pertained directly to the visual arts, though indirectly their impact on the contemporary understanding of the theology of the sacraments is likely to have been significant. Canons 1 and 21 of the Council are the most relevant, the first stating that 'Jesus Christ is both the priest and the sacrifice, whose body and blood are truly contained in the sacrament of the altar under the species of bread and wine, the bread being transubstantiated into the body and the wine into blood by the divine power', the second requiring that all Christians should confess privately once a year and receive the sacrament of the Eucharist at least at Easter, on pain of debarment from church and deprivation of Christian burial. Formalised attention to the salvific importance of private and communal Masses, and of devotion to the sacraments, was reinforced by the formal acknowledgement of the feast of Corpus Christi in 1264, a major new element in the contemporary theology of the body.²⁷ Though lay reception of the consecrated elements was restricted throughout the period, the consequences of these formalisations can be traced in the growing scale and elaboration of altar-decoration, especially with retable altarpieces, which developed with extraordinary speed in both northern

²⁵ Powicke and Cheney (1964). ²⁶ Douglas (1975), pp. 643–76. ²⁷ Rubin (1991).

Europe and Italy before 1300; and in new pastoral literature on lay conduct at Mass (especially vernacular lay folk's Mass Books) which aimed to articulate lay experience of Eucharistic devotion before what was still predominantly a clerical activity (plate 8). The growing importance in England and France from the second half of the century of the illuminated Book of Hours, a lay person's concise equivalent of the clerical Breviary or office-book, also demonstrated the rising importance of lay patronage of illustrated and increasingly mass-produced spiritual material.²⁸ By such means forms of structured devotional life originating in earlier medieval monastic life penetrated the routines of the laity for the first time on a widespread basis. A key instance of this was Marian devotion. In keeping with most liturgical developments of this time the period saw an expansion in the scale and duration of liturgical practice of this type: thus the thirteenth century also witnessed the addition to, or within, cathedrals of chapels catering specially for lay devotion to the Virgin Mary. High altars in churches of all ranks were now to be equipped with an image of the Virgin Mary as well as of the titular saint, and Lateran IV further added the *Ave Maria* to the expectation that the laity should know the *Pater noster* and Creed. Marian devotion, earlier focused by the Cistercians in the twelfth century, was thus broadened and institutionalised.

Lateran IV's requirement of annual auricular confession and penance is also regarded as a watershed in the development of late medieval spirituality, literature and art. It is to thirteenth- and early fourteenth-century illuminated manuscripts and parish church wall paintings that we look for some of the first signs of a new and increasingly lay penitential culture. This culture was informed by episcopal reform programmes of the type promoted from 1238 by Robert Grosseteste, bishop of Lincoln, which enjoined the clerics, and thereby the faithful, to know the Ten Commandments, the Seven Deadly Sins and the Seven Sacraments. Formalised statements of minimum levels of knowledge – for the formal structuring of sin was of course a form of education – were aided by the preaching of the Mendicant Orders.²⁹ The highest, especially royal, patrons were beginning to take Franciscans and Dominicans as personal confessors. The exact steps of confession and penance, once set out in penitentials, were now systematised in mnemonically clear diagrams suitable for inclusion in devotional psalters like that made for Baron Robert de Lisle early the next century.³⁰ And general evidence of lay supervision at parochial level is supplied by thematically novel church and domestic wall paintings which offered lay people pictorial homilies. The earliest examples of popular macabre images like the Three Living and the Three Dead, whose basis is essentially penitential, originated in this climate of reform.

²⁸ Wieck (1988). ²⁹ Owst (1966); Pantin (1955). ³⁰ Sandler (1983).

In addition to sacramental theology, the formal codification of the doctrine of Purgatory, first enunciated dogmatically at the second Council of Lyons in 1274, added a final element to the progressive forces operating in the period. Though the key elements of the doctrine – that Purgatory was a provisional state of cleansing of the soul after death, and that its duration could be shortened by the performance by the living of suffrages, typically prayers and Masses – were already in place by about 1200, at the level of doctrinal debate, social and religious practice rapidly accepted the dynamics of the doctrine irrespective of its gradual dogmatic formalisation by the Church.³¹ Its importance was manifold. It added importance to the sacrament of Mass by placing Masses and Offices, especially the Office of the Dead, at the centre of the economy of salvation from Purgatory. In addition to the special annexation of spaces within greater churches, the endowment of specific private Masses to be chanted for the dead became increasingly common during the century. Specialised altar-spaces suitable for the commemoration of families or other groups were emerging in France, England and Italy by 1300, as in the case of the chapels at the east end of Santa Croce in Florence. Burial in church, as opposed to in the churchyard, became an accepted form of social and spiritual recognition. Although already of long-standing validity, church burial attained new importance as the focus of the development, again first among the clerical classes, of the effigial tomb as a focus of memory and a stimulus to the performance of suffrages. Tombs of this type were additionally important as a legitimate part of the dossier of sanctity for potential saints in a period when clerical canonisation and so the recording of miracles at tombs remained of formidable importance.

Monasteries, which benefited economically from the possession of the saints' relics and aristocratic remains, continued, with the new Mendicant Orders, to compete for lay burial. The thirteenth century saw the formation of royal mausolea under the protection of religious orders: the French royal family and sovereigns were buried at Cistercian Royaumont and Benedictine Saint-Denis respectively; the house of Castile was commemorated at Cistercian Las Huelgas, near Burgos; and the Plantagenets formed a royal mausoleum at Benedictine Westminster (plate 9).³² All were accompanied by unprecedentedly rich tomb programmes, and the tendency remained to focus such mausolea on the shrines of saints of national importance. Burial was in this sense tied up with the construction of national history. By the thirteenth century the older Benedictine burial establishments, notably Saint-Denis and Westminster, were all centres of formal chronicle writing.³³ As royal mausolea came to express notions of dynastic continuity, so too the process of historical

³¹ Le Goff (1984); Binski (1996). ³² Hallam (1982); Binski (1995). ³³ Wright (1974); Binski (1995).

writing could substantiate this formalised presentation of the past. But the pull of devotional loyalty to other religious orders in the thirteenth century was sufficiently strong to warrant the division of royal bodies by mortuary practice in such a way that the head and body of a sovereign (which in canon law marked the official place of burial) could go to the established mausoleum, the heart (the focus of devotional loyalty) to a Cistercian or Mendicant house. Bodily subdivision, of which a remarkable example is provided by the multiple burials and associated monuments of Queen Eleanor of Castile (d. 1290) at Lincoln, Westminster and the Dominican house in London, was a solution to the complexities of competing historical and devotional loyalties. Its importance was such that Boniface VIII's attempt in 1299 to ban this essentially aristocratic practice failed.³⁴

Doctrinal change, together with the new momentum lent to lay spirituality by episcopal legislation and the Mendicant Orders, was thus implicated in the development of several artistic genres, altarpieces, Books of Hours, illustrated penitential manuals, tombs and chantries being amongst the most important. All these genres served instrumentally to support the implications of clarified sacramental and purgatorial doctrine. Changes in the Gothic system of representation which served to stress the rhetorical projection of spiritual states in a new naturalistic vein served equally the instrumental power of these new images, and formed the basis for the development of much late medieval religious art.

COURT ART

In tandem with these changes, the thirteenth century witnessed transformations in the bases of art production and patronage. As we have already seen, the first part of the century was dominated by widespread campaigns of church construction and by the consolidation of the Gothic style throughout most of northern Europe, and also Italy. The professionalisation of the trade of architecture was marked by the growing influence of master masons. The production of figurative art was increasingly centred on urban professional, rather than monastic, organisations. This reflected the general growth of the urban economy, but it also accompanied the new forces which were acting to expand demand for art production, again within the city. Paris, for example, was becoming an important centre of organised production of illuminated manuscripts, the more modest of which served the needs of its university. Books produced under these new conditions, notably the Bible, became increasingly standardised in form and content.³⁵ Civic patronage in the new

³⁴ Brown (1981). ³⁵ Branner (1977); Alexander (1992), pp. 22–3, 95–120.

city-states of Italy towards 1300 also encouraged the supply of panel and wall paintings in the service of communal patronage of church and civic buildings, and the organisation of painters' workshops in this period appears to have become professionalised, though not as yet dominated by a formal guild structure. Finally, the concentration of courtly culture at major centres of power like Paris and London served further to galvanise the importance of the urban artistic economy. By 1300 the evidence of Parisian tax records indicates the scale, specialisation and wealth of the city's community of practising artists.

A major, if not the sole, factor in the rise to prominence of cities like Paris is likely to have been the presence of royal courts. Though kingship was administratively still largely itinerant, Paris and Westminster, and in the fourteenth century Prague, were emerging as both practical and symbolic concentrations of power, emblematic of the centre of the realm.³⁶ This has raised the possibility that the thirteenth-century palace was itself a major centre of art production, though research has tended of late to minimise, or even deny, the importance of so-called court schools of art production on the lines of those attributed by some scholars to the earlier court of Charlemagne. Palace art appears rather to have participated in the visual milieu of the city at large, and the era of the formalised post of court artist had yet to dawn.

Nevertheless, the study of thirteenth-century French art in particular has tended to preserve a view of the absolute centrality of seigneurial patronage. This has conditioned theories about the initial development and spread of the style. 'It is a fair assumption', wrote Robert Fawtier, 'that the prestige of the Capetian monarchy helped to create a preference for the artistic styles favoured in the royal domain and the great royal city of Paris.'³⁷ Robert Branner, under the influence of Fawtier and the German scholar Sedlmayr, extended this notion to the thirteenth century in discussing the birth of the Rayonnant Style in and around Paris – a style of Gothic great church building emerging *c.* 1230 which took its name from the radiating spokes of the newest rose windows – as an essentially courtly phenomenon whereby masons employed by the court now stood in the vanguard of artistic developments previously nurtured by clerical patrons. The clerical Gothic of Chartres was now displaced by a courtly Gothic, the Gothic of the thirteenth-century rebuilding of Saint-Denis and of the Sainte-Chapelle erected by Louis IX in Paris in the 1240s (plate 10); and it was this new modernised and urbane style that led finally to the export of the French 'system' of courtly building abroad, to England, Germany and Spain, at the expense of local traditions. The greatest churches of the 1240s in northern Europe, Westminster Abbey (begun 1245) (plate 11) and Cologne cathedral (begun 1248) were thus expatriated variants of the French Court Style,

³⁶ Branner (1965); Binski (1995).

³⁷ Branner (1965), p. 112.

symbols of France's absolute cultural hegemony and of a wider genuflection before the most Christian monarchy of St Louis.³⁸

Branner's argument is powerful and in many ways correct. Yet though arguments of this type make for brilliant visual analysis of buildings, they have at their core a view of the history of art which emphasises abstract developments of styles of art, and not their social and cultural (in other words more broadly historical) environment. Branner saw the patronage of the thirteenth-century French court as basically monostylar, and tended to marginalise the phenomenal role of the clerical classes in the conception and commissioning of Rayonnant Gothic churches. His position was that of an internationalist who promoted French court patronage as a form of 'meta-patronage' to which other forms of power were naturally subject until the French courtly movement in architecture was itself creatively exhausted. Jean Bony's suggestion that the architectural hegemony of French Gothic was exhausted by about 1300, and assumed instead by England under the impetus of its own Court Style in the early fourteenth century, was thus a natural development of Branner's analysis.³⁹

At many levels this position looks increasingly unsupportable. The identification of a specifically courtly idiom in England and France, either in architecture or the figurative arts, is problematical: the evidence suggests that the provision of architecture and painting for the court was the responsibility of favoured artists whose organisational framework was urban, not courtly, and whose origins were far flung. The patronage of thirteenth-century kings is marked far more by the principles of variety and complexity common to high clerical patronage than by a specific single official idiom. No two court buildings of Louis IX's reign – such as the chapel at Saint-Germain-en-Laye (1230s) and the remarkable Sainte-Chapelle (1240s) in Paris – look alike. Nor does the evidence of thirteenth-century French court manuscript production of works like the *Bibles moralisées* or devotional Psalters sustain the view of a dominant idiom remotely comparable to what was to occur under Valois patronage in the next century when extensive royal libraries appear to have been formed for the first time.

It is testimony to the eclecticism of court patronage that one of its central monuments, Henry III's Westminster Abbey begun in 1245, is also aesthetically one of the most diverse in its origins: far from being merely a copy of the French Court Style as Branner indicated, Westminster's range of reference to French architecture is wider and more ideologically motivated than a simple concern with modernity might suggest.⁴⁰ The reasons for this are clear, and lie at the heart of any theory of courtly cultural production. First the virtues of

³⁸ Branner (1965), pp. 112–37. ³⁹ Bony (1979). ⁴⁰ Binski (1995).

varietas were central to the richest patronage at any level. The central statements of aesthetic decorum produced within monastic debate in the previous century had already identified simplicity with poverty, complexity and diversity with wealth and symbolic density. Second, royal patrons enjoyed relatively much greater capacity to command and appropriate various idioms by virtue of their international dynastic links. An excellent instance of this is provided by the adoption by Henry III and Edward I at Westminster Abbey of thirteenth-century Roman mosaics of papal character for floors, tombs and the shrine of the English patron saint Edward the Confessor in the 1260s and 1270s. Exceptionally exotic choices of this type can only be the product of idiosyncrasies of patronage. In England they may be accounted for by the Mediterranean dimension of Henry III's foreign policies, and by the crusading activities and imperialist policies of Edward I, who had the Theodosian walls of Constantinople copied at his major castle at Caernarfon, which secured his Welsh campaigns (plate 12).

But more broadly, aesthetic exchanges of this type reveal the deeper claims made by monarchy itself. Henry III's choice of a papal tomb-type for his burial may emphasise his quasi-clerical conception of monarchy. The possibility that the tomb was designed by the workshop of the major Italian sculptor Arnolfo di Cambio places it in the sphere of Arnolfo's contemporary work in Italy for Charles of Anjou and later for Boniface VIII, and reminds us that Philip IV of France was the first patron north of the Alps to employ Roman painters. Allegiances of this type indicate the role of art in substantiating the claims of power, and also the growing tendency in the imagery of contemporary power to deploy similar art forms and images for royal and papal patrons whose patronage might otherwise have been thought to be distinct. In this sense the courtly milieu was internationalist, but it was also based on the premise of an increasingly common syncretic language of symbolic reference.

Notwithstanding this growing universalism and authoritarianism, the specific imagery of court art revealed equal attention to local sources and preoccupations. At one level these were as diverse as those developing amongst the aristocracy at large. Lay reading habits favoured romances, especially of the Arthurian canon, Bible narratives (plate 13), specially translated into the vernacular and racy illustrated, and historical works. In England the crusading activities of Richard I were painted on palace walls for Henry III and his queen. Illustrated hagiography was increasingly popular as pastoral and edificatory material. In France and England the great national saints, St Denis, St Thomas and St Edward, were the subject of commemoration in stained-glass cycles and illuminated manuscripts. The Lives of royal saints like Louis and Edward the Confessor (plate 8) enjoyed a special role both in celebrating ideals of national

cohesion and in expressing, albeit informally, ideals of royal conduct. Although the great age of royal canonisation was drawing to a close, the Life of a figure such as St Edward offered the English court a model of precedent and behaviour, harking back to the Anglo-Saxon links of the Plantagenet dynasty and celebrating a specific vision of idealised monarchical conduct, in a period of recurrent political instability. Much the same can be said of the vision of virtue and piety offered by the Life of St Louis formulated after his canonisation in 1297. Narratives of this sort were bolstered by large-scale displays of royal historical tradition, like the immense sculpted genealogy of the kings of France commissioned in the 1290s by Philip IV for the great hall of the Palais de la Cité in Paris. Historical confrontations of this type at the royal courts correspond to the new awareness in papal Rome in exactly this period of the city's magnificent apostolic past.

The role of art in articulating ideals and mythologies of identity was developed further by its use at a more didactic level. Most royal image-systems of the period were not in any significant sense propagandistic; their chief aim was to confront the court itself at an absolutely elite level. As a result, an important and increasingly widespread role of texts and images, to which royal hagiography contributed at the level of pastoral self-understanding, was to offer a self-reflexive homily on power itself. The public face of authoritarian rule was now accompanied by a correspondingly sophisticated internal mechanism of criticism. The period saw the emergence of new genres of admonitory literature advising princes how to conduct themselves ethically, commonly Aristotelian in derivation and known as 'mirror' literature. In the case of Giles of Rome's *Liber de regimine principum*, written under the influence of Aquinas, and translated c. 1280 into French at the behest of Philip IV, texts of this type could be illustrated. The Augustinian tradition of salutary commentary on the evils of tyranny, implicit in writings on English court life like those of Giraldus Cambrensis and Walter Map, is manifest in thirteenth-century wall paintings about bad Old Testament kings of the type which once adorned the Palace of Westminster in the 1290s. Such inventive amalgams of imagery were fundamentally compatible with the spiritual, edificatory and essentially private tone of the late thirteenth-century Dominican *Somme le roi* (plate 14). This notion of the ideal court and household, perhaps best symbolised by the Life of St Louis as presented to us by his biographer Joinville, was to be cruelly (and very funnily) parodied within a very few years by the false court in the Parisian *Roman de Fauvel* (1310–14) with its cast of moral reprobates, perverts and sycophants. The secular political thrust of such works as Brunetto Latini's *Trésor* of the 1260s, also read in royal circles, was to be felt in the civic art of central Italy in the next century.

ITALY AND THE MEDITERRANEAN

In 1200 much of western Europe remained a magnificent archive of the cultural activity of the Roman empire. The heritage was palpable: outside Italy, Roman buildings could be studied in Provence and Burgundy, and antique gemstones, cameos and metalwork glimmered in the treasuries of great churches, as at Saint-Denis and Auxerre. In England, the fashion for setting antique gems in the rings of bishops is attested by the grave goods of Hubert Walter, archbishop of Canterbury (d. 1205); Matthew Paris drew a great Roman cameo in the possession of St Albans Abbey in the 1250s, and the French draughtsman Villard d'Honnecourt reproduced a Roman tomb in his sketchbook. Antique cameos were a favourite form of decoration for the shrines of saints. The aesthetic, medical and scientific heritage of Rome – as in the works of Vitruvius and Pliny – remained a fundamental benchmark of thoroughness, along with the standards of Ciceronian Latin. Rome's own physical heritage, though dangerously tainted with paganism, was noted as an object of wonder by travellers and pilgrims like Master Gregorius.⁴¹ Even by the mid-twelfth century, monastic patrons at Montecassino, Saint-Denis and Fleury regarded Rome and Byzantium as sources for enriching spolia to be carted off and reinstalled elsewhere.⁴²

The pattern of antique survival and reappraisal in the thirteenth century observed unsystematic bricolage and true assimilation, and can loosely be understood in relation to what is sometimes called the 'twelfth-century Renaissance'. Late-antique figurative art had already informed Carolingian art, and it was this species of Frankish classicism which resurfaced in north-eastern France and Lotharingia in the hands of twelfth-century metalworkers like Nicholas of Verdun, and which passed thence into the repertory of sculptors employed by French cathedral workshops in the 1200s, as at Rheims. The earliest sculpted figures executed for the façades of Rheims cathedral begun in 1211 (plate 15) are triumphs less of *romanitas* than of an essentially medieval Frankish sensibility. In the south, in Provence, stood churches in Arles and elsewhere whose direct reference to local antique remains is, however, clear; when carved stones were carried from Marseilles to Auxerre in the form of spolia, their antique form and subject-matter were introduced into the sculptures on Auxerre cathedral's astonishing west façade executed in the second half of the thirteenth century.

There was in fact no single pattern of appraisal of the antique, for Hellenic art, and the durable and versatile formulae which it preserved, were pondered and interpreted quite as much locally as universally, and ideologically as

⁴¹ Osborne (1987). ⁴² Greenhalgh (1989).

aesthetically.⁴³ Broadly the formulae were two in origin, via Byzantine and provincial Roman art respectively. The consolidation of Norman power in Sicily and the Mediterranean was a major factor in guaranteeing the impact of regional Byzantine art, frequently of magnificent quality, in Norman England, the Iberian peninsula (as in the wall paintings at Sigena) and the Holy Roman Empire. Though the Cistercians were already spreading a variant of Burgundian Gothic to Germany, the figurative arts produced there in fact retained a decisively Byzantine inflection throughout most of the thirteenth century. It was only at specific centres, such as Bamberg, that sculptors acknowledged the achievements of Rheims cathedral's artists by the middle years of the century.

Roger II of Sicily, though a Latin ruler, had encouraged the production of Greek-style mosaics and Byzantine ruler-imagery in his own commissions, doubtless reflecting the fact that he was a parvenu; and the extent of broader Mediterranean influences, notably Islamic ones, in his building projects is no less evident. This appropriative spirit also characterises the patronage of his most notable successor, Frederick II, Hohenstaufen king of Sicily and Holy Roman Emperor (d. 1250). Frederick's patronage is sometimes held up as a counterpart to the classicism of Rheims.⁴⁴ But its ad hoc nature separates it radically from the Gothic achievement in aesthetic outcome. Frederick's neo-antique *Augustalis* coins made in the 1230s, and the decorations of the great Gate at Capua also of the 1230s, can be interpreted as manifestations of an imperial classicism. But their quality and extent are limited, and their programmatic outlook of self-conscious reflection on the form and objectives of government belongs essentially within Italian tradition. Thus the images of Frederick II as Augustus, together with the personification of Justice on the Capuan Gate, anticipate the proto-humanism of the fourteenth-century murals in Siena's Palazzo Pubblico. Local and perhaps even provincial in character, Frederick's art is no more remarkable in its *romanitas* than that of his dynastic partners, and is certainly inferior technically and aesthetically to the slightly later work of central Italian sculptors like Niccolò Pisano (who was however of south Italian origin), where antique style and technique are well emulated. As we have seen, Frederick's brother-in-law Henry III of England, whose own brother Richard was elected king of the Romans in 1257, commissioned medieval Roman artworks at Westminster whose sources lay ultimately in the antique and Byzantine sphere, all the more self-consciously for marking a complete breach with local tradition. Here was a more daring universalism. Frederick II, in appropriating Roger II's giant porphyry sarcophagus for his

⁴³ Panofsky (1960), pp. 42–113; Camille (1989), pp. 73–87.

⁴⁴ Panofsky (1960), pp. 62–6; White (1987), pp. 74–92; Abulafia (1988), pp. 280–9.

own burial, was acting no differently from those thirteenth-century popes who valued antique sarcophagi above all others.⁴⁵ Frederick's work at Capua anticipated his successor Charles of Anjou's patronage of quasi-imperial seated images of himself, of which one, possibly by Arnolfo di Cambio, was designed for the Capitol in Rome (plate 16); and it was from here that Boniface VIII's programme of self-representation in and around Rome developed to the point that Philip IV of France could accuse him, in effect, of idolatry. Philip, in the tradition of a French monarchy skilled at promoting its links to the Carolingian past, was keenly aware of the power of images: he himself was eventually depicted in Notre-Dame in Paris as an equestrian emperor-king in the guise of Marcus Aurelius or Charlemagne, or of a Hohenstaufen equestrian figure of the type erected at Magdeburg or Bamberg.

The case of late thirteenth-century Italy, and specifically of Rome, demands special attention. In the second half of the thirteenth century the papacy was occupied by two successive issues: the power of the Hohenstaufen and, later, the influence of Charles of Anjou. The presence of French popes, notably Urban IV and Clement IV (plate 17), was also felt, though their patronage in France (both were associated with significant Gothic church building, at Saint-Urbain at Troyes and Narbonne cathedral respectively) differed somewhat from that in Italy.⁴⁶ In the work of Arnolfo di Cambio and the Pisani, ostensibly northern Gothic elements mingle with antique ones. But from the 1270s the reassertion of Roman control of the papacy, a closing of ranks by Roman families, notably the Orsini and Colonna, and a restriction of the Senate to Romans and not Angevins or Plantagenets, presaged a striking artistic *risorgimento*. This surfaced in the work of Cavallini, Cimabue and Giotto, monumental decorators in fresco and mosaic well versed in the local Roman traditions of large-scale pictorial display, and employed under the aegis of the papacy and major curial families like the Stefaneschi before the collapse of Roman patronage with the commencement of the Avignonese papacy in the 1300s.⁴⁷ To an extent this galvanising reflects exactly the same concentrations of talent growing up around court centres in the north. The surviving showcase monument of this phase of Roman patronage, the murals in the upper church of S. Francesco in Assisi, reveals the coalescence of Roman decorative principles and Franciscan spirituality in a new narrative style inaugurated probably under Nicholas IV (1288–92), the first Franciscan pope, a style which already demonstrates all the essential components of the Giottesque revolution (plate 18).⁴⁸

In Rome itself, the early Christian basilicas and Franciscan churches saw extensive redecoration, a veritable recuperation of a splendid past, that of early

⁴⁵ Gardner (1992). ⁴⁶ Gardner (1990). ⁴⁷ Krautheimer (1980), pp. 203–28. ⁴⁸ Belting (1977).

Christian Rome. But the artistic personalities, the names, are redolent of progress, of the Renaissance. The mythology of Giotto (c. 1267–1337), as promoted in the early years of the fourteenth century by Francesco da Barberino and Dante, is central to the Renaissance notion of the artist. Yet Giotto's early association with Rome points backwards, to a culture of reaction which produced astonishing yet in some respects old-fashioned pictures, summaries, to an extent, of the empathetic spiritual currents of the previous century and of yet older notions of pictorial authority. Where northern Gothic stood for an ideal of modernity, Roman painting was self-consciously antique, seeking out its own historical identity, and deploying older Byzantine formulae to its own ends. But as with many conservative revolutions (and one might think too of Abbot Suger) atavism provided a fertile basis for absolutely radical novelty: Giotto was both the first of the moderns, and the last of the ancients.⁴⁹

In comparison with the widespread influence throughout fourteenth-century northern Europe of Siene art, the art produced in Rome, Umbria and Florence around 1300 and associated centrally with Giotto, remained of relevance primarily within medieval Italy. Rome's collapse as a papal city led to a diaspora of artists attracted to other centres, notably Angevin Naples and eventually Avignon, and Siene painting was to have a far broader impact. Nevertheless, the art produced by the painters in the circle of Giotto was important in representing the first revolutionary pictorial culture to synthesise many of the important devotional and representational traits of the period, discussed earlier. In turning basically late-antique notions of pictorial space, lighting and rhetoric to the service of the new devotional art, its role was less to manifest a scientific agenda in the figurative arts – and the new open light and coherent space of late thirteenth-century Roman painting have been 'explained' by reference to neo-Aristotelian theories of light and the sensory apprehension of data, and thus to a modernising natural science – than to give coherent expression to the theologies of the body which had developed in western Christendom in this period.⁵⁰ Arguably, therefore, the character of thirteenth-century naturalism was essentially metaphysical. It is characteristic of this period that the most prominent Aristotelians, such as Robert Grosseteste, were also outstanding Platonists. Italian figurative art, like that of the Gothic north, was not nominalist in character; rather, both were in their different ways the outcome of a particular understanding of the oldest Christian philosophical system, that of Neoplatonism which, by means of the theology of its medieval inheritors the Cistercians and the Franciscans, was effecting a revolution in the way the importance of the body to religious feeling

⁴⁹ Gardner (1991). ⁵⁰ Pevsner (1945); Hills (1987), pp. 64–71.

was understood. The most modern images of Christ's humanity were born not in a spirit of nominalist rationality or humanist proto-Renaissance, but rather in the ascetic thinking of the Cistercians and the Franciscans; for it was Franciscans like St Bonaventure who in this period developed the most commonsensical approach to the material world and its implications for the theology of the Resurrection, one with which the work of Dante in the next century easily harmonised. The mythology of a scientific Renaissance beginning with a reappraisal of nature in the work of Giotto from c. 1300 is a Renaissance, not a medieval, creation.

PART II
THE CHURCH IN THE THIRTEENTH
CENTURY

THE PAPACY

J.A. Watt

THE thirteenth century holds a significant place in the history of papal monarchy.¹ This period saw the papacy reach the peak of the effectiveness towards which it had been moving throughout the twelfth century. However, it also saw the beginnings of the decline of that effectiveness, which was to gather momentum in the later Middle Ages.

The papacy was a unique sort of monarchy in that it claimed jurisdiction in both spiritual and temporal affairs. It claimed primacy of jurisdiction as ‘monarch of all Churches’, headship of the ecclesiastical world. It did not claim a comparable jurisdiction over the secular world because it did not doubt that a division of spiritual and temporal powers had been decreed by God himself. But it did claim a right to judge lay rulers and, at its own assessment of need, otherwise to intervene authoritatively in the temporal order. In addition to these two types of jurisdiction, spiritual and temporal, it laid claim to a third: over a state of its own. By virtue of the Patrimony of St Peter, it possessed in its own right territorial jurisdiction over a central Italian state, wherein the pope ruled like any other European monarch.

During the thirteenth century, each of these three types of papal jurisdiction underwent important change. In the opening decades of the century, especially in the pontificates of Innocent III (1198–1216), Honorius III (1216–27) and Gregory IX (1227–41), the papacy either initiated, or very quickly associated itself with, the new religious and intellectual movements of the age.² Papal government extended its range and improved its quality to an extent unprecedented in earlier papal history. In the political sphere, similarly, it was involved more deeply and widely than previously. It sought to expand and effectively to control the Papal State with a vigour which was new.

Increasingly enmeshed in local Italian affairs, however, the papacy appeared

¹ Stimulating summary in Ullmann (1972), pp. 201–26, 251–78.

² Some important aspects of which are treated elsewhere in this volume (see chs. 9 and 10).



Map 2 The Papal States

by the end of the century to have lost much of its capacity for creating and encouraging innovative forces. Its political claims were spectacularly rebuffed by kings strong in the support of their Church and nation. As to the success of its policies in the Papal State and Italy, the withdrawal to Avignon in the fourteenth century is commentary enough.

How popes understood the nature of papal authority, how they exercised it and how it was challenged, particularly in the political sphere, must form the main theme of this chapter. But the papacy was an elective monarchy in this period. The electoral college, the College of Cardinals, was also the papal equivalent of the councils of contemporary kings, the body of ministers and senior officials concerned with the day-to-day conduct of government. The corporate body of pope and cardinals formed the Roman Church; there were oligarchic tendencies in the working of the papal monarchy.

Problems arise in presenting in outline form a theme of such variety and complexity over so long a period. This chapter has as its organising principle a characteristic feature of thirteenth-century papal government: the use of general councils as a major instrument of policy. There were three of them: Lateran IV (1215); Lyons I (1245); Lyons II (1274). In these assemblies of the bishops of the universal Church, reinforced by other clerical estates and by representatives of lay powers, the papacy confronted crisis, articulated and publicised what it expected of clergy and laity and sought to win minds and hearts to the support of its policies. To assess the nature and implementation of the programmes initiated at these assemblies is to delineate much of the fortune and misfortune of the papal monarchy in our period.

THE MAKING OF POPES IN THE THIRTEENTH CENTURY

Between the accession of Innocent III in January 1198 and the death of Boniface VIII in October 1303, eighteen popes ruled the Church.³ Thirteen were Italian, four were French and one was Portuguese. This mixture of nationalities itself indicates that a variety of routes led to the papacy in this period. Rise to the headship of the Church could be meteoric: after the death of his wife, Gui Foulques (Clement IV) was priest, bishop, archbishop, cardinal and pope all within a decade (1255–65). It could be even more unexpected: Tedaldo Visconti (Gregory X), archdeacon of Liège, though not a priest, was serving with the crusaders in the Holy Land when elected in 1271. It could be more unpredictable still: Pietro Morrone, a hermit-monk with a reputation for miraculous healing, was well advanced into his eighties when brought down from his cave in the Abruzzi mountains and installed as Celestine V in 1294.

³ Seppelt (1931–6), III, pp. 317–587, IV, pp. 9–61; Kelly (1986), pp. 186–210.

The electoral system, then, could spring surprises. For the most part, however, it ran true to form. It was service in the Sacred College (as the College of Cardinals came to be called in this period) that counted for most in the choice of popes in this century. The cardinals formed what, from the eleventh century, had been commonly described as the Senate of the Roman Church.⁴ Its role as senate was to counsel and assist the pope in running the affairs of the universal Church. It was aided by this Senate that the popes ordinarily exercised their legislative, judicial and administrative authority. As the Roman senators had been described as part of the body of the emperor, so it became commonplace to describe the College as a member of the pope's body, sharing his universal pastoral charge, participating in the exercise of the plenitude of his governmental power.⁵ The thirteenth-century cardinals were full-time curial officials. The College was always a relatively small body (some 130 promotions only in the century as a whole; 77 in the period 1198–1268).⁶ The cardinals were worked hard in a wide variety of roles. Corporately, they acted with the pope for the despatch of business in consistory. Individually, they might hold the top ministerial posts, treasurer, penitentiary, vice-chancellor; be commissioned as legates to carry the apostolic authority all over Christendom; be appointed *ad hoc* to hear legal cases, serve on committees of investigation (of candidates for canonisation, for example), govern provinces of the Papal State, act as protectors of religious orders. They were true sharers in the burden of the papal office (to echo another contemporary description of their role). Convention and common sense dictated that the cardinal-electors should look first for popes from their own ranks, from those with most experience of papal government.

In fact, only three of the eighteen popes of this century had not been cardinals (Urban IV as well as Gregory X and Celestine V). The remaining fifteen had between them amassed an impressive tally of service in the papal curia as cardinals. Nicholas III had been one for thirty-three years, Gregory IX for twenty-nine, Adrian V for twenty-five, Honorius IV for twenty-four, Honorius III for twenty-three, Martin IV for twenty. Five more had between ten and sixteen years. Only four had less than ten years (Innocent III, Clement IV, Innocent V, John XXI). Such figures would lead us to expect an essential continuity of papal policies in this century.

While lengthy membership of the College was the strongest predisposing factor in the making of popes in this period, it was not the only factor at work. There was a distinct dynastic element in the composition of the College of

⁴ Ullmann (1955), pp. 319–25; Alberigo (1969), pp. 39–49; Robinson (1990), pp. 33–120.

⁵ Lecler (1964); Watt (1980).

⁶ Details for the century as a whole, Eubel (1913), pp. 3–17. Important for more limited periods, Bagliani (1972); Maleczek (1984).

Cardinals. There was nepotism, if not on any grand scale. Twelve of the eighteen popes were to create cardinals; eight of them appointed one or two relatives. Innocent III appointed three, as did Boniface VIII. Several of these family creations were to become popes. Innocent III created cardinal the future Gregory IX who promoted the future Alexander IV; all Conti relatives. Innocent IV of the Genoese Fieschi made his brother's son a cardinal and he was to become Hadrian V. Each of those made cardinal by a relative and subsequently elected pope had proved himself worthy of the office in long curial service. The prominence in the Sacred College throughout the century of families of the city and Papal State – Conti, Savelli, Orsini, Capocci, Annibaldi, Caetani⁷ – was not due simply to popes promoting their own relatives. Among the cardinals created by the French pope Urban IV was an Orsini, a Savelli and an Annibaldi. It was recognised that such families could be of powerful assistance in the papacy's endemic local problems: the achievement and maintenance of papal security in Rome, the establishment of the authority of the central government in the Papal State.

That there were dangers in these local associations is evident enough. Popes could be tempted to a dynastic policy, subjecting the general good to family aggrandisement. Such, most conspicuously, was the charge against the Orsini, Nicholas III, given its classical form in Dante's *Inferno* xix.⁸ More insidious still was the danger of family rivalries springing from purely local and dynastic considerations, escalating into the heart of papal government. Such rivalries would explain electoral delays and no doubt influenced many papal decisions about Italian affairs. The most overt and damaging example of such escalation of family feuding into the papacy itself can be seen, at the end of the century, when Caetani–Colonna quarrels led to the expulsion of the two Colonna cardinals from the Sacred College and their becoming Boniface VIII's dedicated and ruthless enemies, challenging the legality of his election and even, through a Colonna relative, seriously threatening to take his life.

Nevertheless, despite the importance of family influences within the Sacred College, it can be said with some confidence that no pope in this period was elected as the pawn of any self-interest group or individual. For better or for worse, though the cardinals were rarely totally free from external pressures, occasionally of a severe kind, the real choices were made by the College as a whole and reflect quite closely the composition of the College itself. With the major exception of Celestine V, who abdicated five months after election, they chose men whose quality of life and competence in papal affairs had been well attested in practical experience.

⁷ Well portrayed by Brentano (1974).

⁸ '... veramente fui figliuol dell'orsa, / cupido sì per avanzar li orsatti, / che su l'avere, e qui me misi in borsa,' *Inferno*, Canto xix, lines 71–2.

This is not to say that the College, in its capacity as elector of popes, always did its work well. More often than it should have been, it was dilatory in choosing a new pope. There were perhaps extenuating circumstances for the delay of twenty months in finding a successor to Celestine IV (d. 1241), because Frederick II was holding two cardinals captive. There were none, however, for the longest vacancy in papal history – nearly three years between the death of Clement IV in 1268 and the election of Gregory X in 1271. Nor for the vacancy of over two years before finding a successor to Nicholas IV (1292–4). On two other occasions, on the deaths of John XXI (1277) and of Nicholas III (1280), the vacancies lasted six months. These delays, particularly that of 1268–71, led to widespread criticism of the cardinals and a demand for electoral reform which, when introduced in 1274, the cardinals vigorously opposed, thwarting its immediate implementation.

There is one other factor to be considered when examining the making of popes in the thirteenth century: the importance of the accidental. An unusually high proportion of the pontificates of this period were extremely short. Celestine IV died in 1241 before his enthronement, as did Hadrian V in 1276 (even before there was a chance to ordain him priest). Indeed, in the year 1276, no less than four popes held office. Six more popes had reigns of less than four years and a seventh barely achieved a four-year pontificate. Only four pontificates stretched to ten years or more; and all of these fell in the first half of the century.

The most recent law regulating papal elections had been promulgated in general council, Lateran III (1179). *Licet de vitanda* decreed that if there were no unanimity among the electors, a two-thirds majority of the cardinals present would suffice for a valid election.⁹ The constitution had nothing to say about the actual conduct of the election itself. But essentially, a papal election was an episcopal election like any other. The procedure at such elections was standardised at Lateran IV.¹⁰ Electors could make up their minds by way of any of three procedures.

The College of Cardinals might make its choice quite spontaneously when, without the formality of recording votes, all in unison spontaneously acclaimed someone as pope. This method can be described as choice ‘through inspiration’¹¹ ‘as though divinely inspired’ as Gregory IX, the only pope to be so chosen in this period, was to express it in his letter announcing his election to the Church.¹² The normal way envisaged was that by formal voting procedure,

⁹ *Decretales* 1.6.6. ¹⁰ *Decretales* 1.6.42. Aberigo (1969), pp. 246–7.

¹¹ ‘... ab omnibus quasi per inspirationem divinam’.

¹² ‘... et in crastino iuxta mortem eius [Honorius III] celebratis exsequiis et ipsius corpore ad tumulum deportato, una cum fratribus ad eligendum convenimus successorem, et missa, ut moris est, in honore sancti spiritus devote ac sollempniter celebrata post aliquantulum tractatur de substitutione

supervised by canonically appointed scrutineers: election *per formam scrutinii*. Voting could go on until a candidate received the necessary two-thirds majority. Whether the two-thirds could be achieved with the inclusion of the elect's own vote was often discussed by canonists without a decisive ruling being made on the point. The method of scrutiny could of course be a lengthy business. But there was an alternative method available to help to break any impasse which use of the scrutiny procedure had encountered. This was the method of delegation (*per formam compromissi*), whereby the electors entrusted their authority to elect to a small group chosen from among themselves and bound themselves to abide by its choice. The precise size of the group had not in this period been officially regulated. The decision to proceed by delegation had to be unanimous, as had its choice of elect. It was used three times in the thirteenth century (at the elections of Honorius III, Clement IV and Gregory X).

It was expected that elections would be completed quickly. The *ordo Romanus*, updated by the future Honorius III in the last decade of the twelfth century, specified that the election should take place on the third day after the death of a pope, with consecration following on the next Sunday. In fact, the elections of Innocent III, Honorius III¹³ and Gregory IX were even quicker. One feature of the election of Honorius III, however, suggests that there was no very general confidence that the cardinals could be trusted to go about their business with alacrity. It had long been axiomatic that papal elections should proceed without lay interference. But in 1216 the Perugians, following a procedure not uncommon in Italian city elections, 'enclosed' the cardinals, thus encouraging them to an early decision. The Perugians were to do the same in 1265 for the election of Clement IV. The senator of Rome took it on himself to enclose the cardinals in 1241 (with unfortunate results; the cardinals were physically abused), as did the *podestà* of Naples more helpfully in 1254 for the election of Alexander IV. Thus the substance of what the new electoral decree *Ubi periculum*, introduced in 1274, would call a 'conclave' had appeared informally, and technically uncanonically, much earlier.¹⁴ Protection of the electors slid easily into pressurising them to act speedily with a firm if usually fairly mild

pontificis, omnes pariter ad imbecillitatem nostram, quasi divinitus inspirati, oculos direxerunt'. *Reg. Greg. IX* n. 1. The *Vita Greg. IX* recorded the election: '... de communi et impremeditata fratrum concordia, non minus electione canonica quam inspiratione divina'. *Liber censuum*, ed. Fabre and Duchesne, I, p. 19. ¹³ Taylor (1991).

¹⁴ As the canonists noted. Cf. Bernard of Parma in the *glossa ordinaria* to the *Decretales*: 'Quid ergo fiet si nullo modo duae partes consentiant? Tunc brachium seculare se interponere debet, argum. xvii. distinct. nec licuit [*Decretum Gratiani* D.17.c.4] et xxiii. questio v. Liguribus [*Ibid.*, C.23.q.5.c.42], ita ut cardinales includantur in aliquo loco de quo exire non valeant donec consenserint. Ita dicitur factum fuisse in electione Honorii iii. apud Perusium et idem fuit factum post mortem Gregorii ix. et in electione Celestini, et Innocentii iiiii. temporibus nostris.' 1.6.6 *s.v. nullatenus*. On the election of Celestine IV in 1241, Hampe (1913); Wenck (1926).

form of confinement. No doubt it also allowed interested parties to offer their views as to who might be elected.

POPE INNOCENT III AND THE CONCEPT OF PAPAL PRIMACY

Popes were elected to succeed St Peter. They were heirs to all that authority which Christ had assigned to the leader of the Apostles when he appointed him as head of his newly founded Church. Such was the basic principle of papal authority, as the papacy itself saw it, already many centuries old before our period. It had of course received more extensive formulation, with explanations of its precise scriptural origins and explorations of its precise implications in ecclesiastical government.¹⁵ Successive papal generations had evolved a self-understanding of the nature of the papal office and a terminology in which to express it which had become classical. The popes of our period adopted these traditional expressions but they did not simply echo them unreflectingly. Innocent III, for example, preached frequently on the theme of papal primacy. Honorius III, less often, did the same. Innocent IV, continuing his *Commentary* on the canon law during his pontificate, wrote illuminatingly on his understanding of the concept of papal authority, especially in temporal affairs.¹⁶ The papal chancery itself fashioned a conventional terminology concerning the papal office, appropriate for use in its correspondence. And backing up these formulations was the work of the scholastics, theologians and canonists alike, who in considering the nature of the Church and its hierarchy shaped a concept of what might be best called apostolic sovereignty.

It was Innocent III, of all the popes of the thirteenth century, who contributed most to the evolving theory of papal monarchy.¹⁷ Not that he ever wrote a single comprehensive treatise on the subject. The logic of his vision of papal primacy has to be reconstructed from a variety of sources. These are of two main types. The first is made up of his personal writings: parts of his treatise *On the sacred mystery of the altar* (discussing the ecclesiastical hierarchy)¹⁸ and *On the four kinds of marriage* (in the context of the spiritual marriage of the episcopate to the universal Church)¹⁹ and especially in his sermons. In these latter, he returned

¹⁵ Especially influentially by Leo I (440–61), Battifol (1924), pp. 417–32; Ullmann (1960); Congar (1970), pp. 26–31.

¹⁶ Pacaut (1960); Cantini (1961); Tierney (1965); Watt (1965a), pp. 61–73, 97–105.

¹⁷ Pennington (1984), pp. 13, 33: ‘Pope Innocent III (1198–1216) transformed the theory of papal monarchy and, to a lesser extent, changed the practice of papal government during his pontificate... The early thirteenth century was a key period in the language of papal power. Prodded by a pope of genius and their own growing sophistication, the canonists shaped a description of papal authority that lasted to the end of the Middle Ages and beyond’; Morris (1989), pp. 413–51.

¹⁸ *De sacro altaris mysterio* I, c.viii. *De primatu Romani pontificis*, PL 217.778–9.

¹⁹ *De quadripartita specie nuptiarum*, PL 217.933, 965–8.

repeatedly to the concept of papal primacy: sometimes when he marked the anniversary of his consecration as pope,²⁰ sometimes to celebrate the feast days which had a particular relevance to the papacy, such as feasts of the Apostles or of the great saint-popes of the past.²¹ The second type is composed of the letters issued by the papal chancery, the personal element of which is less discernible, but they were official letters, underwritten by papal authority. Very many of these make reference to the concept of papal primacy, seeking to clarify it in application to specific situations. For example, letters concerning the translation of a bishop from one diocese to another, or other occasions when the spiritual bond between the bishop and his see had to be severed, afforded an especially important occasion to assert an exclusively papal prerogative.²² Some letters were concerned with the primacy as such. Two of these are of particular interest: one was a reply to certain objections to the papal view of Peter's primacy put to Innocent by the patriarch of Constantinople, John X Kamateros.²³ In the other Innocent III instructed the Catholicos of Armenia in the papal view of the relationship between his patriarchate and the Roman see.²⁴ This variety of sources – treatises, sermons, letters polemical, didactic, routine – yields as comprehensive a statement of how the thirteenth-century papacy conceptualised itself as can be found in any purely papal writings in this period.²⁵

Innocent III saw in the papacy the fulfilment of a divine plan for the government of God's people.²⁶ Prefigured in the Old Testament in the rulership of the first Chosen People, it achieved its consummation in the second, the Christian Church. Christ himself was the first and especial foundation of the Church (1 Cor. 3:11). The Apostles collectively were the secondary foundation in the sense of which St Paul wrote about the Church as 'built upon the foundation of the Apostles and prophets, Jesus Christ himself being the chief cornerstone' (Eph. 2:19–20).²⁷ It was to the 'apostolic order' and its successor, the universal episcopate, that Christ had committed the government of his Church.²⁸ But to Peter, as first among the Apostles and their leader, had been committed so special a position as to make him individually the secondary foundation on which Christ founded his Church.²⁹

²⁰ Four in all, *PL* 217.653–72.

²¹ *PL* 217.481–4 (St Sylvester), 513–22 (St Gregory), 543–8 (St Peter), 547–55, 555–8 (SS Peter and Paul). ²² In particular, *Quanto personam* (*Decretales* 1.7.3), the especial focus of Pennington (1984).

²³ *PL* 216.1186–91 (the collection of Innocentian decretals compiled by Rainer of Pomposa).

²⁴ *PL* 214.776–8. ²⁵ Analysed in full ecclesiological context, Imkamp (1983). ²⁶ Congar (1957).

²⁷ 'Sane licet Christus sit primum et praecipuum fundamentum ecclesiae, de quo dicit Apostolus: "Fundamentum positum est, praeter quod aliud poni non potest, quod est Christus Jesus" [1 Cor. 3.11], apostoli tamen sunt secunda et secundaria fundamenta, de quibus dicit Psalmista: "Fundamentum eius in montibus sanctis..." [Ps. 86.1]. *PL* 217.602.

²⁸ '... apostolicus ordo, qui sponsam Christi, scilicet sanctam ecclesiam regendam suscipit...'. *De quod. Spec. nupt.*, *PL* 217.961. ²⁹ *PL* 216.1186.

The Gospels recorded how Christ at regular intervals through his ministry had singled out Peter as pre-eminent. The Acts of the Apostles then recorded how his leadership was manifested in the practice of the primitive Church, assumed by him as of right and acknowledged as such by the Apostles. There followed the consecration of Rome as the apostolic see invested with Peter's primacy, through the merits of Peter's martyrdom.³⁰

Innocent III marshalled the title-deeds of the primacy under three headings: Christ's major pronouncements before, during and after his Passion.³¹ *Before* when he said, 'Thou art Peter and upon this rock I will build my church and the gates of hell shall not prevail against it. And I will give to thee the keys of the kingdom of heaven. And whatsoever thou shalt bind on earth shall be bound in heaven and whatsoever thou shalt loose on earth shall be loosed also in heaven' (Matt. 16: 18,19). For Innocent, this text demonstrated in particular Peter's 'height of power' (*sublimitas potestatis*) and requires further examination later. *At the time of the Passion*: when Christ stated, 'Simon, behold, Satan hath desired to have you, that he may sift you as wheat', he was speaking to the Apostles collectively. But in continuing with an express command, he was addressing Peter personally: 'But I have prayed for thee, that thy faith fail not', adding immediately, 'and thou, being once converted, confirm thy brethren.' This text, Innocent commented, demonstrated Peter's 'immutability of faith' (*constantia fidei*). It was his faith which had made him the foundation of the Church. It followed, in Innocent's view, that his successors would never at any time stray from the path of the true faith; they would recall the strayed and strengthen the doubting.³² The teaching authority of the apostolic see (*apostolicae sedis magisterium*) settled doubts about the faith. This teaching authority lay in the papal office as such. Innocent III repeatedly made clear that a pope as an individual could lapse into heresy and deserve to be deposed.³³ *After the Passion*: when Christ said a third

³⁰ *PL* 216.1188.

³¹ Most fully, *De sac. altaris myster.* 1. c.viii. 778–9. Summary form, *Sermo III, in consecrat. pont. max.*: 'Ad hoc autem est *super familiam* constitutus, *ut det illi cibum in tempore* [Matt. 24:45]. Primatum Petri Dominus Jesus Christus et ante passionem, et circa passionem, et post passionem constituit. Ante passionem cum dixit: "Tu es Petrus, et super hanc petram aedificabo ecclesiam meam, et quodcunque ligaveris super terram, erit ligatum et in coelis: et quodcunque solveris super terram, erit solutum et in coelis" [Matt. 16. 19]. Circa passionem cum ait: "Simon, Satanas expetivit vos, ut cribraret sicut triticum: ego autem rogavi pro te, ut non deficiat fides tua: et tu aliquando conversus, confirma fratres tuos" [Luke 22:31–2]. Post passionem vero, cum tertio praecepit: "Si diligis me, pasce oves meas" [cf. John 21:15–17]. In primo sublimitas potestatis, in secundo constantia fidei et in tertio pastura gregis exprimitur: quae circa Petrum in hoc loco manifestissime declarantur. Constantia fidei, cum dicitur *constituit super familiam*. Pastura gregis, cum dicitur: *ut det illi cibum*. *PL* 217.658–9.

³² '[Luke 22:31–2] ex hoc innuens manifeste quod successores ipsius a fide catholica nullo unquam tempore deviant, sed revocarent magis alios, et confirmarent etiam haesitantes'. *PL* 216.1187.

³³ 'In tantum enim fides mihi necessaria est, ut cum de ceteris peccatis solum Deum iudicem habeam, propter solum peccatum quod in fide committitur possem ab ecclesia iudicari. Nam *qui non credit, iam iudicatus est* [John 3:18]'. *PL* 217.656. See also, *PL* 217.665, 670.

time to Peter, 'If you love me, feed my sheep', adding 'Follow me' (John 21:15–17, 19). Thus was demonstrated Peter's pastorate (*pastura gregis*), his headship over the whole of Christ's flock. This too Innocent linked with the papal teaching office (*ordo magisterii*). He linked it especially to the maintenance of unity; Peter's headship and his teaching office preserved the flock from division.³⁴

These then were the three key scriptural passages. Innocent added further instances where he argued that the Gospels showed Peter responding to the Lord as spokesman of the Twelve or taking the initiative in action. To these texts he added the evidence of Peter's special role of leadership in the first Christian community. His martyrdom in Rome transformed that 'headship of error' to 'teacher of truth'.³⁵

Innocent III's chosen term to express the papal 'height of power' was 'fullness of power' (*plenitudo potestatis*). It recurs again and again throughout all his writing, personal and chancery alike, and is central to the understanding of his concept of the primacy.³⁶ He did not invent it. Its history as a term in the papal vocabulary begins in the fifth century.³⁷ It was not an assertion that all power in both spiritual and temporal affairs had been granted to the pope (nor did Innocent III think it had). By mid-twelfth century it was established in theological writing (notably in St Bernard's and in Gratian's *Decretum*) as the term which expressed the universality of papal jurisdiction as contrasted with episcopal jurisdiction limited to a single diocese. It contrasted that care of all the churches committed to the pope with the restricted authority of a bishop, called to a share in the universal pastoral responsibility. Characteristically, Innocent III favoured an anthropomorphic image. Accepting a known if minority interpretation of 'Cephas' in John 1:42 as 'head', so that the text could be read as the Lord saying to Peter, 'thou shalt be called head', he could argue that 'just as the head contains the fullness of the senses and the remaining members of the body receive a part of that fullness, so other priests are called to a share in the pastorate, but the pope has plenitude of power'.³⁸

Detached from this contrast of universal and particular jurisdictions, the term 'plenitude of power' meant simply the supreme ruling authority in the Church. It could be more juridically formulated and this Innocent III did

³⁴ '... ne post ascensionem eius seicaretur (ecclesia) in partes et ne unitum in eius fide divideretur ovile, uni commisit apostolorum principi gubernandum, quem solum sibi Dominus et in officio vicarium et in magisterio constituit successorem'. *PL* 214.777.

³⁵ *Sermo XXII, in festo SS Petri et Pauli* (*PL* 217.555–8) is dedicated particularly to this theme.

³⁶ Watt (1965a); Schatz (1970); Imkamp (1983), pp. 252–63, 278–9; Pennington (1984), pp. 43–74.

³⁷ Benson (1967).

³⁸ 'Sicut enim plenitudo sensuum abundat in capite, in ceteris autem pars est aliqua plenitudinis; ita ceteri vocati sunt in partem sollicitudinis; solus autem Petrus assumptus est in plenitudinem potestatis, ut illius ostendatur esse vicarius, qui de se dicit in evangelio: "Data est mihi omnis potestas in coelo et in terra" [Matt. 28:18].'*PL* 217.395. On cephas = head, Congar (1952).

often by associating it with another term, ‘universal ordinary’ (*iudex ordinarius*, ‘ordinary judge’ of all the faithful or of all the Churches). The term expressed the immediacy of papal jurisdiction – immediate in the sense that it could be exercised without need of intermediary jurisdictions. It was with this term that Innocent III chose to make his most authoritative statements of papal jurisdictional primacy, that of the Fourth Lateran Council: ‘God disposed that the Roman Church holds the pre-eminence of ordinary power over all other churches, as being mother and teacher of all Christ’s faithful.’³⁹ Or otherwise expressed, the Roman Church holds plenitude of power.⁴⁰

There was another term which under Innocent III’s impetus became, in the thirteenth century, part of the standard defining terminology of papal primacy: ‘vicar of Christ’ (*vicarius Christi*).⁴¹ Innocent III used it in different contexts of which the common element was his wish to give especial emphasis to the uniqueness of papal authority. The pope, he claimed in a characteristic phrase, ‘acted not in the place of mere man but of the true God on earth’⁴² positioned ‘as mediator between God and man, beneath God, but above man: less than God but greater than man.’⁴³ In dealing with the patriarch of Constantinople and the Catholicos of Armenia he associated the vicariate of Christ with the teaching authority of Peter: ‘it was Peter alone whom the Lord established as his own substitute both in the office of vicar and as his successor in teaching.’⁴⁴ In his decretals, he had recourse to the term when he wished to make it clear that he was exercising a prerogative reserved for Christ himself (and consequently for his legal deputy). The classic example of this usage was in divorcing a bishop from his spiritual marriage to his diocese when, for example, translating him to another see. The claim to the vicariate of Christ had especial relevance to papal authority over bishops. It will be seen later how with Innocent IV, developing certain hints offered by Innocent III, it had come to have an especial relevance also to papal authority over emperors and kings.

³⁹ C.5: ‘Antiqua patriarchalium sedium privilegia renovantes, sacra universali synodo approbante sancimus, ut post Romanam ecclesiam, quae disponente Domino super omnes alias ordinariae potestatis obtinet principatum, utpote mater universorum Christi fidelium et magistra.’ *COD*, p. 236; *Decretales* 5.33.23. On *iudex ordinarius*, Maitland (1898), pp. 100–31; Watt (1965a), pp. 92–7.

⁴⁰ ‘Praeterea cum sedes apostolica caput omnium ecclesiarum existat, et Romanus pontifex iudex sit ordinarius singulorum, quando de ipsa quis assumitur in praelatum alterius, ei obici posse non videtur, propter capitis privilegium quod obtinet plenitudinem potestatis.’ *PL* 216.1192.

⁴¹ Maccarrone (1952), pp. 109–40.

⁴² ‘... quo non puri hominis, sed veri Dei vicem gerit in terris’. *Quanto personam* (*Decretales* 1.7.3).

⁴³ ‘... inter Deum et hominem medius constitutus, citra Deum, sed ultra hominem: minor Deo, sed maior homine...’. *Sermo III, in consecr. pont. max.*, *PL* 217.658.

⁴⁴ ‘... solum Petrum substituit sibi Dominus et in officio vicarium et in magisterio successorem’. *PL* 216.

THE FOURTH LATERAN COUNCIL (1215)

Innocent III was no mere theorist of papal leadership.⁴⁵ He was also its leading thirteenth-century exponent. The nature and purposes of the leadership to which he aspired were never better exemplified than at the Fourth Lateran Council which met throughout the month of November in 1215. This was the best-attended medieval general council, the most ambitious in its programme and the most influential in its effects. Historians have been unanimous in seeing it as the culmination of Innocent III's pontificate. It might also be seen as the most comprehensive expression of the classical policies of the medieval papacy in its heyday, at once typifying its major aspirations and identifying its goals.

In his letter of summons to the Council, *Vineam Domini*, the pope called on God to witness 'that of all the longings of our heart in this life, we strive especially after two, the successful recovery of the Holy Land and the reform of the universal Church'.⁴⁶ Crusade and reform, then, were to be the substance of the work of the great assembly Innocent had in mind when he called it 'according to ancient custom'. By this reference to the practice of the Fathers, he was remembering those councils of the past which had met specifically to redefine and defend the true faith against the assaults of contemporary heretics. But Lateran IV had also more specifically Roman roots. It marked the final term in an evolution which had seen the local, Roman synod, renovated to advance the Gregorian reform movement which had expanded to embrace the consultation of the whole Latin episcopate over the whole range of papal government. A century and more of experience had made the papally directed council a major instrument of reform endeavour.

In its composition and procedure, there is much about the Council analogous to the kings' parliaments which developed in later thirteenth-century Europe. At the heart of the Council, its core and essence, was the pope assisted by his nineteen cardinals. They had drawn up the agenda, arranged the order of business, scrutinised the submissions requested by Innocent in preparation for the Council and prepared the draft legislation which was later to be promulgated in the name of the pope personally. Summoned *ex officio* was the episcopate, 'part of the pope's body', his natural advisers in the government of the universal Church: some 369 bishops drawn from 81 provinces, stretching across Christendom from Tuam in the west of Ireland to Gniezno in Poland, including the Latin patriarchs of Constantinople, Antioch and Jerusalem and

⁴⁵ Sources: Richard of S. Germano, ed. Garufi (1936–8); Anon. of Giessen, ed. Kuttner and García (1965); García (ed.), *Constitutiones; COD*, pp. 227–71; literature: Luchaire (1908); Maccarrone (1961); Foreville (1965); Cheney (1976), pp. 43–9; Bolton (1991).

⁴⁶ Cheney and Semple (1953), n. 51, pp. 144–7.

the missionary sees of Livonia and Estonia. Also summoned were the heads of the major religious orders. A new feature was the attendance of representatives of cathedral chapters, summoned rather as were to be the commons of Edward I's parliaments: all in all, a conciliar body of some 1,200 churchmen. There was also a modest but significant lay attendance, representatives of civil authorities. This was because there were important political decisions to be finalised and promulgated – concerning the succession to the Holy Roman Empire, the disposition of the county of Toulouse in the wake of the Albigensian Crusade, and the protection of King John against rebel barons and French invaders of England – partly also because there was to be legislation concerning violations of ecclesiastical liberty, specially by Italian towns, and partly to gather support, especially financial support, for the crusade.

The Council's day of decision was 30 November 1215 when, in the third and last solemn session, Innocent pronounced on the three major political issues affecting the empire, Toulouse and England. This political dimension of the Council will be considered later in a broader context. At the same time, Innocent III promulgated seventy-one decrees, one concerning the new crusade project, the remainder constituting Innocent's reform programme, the provisions whereby he hoped 'to uproot vices and to implant virtues [Jer. 1:10], to correct abuses and reform morals, to eliminate heresies and to strengthen faith'.

In implanting virtues and strengthening the faith, Innocent III saw the crusade as playing a crucial part. Along with *Vineam Domini*, the summons to the Council, he had despatched *Quia maior*, a call for general participation in a new, mighty effort to liberate the Holy Land from the shameful disgrace of continuing Saracen occupation. *Quia maior* is the classical papal document of crusading exhortation. Its distinctive note is its emphasis on the crusade as an instrument of spiritual renewal: 'the ancient expedient of Jesus Christ for the salvation of his faithful which he has designed to renew in these days'. These were days, it was urged, when wickedness superabounded and love in the hearts of many had gone cold. Christ now offered them the crusade to awaken them from the sleep of death in sin to a life of repentance. The crusade was a test of faith, a hope of salvation, an act of charity to those brothers in Christ enslaved by the followers of 'the son of perdition, the false prophet Muhammad'. Those who spurned this opportunity to win salvation would fully deserve to be damned at the Last Judgement.

Quia maior was not simply an emotive attempt to touch hearts grown cold and ungrateful. It looked to practicalities. Crusade preachers were to be appointed, financial arrangements set in hand, prayers for success ordered, to be said at every Mass, monthly penitential processions organised. Those who could only contribute towards expenses could fully share in the indulgence.

Crusader privileges were systematised. *Quia maior* is a nice blend, surely bearing the stamp of Innocent III himself, of passionate preaching of the crusade as a way to repentance, along with legal precision and detailed practical administrative arrangements; the whole realistically conceived – except perhaps when the rulers of Christendom, the better to gird themselves for the fray, were ordered to keep the peace for at least four years. A distillation of *Quia maior*, appropriately updated, was to form c. 71, *Ad liberandam*, of the Council's legislation.

Vineam Domini referred to the destruction of the Lord's vineyard by 'many kinds of wild animal', so that the vines had become diseased and capable of producing only wild grapes (see Is. 5:2). It is certain that among the ravaging beasts, he numbered especially heretics. A major part of the work of Lateran IV was concerned with heresy which was attacked from a number of angles. One, the consequence of the Albigensian Crusade, was to bring the destiny of the county of Toulouse before the Council. Another, given pride of place at the head of the canons, was the drawing-up of a new Profession of Faith, a summary of basic Christian belief, restated in a way which explicitly rejected current heretical opinions. Thus against the Cathar, dualist doctrine of creation, it reaffirmed 'the one principle of the universe' God creator of all things, spiritual and material, and the traditional doctrine of how sin came into the world. It went on to reaffirm traditional ecclesiology and sacramental theology – the whole logic of how God has provided the means of salvation to fallen mankind – to which the Cathars were seeking to present an alternative. It was a creed manifestly framed for testing the orthodoxy of those suspected of heresy and for removing any confusion from the minds of those at risk of conversion to heresy. A third approach adopted by the Council brought the condemnation of specific doctrines – Joachim of Fiore's doctrine of the Trinity, and those of the sect which followed the pantheistic teaching of Amaury of Bène. Then in c. 3 *Excommunicamus* there was drawn up a compendium of anti-heretical measures covering episcopal obligations in supervising dioceses, Church–state co-operation and a penal code for those found guilty of heresy, favouring heretics or for being negligent in pursuit of heretics. On a more positive note, the Council sought to strengthen the faith by its emphasis on the doctrine of the presence of Christ in the Eucharist (the term 'transubstantiation' made its first appearance in an official statement of doctrine) and by its insistence on an annual minimum reception of Holy Communion and the sacrament of Penance. Innocent's personal encouragement of Dominic and his embryonic Order of Preachers, soon to emerge as the leaders of the anti-heretical campaign, should also be included as one of the Council's initiatives in this context of dealing with heresy.

When it came to reform, it is not difficult to discover what Innocent thought was wrong with the contemporary Church and his explanation for the growth

of heresy and other evils. He spoke his mind very emphatically in the sermon with which he opened the Council. Referring to the general corruption of the people of Israel denounced by Hosea (see especially Hos. 4:1–11), he declared that ‘all corruption begins chiefly with the clergy’. Like the prophet, he laid the responsibility for evils on unworthy priests, ‘the source of all evils in the Christian people’. Reform, then, for Innocent, meant especially the achievement and maintenance of clerical discipline. It is no surprise that his reform measures began with the episcopate, for many a letter in Innocent’s *Register* demonstrates that this pope never pulled his punches when denunciation of episcopal negligence or incompetence was called for.

‘Nothing is more injurious to God’s Church than the appointment of unworthy prelates for the direction of souls’ he declared in c. 26 of Lateran IV. Hence the procedure for electing bishops was to be overhauled and standardised. It was to be by majority vote of the cathedral chapter, with ballot, delegation and inspiration as the permitted procedures. No one was to be elected by abuse of the secular power’s right and anyone seeking advancement by such means made himself ineligible for future promotion; there were penalties too for those electors who co-operated with an illegal election. Of particular importance was the vigilance of the metropolitan whose duty it was to examine both the process of the election to ensure it had not violated any canonical rule and the suitability of the elect to hold his key office. Those charged with this scrutiny were to be punished if through their negligence unworthy bishops were appointed. If the electors themselves were negligent and left their diocese without a bishop for longer than three months, the right to appoint devolved on the immediate superior (normally, the metropolitan, or in the case of a metropolitan, the pope).

The Council laid special stress on the responsibility of bishops for the selection and training of ordinands and for refusing ordination to unworthy and ignorant candidates. Better, it was urged, to ordain the few who would make good priests than the many who would not. Episcopal responsibility for clerical discipline continued after ordination: the annual provincial synod, commanded by the Council, was an especially appropriate occasion for removing unsuitable priests and suspending from office those guilty of conferring benefices on such men. Unchaste clergy were not to be supported nor promoted nor allowed to pass on their benefices to their sons. Bishops were required to provide for the education of those preparing for the priesthood and for in-service clerical training by appointing appropriate teachers and theologians in cathedral schools. Chapters were to co-operate in making financial provision for such appointments.

There followed a disciplinary code detailing the life style and conduct required of the clergy. They were to be celibate, sober, free of secular encum-

branches, forbidden taverns and other resorts of potential dissipation, hunting, fowling and gambling, careful to keep their churches, sacred vessels and vestments seemly and the consecrated bread and the chrism secure under lock and key lest they be put to 'impious and blasphemous uses', dressed and tonsured as clergymen, avoiding lay fashions, attentive to their liturgical duties, scrupulous about maintaining the secrecy of the confessional. They were not to shed blood by being associated with legal procedures or surgery involving blood. The veto on their participation in judicial ordeals was to lead to significant change towards more rational procedures in the civil courts of medieval Europe. They were to be severely punished for simony and greed – exacting payment for funerals, weddings and administration of the sacraments was particularly condemned. On the other hand, the Council tried to ensure that parish clergy were adequately funded, accepting the realistic argument that when clergy were badly paid, their quality was poor. Hence parish clergy were to receive the tithes that were their due from bishops, patrons and religious orders who were helping themselves to the entitlement of the local clergy.

Among the decrees condemning different types of simony was one which forbade monks and nuns demanding a fee for reception of novices into their ranks. The Council looked to reform of religious orders in other directions. One was of considerable importance: those congregations which had not been in the habit of holding general chapters of abbots and priors to regulate the discipline of constituent monasteries were now required to set them up. A visitatorial system was also to be introduced. Cistercian monks, among whom the holding of chapters was long established, were to advise on the implementation of this decree. A further regulation put a brake on the proliferation of religious rules: all new entrants to the religious life and those wishing to found a new religious house must choose among the existing approved orders.

Reforms of the clergy in all its varied ranks would redound to the spiritual good of the laity. But the laity figured specifically in a number of ways. One, the annual sacramental participation, has already been mentioned. There were important decrees about marriage. The rules of kinship disqualification for marriage were made less severe. A determined effort was made to bring the making of the marriage contract under ecclesiastical supervision and subject to uniform rules of canon law: clandestine marriages were forbidden, banns were to be called. The effect of some decrees, notably those concerning simony, was to protect the laity against exploitation by the clergy. A similar intention lay behind the decree against the sale of bogus relics and fraudulent alms-seekers.

One group of canons was devoted to an issue of particular importance to all clergy: liberty of the Church, or freedom from lay intervention in ecclesiastical affairs. The decrees in this category laid down canonical punishments for laymen abusing their offices and powers in the areas of ecclesiastical property

and jurisdiction. One decree was of special future significance; it sought to remove arbitrariness from lay taxation of the clergy. It was permitted for clergy to pay taxes to the civil authority on a voluntary basis where there was perceived to be genuine need for the good of the community. But first, the pope, 'on whom falls responsibility to make provision for the common good', must be consulted. The Council also legislated against abuse of the principle of liberty of the Church. It forbade clergy, under the pretext of legitimate defence of clerical immunity, to seek to usurp lay jurisdiction. The clergy were required 'to render to Caesar the things that are Caesar's and to God the things that are God's' (Matt. 22:21).

This was not the only occasion that the Council drew attention to the need to respect the boundaries of jurisdiction. It did so in favour of bishops against infringement of their jurisdiction by abbots. It strengthened the jurisdiction of metropolitans of provinces, particularly in respect of episcopal elections. It confirmed that the Latin patriarchs of eastern sees had the right, saving that of the papacy, of hearing appeals within their jurisdiction. These definitions were one aspect of an important part of the Council's work: the clarification and improvement of the ecclesiastical juridical order. Another aspect saw it amending and unifying the procedures which gave bishops, often required by their office to make unpopular decisions, better protection against malicious complaints, and offered protection to those vulnerable in other ways through changes in the procedures governing appeals, excommunication and proceedings by judges-delegate.

Crusade; reform of the Church, understood particularly as improvement of the pastoral ministry ('the guidance of souls is the art of arts'); defence of the faith against heretics, teachers of false doctrine in the schools, schismatics (Greeks who show contempt for Latin rites and Roman authority) and Jews ('blasphemers of Christ'); liberty of the Church; servicing of the ecclesiastical legal machinery, made up the Council's agenda. They established the policy priorities for the thirteenth-century papacy. Innocent III held the mastery of Lateran IV. But it would be wrong to see the conciliar programme as simply an imposition from above. It was an amalgam of the policy objectives and decrees of Lateran III and subsequent legislation, of the teaching of the schools and of the experience of the universal episcopate. The priorities systematised by Innocent III and Lateran IV were established by the Latin Church itself.

How far the papacy was able to maintain the impetus in each of the priority areas indicated by Lateran IV is the very stuff of the history of the institution throughout the thirteenth century. One major policy objective came early to full fruition: reform and reorganisation of the law of the Church.⁴⁷

⁴⁷ Van Hove (1945), pp. 349–61; Stickler (1950), pp. 217–51; Le Bras (1959), pp. 45–85; Le Bras, Lefebvre and Rambaud (1965).

Important as was the legislation of Lateran IV, it constituted but a small collection of laws relative to the legal decisions issuing from the papal curia since the pontificate of Alexander III (1159–81) or even relative to legislation promulgated by Innocent III. Already in 1209–10, Innocent had ordered a collection of his decretals to be received as officially approved legislation for use in the ecclesiastical courts and law schools. This collection (*Compilatio IIIa*) contained no less than 482 responses to requests put to him for decision on doubtful points of ecclesiastical law. Lateran IV has to be seen in the context of this sort of evolving systematisation of the law of the Church; the efficacy of its programme is only fully realised from its incorporation into the totality of canon law. That process of systematisation reached its most recent and decisive phase when canon lawyers began to collect decretals as supplementary to Gratian's *Decretum*. Five collections of decretals (*Quinque compilationes antiquae*), assembled between c. 1191 and 1226 formed the high-points of this evolution (Lateran IV found its place as the substance of *Compilatio IVa*). The *Five collections* amassed a total of 2,139 laws and there were other collections, though of lesser importance, also in use. The impetus behind this growth was the interaction between local ecclesiastical authorities, especially the bishops, and the papal centre. The immense growth in consultation of the papal curia for settlement of doubts is evidence both of the growing maturity of local ecclesiastical government and of the perceived role of the papacy as the sovereign authority. Canon law was a papal creation but it was not a system imposed on the universal Church; it grew out of the necessities of the times and the role of the papacy itself was shaped by general demand for solutions to problems encountered in actual practice.

The *Five collections* soon came to outlive their usefulness. They had developed somewhat haphazardly. There were inevitably omissions, duplications, contradictions, textual uncertainties. It was Gregory IX in 1230 who decided to replace them with a single, authoritative text. He entrusted the work of codification to Ramon de Penyafort and on 5 September 1234 was able to promulgate the *Five books of the Decretals*, one of the great achievements of the thirteenth-century papacy. A sixth book was to be added by Boniface VIII in 1298, to form the basic code of canon law down to the nineteenth century.

The *Five collections* provided the bulk of the material for the Gregorian codex. Each of its five books was divided into subsections or titles, 185 in all, and the texts themselves, mostly of papal origin but including patristic and conciliar material, amounting to 1,971 laws altogether. The biggest single contributor was Innocent III with 596 texts.

The new compilation was prefaced by Gregory IX's bull of promulgation *Rex pacificus* which opened with a resounding declaration of the inseparability of law from morality and of that idea of justice which Roman imperial law had defined for Roman papal law, and which canon law sought to implement. It

closed with a severe warning that no one should use any new canon law collection without the special authority of the Roman see. The first book began with the Profession of Faith of Lateran IV, considered the nature of law, written and customary, before assembling the law governing various offices in the Church, especially the different jurisdictions, such as that of legates and judges-delegate. The important Lateran IV legislation concerning episcopal elections, responsibility for ordinands and for correction of episcopal negligence all find their appropriate place in this book. Book II was concerned especially with judicial procedure and pleading in the ecclesiastical courts; all to do with the conduct of cases in those courts. Book III, where Lateran IV made its largest contribution, treated of the discipline and conduct of the diocesan clergy and the religious orders, of the administration of sacraments, of the law of ecclesiastical buildings, clerical income and property. Book IV was dedicated to marriage and related questions. The subject of Book V was ecclesiastical crime (such as heresy and simony) and its punishment. The law of excommunication was a major title in this book.⁴⁸

Thus, in all its detail of principle and practice, was formed a universal uniform law for the right ordering of ecclesiastical society and its hierarchy. It was at once the most effective single act for the realisation of Roman unity and the basis of the new academic discipline of canonical jurisprudence which provided the intellectual formation of ecclesiastical leadership; ‘the most important volume ever produced for the government of the Church’.⁴⁹

POPES AND POLITICS, 1215–45

Lateran IV was not least a major political occasion. Three important decisions taken then serve well to introduce the subject of papal involvement in secular politics.

The counts of Toulouse and Foix appeared before the Council to plead, on their knees, for the restitution of their lands, currently held in wardship, on papal instructions, by the leader of the Albigensian Crusade, Simon de Montfort. After fierce debate, Raymond VI was adjudged guilty of harbouring heretics and highway robbers (*routiers*) and sentenced to forfeiture of his lands; Simon de Montfort was pronounced count of Toulouse. Decision on Foix was deferred; Count Raymond-Roger was soon to repossess his territory. There was a clear link between the Toulouse decision and c. 3 *Excommunicamus* of the Council which enacted that if a ruler, after due admonition, continued to

⁴⁸ The *glossa ordinaria* summarised the distribution of topics: ‘Unde versus: Pars prior officia parat ecclesiaeque ministros. Altera dat testes, et cetera iudiciorum. Tertia de rebus et vita presbyterorum. Quarta docet quales sint nexus coniugiorum. Ultima de vitiiis et penis tractat eorum. Vel sic, et breuius: Iudex, iudicium, clerus, sponsalia, crimen.’ ⁴⁹ Southern (1970), p. 203.

neglect to act against heretics in his territory he was to be excommunicated. If after a year, he still had not acted, he was to be reported to the pope who might, with the proviso of safeguarding the rights of any suzerain, 'declare the ruler's vassals absolved from their allegiance and offer the territory to be ruled by one orthodox in faith'. In other words, a ruler who persistently failed to act against heretics could be punished by deposition.

Loss of temporal office was also at issue in a second major political decision of Lateran IV: succession to the Holy Roman Empire. The German princes in September 1211 had repudiated Emperor Otto IV who had been under papal excommunication since 1210 for violation of his oath to the Roman Church, and had elected the young Hohenstaufen Frederick, king of Sicily, to succeed him. Ambassadors of Otto, citizens of Milan, were allowed to plead his case before the Council. They read a letter of Otto repenting of his offences, supplicating the lifting of his excommunication and declaring his willingness to be obedient to the pope in future. Innocent III, however, recognised Frederick as emperor-elect and with that recognition, Otto's cause was effectively irretrievable.

Deposition of rulers, arbitration between contending rulers, protection of a ruler against rebellious subjects: these were indeed major interventions into secular politics. They were not, however, the only issues involving the relations of the civil and ecclesiastical authorities in which the Council was concerned. Within the conciliar decrees themselves, three more areas can be identified which, though less dramatic than the three already noted, raised important principles about that relationship and how the papacy viewed its authority in the temporal sphere.

Several canons of Lateran IV show the papacy claiming to set limits to the operation of lay authority. Secular rulers were expected to observe 'the immunity of ecclesiastical liberty', and there were ecclesiastical sanctions if they did not. Where lay rulers arbitrarily seized ecclesiastical properties or financial rights, usurped ecclesiastical jurisdiction or imposed taxation on the clergy without appropriate papal authorisation, those responsible were to be excommunicated (cc. 44, 46). C. 25 decreed that, were a bishop to be elected by abuse of the lay power, the appointment was *ipso iure* void. That the canon did not specifically lay down any penalty for the ruler who had exerted undue pressure on the electors should not be taken to mean that none must apply. The celebrated Canterbury election case when King John's refusal to accept Stephen Langton as archbishop led to his excommunication in 1206 and six years of interdict for the kingdom of England⁵⁰ proves that the omission did not signify that ecclesiastical sanctions were ruled out.

⁵⁰ Cheney (1976), pp. 294–325.

The assumption underlying these canons was that the spiritual power had the right to define the limits of lay intervention in the ecclesiastical sphere. By extension, there was also the claim, though it was not asserted in this particular context, that the ecclesiastical power had the deciding voice in any dispute about the border-line dividing the respective jurisdictions.

A different assumption lay behind c. 41. This canon was concerned with prescription, that is, with title to property acquired by long use or possession. The Council ruled that anyone holding property by prescriptive right must do so in good faith, that is without knowledge that another person had legitimate title. To maintain prescriptive right in bad faith was mortally sinful and a sinful act should not be upheld by the law. Hence any civil law which permitted prescription in bad faith should be accounted invalid and withdrawn. It was for the Church to rule in matters of sin and for the civil authority to abandon a law contrary to Christian morality.

The Council's legislation concerning Jews also contained principles about the relationship of ecclesiastical authority to the secular order. Canon 69 commanded under pain of excommunication that lay rulers should cease to allow Jews to hold public office (Spain and Languedoc were the main offending regions), 'for it is just too incongruous that a blasphemer of Christ should exercise the force of power over Christians'. Canon 67 claimed what canonists called indirect jurisdiction over Jews. Since Jews were not members of the Church, they could hardly suffer the penalty of loss of membership which was what excommunication meant. But they could be pressured indirectly. If Jews were found to be extorting immoderate usury or refusing to pay tithes or other dues payable to the clergy on properties now held by Jews, they should be subjected to boycott by Christians. Christians themselves, under penalty of excommunication, would be forbidden commercial or personal contacts with Jews in order to force them to obey the canons. It was assumed that the lay power would co-operate in enforcing any ecclesiastical decree ordering the isolation of Jewish communities adjudged guilty of violating the canon law.⁵¹

It was, however, c. 3 *Excommunicamus* which most strikingly laid down the obligation of the lay power to co-operate with the ecclesiastical power when its assistance was required. The context was the crucial matter of heresy; its suppression could not be achieved without the police action of the secular arm. Secular powers were required under pain of excommunication to take an oath that they would strive their utmost to prosecute heretics in the lands or cities subject to them whenever the ecclesiastical authorities should call on

⁵¹ Watt (1992), pp. 101–2.

them. Should they persist in refusing this request they were to be excommunicated. The co-operation of the lay power was not voluntary; refusal meant that the culpable were not to be 'esteemed and numbered among the faithful'.

The most important political decision of the Fourth Lateran Council was to go disastrously wrong for the papacy. It had accepted Frederick II as emperor-designate. Thirty years later, another general council was to reject him. The First Council of Lyons summoned by Innocent IV in 1245 put Frederick on trial, declared him guilty as charged and ordered him to be replaced in both his office as emperor and his kingship of Sicily. The deposition of Frederick II was the most drastic of all the thirteenth-century papacy's political acts; how he regressed from papal choice as emperor in 1215 to deposition in 1245, and the consequences of that decision, must therefore be accorded the central position in any account of the papacy's involvement in politics. For in the making and breaking of Frederick II as Holy Roman Emperor and king of Sicily, and in the search to replace him in each of these offices, there came together virtually all the principles, policies and prejudices which formed the papacy's own conception of its authority in the temporal sphere and how it tried to translate them into practice.

When Innocent III put himself forward as arbitrator in the disputed imperial election, Frederick was far from being his preferred choice.⁵² It was not merely that Frederick was still an infant. More importantly, his membership of the Hohenstaufen family was itself a disqualification. For Innocent, the Hohenstaufen were persecutors of the Church whose misdeeds through the generations he could list at length. Hohenstaufen imperial rule had shown itself at every step as a rejection of the papacy's own view of the empire–papacy relationship and a major threat to its territorial interests in central and southern Italy.

The most recent Hohenstaufen imperial career, that of Frederick's father Henry VI, had caused especial alarm to the papal curia.⁵³ When in 1194, Tancred king of Sicily and his eldest son Roger both died suddenly, Henry had secured the succession and coronation in Palermo. A personal union of empire and kingdom had been accomplished by one who had never hesitated from ruthless rule in the papal Patrimony. He had also shown himself aggressively hostile to the exercise of papal ecclesiastical authority in the Sicilian kingdom. Tancred had agreed to a relaxation of the traditionally tight control of the

⁵² Innocent III and the empire: Carlyle and Carlyle (1938), pp. 187–234; Maccarrone (1940), pp. 126–53; Kempf (1954) and (1985); Hampe (1973), pp. 232–50; Tillmann (1980), ch. 5.

⁵³ Henry VI and the papacy: Hampe (1973), pp. 220–31; Robinson (1990), pp. 503–22. On the career of Frederick II, Hampe (1973), pp. 251–306; van Cleve (1972); Abulafia (1988). On his clash with the papacy, Carlyle and Carlyle (1938), pp. 234–317; Ullmann (1960); Seegrün (1968).

Sicilian Church by the Norman kings as the price for papal recognition of his kingship. Henry VI paid no such price and made his intentions clear by countermanding the privilege by which Tancred had ordered the relaxation.

On Henry VI's death, his widow Constance had persuaded Innocent in his capacity as suzerain of Sicily to agree to the succession of Frederick to the Sicilian kingship. The substance of Tancred's privilege having been conceded, Frederick was crowned on 17 May 1198. When Constance herself died in November 1198, Frederick, aged four, became ward of the papacy. In these circumstances, potentially so favourable for the future papal position in Italy, allowing Frederick to become emperor was no part of Innocent's thinking. He put his case against Frederick's candidature succinctly enough:

That it was not expedient for him to obtain the empire is clear from the fact that thereby the kingdom of Sicily would be united to the empire and by this union the church would be brought to disorder. For not to mention other dangers, he would refuse fidelity and homage to the Church for the kingdom of Sicily on account of the dignity of the empire, just as his father had done.⁵⁴

The union was feared, then, because it would weaken papal political control of southern Italy. There was the further danger that control of the Papal State, the enlargement and consolidation of which was one of Innocent's most cherished objectives, would be imperilled. The autonomy of that territory seemed a necessary precondition of the papacy's independence and the essential material basis of its rule. Among the other dangers which Innocent chose not to specify on this occasion was no doubt the threat to the liberty of the Sicilian Church, not least to freedom of episcopal elections in the kingdom – no small matter in a Church whose episcopate approached 150 members.

Fear of Hohenstaufen domination of Italy by way of the union of empire and kingdom made it obvious also to Innocent that the candidature of a more serious Hohenstaufen aspirant to the imperial throne must be opposed. Of Frederick's uncle, his father's brother, Philip of Swabia, Innocent declared: 'Since he was a persecutor of the Church, sprung from a dynasty of persecutors, if we did not oppose him, it would seem that we were arming a mad man against ourselves and giving him a sword to put to our heads.'⁵⁵ Philip's

⁵⁴ 'Quod non expediat ipsum imperium obtinere patet ex eo quod per hoc regnum Siciliae uniretur imperio, et ex ipsa unione confunderetur ecclesia. Nam, ut cetera pericula taceamus, ipse propter dignitatem imperii nolle ecclesie de regno Siciliae fidelitatem et hominum exhibere, sicut noluit pater eius'. *Deliberatio domini pape Innocentii super facto imperii de tribus electis*, in *Regestum Innocentii III papae super negotio Romani imperii*, ed. F. Kempf, Rome (1947), no. 29, p. 79.

⁵⁵ 'Quod autem expediat opponere nos Philippo liquet omnibus manifeste. Cum enim persecutor sit et de genere persecutorum fuerit oriundus, si non opponeremus nos ei, uideremur contra nos armare furentem et ei gladium in capita nostra dare.' *Deliberatio*, in *Reg. neg. Rom. imp.*, ed. Kempf, no. 29, p. 83.

claims, however, could not be ignored because of the relative lack of support attracted in Germany by Innocent's own candidate, the Welf Otto of Brunswick. Despite his preference, the pope might well have been forced to acknowledge the Hohenstaufen's success, had not chance, so prominent a feature of papal political history in these decades, supervened with the assassination of Philip of Swabia in June 1208, a crime quite unconnected with the disputed imperial succession. Innocent III was then very content to put all his influence into encouraging the swing of support to Otto and to crown him emperor in St Peter's on 21 October 1209. With Otto IV as emperor and Frederick, his ward, as king of Sicily, now deemed to have come of age, the curia had some reason for thinking the crisis over the imperial succession had been resolved in its favour, that the prospects for harmony between empire and papacy, on papal terms, were favourable and that the union of empire and kingdom had been avoided.

Any such expectations were to be disappointed. In violation of the obligations into which he had entered both before and at his imperial coronation, Otto IV invaded the Papal State and set about planning to conquer Sicily in order to make himself king. Innocent excommunicated him and released his subjects from their oaths of obedience. Otto's support in Germany melted away. With Innocent's weight behind him, Frederick found himself elected and crowned king of the Romans. Lateran IV formally completed the process of Otto's deposition and endorsed the emergence of Frederick as the final victor in the protracted struggle for the imperial office.

The emperor-elect, 'nourished as the son of the Roman Church' in papal language, was left in no doubt as to what was expected of him. In a succession of solemn undertakings, Frederick was required to swear to preserve and advance all the papacy's major ecclesiastical and territorial interests. These were spelled out in detail: first in Messina in February 1212, then in Rome to the pope personally in the following April, then in most solemn form, with the supporting oaths of the leading German princes in the Golden Bull of Eger (1213).⁵⁶ To the end, Innocent was exacting sworn guarantees from Frederick; there were two more in the month of the pope's death, July 1216.

Frederick was binding himself to the papal view of an emperor's place in the Italian political order. Territorially, this meant acknowledgement of the autonomy of the Papal State (generally unrecognised by the Hohenstaufen), as enhanced by the 'restitutions' of provinces (notably the duchy of Spoleto and the March of Ancona) whose rule, the curia had begun to argue recently, had been conceded to the papacy by imperial grants in remoter days.⁵⁷ It meant, too, acknowledgement of papal suzerainty over the kingdom of Sicily.

⁵⁶ *MGH Leg. IV Const.*, II, no. 48.

⁵⁷ Waley (1961), pp. 1–67; Robinson (1990), pp. 3–32.

And not least, it meant no union of empire and kingdom. Ecclesiastically, it meant respect for 'liberty of the Church', more specifically defined as unimpeded access to the papacy's appellate jurisdiction and to free and canonical episcopal elections. That these freedoms were to apply in Germany is clear from their inclusion in the promises required of Otto IV. But they had even more relevance to Sicily where the papacy had been successfully loosening the grip established long previously by the Norman kings. Politically, it meant acceptance of the papal view of empire, a view which made of the Holy Roman Empire a papally created office, and of the emperor, the pope's advocate or special defender. In the course of the succession crisis Innocent III had articulated this papal view with a new clarity. He had spelled out the special relationship of emperor to pope as comprehended within the Translation of Empire theory.⁵⁸ Essentially, this was an interpretation of the coronation of Charlemagne by Leo III on Christmas Day, 800. By this act, it was argued, the papacy had translated the Roman Empire from the ineffectual hands of the Greeks to the Germans, investing the electoral princes with their right to choose an emperor-elect. It was the pope's right to crown the proffered candidate. But, on the analogy of an episcopal election, it was for the one who did the consecrating to examine the validity of the election and the suitability of the elect, with authority, where appropriate, to quash the one and reject the other.⁵⁹ It was on this principle that Innocent had based his intervention throughout the succession dispute. Now that it had been resolved, it was time to bring into play the functional aspect of emperorship. It was specifically for the defence of the Roman Church that the Translation had taken place. In the obligations asked of Frederick, this defensive role had particular reference to the maintenance of, and where necessary to the achievement of, the papacy's rights in the Papal State, in the kingdom of Sicily, in Corsica and Sardinia. And there was the additional obligation to act as the police arm in combating heresy.

It is clear that of all the demands laid on Frederick by Innocent III that of renouncing the union of the empire with Sicily was the single most important one, after the guarantee of the autonomy of the Papal State. In Strasbourg on 1 July 1216 an imperial Golden Bull articulated exactly what the pope had in

⁵⁸ 'Nouimus etenim, et uos [the German princes] nostis quod eius provisio principaliter et finaliter nos contingit: principaliter quidem, quia per ecclesiam de Graecia pro ipsius specialiter fuit defensione translatum; finaliter autem, quoniam, etsi alibi coronam regni recipiat, a nobis tamen imperator imperii recipit diadema in plenitudinem potestatis.' *Reg. neg. Rom. imp.*, ed. Kempf, no. 33, p. 102. Further references to the Translation theory, nos. 18, 29, 30, 31, 62, 79.

⁵⁹ 'Sed et principes recognoscere debent, et utique recognoscunt quod ius et auctoritas examinandi personam electam in regem et promovendam ad imperium ad nos spectat, qui eam iniungimus, consecramus et coronamus.' *Reg. neg. Rom. imp.*, ed. Kempf, no. 62, pp. 168–9. This text became *Decretales* 1.6.4 (*Venerabilem*).

mind. Frederick agreed that on being crowned emperor he would immediately relinquish his Sicilian kingship in favour of his son Henry, already crowned king of Sicily at papal command. He would hold the kingdom as fief of the Roman Church and from that time, Frederick would not be king of Sicily. Until Henry came of age, there would be a regent, appointed with papal approval. Government of the kingdom should be in accord with the rights of the Roman Church, to whom alone lordship of that kingdom belonged, and of service to it.⁶⁰

This transfer of power never took place. The curia did not insist on the literal fulfilment of the Strasbourg pledge. The reason for this failure was not due, as so often suggested, to the indulgence of Honorius III's weak paternalism towards Frederick. Nor to any departure from the priorities for Italy established by his predecessor. Honorius III did his best to keep Frederick II moving along the lines Innocent III had marked out, repeatedly demanding renewal of his sworn obligations.⁶¹ But there was another factor in the diplomatic situation, not less an Innocentian legacy, which at least in the short term was given over-riding priority: the crusade. It had been no doing of the papacy (or so Gregory IX was to state categorically later)⁶² that Frederick had taken the cross on the occasion of his German coronation at Aachen (25 July 1215). Once he had taken the vow, however, Honorius III insisted he honour it.⁶³ Frederick seemed its one hope of rescue from disaster. For the sake of the crusade, the curia was prepared apparently to soft-pedal the Strasbourg undertaking. When Honorius III crowned Frederick as Holy Roman Emperor in November 1220 there was no question of Frederick's renouncing the kingship of Sicily. He was held to formal acknowledgement of the status of Sicily as a fief of the Roman Church and not an intrinsic part of the empire. There was to be no union of administrations; the governments of the empire and of the kingdom were to be kept separate.⁶⁴ In addition, there was papal assent to the election of Frederick's son Henry, still a minor, as *rex Romanorum*, an act the German princes had performed, Frederick claimed, without his knowledge. So much then for Innocent III's plan for separate rulership of empire and kingdom. Within four years of his death, not merely was Frederick II both emperor and king of Sicily; his son Henry who had already been crowned king of Sicily was now emperor-designate. All with papal acquiescence.

Papal pressure on Frederick to depart on crusade, fairly persistent before the

⁶⁰ *MGH Leg. IV Const.*, II, no. 58.

⁶¹ *MGH Leg. IV Const.*, II, nos. 65, 66, 70, 85 (on the occasion of his imperial coronation), 90.

⁶² *MGH Epp. s. XIII*, no. 368.

⁶³ The first time Honorius threatened Frederick with excommunication for non-fulfilment of his vow seems to have been in February 1219, *MGH Epp. s. XIII*, no. 95.

⁶⁴ *MGH Leg. IV Const.*, II, no. 84 (Nov. 1220).

imperial coronation, increased after he had then renewed his vow and even more so as the Fifth Crusade headed increasingly towards disaster (Damietta was lost in September 1221). Frederick's governmental problems in Germany and Sicily were more than adequate excuse for his continuing to delay the departure. Nevertheless, the papacy continued to press and Frederick finally bound himself to leave in August 1227 and to suffer excommunication if he failed so to do.⁶⁵

In early September 1227, Frederick made to set out on crusade but disembarked, pleading serious illness and declaring his departure postponed until the following May. Gregory IX, declining to give him the benefit of any doubt or indeed even apparently to listen dispassionately to his excuse, held him to the very letter of his commitment and excommunicated him on 29 September 1227.⁶⁶ There was to follow the extraordinary spectacle of an excommunicate emperor, denounced and boycotted by the clergy, accomplishing a resounding diplomatic success for the crusaders with the sultan of Egypt which was condemned by the pope, while open war between papal and imperial forces broke out in the Papal State and the kingdom of Sicily. When peace was eventually achieved in July 1230 – the Treaty of San Germano had Frederick reiterating the usual guarantees of the autonomy of the Papal State and the liberty of the Church in Sicily in return for the lifting of excommunication⁶⁷ – it seemed highly probable that any chance of genuine mutual trust between the papal curia and Frederick II had gone for good.

Yet for some years after the treaty of peace, relations were relatively harmonious. Pope and emperor collaborated in the suppression of heresy; Frederick protected Gregory when the citizens forced him to leave Rome; Gregory supported Frederick when the emperor was faced with the rebellion of his son Henry; the pope facilitated Frederick's marriage to Isabella, sister of Henry III, king of England.

This accord, however, was not to last. The deterioration of the relationship began to show itself in 1236.⁶⁸ It was then that Frederick was first accused by Gregory of the charges⁶⁹ which were to be finalised when Frederick was again

⁶⁵ *MGH Leg. IV Const.*, II, nos. 102, 103 (July 1225).

⁶⁶ The *Vita Gregorii* recorded the event: 'ibique [Anagni] sequente proximo festo Michaelis archangeli, in maiori ecclesia pontificalibus indutus, ex more assistentibus venerabilibus fratribus cardinalibus, archiepiscopis, et aliis ecclesiarum prelati sermonem exortus huiusmodi: *Neesse est ut veniant scandala* [Matt. 18:7], *Cum archangelus de dracone triumphans*, Fredericum imperatorem frequenti monitione premissa, votum exequi recusantem excommunicatum publice nuntiavit. Qui sententiam excommunicationis a felicitis memorie domino Honorio papa III latam cui sponte se subiecit, incurerat, pro eo quod voluntarie signo crucis assumpto in Terre Sancte subsidium termino . . . non transivit.' *Liber censuum*, ed. Fabre and Duchesne, pp. 19–20. Promulgation of the sentence, *MGH Epp. s. XIII*, nos. 367, 368. ⁶⁷ Relevant documentation, *MGH Leg. IV Const.*, II, nos. 126–49.

⁶⁸ *MGH Epp. s. XIII*, no. 676 (29 Feb. 1236). ⁶⁹ *MGH Epp. s. XIII*, nos. 695 (17 Aug. 1236), 700.

excommunicated in March 1239. Frederick had complained that the papal legate in Lombardy, far from observing the impartiality required of an arbitrator, was supporting rebellion against imperial authority. Gregory replied with an assault on Frederick as an oppressor of the Church, especially in Sicily, 'where no one can move hand or foot without your command', and accusing him of stirring up anti-papal factions in Rome. A significant part of the letter was its recourse to the Donation of Constantine, linked by Gregory to the Translation of Empire theory to provide a historical account of how popes had come to be superior to emperors. The reference to Constantine's alleged grant to the papacy when he transferred the seat of empire to Constantinople was designed to remind Frederick that authority in Rome and its surrounding territory had been made over to the pope – as also authority over all of Italy, now made subject to 'apostolic direction'. It was not for an emperor to challenge what the papacy ruled as right for the peace of Italy; the emperor must accept papal arbitration of the conflict between the Lombard League and the emperor.⁷⁰

Gregory was to continue to assert that it was Frederick's misdeeds in Sicily 'the special Patrimony of Peter', reduced by him 'as if to embers and ashes' according to the pope, which was the nub of Frederick's offence. In Frederick's eyes, however, it was Gregory's alleged encouragement of the Lombard League to resist him which motivated his growing hostility to the pope. There was some history to fuel Frederick's suspicions. Lombardy was no new bone of contention between the curia and the Hohenstaufen. The Lombard League had been formed first to withstand Frederick I and had received the wholehearted support of Alexander III. Innocent III had consistently linked Hohenstaufen oppression of the Church with their oppression of the Lombard towns. If for the popes the Hohenstaufen were traditionally oppressors of the Church, for the Hohenstaufen, popes were traditionally supporters of Lombard rebels.

When Frederick's attempt to reassert imperial authority in northern Italy escalated into open war with the Lombard League, his cause at first prospered. He inflicted a crushing defeat on the League at Cortenuova (27 November 1237). His subsequent flamboyant letters addressed to the city of Rome promising to make it again the heart of the imperial universe formed a counterblast to Gregory's resort to the Donation of Constantine. Such promises, however, lacked conviction as Frederick began to lose ground militarily in Lombardy. But he had alarmed the curia and had again pushed Gregory beyond his limited toleration of Frederick's Italian policies and attitudes.

What proved to be the final breakdown of the relationship was signalled by a

⁷⁰ *MGHEpp. s. XIII*, no. 703 (23 Oct. 1236).

resounding exchange of broadsides in March 1239. First, Frederick addressed himself to the College of Cardinals, claiming in a novel and unsound constitutional doctrine that as successors of the Apostles they were equal participants in the exercise of papal authority. He urged them to use that authority to stop 'sentence of deposition' being passed on him and to prevent 'the spiritual sword' from being wielded on behalf of the Lombard 'rebels'.⁷¹ Ten days later, Gregory IX excommunicated Frederick for the second time.

There were sixteen charges. Eleven of them related to Frederick's alleged misconduct towards the Sicilian Church. The other five were a mixed bag: impeding a cardinal-legate from proceeding on his way to Albigenian territory; preventing the nephew of the king of Tunis from going to the papal curia to be baptised; occupation of church lands in violation of his treaty obligations; obstruction of the Holy Land crusade and aid to the Latin empire of Constantinople. Heading the list was the charge that 'he had stirred up revolt in Rome against the Roman Church with the intention of driving out the pope and cardinals'. The decree ended with the release of the emperor's subjects from their oaths of allegiance, an admonition that he should desist forthwith from oppressing his Sicilian subjects and the threat of a further investigation into the orthodoxy of the emperor's Christian belief.⁷²

This charge sheet was not an examination of the fundamental issue at stake between emperor and pope, nor was it meant to be. The real issue came down to this: whether in Sicily, the city of Rome, the Papal State or in Lombardy, Frederick had come to be seen as the enemy of the Roman Church: the inexorable enemy as it was to prove, for when Frederick died in 1250 he was still unreconciled to the papacy.

Frederick was as little daunted by his second excommunication in 1239 as he had been by his first in 1227. He moved to the offensive against Gregory, now his declared enemy. He frankly adopted a policy of reannexing to the empire the duchy of Spoleto and the March of Ancona (essential corridor territories to link the imperial north with the kingdom of Sicily) 'and the other lands which had long belonged to the empire and had been stolen from it'. In other words, he was threatening to take over the Papal State. He set particular store on gaining general European sympathy and even support in his anti-papal stance, denouncing Gregory as personally unfitted for his high apostolic office while declaring his respect for that office in itself. Gregory responded in kind. Blast and counter-blast shared common features: each reviewed the history of imperial-papal relations to demonstrate the treachery and double-dealing of the other party; each condemned the other's fitness for the office he held; both claimed God was on their side; each plundered the colourful language of the

⁷¹ *MGH Leg. IV Const.*, II, no. 214.

⁷² Huillard-Bréholles, *Historia diplomatica*, v, pp. 286–7.

Apocalypse's images of Antichrist to denounce the other.⁷³ If Christendom was impressed, it was not sufficiently moved to intervene decisively on one side or the other.

Both parties apparently agreed, however, that there was one possible way out of the impasse. That the dispute should be adjudicated by a general council was first mooted by Frederick himself. In April 1239 he called on the College of Cardinals to summon 'a general council of prelates and others of Christ's faithful' before whom he was prepared to prove his own innocence and Gregory's guilt.⁷⁴ This attempt to drive a wedge between the College and the pope came to nothing. But when in August 1240 Gregory himself convoked a general council to be held in Rome the Easter following, Frederick opposed it, issuing instructions to all his subjects to prevent it assembling.⁷⁵ With land access to Rome from France thus made dangerous, two cardinals and numerous bishops attempted the sea route, only to fall into Frederick's hands and find themselves imprisoned. Gregory's council was thus still-born. There could be no early attempt at resumption because the papal vacancy that followed Gregory's death (22 August 1241) effectively lasted until the election of Innocent IV (25 June 1243), for Celestine IV reigned only from 25 October to 10 November 1241.

THE FIRST COUNCIL OF LYONS 1245

Innocent IV (1243–54) was very much Gregory IX's man. He had served in his curia throughout his working life, rising steadily through the ranks of the papal judiciary, becoming one of Gregory IX's first promotions to the cardinalate in 1227, acting as rector of the March of Ancona (1235–40). With this background it was not to be expected that he would readily compromise with an excommunicate emperor who had virtually taken over the Papal State, made frequent public profession of his contempt both for Gregory personally and for his sentence of excommunication, used two captured cardinals in an attempt to influence papal elections, continued to hold clerical hostages and enjoyed, in the eyes of curial officials, a long record of broken promises.⁷⁶

Nevertheless, serious negotiations did take place, culminating in Rome on Maundy Thursday, 1244. Frederick's chief ministers, Piero della Vigna and Taddeo da Suessa, acting with the emperor's full authority, achieved an agreed peace which was affirmed publicly in the presence of the pope and cardinals

⁷³ Graefe (1909). The tone of this propaganda war can be caught in two of its principal products: Frederick's *Levate*, *MGH Leg. IV Const.*, II, no. 215 (20 Apr. 1239) and Gregory's *Triples doloris aculeus*, *MGH Epp. s. XIII*, no. 224 (16 Mar. 1240). ⁷⁴ *MGH Leg. IV Const.*, II, no. 214.

⁷⁵ *MGH Leg. IV Const.*, II, no. 233 (13 Sept. 1240).

⁷⁶ Excellent short account, with bibliography, Wolter and Holstein (1966), pp. 51–128, 295–9.

and a throng of Roman notables and distinguished visitors in Rome for the Holy Week ceremonies.⁷⁷ It came to nothing. Both pope and emperor were later to give their own versions of why it failed. Frederick claimed it was because the pope would not allow him his legitimate imperial jurisdiction in settling the conflict with the Lombard League. Innocent claimed that Frederick had simply failed to honour the agreement and had never had any intention of doing so.⁷⁸

With this failure, the curia's distrust of Frederick became insuperable. Innocent IV gave dramatic proof that his suspicions and fears of Frederick had reached panic proportions when at dead of night he slipped away from Rome in strictest secrecy, accompanied only by a few relatives, attendants and bodyguards. Reaching the west coast by a circuitous route he took ship to his native Genoa, arriving there on 7 July 1244. There he fell seriously ill and for a time his life was despaired of. In the autumn, however, he slowly and painfully crossed the Alps to take refuge in Lyons, where from early December 1244, with his curia reassembled in full working order, he was to remain until he felt that the death of Frederick (13 December 1250) made it safe for him to return to Italy (April 1251).

The security black-out surrounding the pope's flight from Rome means there is a shortage of hard information about what exactly precipitated it, especially as to whether it was long-planned or suddenly decided, giving rise to much speculation both among contemporaries and modern historians. One who actually accompanied Innocent when he left Rome was his chaplain and confessor, the Franciscan Nicola da Calvi, later bishop of Assisi and the pope's biographer. His account of Innocent's hurried departure from Rome is the principal source for its route, timing and much personal detail about the pope's fragile health. As for the reason for the flight, Nicola stated simply that it was necessary because Frederick was plotting to seize the pope and cardinals.⁷⁹ That fear of capture drove Innocent to flee does not strain belief. Whether his fear was justified and there was in fact an imperial plot to seize the curia cannot be determined.

In a sermon delivered in Lyons cathedral on 27 December 1244, Innocent IV announced his intention of summoning a general council for the following June. The formal invitations to attend followed in early January. Both in the

⁷⁷ '... in die cene Domini in platea Lateranensi coram domino papa et fratribus suis, presentibus clarissimo Constantinopolitano imperatore, cetu non modico prelatorum, senatoribus etiam populoque romano et maxima multitudine aliorum, qui ea die propter instantem Pasche sollempnitatem de diversis mundi partibus convenerant ad apostolorum limina visitanda, ipsius domini pape ecclesieque mandatis se plenius paritum per predictos nuntios, ab ipso super hoc speciale mandatum habentes, in anima sua iuramento promisit'. *Vita Innocentii IV*, ed. Panotti, pp. 84–5.

⁷⁸ *MGH Leg. IV Const.*, II, no. 252; *MGH Epp. s. XIII*, II, no. 63.

⁷⁹ '... tendens insidias, ipsosque capere machinans'. *Vita Innocentii IV*, ed. Panotti, p. 86.

letters of summons and in the sermon with which he opened the Council (28 June 1245), Innocent presented a picture of the Church in crisis, identifying the dangers that threatened: the depravity of clergy and laity; the parlous state of the Latin kingdom of Jerusalem and of the Latin empire of Constantinople; the incursion of the Mongols into eastern and central Europe; the persecution of the Church by Frederick II. In the event it was this last which was the Council's main preoccupation. The other issues were raised in the Council but little was accomplished in these areas. The cause of the Holy Land crusade was indeed to be given new life; but that was Louis IX's doing. Constantinople continued to be in imminent danger of recapture by the Greeks. The lifting of the Mongol threat was due entirely to decisions taken in the Mongolian world. The conciliar reform legislation, measured by the standards of Lateran IV, was unambitious and largely limited to technical adjustments of the ecclesiastical juridical machinery. It is symptomatic of the lack of impact of the Council's handling of these issues that Nicola da Calvi, Innocent's biographer, made no mention of it in his account of the Council. What did make an impact, and that resoundingly throughout Christendom, not just in Nicola's biography, were the proceedings against Frederick II.

These proceedings figured prominently in all three of the formal sessions of Lyons I. The official papal chancery *Relatio* of the Council (the title *Brevis nota* is used by some historians) provides a clear if all-too-brief account of how Innocent IV went about the condemnation and deposition of Frederick II.⁸⁰ In the sermon with which he opened the first session of the Council, Innocent itemised 'the sorrows in my heart' (cf. Ps. 93:19)⁸¹ which had brought the Church into crisis and commented on each of the five. Turning to the 'persecution' of the Church by the emperor, he referred to Frederick's contention, made in his open letters to the Christian world, that his hostility had not been to the Church generally but to Gregory IX personally; the pope charged that the falsity of the claim had been demonstrated when he had stepped up the persecution during the papal vacancy. He referred also to the numerous occasions when Frederick had acknowledged that he held Sicily, 'the special Patrimony of St Peter', as a fief of the Roman Church, pledging himself to observe the liberties of the Sicilian Church, especially in episcopal elections and clerical fiscal immunity. He had also acknowledged the papal definition of the territories and boundaries of the Papal State and guaranteed its autonomy. He had made and likewise broken other promises. Innocent apparently enumerated them, though the *Relatio* left them unspecified. The pope was

⁸⁰ *Relatio de concilio Lugdunensi, MGH Leg. IV Const.*, II, no. 401.

⁸¹ 'Primus erat de deformitate prelatorum et subditorum, secundus de insolentia Sarracenorum, tertius de scismate Graecorum, quartus de sevitia Tartarorum, quintus de persecutione Frederici imperatoris.' *Relatio*, p. 513.

better able to give chapter and verse of the documents in question because he had caused to be drawn up at the Council a codification (*Transsumpta*) of the privileges and deeds granted by European rulers to the Roman Church.⁸² This stock-taking comprised ninety-one grants, some two-thirds of which had been issued by German kings and emperors, of which over half had been granted by Frederick II. The session closed with Frederick's counsel, Taddeo da Suessa, challenging various contentions just made against the emperor by the pope who, according to the *Relatio*, replied well to each point made, but without giving any detail as to the precise objections made.

The second formal session of the Council (5 July 1245) was devoted entirely to the matter of Frederick II. A Sicilian bishop was allowed a diatribe against Frederick, denouncing him as one who had led an evil life from his very boyhood and as one whose declared intention was to return the clergy to that poverty which had been the clerical lot in the primitive Church. Taddeo da Suessa discredited this witness as one whose brother and nephew had been hanged for treason in Sicily. But the senior Spanish bishop rose to urge Innocent to proceed against Frederick as a despoiler of the Church,⁸³ promising the support of all the numerous Spanish bishops present. Taddeo asked for a postponement of the third session of the Council so as to allow Frederick to appear in person, particularly since, as to the charge of heresy, no one was in a position to represent him. The *Relatio* stated that Innocent agreed to the postponement in the face of considerable opposition from the prelates. Matthew Paris, not an eye-witness, reported the pope as receiving this request with dismay: 'I fear snares that cannot be avoided. If he were to come, I would leave immediately. I do not desire, nor do I feel prepared for, martyrdom or prison custody.'⁸⁴ The English and French lay representatives were said to have overcome his fears; he allowed the postponement.

Frederick, however, did not manage to appear. The Council resumed its formal sessions on the agreed rearranged date of 17 July 1245. Taddeo interjected an appeal to a future pope and general council. Innocent replied that such an appeal was inadmissible because the present Council was a lawful general council. If it was deficient in numbers, this was because all those bishops within the emperor's jurisdiction had been prevented from attending. The pope then protested that such was his love for Frederick, both before and after he became pope, and even after summoning the Council, that some people would find it hard to believe that he could ever bring himself to pass

⁸² Wolter and Holstein (1966), pp. 71–2.

⁸³ Claiming of Frederick, that 'tota sua fuerat intentio ut deprimeret ecclesiam iuxta posse'. *Relatio*, p. 515.

⁸⁴ 'Absit hoc. Timeo laqueos, quos vix euasi. Si enim veniret, statim recederem. Non adhuc opto, sanguinis nec me sentio aptum aut paratum martirio vel custodiae carcerali.' *Chron. maior*: RS 57.4, p. 437.

sentence against him.⁸⁵ But pass sentence he did; first orally, then by a formal reading of the decree of deposition. Matthew Paris had it that this was accompanied by all the prelates extinguishing and reversing candles in ritual disapprobation of the excommunicate and deposed Frederick.

Innocent IV was later to defend himself against the charge that he had acted precipitately and without advice. He claimed that he could not recall a case weighed more carefully, first among the cardinals who had divided among themselves to conduct a university-style disputation from which, Innocent claimed, truth had emerged.⁸⁶ The *Relatio* recounted how at the Council itself the opinion of each prelate was sought individually as to whether the pope had power to depose emperors, and if he did, whether Frederick as charged merited deposition and as to whether a sentence of deposition would be expedient. There is independent evidence from the bishop who was later to become cardinal-bishop of Ostia, the great canonist Hostiensis, that this was done.⁸⁷ 'All agreed on deposition', continued the *Relatio* (echoed by Nicola da Calvi), 'and each put his seal to a written form of the sentence', so that at its promulgation about 150 seals were attached to the document.⁸⁸

In its strictly juridical aspect, the deposition decree *Ad apostolice dignitatis*,⁸⁹ held Frederick to be guilty on four charges, chosen, it was asserted, from his (unspecified) longer catalogue of crimes: perjury, violation of the peace, sacrilege and suspicion of heresy. Because of his sinfulness on these counts, God had rejected him from acting as emperor or king of Sicily. The successor of Peter, commissioned by Christ to bind and loose upon earth and in heaven (Matt. 18:19) and vicar of Christ, with the advice of the Council, was simply making formal public declaration of that divine repudiation. No one in future was to hold Frederick as either emperor or king or obey him as such under pain of excommunication. The imperial electors were called on to proceed to appoint a successor to Frederick as Holy Roman Emperor. The pope as suzerain of Sicily would himself find a successor to be its king.

The decree was also a manifesto, an apologia for this most drastic of political actions, laid before Christendom. It took the form of a compendium, arranged under the headings of the four charges, of Frederick's acts from hostility to or defiance of the authority of the Roman Church, beginning with the breaking of his oath of fidelity to Innocent III at Messina and Rome in 1212 and continuing to his failure to honour the peace agreed in Rome on Maundy Thursday 1244.

The charge of perjury referred particularly to his non-observance of the

⁸⁵ '... et eum super verbis mirabiliter honorabit, ita quod vix credebatur ab aliquibus, quod aliquam deberet ferre sententiam contra eum'. *Relatio*, p. 516. ⁸⁶ Matthew Paris, *Chron. maior*, 4, p. 480.

⁸⁷ Watt (1965b). ⁸⁸ *Relatio*, p. 516; 'Vita Innocenti IV', ed. Panotti, p. 96.

⁸⁹ *MGH Leg. IV Const.*, II, no. 400. Abridged version in the *Corpus iuris canonici*, v10 2.14.2.

1212 oaths and his imperial coronation oath of 1220. He had sworn to protect to the utmost of his ability the honours, laws and possessions of the Roman Church. His defamation of Gregory IX, capture of two cardinals, contempt for the papal sentence of excommunication, attacks on the Papal State and his forcing subjects of the Roman Church to abjure the fidelity they owed it, all demonstrated his signal failure to honour his solemn obligations, obligations which so far as the papacy was concerned were of the essence of the imperial office. The charge of violation of the peace was simply a continuation of this theme of oath-breaking – under this heading, the Peace of San Germano agreed in 1230 after Frederick's return from the Holy Land. Particular emphasis was given to the violation of its terms relating to the liberties of the Sicilian clergy, namely, free canonical episcopal elections, clerical privileged exemptions from lay jurisdiction and taxation, spoliation of church properties. The charge of sacrilege related to the capture and imprisonment of the clergy en route for Gregory IX's Council, some of whom, the decree asserted, had died as a result of their maltreatment. The suspicion that Frederick was a heretic was attributed to a wide variety of actions which allegedly proved his hostility to the Roman Church: contempt for its sentence of excommunication; over-familiar and over-indulgent relations with Saracens, in Sicily, at his court and especially demonstrated by his making a treaty with al-Kamil at the time of his crusade which allowed Islamic worship on the Temple Mount; marriage of his daughter to the Greek emperor of Nicaea, schismatic and excommunicate enemy of the Roman Church; alleged conspiracy to have the duke of Austria, well known for his loyalty to the papacy, assassinated. Further ground for suspicion of heresy was his failure to promote those charitable works by which a Christian prince gave witness to his faith: protection of the poor; patronage of churches, religious houses and hospitals. Finally, there was added, in effect, a fifth charge: the tyranny of his rule over the kingdom of Sicily. He had reduced it to slavery and poverty, driving its most honourable men into exile.

In passing sentence, Innocent made reference to his authority as vicar of Christ and his power of universal jurisdiction as deduced from Matt. 16:19 ('binding and loosing'). There was no attempt at any more detailed exposition of the grounds on which the deposing power was based. There is no shortage of evidence, however, for a more detailed scrutiny of these grounds in sources directly related to the sentence passed at Lyons I. Of especial relevance are the *consultatio* from the Council which Hostiensis preserved and the commentary which Innocent IV himself wrote, as a private doctor, on his own deposition decree.⁹⁰

⁹⁰ Carlyle and Carlyle (1938), p. 314; Watt (1965b). See also the curial pamphlet *Aeger cui lenia*, Herde (1967).

Fundamental to the whole logic of the papal deposing power was an interpretation of the power of binding and loosing which Christ had granted to Peter and hence, it was argued, to his successors. It could be easily conceded, and Frederick II in his response to *Ad apostolice dignitatis* did so concede,⁹¹ that Christ had intended to give Peter full power in spiritual matters to punish sinners, spiritually, by infliction of penances. But it was another matter altogether, Frederick argued, no doubt with the full support of the European rulers to whom he was continually appealing, to claim that this power gave him authority to punish rulers, temporally, by deposing them from their thrones. Innocent IV was not the first pope to make such a claim. Gregory VII in seeking to justify his deposition of Henry IV had called rhetorically on Saints Peter and Paul: 'if you can bind and loose in heaven, you can on earth when so deserved take away empires, kingdoms, principalities, dukedoms, marches, counties, the possessions of all men, and grant them to another'. Innocent III's anti-heretical legislation and particularly the action of Lateran IV with its deprivation of the count of Toulouse and the transfer of the lordship of his territory to Simon de Montfort had been of crucial importance in consolidating the Gregorian view. So too, in a different way, had been Innocent III's adoption of the Translation of Empire theory and its acceptance in practice, again at Lateran IV, with the transfer of imperial authority from Otto IV to Frederick II. If the office of emperor in the logic of the Translation theory was essentially a papal creation, how could it be denied that it should be withdrawn from one who had conspicuously failed to fulfil the role allocated to him? But the decisive argument remained the interpretation of the power of the keys given to Peter.⁹² That power allowed the pope to excommunicate, to exclude from membership of the Christian community. Deposition was inextricably linked to excommunication. Excommunication in itself went close to deposition, as Gregory IX had made abundantly clear in his second excommunication of Frederick in 1239. This sentence had explicitly released Frederick's subjects from their oaths of allegiance to him and had forbidden them to show him fidelity so long as he remained excommunicate. Exclusion from the Christian community, then, did not simply exclude the private individual from participation in the sacramental and ritual life of the Church; it meant also loss of his public function in the community. Perhaps the essential difference was this: excommunication was to be a temporary form of deposition; temporary in the sense that the excommunication and therefore the suspension from public office would be lifted on repentance. A sentence of deposition was permanent

⁹¹ *MGH Leg. IV Const.*, ii, no. 262.

⁹² There was also approved the appointment of the brother of the king of Portugal as 'coadiutor et conservator regni' because of the inadequacy of the king himself, 'Vita Innocentii IV', ed. Panotti, p. 96; Peters (1970).

and irrevocable, even if the guilty party came to repentance. Hence Innocent IV's instruction to the electors to proceed immediately to choosing another emperor-elect.

Finding successors to Frederick's two monarchies proved lengthy and complex. In the choice of king of the Romans, the papacy at first supported the candidatures of ambitious princelings: Henry Raspe (d. 1247) and then William of Holland (d. 1256). Thereafter the European powers began to involve themselves: Alfonso X, king of Castile, and Richard of Cornwall, brother of the king of England, both managed to have themselves elected king of the Romans in 1256 and 1257 respectively. The interregnum came to an end with the uncontested recognition of Rudolf of Habsburg (1273–91) in that office, vigorously backed by Gregory X. But no king of the Romans was to leave Germany for Rome and imperial coronation for the rest of the thirteenth century.

This in itself did not remove the danger which haunted the papacy and lay at the root of the clash with Frederick II, ultimately making any *modus vivendi* impossible. This was the union of empire and kingdom of Sicily, dreaded as a threat to papal ecclesiastical and territorial autonomy when both northern and southern Italy were controlled by the same ruler, considered hostile and untrustworthy. Each of Frederick's surviving sons, Conrad IV (d. 1254) and Manfred (d. 1266) and even a young grandson, Conradin (d. 1268), kept alive the hopes of their dynasty. Most threatening was Manfred, crowned in Palermo in August 1258 and as his power in the south grew, extending his ambitions into the city of Rome, Tuscany and Lombardy and expressing claims over imperial lands. The papacy excommunicated him and adapted the recruiting attractions and techniques of the Holy Land crusade to raise soldiers and money to combat him. Manfred became the especial target of the 'political' or 'Italian' crusades, themselves a logical application of the papacy's view of the crusade as any holy war it authorised as such.⁹³ The really urgent need, however, was to find a credible and effective opponent to Manfred.

For its choice as king of Sicily the papacy had cast its net widely. In 1255 it enfeoffed Edmund, second son of Henry III. Since he was still a boy, it was scarcely an immediate solution to the problem and foundered when it proved ruinous to the finances of the king of England and the political stability of his country. It was not until 1264 that Urban IV found a champion who was to prove successful against Manfred. This was Charles of Anjou, brother of Louis IX. It was quite a coup to secure the backing of the most powerful royal dynasty in Europe. Charles of Anjou, his Italian crusade largely financed by taxation of the French Church, soon put paid to the Hohenstaufen. But there were risks in adopting as Sicilian client a man as strong and ambitious as Charles. The papacy did its best to minimise them by insisting on Charles

⁹³ Housley (1982).

accepting strict conditions of tenure before investiture as king of Sicily.⁹⁴ The terms of the agreement negotiated dealt first with matters of the timing, finance and logistics of his future campaign in Italy. But there were weightier matters to be settled. Those papal Italian interests which the Hohenstaufen had so endangered had to be spelled out anew, and respect for them guaranteed, to constitute the terms on which the Sicilian kingship was to be held.

First, there had to be acknowledgement of the territories and boundaries of the Papal State as the papacy defined them. Charles was to be totally excluded from holding any office or possessing any territory therein. Then he had to recognise the pope as his suzerain to whom he owed liege homage for his kingship. An annual census was owed; penalty for failure to pay it within two months was excommunication. Further, the Sicilian Church was to have all its liberties – in episcopal elections, operation of the ecclesiastical courts, clerical privileges. The laws of Frederick, Conrad and Manfred that appeared to challenge ecclesiastical liberty were to be repealed. Above all, there must be no union of empire and kingdom. Neither Charles nor his heirs might ever be candidates for the empire or German kingship or lordship of Tuscany or Lombardy under pain of forfeiture of the kingship of Sicily. Finally, the king of Sicily would act as the papal secular arm, providing an army for papal service at need. His oath of fidelity would bind him to act as the pope's particular protector in maintaining and defending all papal rights, helping to recover them if lost. All those undertakings were to apply to the Angevin dynasty as a whole. Penalty for breach of contract was loss of the throne.

Crowned king of Sicily in January 1266, Charles of Anjou quickly disposed of Manfred in February 1266 and had removed any danger from Conradin by August 1268. Thereafter, his reign, combined with the absence of any German intervention, ensured a relatively crisis-free period for the papacy in Italy. This was to last until revolt against Charles of Anjou in March 1282 brought the invasion of the island of Sicily by the crown of Aragon and the inauguration of a new period of papal entanglement in the affairs of southern Italy.

THE SECOND COUNCIL OF LYONS (1274) AND ITS AFTERMATH⁹⁵

The death of Clement IV in Viterbo (29 November 1268) was followed by a vacancy of two years nine months, almost certainly the longest in papal history.

⁹⁴ Text in Jordan (1909), pp. 20–6, apt comment by Runciman (1958), p. 77: 'Charles himself had no qualms, even at the exorbitant terms demanded by the Papacy. He knew he could adjust them later to suit his convenience.'

⁹⁵ Overall view of the period 1271–94: Seppelt (1931–6), III, pp. 521–87. On Gregory X: Gatto (1959). For the Council itself, Vernet (1926) and especially Wolter and Holstein (1966). Outstanding coverage of the Union issue: Grumel (1926); Geanakoplos (1959); Nicol (1961), (1962) and (1971); Roberg (1964); Gill (1974) and (1979); Hussey (1986), pp. 220–49.

None of the participating cardinals offered any explanation for the long delay. Among the many conjectures put forward, we might perhaps settle for that which puts the emphasis on personal and dynastic rivalries, probably compounded by external pressures, especially from Charles of Anjou, rather than any major clash of principle, whether political or ecclesiastical. Whatever the precise explanation, there is no good reason for acquitting the cardinals of gross irresponsibility. Only virtual imprisonment by the Viterbese at long last forced a decision out of them. Using the delegation procedure, they elected on 1 September 1271 from outside their own ranks Tedaldo Visconti of Piacenza, archdeacon of Liège, a man of proven value in the middle rank of curial service. He was consecrated and crowned Gregory X on 27 March 1272. The reason for the further delay, between election and consecration, was that at the time he was chosen he was in the Holy Land. He left this region promising to do his utmost as pope for the beleaguered Christians there.

Gregory X sought to return the papacy to its classic thirteenth-century policy. His personal enthusiasm for the recovery of the holy places, which had its origins in his earlier close contacts with both the Capetian and Plantagenet courts, put the crusade back to the head of the papal agenda. Within days of his consecration, he announced to his astonished and unenthusiastic cardinals his intention of calling a general council whose primary purpose would be to organise a new initiative to restore the fortunes of the Latin kingdom and repossess Jerusalem. Union of the Latin and Greek Churches would be sought, certainly as an end in itself, but also because it held out the hope of Byzantine co-operation in the crusade. Moral reform of clergy and laity was also to be the Council's concern. When on 7 May 1274 Gregory X formally opened his Council, and chose the same text for his inaugural sermon as had Innocent III in the Lateran in 1215, he was making clear the source of his inspiration. When Gregory chose Lyons for the Council rather than Rome, it was not, as it had been for Innocent IV, as refuge from a hostile emperor but because it seemed more advantageous to the cause of the crusade to hold it closer to where he expected the bulk of his support. He was looking particularly to three kings who had already seen active service as crusaders: Charles of Anjou, Philip III of France and especially Edward I, with whom he had served in the Latin kingdom.

At the opening of the Council, Gregory reiterated its triple aim: relief to the Holy Land, union with the Greeks, reform of the Church.⁹⁶ His own deep commitment to the crusade shone through *Zelus Wdei*, the Council's compendium of crusading preparations promulgated in the second session (18 May

⁹⁶ Primary sources: *Brevis nota*, in G.D. Mansi, *Sacrorum conciliorum nova at amplissima collectio*, 31 vols., Paris (1900–), xxiv, cols. 61–8; Franchi (1965); constitutions, *COD*, pp. 285–307.

1274). The decree in its specific instructions was largely based on Lateran IV's *Ad liberandam*, but Gregory X vivified its tone with his personal testimony to the sufferings of Christians, the insults to Christianity which he had witnessed; crying out for vengeance he called urgently for the liberation of that land which Christ had consecrated with His blood in the cause of mankind's redemption. Much of the decree was concerned with finance. No more than Innocent III was Gregory X seeking to rouse any mass exodus of unsoldierly pilgrims from Europe to Jerusalem. Christendom as a whole participated by prayer and cash: the manner and style of crusading was undergoing significant changes. The money was to go to provide the means whereby a specialist task force would do the actual fighting. To this end some financial arrangements had already been carefully secured. Between the first and second sessions of the Council, the pope and cardinals systematically obtained from representatives of each ecclesiastical province agreement to a crusading tenth to be levied on all clerical revenues for each of six consecutive years.

The task of persuading Europe's kings and aristocracies to launch themselves against Islam yet again had still to bear fruit. One ruler, however, was quick to promise troops, money and supplies for the crusade. This was the eastern emperor, Michael VIII Palaiologos.⁹⁷ His decision was remarkable in that the Greeks had never shared the western European concept of the holy war; nor had their experiences of crusading armies been such as to persuade them to do so. But it was not so much Michael VIII's commitment to the crusade which was remarkable, as the very presence at Lyons of an official Greek delegation, a delegation moreover mandated to accept Roman terms for the healing of the schism between the Latin and Greek Churches. For the Greeks were still recovering from almost sixty years of western occupation, with the empire parcelled out among the Latin invaders, its glorious capital ransacked and a usurping Latin patriarch and emperor until recently established therein. With this traumatic humiliation the papacy was fully identified.⁹⁸ The diversion of the Fourth Crusade to Constantinople in 1204 had not been made on papal orders nor even with tacit papal connivance. But the papacy had warmly welcomed the results of the diversion: 'the work of God, wonderful to our eyes', claimed Innocent III. For Innocent believed, and his view remained the characteristic standpoint of the curia, that it was the Greeks who bore the responsibility for the schism between the Churches – they had left the unity of the apostolic see to make another Church for themselves. It was the Greeks who had rent the seamless garment of Christ. And now with the seizure of Constantinople and the establishment of a Latin empire and a Latin hierarchy, they had been given the opportunity to return to unity 'like a daughter to her mother'.

⁹⁷ Geanakoplos (1959), p. 287.

⁹⁸ Gill (1973) and (1979), pp. 27–32.

It had not of course worked out like that. The existence of the Latin empire and patriarchate of Constantinople widened rather than bridged the gulf dividing the eastern and western Churches. But the Latin empire proved feeble, inefficient and inadequately supported by the west. It must have fallen long before July 1261 had the Greeks been able to present a united front against it. The papacy was reluctant to acknowledge the finality of the loss of Constantinople. Its initial reaction was to preach a crusade for its recovery. Nothing came of this. But Michael VIII was alert to the potential threat from the west; and, recognising the importance of the papacy as launcher of crusades, he responded immediately with a first version of what became his policy towards the papacy for the rest of his reign: to hold out the prospect of union between the Churches in return for the recognition of the restored Byzantine empire and a papal veto on any attempts to reinstate a Latin emperor.

The military threat from the west became suddenly more real with the consolidation of Angevin power in Italy and the rapid consequence of it: the steady build-up of Charles of Anjou's ambitions to reimpose Latin rule in Constantinople.⁹⁹ Fifteen months after the defeat of Manfred, his intentions were made clear beyond doubt. He reached an agreement with the dispossessed Latin Emperor Baldwin, his son and heir Philip of Courtenay and William of Villehardouin, still clinging to his principedom of Achaea against the attempts of Michael VIII to drive the Latins completely from the empire.¹⁰⁰ They declared themselves ready 'to take on the sacred work of restoring the noble limb cut off by the schismatics from the body of our common mother, the Holy Roman Church'. The resultant treaties, underwritten by Pope Clement IV and actually signed in the papal palace at Viterbo in May 1267, would have made Charles of Anjou the effective controller of a restored Latin emperor, had the plans come to fruition.

At the same time as Clement IV was supporting Charles of Anjou, he was offering Michael VIII an escape route.¹⁰¹ Already in March 1267, responding to Michael's overtures, he was offering terms. He held out the prospect of political understanding but insisted that union of the Churches must precede it. Union could only be said to exist when both Churches were at one in the faith they professed. Hence he despatched the text of a profession of faith, adherence to which by the emperor, the Byzantine Church and people was the necessary precondition of political negotiation. The bulk of the articles of this profession concerned shared dogma and was uncontroversial. But the document was notable for its emphatic assertion of the Roman position on issues long considered to be points of difference between Rome and Constantinople:

⁹⁹ Excellent coverage of the rivalry of Charles and Michael, Geanakoplos (1959), pp. 189–237.

¹⁰⁰ Geanakoplos (1959), pp. 197–9.

¹⁰¹ On Clement IV's attitude to the Greeks, Gill (1979), pp. 112–19.

the theology of the Trinity with particular reference to the procession of the Holy Spirit from the Father and the Son; the doctrine of Purgatory; the use of unleavened bread in the Eucharist; and papal primacy. It was clear from both the text and from Clement IV's covering letter that there was no creed agreed by two equal Churches having searched together for a basis of agreement. Rather it was 'the mother and mistress of all Churches' articulating the faith for an errant daughter whose return to obedience was being demanded. The profession contained a succinct summary of the doctrine of papal primacy as it had come to be formalised by thirteenth-century popes and their theologians and canonists. Characteristically juridical in formulation, its essence lay in the term 'fullness of power' (*plenitudo potestatis*), applied at the same time to the general concept of papal headship and to its more restricted application as an expression of papal jurisdiction relative to other episcopal sees; in this case, we see asserted the claim that the Roman Church was the source of the jurisdiction and privileges of all other episcopal, including patriarchal, sees. This concept carried with it the authority to decide disputed articles of faith, and, in the ecclesiastical order, to act as a universal court of appeal. There is no thirteenth-century text that states more clearly how the papacy understood its own jurisdiction in this period:

This holy Roman Church possesses highest and fullest primacy and authority over the whole universal Church, acknowledging in truth and humility that it has received it with fullness of power from the Lord himself in St Peter, chief and head of the Apostles, of whom the Roman pontiff is successor. And just as the duty of defending the truth of the faith lies more heavily on it than on others, so if any doubts about the faith should arise, they must be referred to its judgement for settlement. Anyone who is oppressed may appeal to it in those matters which belong to the ecclesiastical forum and recourse may be had to its judgement in all cases where ecclesiastical judgement is appropriate, and all Churches are subject to it and their prelates give it obedience and reverence. In this respect fullness of power means that it admits other Churches to a share in the pastoral charge; many of which, and especially the patriarchal Churches, the Roman Church has honoured with various privileges, saving always its own prerogatives as established both in general councils and otherwise.¹⁰²

¹⁰² 'Ipsa sancta Romana ecclesia summum et plenum primatum et principatum super universam ecclesiam catholicam obtinet; quem se ab ipso Domino in beato Petro apostolorum principe sive vertice, cuius Romanus pontifex est successor, cum potestatis plenitudine recepisse veraciter et humiliter recognoscit. Et sicut prae ceteris tenetur fidei veritatem defendere: sic et si quae de fide subortae fuerint quaestiones, suo debent iudicio definiri. Ad quam potest gravatus quilibet super negotiis ad ecclesiasticum forum pertinentibus appellare: et in omnibus causis ad examen ecclesiasticum spectantibus ad ipsius potest iudicium recurri: et eidem omnes ecclesiae sunt subiectae, ipsarum praelati obedientiam et reverentiam sibi dant. Ad hanc autem sic potestatis plenitudo consistit, quod ecclesias ceteras ad sollicitudinem partem admittit; quarum multas et patriarchales praecipue diversis privilegiis eadem Romana ecclesia honoravit, sua tamen observata praerogativa tum in generalibus conciliis, tum in aliquibus aliis semper salva.' Denzinger (1911), p. 204.

It was fear of Charles of Anjou and his unbounded ambition that stopped Michael VIII winning easy popularity with his subjects by rejecting out of hand so emphatic a Latin position on the disputed doctrines and so uncompromising a statement of papal primacy. Following the Viterbo treaties of 1267, Charles lost no opportunity to press ahead with preparations for an attack on Byzantium: consolidation of territories across the Adriatic, alliance with western powers with something to gain from a restored Latin Empire, agreements with Balkan powers to encircle the Byzantines, even reaching out to the Mongols. He had his best opportunities during the protracted vacancy following Clement IV's death. The accession of Gregory X, however, with his determination both to achieve union with the Greeks and obtain their co-operation in a new crusade, checked his plans. Michael VIII now had his chance to make the temporary check permanent. Hence his support for the crusade. Hence the presence at Lyons of a Greek delegation briefed to communicate the emperor's acceptance of Clement IV's profession of faith and the Greek Church's acceptance of Roman primacy. 'It was clear that the emperor sought union only for fear of Charles', wrote the well-positioned contemporary Greek observer, Pachymeres, 'otherwise it would never have entered his mind.'

Michael VIII did not find it easy to persuade his clergy and people to share his conviction that defence against the Angevin threat was worth the price being demanded. He argued that union involved only three concessions, none of which would matter very much in practice: recognition of papal primacy in principle (phrased in very general terminology); of the papacy's appellate jurisdiction (which distance would nullify); commemoration of the pope in the liturgy (hardly an affront to Orthodoxy). But this was too pragmatic an approach for the majority of Greek churchmen. Compromises with the faith, no matter how politically expedient, were unacceptable. To agree even to Michael's minimalist concessions would still amount to tolerating heresy (the matter of *Wliouq̄*) and blasphemy (the Latins adding it to their creed), while to accept papal primacy, however vague the formulation of the principle, ran the grave risk of the introduction of Latinising innovations into the deeply cherished practices in worship and discipline of the Orthodox Church. And there was, of course, always the memory of the humiliations inflicted by Latin conquest and occupation to influence emotion. The opposition was strong enough to force Michael VIII to resort to the imprisonment and public humiliation of its leading spokesmen. By February 1274 he concluded he had mustered enough support from his bishops – at most some 40 out of 144 – to confirm to Gregory X that a Greek delegation would be going to Lyons.

It arrived there on 24 June to be greeted in ceremonial friendship by the

whole body of the Council and the kiss of peace from Gregory X.¹⁰³ On the feast of Saints Peter and Paul (29 June) Gregory X celebrated High Mass at which the creed was sung in Latin and Greek with the controversial phrase and addition *qui ex patre filioque procedit* sung three times by all present, including the two leading Greek prelates, the former patriarch Germanos and Theophanes, metropolitan of Nicaea.¹⁰⁴ On 6 July Gregory opened the Council's fourth session with an address welcoming the Greeks and the union about to be accomplished. He allowed himself a note of personal satisfaction that he had confounded the sceptics ("just about everybody") who had doubted whether the Greeks would ever put in an appearance. He did not, however, change sceptical opinion when he averred that the Greeks came from purely spiritual reasons, without ulterior reasons in mind.¹⁰⁵

The Greek delegation had brought three letters, acceptance of which by Gregory X after they had been read in Council in Latin translation constituted the making of the union. The first was from the emperor himself and endorsed his unqualified acceptance of the profession of faith first sent to him by Clement IV and thereafter by Gregory X. He went on to make a request which even the pro-unionist minority of his bishops had made a condition of their co-operation – that the Orthodox Church should be allowed to continue to recite the creed as it had always done, and that it should retain all its other long-established rites and usages, none being against the faith. A second letter communicated the agreement of Michael's son, the future Emperor Andronikos II, with his father's position. The third was the letter of the unionist Greek bishops. Even they apparently could not bring themselves to accept the profession of faith in its entirety; their letter ignored it and made no reference to Trinitarian theology, nor to any of the other points of difference between the Churches to which the papacy had been requiring adherence. They did, however, acknowledge their acceptance of the

¹⁰³ 'Omnes prelati qui erant in concilio cum familiaribus suis, camerarius cum tota familia pape, vicecancellarius et omnes notarii, et omnis familia cardinalium, exiverunt eis obviam, et eos usque ad palatium domini pape honorifice conduxerunt: qui ab eodem domino papa stante in aula eiusdem palatii cum omnibus cardinalibus, et multis prelati, ad pacis osculum honorifice recepti: et eis representaverunt litteras imperatoris Graecorum bullatas bulla aurea, et alias litteras prelatorum, et dixerunt in praesentia domini pape, quod veniebant ad omnimodam obedientiam sancte Romane ecclesie, et ad recognitionem fidei, quam ipsa ecclesia tenet, et primatum ipsius, etc.' *Brevis nota*, col. 64.

¹⁰⁴ '... et quando ventum est ad illum articulum, *Qui a Patre, Filioque procedit*, solemniter, et devote ter cantaverunt'. *Brevis nota*, p. 65.

¹⁰⁵ '... post cuius sermonem dominus papa allocutus est concilium, narrans predictas tres causas vocationis concilii, et dicens qualiter contra opinionem quasi omnium, Graeci libere veniebant ad obedientiam Romane ecclesie, profitendo fidem, et recognoscendo primatum ipsius, nihilque temporale petendo: de quo multum dubitatur'. *Brevis nota*, col. 65.

concept of papal primacy, though in a minimalist and very general form – conceding only ‘whatever our fathers showed to those who ruled the Apostolic see before the schism’ and not the doctrine of plenitude of power enunciated in the profession of faith. But it satisfied Gregory X (though not his successors). The session included the singing once again of the creed in Latin and Greek, with repetition of the controversial *Wlioque* phrase. The last stage of the union proceedings took place at the sixth and final session (17 July 1274) when a definition of the doctrine of the Trinity was promulgated. It may well have been formulated in consultation with the Greeks, informally between sessions, but there is no evidence for this. But the text can be read as an attempt to allay Greek suspicion that the Latins argued for a *double* procession of the Holy Spirit when they used the expression *ex patre Wlioque*, which would have been heretical. The text made it clear that the Roman Church, like the Orthodox Church, adhered unambiguously to a single spiration and thus to the unity of the Trinity.

At this last session, Gregory closed the Council. He declared himself satisfied with progress made towards the organisation of the crusade and again gave heartfelt welcome to the healing of the schism. He was less satisfied, however, with what had been achieved in reforming the Church. He declared his intention of returning to this area of concern at a later date. He was severe (again, we may detect an echo of Innocent III) on the shortcomings of bishops.

Like Innocent III, Gregory X had asked the Council in advance for advice about issues needing its attention. The decrees to a certain extent reflect this general consultation, though the last word was very decisively that of the curia. The legislation was issued in batches at different sessions of the Council, to be later tidied up at the curia and promulgated, with some additions, in final form on 1 November 1274.¹⁰⁶ The most important canons were: the Trinitarian definition already mentioned; a radical reform of the law and procedure of papal elections (*Ubi periculum*, to be considered below); and a decree designed to stop the proliferation of small, ill-organised religious groupings by limiting the number of orders of mendicants to four (Franciscan, Dominican, Carmelite, Augustinian). The bulk of the canons reflected one of Gregory’s primary pastoral concerns (as it had been Innocent III’s), that of improving the quality of the episcopate by way of improving the law governing episcopal elections and with the standards of public conduct required of bishops. There was further legislation regulating the conduct of other office holders: members of cathedral chapters, parish priests, ecclesiastical lawyers. There was also legislation on moral matters, with particular reference to usury:

¹⁰⁶ Kuttner (1949).

all in all, legislation on the pattern of Lateran IV without achieving quite the range of that reforming Council, but certainly more impressive than that of Lyons I.

The last quarter of the century did not go well for the papacy. The high expectations of Gregory X and Lyons II were to be disappointed. The planned crusade was never launched and time ran out for the remaining Christian outposts in Islamic territory: Tripoli in 1289, Acre in 1291. The union between Rome and Constantinople collapsed in a failure so abject that it could only widen the gulf between them. Gregory X's death within eighteen months of the closing of the Council followed by a succession of frustratingly short pontificates took the impetus from the revived reform programme. Mention must be made, however, in this context, of the promulgation by Boniface VIII in 1298 of the 359 decrees of a volume additional to the code of canon law (*Liber Sextus*). It formed a significant contribution to the reform process.

The union of Lyons failed because it did not command the support of the Greek Church and people. It was seen in Byzantium, intellectually, as a betrayal of Orthodoxy and, emotionally, as a sell-out to the Latin aggressor. The more Michael VIII resorted to imprisonment, torture and mutilation to enforce it, the more the Greeks were steeled to reject it. Opposition to the union, present in the imperial family itself, commanded the support of the majority of the Greek bishops and parochial clergy and the whole body of the monks, the most powerful propagandists for its rejection. In the face of such widespread hostility, it is difficult to see how Michael's appeasement policy could have succeeded, even if the papacy had handled his situation with imagination and sensitivity. But it did not. The sceptics, those in the curia who had always distrusted Michael, momentarily silenced by Gregory X's apparent success at the Lyons Council, dictated policy after his death.¹⁰⁷ Papal policy now was to exert continuous pressure on Michael to complete the union by securing the sworn adherence to it of the whole of the Greek clergy. In urging this, the curia was asking more than had Gregory X. There were further demands of which that requiring the addition of *Wloque* to the creed in Greek use was the most resented and resisted. It was a demand guaranteed to confirm all earlier Greek fears that they were being asked to be Latinised in an accommodation with heresy and blasphemy.

Of the popes, it was perhaps Martin IV (1281–5) who did most to frustrate the union and crusade plans of Lyons II. A former keeper of the seals (chancellor) of Louis IX, elected pope in circumstances noteworthy for the vigorous lobbying of Charles of Anjou, his Angevin sympathies were soon in evidence.

¹⁰⁷ On the post-Lyons period to the death of Michael VIII (1282), Geanakoplos (1959), pp. 277–371; Gill (1979), pp. 160–81.

Within months of Martin's election, Charles of Anjou together with the titular Latin emperor of Constantinople (his son-in-law, Philip of Courtenay) and Venice had concluded an alliance to repossess Constantinople. Their pact was signed in the papal curia, then at Orvieto (3 July 1281). This was to be followed by the excommunication of Michael VIII by Martin IV on 18 October 1281 (sentence renewed, 7 May and 18 November 1282), as a supporter of schismatics and, thus, of heretics. In March 1282 Martin authorised the diversion of crusading finance for the use of the Angevin–Venetian attack on Constantinople. On 11 December 1282, Michael VIII died, still under the papal ban. He was buried hastily by his son and successor Andronikos without the customary imperial ceremony. His rejection by the authorities of both Churches is sufficient symbol of the failure of Gregory X to heal the schism.

It is no doubt going too far to blame Martin IV solely for Christendom's failure to launch a Holy Land Crusade. Nevertheless, decisions taken by his curia made it very much less likely that the *passagium generale* would come about. The refusal to allow Edmund, the English king's brother, to function as an alternative leader to Edward I himself seems, in hindsight, to have significantly reduced the likelihood of any English participation.¹⁰⁸ The possibility of Capetian participation was killed off by decisions owing much to Martin IV, in circumstances that had consequences for future papal policy in Italy.

In March 1282, even as Martin IV was increasing his support for the restoration of Latin rule in Constantinople, insurrection in Sicily against Angevin rule was making this impossible. Street rioting in Palermo escalated into island-wide massacres of the French, and general revolt. The papacy was now faced with a wholly new power shift in Italian politics.

Peter III, king of Aragon, was married to a Hohenstaufen, Constance, daughter of Manfred, which ensured his long-standing interest in Sicily, an interest which Michael VIII had taken care to encourage as part of his anti-Angevin diplomacy. The Sicilian rebels had hoped to secure the support of their papal suzerain, but when Martin IV indignantly rebuffed them, they turned to Aragon. And not in vain. On 30 August 1282, King Peter landed at Trapani. Two months later Martin IV excommunicated him and in January 1283 elevated the war to eject the Aragonese from Sicily into a crusade. He went further. On 21 March 1283 he declared Peter deposed from the throne of Aragon.¹⁰⁹ Charles of Anjou, meanwhile, abetted by the pope, had been negotiating for the support of his nephew Philip III to regain the island. Following Peter's deposition, Philip was persuaded to accept the crown of Aragon for his youngest son, Charles of Valois. The expedition to implement his claim was declared a crusade by Martin IV, who agreed to finance it. The Aragonese

¹⁰⁸ Lloyd (1988), p. 234.

¹⁰⁹ Martin IV, *Reg.*

crusade proved a disaster for the Franco-papal cause. A reign which had begun with Philip III bringing back the body of his father Louis IX from one crusading fiasco ended with his own death in abject defeat on another. Both crusades had been at the other end of the Mediterranean from the Holy Land. It was not for such ventures that Innocent III and Gregory X had dreamed and planned.

The failure of Philip III's crusade was also the failure of the papacy's response to the challenge to its Italian policy posed by the Aragonese occupation of the island of Sicily. Honorius IV (1285–7) was the first pope to face this new situation. Should he recognise the *de facto* position and acknowledge the legitimacy of the rule as king of Aragon of the excommunicated Alfonso III who had succeeded his father in Peter's Spanish lands, and that of his brother, James, who had succeeded as king of Sicily? Honorius chose the Angevin option by refusing to lift the excommunication of Alfonso and by excommunicating James in turn when he had himself crowned king in Palermo in February 1286. Charles of Anjou had died in 1285. His heir was a prisoner in Aragon. When, in return for his freedom, he recognised James's claim to Sicily, the pope rejected the agreement.¹¹⁰

The curia persisted in its support for an Angevin reconquest of the island, even despite the disinclination of the Angevins themselves. It obstinately refused to tolerate any seizure of power in what it always considered to be the special Patrimony of St Peter and stuck tenaciously to its anti-Aragonese policy through thick and thin. It was to be left to Boniface VIII to bring himself to acknowledge the inevitable, and by the Treaty of Caltabellotta in 1302 to recognise Frederick of Aragon as ruler of the island of Sicily. For sixteen years the papacy had tried to restore the territory to the Angevin Charles II. The consequences of this obstinacy can be read in the papal registers. This policy dominated papal attention, a major distraction from other aspects of papal government, in a way that even in the most hectic days of the struggles with the Hohenstaufen had not happened.

There is one further setback to the Lyons II programme which must be noticed, because its non-implementation affected the history of the papacy for much of the remainder of the century. As has been seen, Gregory X's election had come only after an inordinately long vacancy for which there was no explanation other than the shortcomings of the College of Cardinals. That some reform of the electoral system was necessary to avoid any repetition of the leadership vacuum of 1268–71 had begun to be acknowledged, not least by some of the papacy's most loyal supporters: Hostiensis, senior cardinal and leading academic canonist for one, the former master-general of the Dominicans, Humbert of Romans, for another.

¹¹⁰ Runciman (1958), pp. 262–3.

At Lyons, Gregory X introduced a constitution designed to minimise delay in electing a new pope.¹¹¹ *Ubi periculum* presented itself as merely a supplement to *Licet de vitanda*. It remedied certain procedural defects which recent experience had shown up, clarifying ambiguities about absentee voters, where an election should take place, how long should be allowed to lapse before the electors settled down to business. These matters had their importance but were secondary to the main content of the new decree, the introduction of regulations designed to discourage the cardinals from taking too leisurely an approach to the matter of choosing a new pope.

The election was to take place, normally, in the palace in which the pope had been living. Within this building, the cardinals accompanied in ordinary circumstances by only one servant must come together in a single locked room (*unum conclave*), undivided by any partition or curtain. The room was to be sealed off so that no one could pass in or out. No one should have access to the cardinals nor were they allowed to receive any letters. Severance from the outside world was to be complete and automatic excommunication the penalty for anyone who sought to breach it. A small window was to be left in the sealed room through which food could be passed; it was not to be large enough for anyone to gain admittance through it. The cardinals were thus consigned to a period of uncomfortable communal living.

There followed a draconian regulation. If after three days the cardinals had reached no decision, their food was to be rationed, one dish only at each of two meals being allowed. After five days of this restricted diet, if there were still no pope elected, the cardinals would have to make do on bread, water and wine until they made up their minds. *Ubi periculum* adopted the view that the way to electing a new pope might lie through the cardinals' stomachs.

Or through their pockets. The constitution proceeded to forbid the cardinals to receive any revenue from the curial camera or from any other source. The cardinals too must refrain from concerning themselves with any business other than the election, unless some urgent matter imperilling the Church should arise which all the cardinals agreed should be attended to.

Ubi periculum frankly acknowledged that the regime of isolation and dietary restriction it envisaged required careful policing and that this could only happen if the lay power were trusted to act without taking advantage of the position of strength accorded it. The rulers of the town in which the election was to take place were to take an oath before the clergy and people of the town that they would honourably implement the constitution and that they would not coerce the cardinals beyond the limits laid down in it. There were drastic penalties for violation: the guilty would be excommunicated, declared infa-

¹¹¹ *COD*, pp. 240–4; *Decretales* viio 1.6.3.

mous, excluded from holding any public office and deprived of any lands they held of the Church. The city itself would be placed under interdict and deprived of its bishopric.

All this was too much for the cardinals. When at Lyons they were presented with the text of *Ubi periculum* (it would seem that Gregory X had not taken them into his confidence when drawing it up) they rejected it and began intensive lobbying of the bishops at the Council to persuade them to combine in opposition. But Gregory X was a match for them. Calling before him the bishops by turn in their national hierarchies, he explained what he was about and secured their support, their seals affixed to the text being evidence of it.¹¹²

Ubi periculum thus became the law of the Church, though the College of Cardinals had not reconciled itself to acceptance of it. On the death of Gregory X, the new electoral rules were applied and Innocent V was elected within the day. But he suspended the constitution on grounds of its severity, declaring his intention of replacing it with a more acceptable reform decree. He died before this could be done and his successor, John XXI, renewed the suspension.

Within the eighteen-year period when *Ubi periculum* was in abeyance, there were seven papal elections. For some four years of that period, the papacy was vacant. This included a vacancy of twenty-seven months (4 April 1292 – 5 July 1294) marked by infighting among the cardinals of a particularly irresponsible kind, and was concluded by the most patently unsuitable appointment made in the thirteenth century. The election of Celestine V proved that for a head of the Church, personal sanctity was not enough. It needed to be matched by qualities appropriate for rulership, which (despite some attempts to ascribe political sense to him) most historians insist Celestine sorely lacked. Incapable through old age and inexperience in the world of affairs, a pawn in the hands of the Angevins, he spent his pontificate immured in Naples; but after five months of mounting personal anguish and approaching chaos in papal

¹¹² ‘... dominus papa ostendit cardinalibus constitutionem quam fecerat super electione Romani pontificis, per quam orta est dissensio inter eum et cardinales in privato, que postmodum venit in publico. Nam dominus papa vocavit prelatos sine cardinalibus et vocavit prelatos [Mansi reads ‘cardinales’] per nationes et cardinales in consistorio. Omni die conveniebant sine papa, et similiter allocuti sunt aliquos prelatos super constitutione prefata in consistorio: et rogaverunt, quod si dominus papa eorum assensus requireret super ipsa constitutione, quod non darent diffinitivum consilium, vel consensum, donec rationes ipsorum audirent, et similiter multi ex cardinalibus per nationes vocarunt prelatos in domibus suis, petentes ab eis consilium quid esset super hoc faciendum, et auxilium si necesse esset, modo predicto. Et dominus papa similiter vocatis prelati, ut supra dictum est, et exposita intentione sua, prius iniunxit eis in virtute sancte obedientie sub excommunicationis poena, quod nemini revelarent illa que audirent, et viderent, et facerent tunc ibi cum eo. Et fecit eos consentire illi constitutioni, et mandavit, quod singuli sua sigilla apponerent constitutioni predictae, quod et fecerunt. Nam facte sunt schedule per regna et provincias, quibus omnes prelati sua sigilla apposuerunt.’ *Brevis nota*, cols. 66–7.

government, he had the strength to abdicate, insisting that *Ubi periculum* be enforced in the election of his successor.

THE ATTACK ON POPE BONIFACE VIII, 1297–1303

That successor was Boniface VIII, chosen within twenty-four hours of the conclave being organised in the Castel Nuovo of Naples. He brought to his appointment a lifetime of varied curial service – since the 1260s with thirteen years' membership of the College of Cardinals – and a reputation of being its outstanding canonist. His experience of the whole range of papal government, his strong personality and independence of mind were needed by a papacy whose continuity and quality of leadership had suffered much by the unusually high number of short pontificates of recent decades: eight in eighteen years between the death of Gregory X (10 January 1276) and Boniface's own election (24 December 1294), compounded by the cardinals' too frequent failures to ensure quick succession and by the disastrous pontificate of Celestine V. Any such hopes of a revival of Innocentian-style papal government, however, were doomed to bitter disappointment.

The use of general councils as a major instrument of policy was a characteristic feature of thirteenth-century papal government, as has been seen. In the course of the century, however, an alternative view of the role of the general council had made its appearance. As already mentioned, in April 1239 Frederick II responded to his second sentence of excommunication by calling on the College of Cardinals to summon a general council before which he claimed he would establish Gregory IX's unworthiness to continue as pope. The idea that appeal against the fitness of a pope to rule lay to a general council was no novel and bizarre constitutional theory.¹¹³ Innocent III himself had acknowledged that a pope in heresy had disqualified himself from office. But whereas he had been silent as to how such a pope could be removed, the academics who taught in the university faculties of canon law were not. It was orthodoxy with them that a heretical or incorrigibly scandalous pope should be deposed, and that the appropriate place for his unsuitability to rule to be established and publicly declared was in general council, the College of Cardinals being the logical choice of institution to initiate the procedures necessary for the summoning of the council. Frederick II's gambit was unsuccessful. But the constitutional doctrine on which it was based had not been discredited.

Boniface VIII raised such enmities against himself that the forces seeking to arraign him before a general council had no precedent in papal history. The strength of these attacks overshadows all else in a pontificate which for all its

¹¹³ Von Schulte (1871); Martin (1937); Tierney (1955); Sieben (1984).

diplomatic failures was otherwise conventional enough, not least in the quality of his legal work, epitomised in the admirable *Liber Sextus*. What made these extraordinary assaults on his credibility as pope even more remarkable was that they came from sources where normally the papacy could look for its strongest support: from within the College of Cardinals, which had elected him and from the established champion of the Roman Church against heresy and in crusading endeavour, the Capetian monarchy.

The first demand for a general council to bring him down came from Cardinals Giacomo and Pietro Colonna.¹¹⁴ The structure of the Roman Church had always harboured a potential danger, now actualised. So long as cardinals were created and popes chosen from Roman families with an eye to the government of the City and the Papal State, there was always the possibility that the dynastic feuds and territorial rivalries of these families would be fought out in the papal curia itself, charging papal affairs with the bitterness of petty personal hates. There can be little doubt that such enmities had played their part in prolonging vacancies in the papacy in the second half of the century. But it was in the pontificate of Boniface VIII that the danger was most fully manifested.

Cardinal Benedetto Caetani had already taken the lead in improving the standing of his family before he became pope. His pursuit of territorial aggrandisement, necessarily at the expense of even grander families, inevitably aroused their hostility. Colonna opposition, long-smouldering, blazed in early May 1297 when Stefano Colonna seized a consignment of Caetani money, the purchase price of another estate.

Boniface chose to regard what was essentially a clash of family interests as an attack on himself as pope, on the papacy itself. Holding the two Colonna cardinals primarily responsible for the conduct of the whole family he threatened them with expulsion from the College of Cardinals if Stefano Colonna and the chief of Colonna towns were not surrendered. This ultimatum was rejected. The Colonna cardinals responded with a denial of the validity of the abdication of Celestine V and thus of the election of Boniface VIII. They called for the suspension of Boniface as pope until a general council could be assembled and the election issue decided. The appeal to a general council was renewed in a second manifesto (16 May 1297) which added the accusation that Boniface had so ill-treated the former Celestine V as to cause his death.

The College of Cardinals rallied to Boniface, testifying that the abdication had been voluntary, the election of Boniface canonical, that the Colonna cardinals had agreed with the choice and exchanged the kiss of peace with the new

¹¹⁴ Texts of the Colonna manifestos and related documentation, Denifle (1889). Detailed examination of Colonna–Caetani clash, Boase (1933), pp. 159–85, 252–3.

pope. They associated themselves with the sentence expelling them from the College and the excommunication of all the Colonna. Before the end of 1297 papal legates throughout Italy were preaching a crusade against them.

The Colonna communicated their accusation against Boniface and their demand for a general council to France: to the University of Paris by open manifesto, to Philip IV by confidential letter. The Manifesto (15 June 1297) made a clear bid for the support of the lay power by playing on French political sensitivities, and by accusing Boniface of boasting that kings and kingdoms were subject to him even in temporal matters. But for the present, after Boniface had been forced to back down in a dispute with Philip IV over his taxation of the clergy, there was peace between France and the papacy, an accord solemnised by the canonisation of Louis IX on 11 August 1297.

This peace did not last. In July 1301 after the arrest of Bernard Saisset, the bishop of Pamiers accused of treason, Boniface sought to bring to bear on Philip IV the full coercive force of the sacerdotal power for what he saw as a gross violation of ecclesiastical liberty. *Ausculta Vlli* (5 December 1301) listed the violations of ecclesiastical liberty, beginning with the arrest and incarceration of Saisset of which Philip was accused, asserted the papal right as head of the Church to judge the conduct of rulers and summoned the French bishops and prominent churchmen to a Council in Rome which would discuss and advise on 'what would seem to us profitable to the honour of God, of the apostolic see, to the promotion of the Catholic faith, the preservation of ecclesiastical liberty, the reform of the king and kingdom, the correction of abuses and the good government of the kingdom'.¹¹⁵

It was an imprudent challenge.¹¹⁶ Boniface's case was far from strong. Philip IV released Saisset and sent him off to Rome. To the remaining charges of violations of ecclesiastical liberty which covered numerous issues concerning royal jurisdiction over clerical persons, courts and property, the king could and did reply, quite fairly, that in principle he was doing no more than conform to established usages as they were understood by his saintly grandfather whose example he was following. If it were found that royal officials had overstepped the agreed limits of royal jurisdiction he would correct them. But the weakness of Boniface's position went further than the ground on which he had elected to challenge the French king. Papal success in bringing Philip to account depended on the French Church, or at least a substantial part of it, putting obedience to the pope before fidelity to the king.

¹¹⁵ '... que ad honorem Dei et apostolice sedis, augmentum catholice fidei, conservationem ecclesiastice libertatis, ac reformationem regis et regni, correctionem preteritorum excessuum, et bonum regimen regni eiusdem viderimus expedire'. *Reg. Bonif. VIII*, no. 4226.

¹¹⁶ On the clash between Philip IV and Boniface VIII, the collection of documents (*Preuves*) in Dupuy (1655), Rivière (1926) and Digard (1936), remain indispensable. See also Favier (1978), pp. 250–88, 316–93; Strayer (1980), pp. 237–9; Watt (1988), pp. 399–410.

The pope commanded the French higher clergy to come to Rome to attend the Council. The king forbade their attendance. The French bishops urged Boniface to abandon his project, pleading its inopportuneness at a time when lay hostility to the clergy was so intense. Boniface denounced their pusillanimity and stuck to his plan. Compromise was far from his mind. In a speech to French ambassadors in consistory at Anagni (24 June 1302), he made a violent personal attack on Pierre Flotte, whom he saw as the evil genius poisoning the king's mind against himself, asserted papal supreme jurisdiction over every Christian by 'reason of sin' (*ratione peccati*), making its political relevance clear with the menacing warning that just as his predecessors had deposed three kings of France, so a king guilty of as much as they had been, and more, might be deposed 'like a stable-boy' (*sicut garcionem*).¹¹⁷

In the event the Rome Council which met in early November 1302 was an anti-climax. The French bishops, by far the majority, whose *temporalia* could be sequestered by royal officials and otherwise readily be pressurised in the king's interest, conspicuously absented themselves. The attendance was virtually confined to bishops in the southern regions, distanced from royal control – thirty-nine bishops (including six already in Rome) out of a total of seventy-nine. If there was any examination of Philip's conduct at the Council or any move towards his excommunication, nothing was made public. What was promulgated later in the month (18 November 1302) was a document, *Unam sanctam*, into which Boniface had distilled the totality of his understanding of papal prerogatives, especially in relation to the lay power.¹¹⁸

For each of its individual propositions, Boniface could claim respectable intellectual ancestry: Hugh of St Victor, Bernard of Clairvaux, Thomas Aquinas and much of the antecedent canonist tradition had all contributed to its formulation. But in its totality, it was an unqualified extreme statement of papal monarchy, fashioned to overawe the disobedient by sheer weight of sacerdotal authority. This it was to do especially with its climactic declaration: 'Moreover we declare, state, determine and pronounce that it is wholly necessary for salvation for every human creature to be subject to the Roman pontiff.' In other words, he who disobeys the pope risks eternal damnation. The bull began with ecclesiology, positing the essential unity of the Church, 'outside of which there is neither salvation nor forgiveness of sins', one body whose head was 'Christ and his vicar Peter and Peter's successor'. The premise was thus established from which the conclusion was to follow. The logic was pursued through more directly political argumentation. The 'two swords' allegory was used to establish the principles of the relationship of the spiritual and temporal

¹¹⁷ Dupuy (1655), pp. 77–9.

¹¹⁸ Text: *Reg. Bonif. VIII*, no. 5382; *Decretales, extravagantes communes*, 1.8.1. Analysis: Rivière (1926), pp. 79–91.

powers. Using the formula of Bernard and Aquinas, the bull argued that both swords were

In the power of the Church, namely the spiritual and the temporal. But the one ought to be exercised for the benefit of the Church, the other by the Church; the one by the hand of the priest, the other by the hand of kings and soldiers but at the command of, and with the permission of, the priest. It is necessary for one sword to be subject to the other and the temporal to be subject to the spiritual authority.

This relationship of superior–inferior introduced a strong reiteration of what Boniface had been telling Philip IV continuously and vehemently: the spiritual power has authority to judge the temporal. The bull added, no doubt with Colonna propaganda in mind, that the temporal had no reciprocal authority to judge the spiritual.

Far from reducing the French to obedience, *Unam sanctam* incensed them, confirming them in their conviction that Boniface was trying to foist on them a new and wholly unacceptable view of the relationship of the papacy and the French crown. Their response was an offensive of a ferocity unmatched by any previous opponent of papal jurisdiction over rulers.

The storm broke over Boniface at a Louvre assembly in March 1303, when Guillaume de Nogaret denounced him as a criminal – a heretic, simoniac, usurper of the papal office – called for his immediate suspension and for Philip to summon a general council to condemn him and provide the Church with a legitimate pastor. At a second Louvre assembly held in June, Guillaume de Plaisians repeated the demand for a general council to end Boniface's reign, further blackening his name with a concoction of twenty-nine crimes of which he was held to be guilty.

That the French were in earnest about a general council was soon made manifest. Before the end of June, the bishops in Paris for the assembly, the University of Paris, the chapter of Notre-Dame, the Franciscan and Dominican houses in Paris and the city itself had endorsed the appeal to a general council. Royal agents then toured the country systematically gathering signatures to the petition they had prepared calling on the king to act against Boniface.¹¹⁹ There were few refusals. Philip IV could claim the French Church and nation were solidly behind him. For the first time in European history a national Church in virtual unanimity had toed the line of its royal master in opposition to the head of the universal Church.

Common cause could now be made with the Colonna. Their help in Italy was necessary if Boniface were to be arrested and brought to trial. During the night of 7–8 September 1303, possibly in anticipation of a forthcoming excommunication of Philip, a force of miscellaneous Colonna allies, led by

¹¹⁹ In addition to Dupuy (1655), see also Picot (1901), pp. 289–480; Dondaine (1952).

Nogaret and Sciarra Colonna, brother of Cardinal Pietro Colonna, broke into the papal residence at Anagni and captured the pope.¹²⁰ Boniface resisted with dignity their demands, with threats of death, that he should abdicate. He was eventually liberated and escorted safely back to Rome. His death, no doubt hastened by shock, followed shortly, on 12 October 1303. We may perhaps allow ourselves to see in the contrast between Innocent III in the authoritative splendour of Lateran IV and the bitter humiliation of Boniface VIII, the measure of the decline of the papacy in the thirteenth century: a decline the popes at Avignon did little to halt.

¹²⁰ Beck (1947); Fawtier (1948); Melville (1950).

CHAPTER 6

THE ALBIGENSIAN CRUSADE AND HERESY

Bernard Hamilton

BY 1200 Catharism was firmly established in many parts of western Europe, particularly in Languedoc, Catalonia, Lombardy and Tuscany.¹ There were several thousand perfected Cathars, which implies that there must have been tens of thousands of people with Cathar sympathies. Statistically they were insignificant even in areas where their support was strongest, but they could not be disregarded by the Catholic authorities because they had an excellent organisation and a coherent system of belief. Wherever their numbers warranted it, they set up territorial bishoprics, subdivided into deaconries, and organised the perfecti² in single-sex communities with a variety of pastoral or contemplative functions. They taught that the Catholic Church had been founded by the powers of evil, and that its sacraments could not confer salvation; and this made any kind of compromise impossible.

Innocent III considered them an international threat. In the first year of his reign Cathar supporters were accused of assassinating his *podestà* of Orvieto in the Papal States, and the pope was informed that the ruler of Christian Bosnia, with many of his subjects, had professed the dualist faith.³ Although in 1203 Bosnia returned to the Roman obedience in response to Hungarian pressure, Innocent became aware of the true extent of Balkan dualism in 1204 when the Bulgarian Church acknowledged the papal primacy, and the Fourth Crusade set up a Latin patriarch in Constantinople. He may have instigated the repressive measures against Balkan dualism in the *Synodikon of Tsar Boril* (1211). In the western Church he directed his attention chiefly to the suppression of Catharism in Languedoc.

It was a politically fragmented area. The lands to the east of the Rhone (Provence) were part of the empire, the duchy of Aquitaine was ruled by the

¹ A full account of Cathar and Waldensian origins and beliefs is given in volume IV, Part I, of this series, B. Hamilton, 'Religion and the laity'.

² 'Perfecti' was the name given to fully initiated members of the Cathar Church.

³ Fine (1975), pp. 123–35, does not accept that these Bosnian dissidents were dualists. See n. 28 below.

kings of England, the Aragonese ruled Montpellier and the county of Provence and were suzerains of the Pyrenean lordships of Foix, Comminges, Béarn and Bigorre and of the Trencavel viscounties; and French royal influence was weak, even though the counts of Toulouse were peers of France. Their lands stretched from the foothills of the Pyrenees to the Dordogne, and eastwards to the Rhone valley and the marquise of Provence, while their chief rivals, the Trencavels, ruled the more compact territories of Albi, Béziers, Carcassonne and the Razès.

But the degree of control which the great lords exercised over those territories was uneven. Many lesser lords, both lay and ecclesiastical, were completely independent, while the cities, of which Toulouse, with a population of 20,000, was the largest, were striving for autonomy, though even in Toulouse the count still retained considerable judicial and fiscal powers. The lesser lords were weakened by the Occitan custom of partible inheritance among all children of both sexes: there were, for example, thirty-five co-lords at Mirepoix in 1207.⁴ In this society local warfare was endemic, and most lords used mercenaries or *routiers*. Many *routiers* were foreigners: they were hired for a campaign season and turned to brigandage when they were discharged.

The legates whom Innocent sent to Languedoc, led after 1203 by Arnald-Amalric, abbot of Citeaux, met with little success until they were joined in 1206 by Bishop Diego of Osma and Dominic of Guzmán, on whose advice, probably endorsed by the pope, they adopted an 'apostolic' life style.⁵ By walking the roads simply dressed, sleeping in fields, begging their food and preaching the gospel, they proved that the Cathars were not unique in their ability to imitate the life of Christ. They held public debates on terms of parity with Cathars and Waldensians, but made few converts from Catharism.

On 14 January 1208 Peter of Castelnau, one of the legates, was assassinated and Raymond VI of Toulouse was suspected of his murder. Relations between the two were certainly bad, for Peter had excommunicated the count, but Raymond always protested his innocence, and self-interest would have led him to avoid a confrontation with the papacy. The pope was already convinced that heresy was spreading in Languedoc because the great lords, particularly Raymond VI, refused to co-operate with the Church, for Raymond received Cathar perfecti at his court and had allowed his divorced second wife to become a Cathar perfecta. When he learned of Peter of Castelnau's murder, Innocent launched a crusade against Toulouse, offering participants the same indulgence as those who went to the Holy Land. Although this war became known as the Albigensian Crusade, because Albi had been the first centre of Catharism in southern France, it was not designed to deal directly with heresy.

⁴ Pierre des Vaux-de-Cernay, *Hystoria Albigensis*, I, p. 120 n. 2. ⁵ Vicaire (1964), pp. 91–2, 469 n. 79.

Innocent intended to make an example of Toulouse which other rulers sympathetic to heresy would heed, by replacing Raymond VI and those who favoured Catharism by Catholic lords who would co-operate with the Church. It was a war against the *fautores*, those who fostered heresy directly or indirectly: against the lords in the first instance who had tolerated the spread of heresy.

Ever since the papacy had emerged as a political force in the mid-eleventh century it had become involved in wars against Catholic princes, and such wars had sometimes been given crusade status.⁶ The crusade against Toulouse was therefore not innovatory, but was the first crusade of that kind to receive wide support.

La ost fo meravilhosa e grans, si m'ajut fes:
Vint melia cavaliers, armatz de totas res,
E plus de docent melia, que vilas que pages;
En cels no comti pas ni clergues ni borzes.⁷

William of Tudela's description of the crusade which came down the Rhone valley in June 1209, led by Arnald-Amalric, while not statistically reliable, conveys an impression of the huge numbers of men involved, which the people of Languedoc found so intimidating. One of the attractions of the Albigensian Crusade may have been speed. On conventional crusades participants were required to serve for an unspecified time, until either the Holy Sepulchre was freed or they were dispensed from their vows, whereas those going on the Albigensian Crusade were only required to serve for forty days, at no enormous distance from the Ile-de-France. The desire to acquire land was not central, since most crusaders wished to return home.⁸

Raymond of Toulouse had meanwhile sought a reconciliation with the pope, and undertook to carry out Innocent's wishes and to make reparations to the Church. He offered seven castles and the county of Melgueil as pledges of his good faith and on 18 June 1209 was publicly flogged by the legate Milo and restored to communion. Four days later he took the cross, thereby automatically placing his lands under the protection of the Church, which caused considerable embarrassment to the crusade leadership. For the main crusade under Arnald-Amalric reached Orange just three days later, while a separate crusade from Gascony had already entered Quercy and burned Villemur. Their depredations had to cease, but it would have been difficult to disband the main crusade, and the legate decided to direct it against the Trencavel viscounties where there were undoubtedly heretics, even though the viscount had not been excommunicated.

⁶ Housley (1985), pp. 17–36.

⁷ *La chanson de la croisade albigoise*, 1, p. 36.

⁸ The Statutes of Pamiers of 1212 make clear that even the few crusaders who accepted fiefs in Languedoc were not prepared to stay there for long, Devic and Vaissete, *Histoire générale de Languedoc*, VIII, no. 165, XIX, p. 629.

From the start military considerations were paramount. When Béziers fell on 22 July 1209 the entire population, Cathar and Catholic alike, was slaughtered in an attempt to frighten the rest of the region into submission. At Carcassonne, which fell to the crusade on 15 August, all the citizens were allowed to leave freely, irrespective of religious confession, in order to bring the siege to a speedy conclusion. Only Viscount Raymond-Roger Trencavel was held prisoner. Arnald-Amalric, advised by a committee of six crusaders, appointed as ruler of the conquered lands Simon de Montfort, a baron from the Ile-de-France and titular earl of Leicester, and having completed their forty days' service the crusaders dispersed. The campaign had been highly successful: two important cities had been captured, casualties had been slight, booty considerable and opposition negligible. Such seemingly miraculous victories suggested that God approved of this crusade against Catholics, and future recruitment was assured.

De Montfort made no enquiry about the religious affiliations of his Trencavel vassals: those who did homage to him were confirmed in their lands; those who fled were treated as *faidits*, or outlaws, and their lands were given to his own followers. But many of his vassals revolted after Raymond-Roger Trencavel died in prison in November 1209, for de Montfort was suspected of his murder; Peter II of Aragon refused to receive Simon's homage; and Raymond-Roger had left an infant son who became a ward of the count of Foix.

Raymond VI, fearing that the crusade might next be turned against him, appealed to Innocent III who instructed his legates to investigate two charges only: whether the count was guilty of heresy or of the murder of Peter of Castelnau. If Raymond were found innocent he should be unconditionally absolved; if he were found guilty the case should be reserved to Rome. The crusaders who came on campaign in 1210 were drawn from the Empire, Flanders, Italy and English Gascony as well as from France, and subdued almost all the remaining Trencavel lands. Peter II of Aragon, who wished to disengage himself from the politics of Languedoc in order to mount a major offensive against the Moors, accepted this *fait accompli* and in January 1211 invested de Montfort with the Trencavel viscounties.

The independence of Toulouse jeopardised the work of the crusade, for Cathar perfecti and *faidit* knights from the Trencavel lands sought asylum there and waited for a favourable opportunity to return to their homes. The legates therefore deliberately picked a quarrel with Raymond VI, by refusing to conduct the investigation ordered by the pope until the count had fulfilled a set of extremely harsh conditions to prove that he was acting in good faith. When he refused they excommunicated him. The new crusade arrived in 1211 before the pope had ratified this censure, but attacked Lavaur, a city whose lordship

was disputed between the Trencavels and Raymond VI,⁹ and when it fell they summarily burnt about 400 Cathar perfecti. When Innocent III ratified Raymond VI's excommunication, the Church annexed Melgueil and the seven castles he had pledged in 1209, and the crusade invaded his territory. In mid-June they advanced on Toulouse, defended by Raymond VI and his Pyrenean allies, with the full support of the commune. The city spanned the Garonne, and because the nearest ford was several miles to the north, the siege was ineffective and the crusaders withdrew after two weeks.

In September 1211 de Montfort gained a victory at Saint-Martin-Lalande over numerically superior southern French forces, and thereafter the Languedociens avoided field engagements; but he did not succeed in subduing the lands of Toulouse until the autumn of 1212, by which time Raymond VI only retained Toulouse city and Montauban. De Montfort also annexed Comminges and much of Foix, and in November 1212 held a *parlement* at Pamiers at which he promulgated a law code for the conquered territories.

Peter II of Aragon was alarmed by Simon's attacks on his Pyrenean vassals. On 16 July he had played a major role in a notable victory over the Moors at Las Navas de Tolosa, and he therefore stood high in the pope's favour. Thus when he complained to Innocent III that de Montfort was using the crusade to forward his own interests at the expense of the crown of Aragon, the pope suspended recruitment during the winter of 1212–13. Peter also recommended that his son-in-law, the young Raymond VII, who was free from any suspicion of heresy, should be made count of Toulouse, and undertook himself to guarantee the enforcement of orthodoxy in the county. While waiting for the pope's reply, he took Toulouse and its rulers under his protection.

But Arnald-Amalric and the southern French clergy protested to the pope that heresy was far from dead in Languedoc and persuaded him to reverse his decision. The crusade continued, and later in 1213 Innocent rejected Peter II's proposed mediation. De Montfort renounced his allegiance to Peter and fought against the combined forces of Aragon and Toulouse at Muret on 13 September 1213. Roquebert estimates that although Simon's forces were outnumbered thirty to one, his cavalry was probably outnumbered less than four to one.¹⁰ Because Peter was killed near the start of the battle his forces were demoralised and Simon won a notable victory, but he had too few troops to exploit his advantage.

In spring 1214 Innocent III sent Cardinal Peter of Benevento to effect a settlement in Languedoc until the Fourth Lateran Council should meet in November 1215. He recognised de Montfort as provisional ruler of the con-

⁹ It had been a Trencavel fief in 1181, Devic and Vaissète, *Histoire générale de Languedoc*, VI, pp. 91–6, but had moved into the ambience of Toulouse since 1203, Pierre des Vaux-de-Cernay, *Historia Albigensis*, I, p. 219 n. 1. ¹⁰ Roquebert (1970–89), I, pp. 193–5.

quered lands and placed the unconquered lands under the protection of the Church. De Montfort infringed the settlement with the help of new crusaders, brutally suppressing a revolt in the Agenais, and seizing Raymond VI's lordships in the Rhone valley. In 1215 Innocent III allowed him to administer the 'unconquered' lands on behalf of the Church, and when at Easter Prince Louis of France came on a bloodless crusade, he tacitly sanctioned the dismantling by de Montfort of the fortifications of Toulouse.

Raymond VI and Raymond VII were present with a sizeable group of southern French noblemen at the Fourth Lateran Council in November 1215, but they had few supporters among the clergy, for the bishops of Languedoc, most of whom owed their appointment to the crusade, were solidly in favour of de Montfort. At its third session the Council decreed that de Montfort should receive all the Trencavel lands and all the lands of Toulouse except the marquisate of Provence, which should be reserved for Raymond VII until he came of age. Raymond VI was merely granted an annual pension of 400 marks.

In February 1216 Raymond VI and Raymond VII returned to Provence and were widely acclaimed in the marquisate. They led a revolt against the Lateran settlement with Aragonese help. Raymond VI went to Aragon to recruit an army, and Raymond VII seized Beaucaire from de Montfort's garrison, the first serious defeat the crusader leader had suffered. Simon was in Paris receiving investiture with his lands when the revolt broke out. He hastened south and sought to dominate Toulouse by abolishing the commune. He also allowed his troops to pillage the city, perhaps because he was too impoverished to pay them, but this alienated the entire community.

Honorius III, who had succeeded Innocent III in July 1216, ordered a new crusade to be preached against Albi. That winter de Montfort annexed Bigorre,¹¹ and in summer 1217 tried to suppress Raymond VII's revolt in the Rhone valley and Provence. Toulouse, which had no walls, was left with a very small garrison, and on 13 September Raymond VI entered with ease at the head of an Aragonese army. The citizens prepared makeshift fortifications, *faidit* lords flocked to join him, and he restored the consulate which agreed to pay his knights. During the winter of 1217–18 de Montfort had too few troops to mount an effective siege, but even when a large body of crusaders joined him in the spring, it proved impossible to blockade the city completely because of the Garonne. When de Montfort was killed in the fighting on 25 June, the crusade dispersed.

Simon's successor, his eldest son Amaury, soon lost control of the lands of Toulouse. The crusade which Prince Louis led in 1219 failed to regain them. It

¹¹ He secured the annulment of the marriage between Petronilla, hereditary countess of Bigorre, and Nunyo Sang, son of the regent of Aragon, and arranged her marriage to his own younger son Guy.

besieged Toulouse from 16 June to 1 August but ended when the participants had completed their forty days' service. Louis's failure undoubtedly discouraged other crusaders. Amaury de Montfort steadily lost ground, until in 1224 he retired to Paris, and virtually the whole of Languedoc reverted to southern French rule. Raymond VII had succeeded his father as count of Toulouse in 1222; while the four Trencavel viscounties were ruled by Raymond Trencavel, son of the viscount who died as de Montfort's prisoner in 1209.

In 1223 Prince Louis became Louis VIII on the death of Philip Augustus. Amaury de Montfort ceded his rights in Languedoc to him, and Honorius III, after some hesitation, agreed to this, perhaps influenced by the southern French bishops who were apprehensive about the resurgence of Catharism. In January 1226 the legate, Cardinal Romanus, excommunicated Raymond VII, preached a new crusade against Languedoc and imposed a clerical tenth to pay for it. This crusade, led by Louis VIII, was delayed at the imperial city of Avignon, whose consuls refused to allow the French to use their bridge, from 7 June to 9 September. During that time the legate took over the marquisate of Provence in the pope's name, while the cities of Arles, Marseilles, Tarascon, Orange, Saint-Gilles, Narbonne, Beaucaire, Termes, Albi and Carcassonne made their voluntary submission to the king, possibly because they were unwilling to fight against their lawful overlord. The crusade which entered Languedoc in September was comparatively small, because some participants had returned home, while others had died in an epidemic. Louis appointed his cousin, Humbert of Beaujeu, his seneschal in Carcassonne, but made no attempt to attack Raymond VII and his allies.

When the king died unexpectedly on 3 November, leaving his widow, Blanche of Castile, regent for their nine-year-old son, Louis IX, there was a resurgence of independence in Languedoc, but Humbert of Beaujeu was opposed to compromise. With the help of southern French churchmen he made war on Toulouse in 1228, which led Raymond VII to open negotiations with the regent. Mundy argues that he was motivated by financial rather than by military considerations.¹² Renewed warfare would have had to be paid for by further concessions to the communes, particularly Toulouse: by 1228 Raymond VII had reached a point where a continuation of the struggle was no longer economically viable, for there was no prospect of a final victory, because the Holy See and the French crown were prepared to continue the war indefinitely.

After initial discussions with the crown at Meaux in December 1228, Raymond made his peace with the pope and the king at Paris in March 1229. He was reconciled to the Church, and agreed to enforce the heresy laws,

¹² Mundy (1954), p. 89.

dismiss *routiers*, restore to the Church all lands it had held before 1209, pay indemnities to the Church, enforce the payment of tithe, place the marquisate of Provence in Church custody and found a university at Toulouse as a centre of Catholic learning. His canonical penance was to serve as a crusader in the Holy Land for five years. Raymond was also reconciled to the king but was required to surrender all his dominions except for the dioceses of Toulouse, Agen, Rodez, Cahors and the northern Albigeois (with a few minor reservations). In those districts all grants made by Simon de Montfort or Louis VIII should be void, and all southerners driven out since 1209 should be allowed back unless they had been convicted of heresy. But Raymond was required to dismantle the fortifications in a group of key towns and castles, including Toulouse, and to place certain castles, including the citadel of Toulouse, in royal custody for ten years. The succession was settled on his only legitimate child, Jeanne, irrespective of whether he should later beget a male heir. Jeanne should marry one of the king's brothers and if she died childless Toulouse should revert to the French crown. The settlement was less harsh than that of the Fourth Lateran Council, or than that envisaged by Louis VIII in 1226 which would have led to the count's losing all his lands to the west of the Rhone.¹³ All the Trencavel lands continued to be ruled directly by the crown.

Catharism had been little damaged by the crusade. A few mass burnings and individual lynchings of Cathar perfecti had occurred in the early years and driven the Cathar churches underground.¹⁴ The perfecti had dressed in ordinary clothes, abandoned their communities and lived dispersed among households of believers; and the hierarchy had devised methods of ministering to the faithful in a hostile environment. As Languedoc was restored to southern French rule after 1218 the Cathars resumed the public practice of their faith and were as strong as before. In 1225 they set up a new diocese for the Razès.

By 1229 comprehensive anti-heretical legislation was in place. Canon 3 of the Fourth Lateran Council enacted that those convicted of heresy should be excommunicated and handed over to the secular authorities, who should confiscate their property and punish them as they thought fit. Rulers who refused to do so should be excommunicated and their lands be seized by Catholic princes, who should receive the same indulgences as crusaders to the Holy Land. Those who abetted heretics in any way, irrespective of whether they shared their beliefs, should be excommunicated and, unless reconciled to the Church within a year, should lose the right to hold public office, to inherit

¹³ Louis VIII, as designated heir of Amaury de Montfort, intended to enforce the settlement of the Fourth Lateran Council. This would have entailed the transfer of all the lands of Toulouse west of the Rhone to the crown.

¹⁴ A single Cathar perfectus was burnt at Castres in 1209, Pierre des Vaux de Cernay, *Hystoria Albigensis*, I, p. 117.

property or to make valid wills. Every bishop should, either in person or by proxy, make regular inquisitions for heresy. In lands where Catharism was found the secular authorities had also enacted draconian heresy laws. Frederick II decreed the death penalty for convicted heretics in the empire in 1224 and in Sicily in 1231. Peter II of Aragon had condemned heretics to be burnt alive in 1197. The Capetians had since 1022 customarily executed condemned heretics, and in 1226 Louis VIII decreed that those who abetted heresy should forfeit their lands and be debarred from public office. But all these laws were manifestly ineffective.

Bishops lacked the time and resources to carry out the work of inquisition, while lay attempts to enforce the laws met with only limited success because most officials were not trained to interrogate heretics. Gregory IX, as an experiment, delegated the work of inquisition to Dominican and Franciscan friars. They were professional theologians, qualified to identify heresy; being vowed to poverty they were unlikely to take bribes; and they could devote themselves full time to the work of inquisition. But they were priests not lawyers, who believed in the eternal damnation of unrepentant sinners and considered it part of their priestly duty to convert the heretics, and their procedures reflect this. The Inquisition enjoys an evil reputation which in relation to the thirteenth century is not entirely deserved. Had they wished to carry out indiscriminate massacres of suspects the inquisitors would have met with few obstacles, for that was the tradition which the leaders of the Albigensian Crusade had established. But although on a few occasions they were responsible for mass executions, those were exceptional. Bernard of Caux, inquisitor of Toulouse, for example, sentenced 207 offenders between 12 May and 22 July 1246, yet none of them was burnt and only twenty-three were imprisoned; the rest were sentenced to wear crosses. Those trials are significant because they took place at the height of the Inquisition's activity.

The first mendicant to act as a papal inquisitor was appointed in Florence in 1226, and from 1233 the papal Inquisition became a regular Church court. There were seldom more than two dozen inquisitors in office at any one time. Each was directly answerable to the pope and there was no central body to coordinate their activities. Initially, they had no procedural guidelines and some of them used crude and violent methods. As Kolmer has shown, this defect was soon remedied: the earliest known manual for inquisitors was in use by 1244 and provided the procedural framework which inquisitors followed throughout the thirteenth century.¹⁵

When initiating an enquiry an inquisitor would declare a period of grace during which those who made voluntary confessions would be given light pen-

¹⁵ Kolmer (1982), pp. 198–203.

ances, provided that they made full statements about the involvement of themselves and of others in heresy. With their help the inquisitor compiled a list of suspects who were then summoned to the tribunal. Failure to attend was taken as evidence of guilt and could lead to arrest by the secular authorities. The tribunal consisted of the inquisitor, the notary and two or three sworn Inquisition witnesses. The procedures were weighted against the suspect: his accusers were not named for security reasons; the charges against him were not specified in order to undermine his own sense of security; and no lawyer would defend him for fear of being associated with heresy. The accused could appeal to the pope at the start of the hearing, and the case would then be transferred to the curia, but that was expensive; or he could try to prove that one of his unknown accusers bore him mortal enmity, and, if successful, the charge would be dropped. The inquisitor had the right to imprison suspects who would not co-operate fully with the court and in 1252 Innocent IV in his bull *Ad extirpanda* licensed the use of torture by the Inquisition provided that it did not involve the shedding of blood, mutilation or death. Torture was carried out by laymen and was used to gain more information, never to secure a recantation, since conversion under duress was considered spiritually worthless. Few instances of torture are recorded in the thirteenth century, and it is therefore difficult to determine whether the tribunal seldom used it, or seldom admitted to doing so.¹⁶

The inquisitors had no legal training and were required to consult professional lawyers about the punishment of offenders. Some suspects were acquitted, but the majority were given traditional penances, such as prolonged fasts, or pilgrimages. Some able-bodied men were ordered to serve as crusaders; other people were sentenced to wear two large, yellow crosses on their clothing, a punishment which was greatly feared because it often caused social ostracism. The Inquisition also used imprisonment as a penance for serious offences.¹⁷ Lesser offenders, or those awaiting sentence, were housed in the *murus largus*, consisting of individual cells round an exercise yard, but serious offenders, like relapsed heretics, were confined to the *murus strictus*, a top security prison, where inmates were chained in unlighted cells. These appalling conditions were partially mitigated because the lay gaolers were sometimes bribable and prepared to relax the rules. The inquisitor had discretion to decide in all cases when sufficient penance had been done, and failure to complete inquisition penances could lead to arrest by the secular authorities. The few Cathar perfecti who recanted were well treated by the Catholic authorities, and

¹⁶ Douais (1906), p. 176, claimed that there were only three instances of torture recorded in the thirteenth-century southern French Inquisition records.

¹⁷ The inquisitors regarded imprisonment as a penance, not a punishment. The penitent had to report voluntarily to prison and ask to be admitted to do penance on a diet of bread and water.

were sometimes appointed inquisitors because their knowledge of Catharism was immensely valuable to the tribunal. Unrepentant perfecti were handed over to the secular authorities and burnt at the stake. The inquisitors also compiled lists of dead suspects and summoned witnesses to establish whether the accused had died in heresy: if found guilty their bodies were exhumed and publicly burnt.

The expenses of the Inquisition were defrayed by the secular authorities and were at first considerable. Headquarters and prisons had to be built; servants, gaolers and sometimes armed escorts had to be paid, and travelling expenses met.¹⁸ The profits of Inquisition justice accrued to lay rulers but were not great. The Cathar perfecti had no possessions; the debts owed to Catholic creditors had to be discharged on property confiscated from Cathar believers; and after 1243 the dowries of the Catholic wives of heretics were protected. In order to enjoy the co-operation of the secular authorities the Inquisition had to ensure that it did not create a deficit; hence its eagerness to prosecute the dead, whose estates could be confiscated without regard to the rights of Catholic heirs.

The Inquisition set up in Languedoc in 1233 at first met with considerable opposition. There were riots against the Inquisition in Narbonne in 1234; in 1235 the Inquisition of Toulouse was exiled by consular pressure, and though restored in 1236, was suspended by the pope from 1238 to 1241 in response to complaints by Raymond VII. Appeals from the Inquisition courts to the pope increased greatly after Innocent IV settled at Lyons in 1245, and the inquisitors' authority was further eroded when the pope's penitentiary commuted the sentences of prisoners willing to enlist on St Louis's crusade in 1248. The Dominican inquisitors of Toulouse and Carcassonne withdrew their services from 1249 until they were reinstated with greater powers than before by Alexander IV in 1255.

The Cathars were at first resilient in the face of persecution. After the Peace of Paris the perfecti had resumed lay dress and their communities had dispersed. The Cathar bishops of Carcassonne and Albi became itinerant, and ran their churches from refuges provided by a number of patrons, whereas after 1232 the bishops of Toulouse, Agen and the Razès all made their headquarters in the castle of Montségur, whose lord, Raymond of Perelha, was a Cathar believer, while their perfecti lived in cabins on the mountainside. The bishops hired fighting men to garrison the castle and escort the perfecti on missions, and the churches continued to function efficiently. Montségur has been the subject of a vast amount of speculation, much of it by writers who know very

¹⁸ The inquisitors were allowed the protection of a small armed escort in some places after *c.* 1250, Lea (1887), I, pp. 382–3.

little about Catharism,¹⁹ but there is no evidence that the Cathar hierarchy attached any special religious significance to the site: it would have been against their convictions to regard any part of the material creation as hallowed.²⁰ In 1242 the commander of Montségur, Roger of Mirepoix, murdered the inquisitor of Toulouse and his companions at Avignonet. Montségur was then besieged by the seneschal of Carcassonne, and when it fell in March 1244 the garrison was allowed to leave freely, but about 215 perfecti were summarily burnt, including the three bishops.

Arguably the Cathar churches were more weakened by the death of Raymond VII in 1249 than by the loss of Montségur. He had never been sympathetic to Catharism, but he had tolerated vassals who were. The new count, Raymond's son-in-law, Alphonse of Poitiers, did not continue this policy. He and his brother St Louis sought to enforce orthodoxy on all their vassals in Languedoc, and at the same time curbed the independence of the cities, thus making it difficult for rich burgesses to protect Cathars. But in time of persecution the Cathars needed patrons who could provide facilities to allow the perfecti to live according to their rule and to train neophytes in their harsh disciplines.

Before 1253, because such patrons could no longer be found in Languedoc, Bishop Vivent of Toulouse and Bishop Aimeri du Collet of Albi went to live in Cremona. Only Pere Pollanh, bishop of Carcassonne, remained in southern France until his death about 1258. The perfecti gradually followed their leaders into exile. This entirely changed the practice of the Cathar religion in Languedoc. A few perfecti were seconded to minister to believers. They were marked men and had constantly to be on the move, and were aided by a network of lay agents who guided them from one safe house to another. Believers who wished to train as perfecti had to go to Italy to do so, which made recruitment difficult and led to a decline in the number of perfecti working in southern France.²¹

There was a revival of Catharism there after 1291 when, in response to a complaint from the cities that the inquisitors were abusing their powers, Philip IV instructed his officials not to co-operate with them on a routine basis, thus making their work impossible. The revival was led by Pere Autier, a notary from Foix, who with his brother Guillem was trained as a perfectus in Lombardy. Between 1298 and 1309 they ministered to believers in 125 places in western Languedoc. But the Inquisition regained its powers in 1307 when

¹⁹ A useful brief summary of the variety of fanciful hypotheses is given by Birks and Gilbert (1987), pp. 13–50.

²⁰ Nevertheless, it may have had a religious significance for believers, some of whom were carried there to die during the time of persecution.

²¹ For the history of the southern French Cathars in exile see Roach (1990).

Philip IV needed its help in suppressing the Knights Templar. Pere Autier was executed in 1311, saying to those present: 'If it were lawful for me to preach you would all accept my faith.'²² True Catharism in southern France died with him. Bernard Gui, inquisitor of Toulouse (1307–24), tracked down the surviving Cathars; the last known perfectus, Guillem Béliaste, was burned in 1321. Thereafter, although there may have been Cathar believers in southern France, they lacked ministers to transmit the faith or give them the sacrament of liberation.

There is no certain evidence of a Cathar presence in the Rhine valley or Lorraine in the thirteenth century.²³ The heretics convicted by the episcopal inquisitor, Conrad of Marburg,²⁴ were allegedly Luciferans, or devil-worshippers, a cult for which in that place and at that time there would seem to have been no evidence outside Conrad's imagination. But organised Catharism was quite vigorous in Flanders, Champagne and Burgundy in the 1220s. It was suppressed through the work of the Dominican chief inquisitor, Robert 'le bougre', or 'the Bulgar', a converted Cathar perfectus. He stirred up mob violence against Cathar suspects, conducted trials in public, imposed harsh penances on those who recanted, and was responsible for a public burning of 184 convicted Cathars at Mont-Aimé in Champagne in 1239. Though later placed under house arrest for life by his Order because of his intemperate zeal, Robert had effectively rooted out Catharism in northern France. By 1250 the north French Cathar bishop and some 150 perfecti had taken refuge in Verona where their church survived until about 1289. Similarly, after the Inquisition had been established in the crown of Aragon in 1238, Catharism, which had once been present there, declined and had virtually died out by about 1270. Possibly the Catalan perfecti retreated to Lombardy with those of Languedoc.²⁵

Rainier Sacconi estimated that in c. 1250 there were some 2,400 perfecti in north and central Italy, organised in six churches, some with competing jurisdictions. Of these, 1,500 belonged to the moderate dualist church of Concorezzo near Milan, 500 to the absolute dualist church of the Albanenses at Desenzano near Brescia, while the rest were divided between the churches of Bagnolo (near Mantua), Vicenza, Florence and the valley of Spoleto.²⁶ If the letter of Yves of Narbonne is to be credited, the Italian Cathars sent some of

²² 'Petrus Auterii hereticus . . . quando debuit comburi, dixit quod si permitteretur loqui et predicare populo, totum populum ad suam fidem converteret', cited in Vidal (1906), p. 73 n. 2.

²³ The heretics tried at Strasburg in 1211 may have been Cathars, but the evidence is inconclusive, *Annales Marbacenses, MGH Scriptores rerum germanicarum in usum scholarum*, Hanover (1907), p. 87.

²⁴ Conrad was not a papal inquisitor, but a papally licensed episcopal inquisitor, Kieckhefer (1979), p. 15.

²⁵ The last known Elder Son of the Church of Toulouse in exile in Lombardy was Philip Cathala (the Catalan): Duvernoy (1979), pp. 160–1. ²⁶ Raynerius Sacconi, *Summa de Catharis*, p. 50.

their believers to the University of Paris, and Italian Catharism certainly produced speculative theologians in the first half of the thirteenth century.²⁷ John of Lugio and his pupils, who wrote the *Book of the two principles*, attempted to make a rational defence of absolute dualism, while the treatise about moderate dualism by John's contemporary Desiderius was read and refuted by St Thomas Aquinas.

There was no systematic persecution of Italian Cathars until Gregory IX tried to introduce the Inquisition at Florence in 1226 and throughout Lombardy in 1232. Even then, Frederick II, although he detested heresy, would not allow the Inquisition to operate in the areas he controlled; while in papal cities it had little support because it was an ecclesiastical tribunal. Some Cathar perfecti were burnt in Milan, Piacenza and Tuscany in Gregory IX's reign, but believers were seldom attacked. After Frederick's death his policies were continued by his son Conrad IV, his natural son Manfred, king of Sicily, and his lieutenants, Ezzelino da Romano and Uberto Pallavicini in Lombardy. The Inquisition was sometimes able to operate in new areas which passed under the control of the pope's allies, but was sometimes driven from cities where it had long been established, as it was from Milan in 1252. Charles of Anjou, who overthrew Manfred and became king of Sicily in 1266, became dominant in northern Italy after the death of Uberto Pallavicini in 1268. He cooperated fully with the Church: the Inquisition was established in the Sicilian kingdom in 1269 and in the northern communes soon afterwards, although Venice only admitted it conditionally in 1289.

When the persecution began the Cathar bishops of Desenzano and Bagnolo, together with the exiled bishops of Toulouse and northern France, withdrew with many of their perfecti to the stronghold of Sirmione on Lake Garda. Their choice of a refuge remote from the main urban areas of Lombardy, yet accessible to them, closely paralleled the choice of Montségur by the southern French Cathars and met the same fate. In 1276 the della Scalas of Verona attacked Sirmione and arrested 174 perfecti, who were burnt with other Cathars in the amphitheatre of Verona in 1278. The church of Concorezzo survived until c. 1289, and there were Cathars in Corsica until c. 1370, while as late as 1388 Cathars were found at Chieri near Turin who claimed to have received their faith from Bosnia, but in most of Italy Catharism had died out by c. 1325.

Western sources, and particularly papal sources, show beyond any reasonable doubt that dualism remained vigorous in Bosnia. Innocent III's intervention proved ineffective in the long term, while Gregory IX's launching of a Hungarian-led crusade against Bosnia was cut short by the Mongol invasion of

²⁷ Matthew Paris, *Chronica majora*, ed. Luard, p. 271.

Hungary in 1241. When Innocent IV attempted to subordinate the Bosnian Church to the Hungarian hierarchy, it withdrew from papal obedience in 1252. The significance of this development remains a matter of scholarly dispute. J.V.A. Fine takes a reductionist view, arguing that the Bosnian Church remained Catholic, though schismatic, and asserting that there were very few dualists in the principality. The alternative view, developed most fully by Šanjek, is that dualism became the dominant religion in Bosnia after 1252, while Catholicism was marginalised. But all scholars agree that dualism was tolerated in Bosnia in the later Middle Ages.²⁸ In 1325 Pope John XXII reported that heretics were flocking to Bosnia from many parts of Europe, and if that is true it may explain why Catharism died out so suddenly throughout western Europe at precisely that time.²⁹

No other heresy was considered so serious a threat as Catharism by the Catholic authorities, but a number of other dissenting movements did exist. The most flourishing of these were the Waldensians who by 1200 had spread from Languedoc to Lombardy and Lorraine. Innocent III tried to deal with them sensitively, allowing converts to form communities of Poor Catholics which preserved those features of Waldensian spirituality compatible with Catholic norms. But most Waldensians remained separated, and the movement continued to flourish despite the schism of 1218 between French and Lombard members over the issue of absolute poverty. The Waldensians were in substantial agreement with Catholics about central Christian beliefs, but differed from them in forms of worship by subordinating the sacraments to public prayer and preaching, and by holding that at need any Christian man or woman could perform any office in the Church. To avoid persecution by the Inquisition they scattered to remote rural areas in Piedmont, southern Italy and south-east Germany and Austria, and though subject to sporadic and sometimes fierce persecution, have survived until the present day, though their views have changed over the centuries.

Other heresies were more ephemeral: the rebaptisers, a splinter group of Waldensians, unlike the parent body denied the validity of Catholic baptism, and had the endearing belief that a Christian need only keep Lent once in his lifetime. The Speronists of Piacenza taught that the sacraments were unnecessary to salvation, which depended solely on inner purity. The Passagians taught

²⁸ Fine (1975), especially pp. 148–55. F. Šanjek (1976) perceptively reviewed by Manselli (1977). Fine's views have not been widely accepted, but the reservations about Bosnian dualism expressed independently by Lambert should also be given due weight, Lambert (1977), pp. 142–50.

²⁹ '... magna haereticorum caterva de multis et variis partibus congregata ad principatum Bosnen . . . confluit', *Bullarium Franciscanum*, Sbaralea, v, pp. 287–8, no. 577. Calendared in Mollat (ed.), *Jean XXII (1316–1324)*, no. 32126, v, p. 448.

that Christians were bound by the precepts of the Old Law as well as those of the New. The devotees of Guglielma of Milan (1281) believed that she would return as the incarnation of the Holy Spirit and inaugurate a new dispensation in which there would be a new gospel and a woman pope. All these groups were liable to prosecution, but the Inquisition did not take the Guglielmites at all seriously until on Easter Day 1300 the woman pope-designate celebrated Mass at Guglielma's tomb. Five of the votaries were burned for heresy, but the rest were dismissed with minor penances and the sect collapsed.

'Academic' heresies originating in the universities only normally incurred secular penalties if they attracted a popular following. Thus nine clergy who shared the views of Amalric, a teacher of logic in the University of Paris, that a new age was coming into being, in which the Catholic Church would be superseded, were burnt for heresy in 1210. Yet the treatment meted out to the Averroists was very different. They were a group of Masters of Arts at Paris led by Siger of Brabant (c. 1240–c. 1284), who had read the newly translated works of Aristotle and Muslim and Jewish commentaries on them, and were particularly indebted to Averroes (d. 1184), a Muslim philosopher who taught that reason should not automatically be subordinated to revelation if there is a conflict between them. Among the theses propounded by the Averroists of Paris were: that God is not omniscient; that His Providence does not guide the affairs of men; that matter is not created; that the world has neither beginning nor end; and that 'the sayings of the theologians are based on myths'.³⁰ Unlike the Amalricians, the Averroists had no popular following, and so the university could treat them as an internal problem. In 1277 many of their propositions were condemned by the university as heretical, and the teaching members were required to subscribe to this decision. Within ten years Averroism had died out. Averroism was potentially a more radical challenge to the Catholic Church than any other thirteenth-century heresy except absolute dualism, yet it caused less trouble to the authorities than all of them. Gordon Leff rightly maintains that the west instinctively drew back from the implications of the Averroists' central tenet, that there should be no restriction on the use of human reason to speculate about ultimate truths.³¹

By 1300 dissent, though not eradicated, had been marginalised. New separatist movements like the Fraticelli continued to spring up within Catholicism, while older traditions like Waldensianism persisted, not perhaps reduced in numbers from a century earlier, but with a distinctly lower public profile. But it was now the Catholic Church and not these dissident groups which showed the most signs of religious vigour and social relevance. It would seem logical to

³⁰ 'Quod sermones theologi fundati sunt in fabulis', cited by Knowles (1962), p. 274.

³¹ Leff (1958), pp. 258–60.

infer that the eradication of Catharism and the declining fortunes of other dissenting movements by the early fourteenth century were the direct consequence of repression by the Inquisition. But successful religious persecution is very rare: normally the fact that believers are willing to die for their faith gains converts to their cause. The Cathars were certainly prepared to die bravely and in large numbers for their faith, yet their churches declined, whereas the Waldensians, some of whom also died bravely for their beliefs, not only survived but may even have grown in numbers.

Persecution is only part of a more complex process which helped to determine the fortunes of Catharism and the other heresies: they all had to react to changes in western society. During the thirteenth century urbanisation increased as did the concomitant social problems; the intellectual revival of the twelfth century necessitated the rethinking of traditional values in the light of classical Greek and contemporary Islamic and Jewish learning; while in addition, the Mongol empire enabled the west to make contacts with hitherto unknown peoples and civilisations in Asia. All these factors had religious implications for Christian society, and the Catholic Church took the initiative in dealing with them through the work of the Mendicant Orders.

The Dominicans and Franciscans were dedicated to a life of apostolic poverty and public ministry. They attracted some of the most intellectually gifted men of the time and by 1300 there were few towns of any size in western Europe which did not have at least one house of friars. This, of course, immensely increased the Catholic presence in urban areas: by 1295, for example, there were almost 4,000 friars in Languedoc alone, almost all of them priests.³² Their impact was considerable. They ran urban parishes, and were valued as preachers, confessors and, in their early days, as models of pastoral care for the urban poor. The learned members of both Orders were in the forefront of the intellectual life of Europe. Men like the Franciscan minister general Bonaventura and the Dominican scholar Thomas Aquinas helped to reformulate Christian orthodoxy in the light of the intellectual problems raised by the new learning. The friars also took a lead in exploring the lands of Asia, and in interpreting these new civilisations to their contemporaries.³³ Under the leadership of Ramon de Penyafort, the Dominicans engaged in the close study of Hebrew and Arabic, hoping to acquire the essential tools for disputing with Jews and Muslims.

The friars were able to meet the needs of lay people in a more positive way than the Cathars could do. The Cathars had placed the ideal of Christian per-

³² There were 2,107 Dominicans in the province in 1295, and although precise figures are lacking for the Franciscans in that region at that time the number of their houses suggests a parallel number of vocations: Ribacourt and Vicaire (1973), pp. 25–77.

³³ This began in c. 1259 with Vincent of Beauvais, *Speculum maius*.

fection within the theoretical reach of all people, irrespective of their social class or even of their marital status, but only if they were prepared to live like monks and renounce the world. Otherwise they had to live without the consolations of religion in the hope that they might die good deaths with the help of the Cathar perfecti. The friars made it possible for lay people to lead the Christian life while remaining in the world: they were encouraged to learn about their faith, to frequent the sacraments and to understand their everyday lives in terms of religious vocations. The very devout among them were even encouraged to join Third Orders in which they practised as much of the Dominican or Franciscan Rule as was compatible with their everyday lives.

Persecution certainly made it impossible for the dissenters to compete on equal terms with the friars. In places where the Inquisition was established they could not preach or bear witness to their faith openly, and since they were barred from attending universities they could not defend themselves adequately against the intellectual objections raised by the friars. It is notable that all the Italian Cathar scholars known to us had been educated before the Inquisition was set up. Yet even when account has been taken of these factors it remains true that Catharism lacked sustained resilience in the face of persecution. The Cathars lost ground to their more dynamic Catholic opponents, and persecution accelerated a decline which seemed inherent in their movement. The Cathars and their ideal of Christian holiness belonged to the monastic centuries, but the friars represented the religious aspirations of a new kind of society. Their relevance to the concerns of their age attracted support, whereas the Cathars could at best hope to continue to minister to the traditionally minded. Persecution made that impossible also.

CHAPTER 7

THE CHURCH AND THE LAITY

André Vauchez

BY the end of the twelfth century, apart from a few peripheral regions such as Finland or Lithuania, the Christianisation of western and northern Europe could be considered complete, if by this one understands that all the inhabitants, except for the Jews, who were very much in the minority, were baptised into the Catholic faith; there were, of course, Muslim populations in some areas, but these were almost without exception lands that had earlier been under Islamic rule. However, at the very moment when Christianity was attaining this territorial extent, the clerics were gradually becoming aware of the superficial nature of this conversion. Until then, the Church had always considered it sufficient for the ruling social classes to be converted, and then for the masses to follow suit; and the method of utilising the elite classes in this way had, on the whole, been successful since the end of the Roman empire. However, throughout the twelfth century, the situation changed: following the Investiture Dispute, the lay aristocracy in several countries became embroiled in conflicts with the ecclesiastical hierarchy and sometimes allowed itself to be influenced by heretical movements, as occurred in the 1170s in both Languedoc and Italy. Even in those areas where the lay aristocracy remained faithful to orthodoxy, it often stood in opposition to the clergy in matters of morality or in those affairs in which the clergy had a vested interest; and the clergy, for its part, could no longer count on unconditional devotion. On the other hand, the masses began to emerge from their passivity, in all aspects of life, aspiring to take control of their own fate, especially in the cities: witness the rapid expansion of the communal movement, which so often stood firm against the ecclesiastical authorities. Yet it was especially the success of the heresies in all the social milieux, from around 1170 onwards, that attracted the attention of the most vigilant clerics towards the lack of profound Christianisation. For if, in the space of a few decades, the population of entire regions had adhered to doctrines which were far removed from the doctrines of the Church, it meant that their faith was not very deeply rooted. Thus, at the

very moment when the crusades were demonstrating the active expansion of Latin Christianity to the outside world, a new frontier was opening up: the frontier of internal renewal. In those areas contaminated by heresy, this renewal was marked by a policy of repression. In the same way, it was a matter of the utmost urgency to regain control in other areas; otherwise there was the threat that opposition to the establishment might gain ground. Hence there was an enormous effort – which began with the Third Lateran Council (1179) and was at its most influential by the Fourth Lateran Council (1215) – to make the religious beliefs and practices of the faithful conform more to the demands of Christianity, as Christianity was defined by the Catholic Church.

THE PASTORAL OFFENSIVE

The evolution of the priest's role and the rapid expansion of the parish

The Church first made an effort to reinforce the prestige of the ordinary priests, who, especially in the countryside, were barely distinguishable from the ordinary faithful, either because of their way of life or even because of their religious knowledge. This was an absolute necessity for the Church, for certain heretics maintained that priestly functions could be undertaken by any Christian who lived free of sin and who encouraged the faithful to refuse to accept the sacraments from any cleric who was deemed morally unworthy. In this respect, the Fourth Lateran Council marked an important stage in the history of the Catholic priesthood by placing the emphasis on the role of the priest in the celebration of the sacrament of the Eucharist, which could only be administered if he had been ordained according to the rites and had been canonically instituted by an appropriate bishop.

On the other hand, canon 21 of the same Lateran Council made it a requirement that all the faithful of both sexes who had reached the 'age of discretion' (approximately seven years old) must go to confession and take communion at least once a year in their parish. This decision strengthened the importance of the priest in the community. In fact, from that point on, in theory, the faithful no longer had any choice: they had to rely on their own curate – and on none other – to obtain the absolution which was indispensable to be allowed to take communion and to fulfil their Easter duty.¹ Moreover, it is hardly surprising that it was precisely in the thirteenth century that the title of *curatus* or *rector* became more generalised to designate the local parish priest, whose image was also modified. No longer was the priest merely someone who performed the necessary rites and recited quotations from the holy books: from this point on,

¹ Avril (1980).

it was incumbent upon him to dedicate himself to the salvation of souls (*cura animarum*) and to control the practice of the sacraments as well as the moral life of his parishioners. Even if he did not yet have the power to excommunicate, he at least had the ability to indicate to the episcopal authorities which members of his parish refrained from carrying out their religious duties, and which were considered heretics or guilty of public sin (notorious adulterers, inveterate moneylenders, etc.). And it was also the parish priest who normally passed sentence against them. Thus, as the parish became the necessary framework for religious life – more so than in the past – the powers of the priest also increased proportionately: in the thirteenth century it was the priest who guaranteed the security of the church and enforced a sense of order; he published the bans before marriages and, in particular, he took charge of the wills of those members of the congregation who had anything to bequeath as they neared death (at the very latest), and before that point whenever possible. Even if all the priests were not capable of fulfilling these new responsibilities – witness the bitter criticisms of the authors of the *Fabliaux* of the period towards the priests – it seems that they still enjoyed increased consideration from their flocks, as is demonstrated by the fact that the curate, especially in the countryside, became the representative of the village community vis-à-vis the external authorities, whether they were bishops or representatives of the crown.²

Thus, from the simple appendage of the local seigniorship which it had been up to that point, especially in the rural areas, the parish was gradually becoming a centre of pastoral action for the episcopacy and a framework for the faithful in the religious domain. The faithful, for their part, did not limit themselves to a passive role in the parish but rather took an active part in its management, in particular through the intermediary of the parish councils, which had sprouted up just about everywhere throughout the course of the thirteenth century.³ These parish councils were administered by an elite of lay parishioners, perhaps the successors of the ‘synodal witnesses’ of the Carolingian era, who were called upon to act as witnesses during pastoral visits with regard to matrimonial matters and/or cases of supposed witchcraft and heresy that cropped up in the village or area. In any case, it was their responsibility to watch over the upkeep of the parish church and the cemetery: as a general rule, the parish council took responsibility for the nave while care of the chancel fell to the clergy, and more precisely to the person who exercised the right of patronage over the ecclesiastical living.⁴ This division of labour remained rather theoretical, however, and in practice, one can see the emergence of a kind of

² Nykrog (1957), I, pp. 575–99. ³ Clement (1895).

⁴ Addleshaw (1956); Godfrey (1969), pp. 70–82.

condominium which linked one or more priests in the parish council, as well as their subordinates, to the tasks of the maintenance and, eventually, the embellishment of the parish church. Of course, this did not mean that the relationship between the two parties was always idyllic. However, they were obliged to collaborate, since the parish council's funds were usually placed in a purse, or rather a safe (*arca*) whose key was held by three people: a lay treasurer, the curate and the bishop. Moreover, in certain regions like Normandy, the very existence of the parish council had a positive influence on the cohesion of the parish, for the church-wardens had to present an account of their management three times a year before an assembly of parishioners or elected representatives of the village community.

The increasing importance of the sacraments

Parallel to the strengthening of the parish, at this time we can observe the affirmation of a new conception of the religious life of the laity, founded on the definition of behaviour considered typical of a 'good Christian'. No longer was this merely someone who had been baptised, obliged to attend Mass on Sunday and to pay the tithe. After the Fourth Lateran Council, he or she was required to show unequivocal outward signs of belonging to the Church, that is to say by going to confession and taking communion at least once a year. This did not actually involve any new practices, but from that point onwards the non-observance of this duty would be punished by being denied access to the Church and Christian burial. There has been much discussion as to whether this measure was intended to help the clergy to identify heretics and non-conformists, those who refrained from these practices standing out *ipso facto* to the curate, who had to denounce them to the bishop if, after being duly invited by the curate to participate, they had failed to comply. In spite of the enforcement of secrecy of confession by the decrees of 1215, it is difficult to believe that this motive was not present in the mind of both the pope and the Council delegates.⁵ But canon 21 of the Fourth Lateran Council in particular constituted the culminating point in a process of internalisation which, since the twelfth century, had emphasised the fundamental role of penitence in Christian life. Of course, penitence was only one of the seven sacraments: the full list had been definitively established by theologians in the years around 1150. But its importance was far greater than the others, with the exception of the Eucharist, and the entire pastoral effort of the Church in the thirteenth century aimed to encourage the laity to have frequent recourse to penitence, in order to force them to become aware of their sins and to take measures to

⁵ Gy (1986); on the contrary: Little (1981).

better themselves. The clerics, in fact, had been sensitive to the criticisms aimed at the Church by the evangelical movements and by certain heretics, which emphasised the necessity for more cohesion between what they said and how they acted, of practising what they preached. Faith could not remain a formal or implicit adherence: it had to imply knowledge, at least in its broader sense, of a certain number of fundamental truths, as defined in the creed, as well as a minimum of consistency between professed beliefs and the concrete behaviour exhibited in private and in public. The necessity of converting in order to attain salvation was certainly not a new idea. But up to then, in the traditional realm of penitence, the accent had been placed more on atonement for one's sins, an indispensable condition for obtaining divine forgiveness and reconciliation with one's fellow man. It was believed that sin was only truly eradicated when the sinner had carried out the penance inflicted by the priest, which most often consisted of the automatic application of a fixed punishment once and for all. In general, these punishments were set during the months or years of fasting and were very harsh and difficult to reconcile with the rigours of life in society. Moreover, an entire system of commutation developed, from the beginning of the tenth century, which allowed these ascetic interdictions to be converted into pilgrimages or the giving of alms. Throughout the course of the twelfth century, the awakening of conscience and the progress of moral theology placed these practices and ideas under scrutiny.⁶ Abelard developed a true morality of intention in his works, confirming that 'the value of our actions and the judgment they call, before God and before man, is determined not by objects, which are either good or bad in themselves, affected by these actions – theft, murder, a carnal act – but rather by the internal consent we give to these actions'.⁷ From this perspective, sin is seen as internalised, but in no way diminished. On the contrary, the accent is placed on individual responsibility, which becomes even more serious if an excuse cannot be found for it in the nature of the act, or if it cannot be hidden behind the solidarity of a group. Even if these ideas, which were not accepted without difficulty, only made their way gradually into people's minds, one sees in both religious and profane literature the confirmation of the importance of repentance, without which even the most demanding rites were of absolutely no use to the sinner.⁸

In this new climate, the emphasis shifted to the centre of the process of repentance. In the 1200s, theologians and canonists agreed to recognise that the essential element of the sacrament was avowal by word of mouth, or by having confession heard, implying repentance and commitment by the person concerned, and not the accomplishment of some punishment as atonement.

⁶ Vogel (1982), pp. 17–32. ⁷ Chenu (1969), p. 18. ⁸ Payen (1967).

Prayers asking for the grace of God and the saints, making pilgrimages, as well as giving alms to the poor, certainly remained highly appropriate, but no longer had anything more than a subsidiary role. In fact, confession was considered so painful in itself that the shame experienced by the sinner in the act of confessing constituted a punishment in its own right.⁹ This new practice was established in the wider context of assigning greater importance to the spoken word, in both its positive and negative aspects: from this point onwards, each person was held responsible for what he said against God or his fellow man. And, in France, the monarchy, after St Louis, severely reprimanded blasphemy.¹⁰ On the other hand, however, from that point onwards, one single word – uttered by the priest – was sufficient to eradicate sin. The priest was bound to interrogate the sinner according to the seriousness of his sins or the commandments of God and the Church, and he had to demand, as in a court proceeding, that he be given the most precise details regarding the circumstances of the sin. But one must not forget that confession could also be a liberation of the soul and the judge *par excellence* of this period, the king, had the main prerogative of granting pardon. For such reasons, the tracts available to confessors defined them as ‘doctors of the soul’, responsible for facilitating confession, while they were sometimes called to attend a birth, and to diagnose the most appropriate remedies for the situation of the sick person. Rather than an inflexible accuser, the priest was invited to behave more like a merciful arbiter and understanding adviser.¹¹ It was, in addition, the era which saw certain confessors establish a true relationship with devout members of the laity based on spiritual direction, like the one which existed between St Elisabeth of Hungary and the terrible Conrad of Marburg, stormy as their relationship was.

The Fourth Lateran Council, in 1215, was the first medieval council to formulate a detailed profession of faith (canon 1: *On the Catholic faith*) in which the strongest affirmation is found regarding Christ, to the effect that ‘His body and His blood, in the sacrament of the altar are contained in the sacred species of the bread and wine, the bread being transubstantiated from the body and the wine from the blood through divine power.’¹² This marked insistence on the Real Presence evidently constituted a rejection of the heretics – in particular the Cathars – who denied its reality and even the possibility it could be real. But this assertion was also seen in a pastoral perspective, to the extent that the increased devotion towards the sacred species was intended to supplant the devotion towards the relics of the saints, which had always been ambitious and inclined to veer towards the superstitious. After 1203, in effect, the synod of

⁹ Maire-Vigueur (1986), pp. 2–6.

¹⁰ Casagrande and Vecchio (1991).

¹¹ Bériou (1983).

¹² *COD*, pp. 206–7.

Paris stipulated that the host be raised after consecration so it might be seen and adored by everyone; the custom soon spread everywhere of kneeling before the Holy Sacrament which was carried in *viaticum* or in a procession. Finally, Pope Gregory X (1271–6) ordered the faithful to kneel during Mass, from the raising of the sacrament until communion. The sacred wafers were enclosed in a pyx and the statutes passed by the synods contained numerous recommendations to ensure they were kept in a secure place, in special containers or locked away, before the appearance of the first shrines in the next century.¹³ All these measures were aimed at increasing the respect which surrounded the sacrament of the Eucharist, which was equally supported by the development of a Eucharistic supernatural, which is found echoed in Caesarius of Heisterbach or in the *exempla* collections. Throughout the entire thirteenth century, there was a stream of stories of consecrated hosts which miraculously began to bleed (miracles at Bolsena in 1260 – illustrated by the relic of the corporal conserved in the cathedral of Orvieto – and of the cloister of the Billettes in Paris, where blood was said to have flowed from a host which had been stabbed by a Jew who had procured it illegally). This development of Eucharistic piety culminated in the foundation of the liturgical feast of the Holy Sacrament, which was first celebrated in the diocese of Liège, at the instigation of Julienne de Montcornillon, and which then spread throughout the whole of the Church under Pope Urban IV, former archdeacon of Liège, from 1264, soon to be accompanied just about everywhere by processions organised by the brotherhoods of Corpus Christi.¹⁴

This rapid expansion of devotion, however, was not accompanied by a corresponding increase in receiving the Eucharist. Outside the world of the cloisters, taking communion frequently remained unusual and the most pious members of the congregation barely approached the holy table apart from the three great feasts of Christmas, Easter and Pentecost. On the contrary, a growing emphasis was placed on the respect owed to the Eucharistic sacrament and on the risk of sacrilege by the faithful, in case they were unworthy of receiving communion. Nothing demonstrates better that the purpose of the ecclesiastical hierarchy was not so much to develop the custom of taking communion frequently but, rather, to further the development among the faithful of a heightened sense of the sacred, even though it had a narrow educational base.¹⁵

The revival of preaching and the restriction of the right of speech in the Church

In a civilisation where access to the written word and to books remained the privilege of a minority, one of the principal instruments of pastoral reform was

¹³ Rubin (1991). ¹⁴ Browe (1932b) and (1938). ¹⁵ Browe (1932a).

the spoken word and, more precisely, preaching, which, after the end of the twelfth century, experienced a dazzling revival. Maurice de Sully, bishop of Paris from 1160 to 1196, was a great preacher and edited a manual for use by his clergy, which was widely distributed, in which he provided samples of sermons.¹⁶ But the main turning point came in the years between 1180 and 1200, when a beneficial conjuncture between preaching and university teaching took place, based on the theologian Peter the Chanter (d. 1197). This intellectual of the first order, who counted amongst his students the most prestigious figures of Christianity of the period, from Robert de Courçon to Lotario de' Segni, the future Innocent III, and whom one could consider the founder of pastoral theology, never left any sermons of his own. However, his efforts to explain the relationship between doctrinal thought and practical life through studying actual situations (such as moneylending, prostitution, war) profoundly influenced his disciples. These included some great orators who encouraged the laity to reform their behaviour to correspond most closely to evangelical requirements. This was the particular case of Fulk of Neuilly, a popular, inspiring preacher who, at the beginning of the thirteenth century, did not hesitate to denounce the defects of a society which was Christian in name only; much the same applies to some other intellectuals who were destined to become high ecclesiastical dignitaries, like Stephen Langton (1170–1240) and Jacques de Vitry (1180–1254), who was bishop of Acre, then a cardinal.¹⁷ Other Parisian masters, like Thomas de Chobham, played a very active role in this consciousness-raising process by reminding the clerics of their moral obligation to preach and to go and seek audiences wherever they were to be found, that is to say, of course, in the churches, but also in public squares and at the workplace, so they might spread the Word of God by adapting it to their specific problems and mentality. This rapprochement between the pulpit and education was not uncommon and it was doubtless the cause of the revival which was seen in the cities of northern France and in England, where masters from the universities did not hesitate to go forth to harangue the faithful. This practice was even institutionalised when Robert de Sorbon founded a college in 1257 intended for theology students of modest backgrounds, who had to go and preach in the Parisian churches. This movement was not limited to university cities, thanks to the graduates who held high ecclesiastical roles in other cities, like Robert de Grosseteste, bishop of Lincoln from 1235 to 1253 (though he was also chancellor of Oxford), and especially thanks to the Mendicant Orders, who spread the 'good word' everywhere.¹⁸ Their actions were amplified by collections of model sermons which were composed and placed at the disposal of the priests: most of these sermons especially concerned

¹⁶ Longère (1983); Robson (1952). ¹⁷ Baldwin (1970). ¹⁸ D'Avray (1985).

Sunday and the obligatory feast days, but, throughout the thirteenth century, one can see the parallel development of preaching on saints' days, as well as those sermons known as *ad status*, which were adapted to the various circumstances of existence (marriage, death, ordination, etc.) and to different types of audience. Thus the link between the sermon and the liturgy began to slacken, even though it had been very close up to this time, as preaching became a privileged instrument of pastoral action belonging to the clergy, to the point where it could almost be considered as the eighth sacrament. It is not an exaggeration, therefore, to say that the thirteenth century experienced a veritable explosion of preaching, both in the vernacular for the laity and in Latin for the educated clerics, which was accompanied by a systematic effort to spread the Christian message to the greatest number of people, adapting it to their level of understanding.¹⁹

The Church, however, understood very well how to retain control over the Word, and it took all the measures necessary to assure its monopoly in this domain. The new emphasis which was then placed on the role of the priest as minister of the Word in fact went hand in hand with a restriction on the right to preach. Moreover, in the twelfth century, it was accepted that, under certain conditions, the laity and even women could speak in public about religious questions or matters related to the life of the Church. This is what was done in Pisa, between 1153 and 1161, by the lay hermit St Rainier, who, on his return from the Holy Land, committed himself to take up the battle for reform and called upon the clerics and the religious people of his city to lead a better life. In the same way, the nun Hildegard of Bingen left her convent on several occasions between 1160 and 1167 to go and spread the Good Word, in particular in Cologne where she publicly warned the faithful to beware of the temptations of Catharism, which was then in full flood in the Rhine valley. But after the 1170s, a harsher attitude was becoming apparent in this domain, as is witnessed by the poor welcome reserved for Peter Waldo or Vaudès and his first disciples by the Roman curia, in 1179, as well as the condemnation of the Waldensians and the Humiliati of Lombardy by the papacy in 1184, over the issue of the right to preach.²⁰ At the heart of the clergy, however, certain intellectuals, such as the theologian Peter the Chanter in Paris and the canonist Huguccio in Bologna, continued to affirm the legitimacy of certain forms of lay preaching, in the name of freedom of divine inspiration of the prophetic vocation that applied to anyone who was baptised.²¹ A few years later, their former pupil, Pope Innocent III, displayed a certain openness in this sphere, and did not hesitate to grant the right to speak in public to the evangelical movements, like the Friars Minor of Francis of Assisi and the Poor Catholics – the majority of

¹⁹ Zink (1974); Owst (1961). ²⁰ Zerffaß (1974). ²¹ Buc (1992).

whom were lay – by virtue of a distinction between solemn preaching and exhortation or correction, narrowly limited to attempts to gain converts and to the general improvement of habits of life. The pope had no objection to allowing the simple faithful, who were engaged in various ways in religious life, to practise the latter type of preaching, so long as it was limited to dealing with questions of morality or behaviour (the *aperta*) but solemn preaching was truly reserved for clerics who dealt with Christian doctrine (the *profunda*). In practice, this dichotomy was very difficult to establish and respect. Moreover, it soon became pointless for two reasons: first, because of the hostility of the secular clergy, who had no intention of giving up their prerogatives in this area, and secondly, because of the process of internal clericalisation which soon transformed movements of lay origin into religious orders, at the heart of which were found a preponderance of people who possessed both a vocation and an education. After 1230, there was no longer any question of allowing anyone apart from the clerics, who had been given that mission from those above them in the hierarchy, to speak in the Church. The beguines, itinerant preachers and other hermits or recluses professing a mystical experience or a particular revelation would be considered with mistrust if they attempted to make their voices heard.²² Women, who were always suspected of getting carried away by the sound of their own voices or by imagined visions, were particularly the target of this interdiction, as well as the words of the humble, discredited in the eyes of the clerics through their lack of education, as is demonstrated by the sarcastic remarks of the Franciscan Salimbene about the Apostolics, which are reminiscent of remarks made by Walter Map, a century earlier, with regard to the first Waldensians.²³

HOW THE LAITY RECEIVED THE MESSAGE FROM THE CLERICS:
CONTRASTING EFFECTS

The limits of the attempt to teach the catechism

In the thirteenth century, the Church made a great effort to educate the faithful in their religion, and it is commonly accepted that towards 1270, generally speaking, they had a better knowledge of the fundamental beliefs of Christianity than they did a hundred years earlier. In fact, it is difficult to calculate this accurately, and the efficiency of the clergy in their pastoral efforts was without a doubt less immediate than one might sometimes imagine. Thus the reduction in the number of heresies, which were such a threat towards 1200, can no longer only be explained by the success of orthodox preaching: despite

²² Landini (1968). ²³ Salimbene de Adam, *Cronica*, ed. Scaglia, 1, pp. 369–73.

all his passion and eloquence, St Dominic was scarcely more successful than St Bernard, half a century earlier, in his attempts at restoring Catholicism to the population of the Languedoc region, even if he did have some success with the Waldensians and with a certain number of women who had adhered to Catharism. In the majority of regions dominated by Christianity, failure was far less obvious, but the tireless repetition of the same prescriptions by the synodal statutes between the thirteenth and fifteenth centuries, whether it was a question of the obligation of building a wall around cemeteries or the condemnation of clandestine marriages, is sufficient to demonstrate that a number of ecclesiastical injunctions were rejected by the laity. Even when the laity were docile enough to conform to the orders given them by the clergy, who took more care than in the past to teach the commandments of God and the Church, their success remained limited. Thus, at the end of the thirteenth century, a good number of the laity were capable of reciting the *Pater noster*, *Ave Maria* and even the creed, but the use they made of this knowledge in certain cases was not quite what the Church had intended. For example, the creed, whose articles of faith were each said to have been composed by one of the Twelve Apostles, was frequently recited to chase away demons, while the prologue of John's Gospel was considered capable of purifying the heavens from storms and women from the ritual impurity following childbirth, which explains why it was recited by the priest during the liturgical ceremony following a birth.²⁴ Even the new acts of devotion recommended by the synodal statutes were often given a different meaning by the pervading atmosphere of magic. And so, just when the practice of raising the host was taking hold, there quickly followed the belief that contemplation of the sacred host, both during and outside Mass, constituted a guarantee against sudden death, and there is no end of allusions to the Eucharist or the holy oil being stolen by the peasants to make talismans or to bury in the ground in order to increase fertility and obtain abundant harvests.²⁵ Thus the most orthodox practices became integrated within a folk culture, while the clerics themselves sometimes functioned at this level in order better to spread the Christian message, failing to shrink back from the prophylactic or apotropaic uses of dogma and liturgy. Even a man as cultivated and committed to the pastoral movement as Jacques de Vitry did not hesitate to write, on children's prayers: 'Even if they do not understand the full meaning of the words, they are nevertheless useful; just as the serpent does not understand the power of chanting and incantation whose words, nevertheless, do him harm, the virtue [of the words of the prayer] still influences those who do not understand them.'²⁶ We should not, therefore, have too many illusions

²⁴ Schmitt (1981). ²⁵ Schmitt (1988), pp. 510–13.

²⁶ Jacques de Vitry, *Sermones ad viduas et continentias*, quoted in Schmitt (1981), p. 353.

concerning the depth of the process of internalisation of faith. This only concerned a very limited elite of priests and laymen.

Some members of religious orders, in particular Cistercians and Mendicants, tried their best to adapt to the ability of their audience and to capture their attention by embellishing their sermons with educational anecdotes or picturesque stories, borrowed from an oral tradition or from sacred and profane literature. These *exempla*, as they were called, enjoyed enormous success throughout the thirteenth century, and there were numerous preachers who referred to them, while various authors made inventories of these little stories for use by the clergy.²⁷ But for them it was a matter of reaching the profane masses, founded, in the last analysis, on a pejorative notion of popular culture, rather than on a genuine attempt at cultural integration, so much so that it would not be an exaggeration to see these ‘winks’ at the public as a simple ‘preacher’s trick’.²⁸ Moreover, even though the clergy preached in the language of the people and tried to place themselves on the level of their audience, the message they were spreading remained an overpowering one. In fact, the laity were totally dependent on their speeches, since, with the exception of a few sovereigns and high dignitaries who were in a position to obtain translations, even if only in the form of anthologies, it was the ecclesiastics alone who had access to the Holy Scriptures and sacred texts, which prevented the faithful from questioning or disputing their statements. Certain among them, aroused by a passionate pastoral zeal, like Honorius Augustodunensis in the twelfth century and especially Jacques de Vitry at the beginning of the thirteenth, really tried to overcome this handicap by endeavouring to adapt preaching to the different *status vitae*, that is to say, the socio-professional situation of their audience and the various stages of their existence. But the efforts made by these authors and preachers to move the faithful through identification with their condition, interesting as they may be, had more to do with strategy than with a concrete, positive appreciation of the realities of everyday life. Thus when Archbishop Federico Visconti proposed that the merchants of Pisa follow the example of St Francis of Assisi by inviting them to establish a brotherhood in his honour, he exclaimed in a sermon in 1261: ‘How pleasant it must be for the merchants to know that their colleague, that is to say, St Francis, was a merchant and that he was sanctified in our era!’ It is impossible not to appreciate the prelate’s skill in taking this approach, at the same time as seeing the incongruity of his remark, once one realises that St Francis early on showed nothing but scorn for this profession which he gave up immediately after his conversion.²⁹ In fact, while half-heartedly praising the work of artisans and

²⁷ Delcorno (1989), pp. 7–22. ²⁸ Berlioz (1981).

²⁹ Frederic Visconti, *Sermones* (1257), quoted in Vauchez (1981b), p. 157.

other manual workers, for a long time clerical culture continued to give pride of place to the values of rural civilisation: towards 1260, even a great Dominican preacher like Humbert of Romans still contrasted the peasants – who because of their condition were placed outside the world of violence and money, redeeming their sins through hard labour – with the merchants and the middle-class city dwellers, inclined to sin since their lives did not involve natural work but rather an exchange of goods and riches acquired without effort, under conditions which were often dubious.³⁰

In the final analysis, the pastoral offensive of the thirteenth century enjoyed only limited success with the laity, both because of the often mistrustful attitude of the clergy with regard to their flock and because of its inability to conceive of evangelisation other than as spreading to the faithful the religious practices and models of behaviour adapted to the education and way of life of members of the Church. Moreover, the more enlightened pastors sincerely desired to rescue the faithful from what they called their ‘superstitions’, but they nevertheless did not wish them to become too knowledgeable, for fear that they might slip into heresy and would not claim ‘plus sapere quam sapere oportet’. The cultural level of the parish priests being on the whole rather low, it was not fitting, in fact, that ‘Simple John might teach his curate a thing or two’, that is to say, that the laity might begin discussing religious matters without proper guidance. If at the heart of the Church one wished the *minores* to show respect and submission to the *majores*, it was surely necessary that they be taught the rudiments of the faith, but it was useless and dangerous to initiate them into the ‘subtleties’ which might ruin their simplicity. Moreover, the medieval Church limited the religious knowledge of the faithful to the strict minimum and instead sought to develop devotion within them. For the rest, it was sufficient to follow the words of the priest and to abstain from following the sorcerers, magicians and other old forms of witchcraft which would only lead them to serve the Devil.³¹

Concerns about death and the Christianisation of the after-life

Even if it seems as though the Church only had limited success in its fight against ‘superstitious’ practices and beliefs and could not always offer the laity models of behaviour adapted to their needs and their unique conditions, its efforts were, on the other hand, rewarded with success in one essential area of religious life: concern about death and representations of the after-life. The thirteenth century, in fact, marks a watershed in this area, the culmination of a long process, begun in the Carolingian era, by virtue of which prayers for the

³⁰ Humbert de Romans, *Opera*, II, ed. Berthier, pp. 360–1. ³¹ Kieckhefer (1990), pp. 56–85.

dead had become a central point of the relationship between the laity and the clerics, in particular the monks, who knew better than the others how to fulfil the expectations of the faithful. In the eleventh and twelfth centuries, in fact, as the dominance of the feudal aristocracy and awareness of lineage was taking hold at the heart of the upper classes of society, so a convergence was taking place between the profane idea that the living should retain the memory of their ancestors (that is to say, those who were linked to them by flesh and blood) and the practice which was traditionally at the heart of Christianity since Antiquity of the prayer addressed to God by the Church for all the faithful who had died. Thanks to the close links which had become established between the monasteries and the seigneurial world, the great abbeys and the simple collegiate chantries soon became dynastic or ancestral 'pantheons' where religious people simultaneously observed the cult of their patron saint, or of the saint whose relics they possessed, and commemorated their founders and lay benefactors.³² The Church tolerated this deviation from its doctrine because of the close links which united it to the high aristocracy and because of the obvious advantages yielded by such a connection. In fact, the nobility, and soon the simple knights, increased their donations to religious establishments in the form of *pro anima* bequests, made before or after their death in the form of irrevocable land, rights or rent concessions, on condition that the clerics who were the beneficiaries would celebrate Mass once a year and pray in perpetuity for the souls of the faithful who had passed on and whose names were from that point on inscribed in the necrologies of the community.³³

This system, which acquired increasing cohesion and efficiency with the passage of time, allowed the Church to spiritualise the cult of the ancestors by integrating it within a Christian perspective, in which prayer, alms and offering the sacrifice of the Eucharist became necessary instruments of intercession for the dead. Through these practices, which gradually spread to all strata of society, the Church could extend its control over death, progressively stripping it of its profane characteristics, whether it was a matter of wakes, burial rites or cemeteries, which for a long time remained the place where people gathered or celebrated festivals.³⁴

By spreading among the faithful the belief in an after-life conceived as a place where each person would be compensated according to the way in which he had lived in this life, the clerics contributed even more to changing the behaviour of the faithful to conform to a Christian sense of piety and morality. In the thirteenth century, the very close links which had become established between the monastic life and lay society began to slacken, and the monks, without actually disappearing off the horizon of the faithful, never again

³² Schmid and Wollasch (1967) and (1975). ³³ Lemaître (1986). ³⁴ Schmitt (1988), pp. 524–33.

regained the influence the reformed abbeys had exercised during the preceding era. However, far from diminishing, the importance of the cult of the dead in the piety and devotion of the laity continued to increase, by virtue of a process of vulgarisation which brought with it a growth in aristocratic types of behaviour within new environments, in particular urban society. During an era when the constraints of lineage were being relaxed and when individuals, without detaching themselves from their family groups, were none the less claiming a certain autonomy, a refinement in sensitivity and in the law brought with it a rediscovery of the testamentary will, a personal and revocable act, unlike the donation or bequest. The increasing practice of this type of legal act was not only an important phenomenon on the cultural level. It constituted an important stage in the evolution of religious attitudes, since it allowed anyone who was of age and who had any possessions to organise his funeral and prepare for his salvation in advance, by simultaneously making amends for wrongdoing towards one's relatives and also making arrangements to distribute a part of one's fortune to the poor and to ecclesiastical institutions after death.³⁵ It certainly was not by chance that in the thirteenth century the Church demanded and obtained that wills come under the jurisdiction of its own tribunals and gradually imposed on all Christians the obligation of making their wills in the presence of a priest. By doing this, the Church was not only taking on the role of guarantor of the freedom of the individual in the face of peer pressure or social custom; it also aimed to lead the faithful to modify their behaviour in relation to the consideration of death, so as to be as irreproachable as possible and to be able to count on the greatest number of 'votes' when they stood to be judged by God. At the same time, the increasing value of the Mass as an instrument of intercession in favour of the dead was to bring with it an affirmation of the funerary function of the priesthood; certain parish priests and servers from that point on offered the sacrifice of the Eucharist for the dead and found a means of assuring their livelihood from funeral services and the income given to chaplains.³⁶

This change in the attitude towards death can only be understood in light of the transformations then affecting the representations of the after-life. The system inherited from Christian Antiquity was, in effect, based on two central ideas: eternal retribution, which only took place after the Final Judgement, and the division of the after-life where the virtuous could look forward to the joys of Paradise and the damned to the tortures of Hell. However, eschatological perspectives lengthened, and the Final Judgement, despite remaining fearsome, ended up by appearing a long way away. Moreover, the idea, already expounded by Gregory the Great, that the souls of the dead were the object of

³⁵ 'Nolens intestatum decedere' (1985); Godding (1990). ³⁶ Wood-Legh (1965).

unique judgement immediately after their death, continued to gain ground. In the twelfth century, theologians were still hesitant about this idea. Richard of St Victor maintained that if all human beings were judged immediately after their death and if the evil went directly to Hell, the just would have to wait for the Final Judgement before attaining heavenly glory, while those who had only committed venial sins would atone for them by appropriate penances before being granted entrance into Paradise. In any case, this idea assumed not only the existence of Hell (which certain very popular apocalyptic visions of the time placed at the centre of the earth and described in increasing detail; witness the iconographic representations of the era which were inspired by them), it also assumed there was another place where Christians who had committed less serious sins could purge themselves of all their stains, by enduring horrible torments, but with the hope that the living would help them by their prayers.³⁷ In this perspective, the affirmation of Purgatory, which gradually took place from the end of the twelfth century, even if the term itself and its use by theologians followed later, constitutes an important element which fits into a perfect, functional system. In fact, the faithful, who knew very well that they were not stainless, could only be asked to carry out penitence, devotions and acts of charity if these acts had repercussions in some way in the other world and if the merit they allowed them to acquire could also benefit their dead. For if there was one doctrine to which the faithful adhered spontaneously, it was the doctrine of the communion of saints, which most exactly conformed to their deepest convictions and their hopes. The Church understood this, and, through a new idea of penitence and Purgatory, offered them, at one and the same time, a more optimistic vision of the beyond and the possibility for each of them to contribute to the salvation of his relatives and other 'carnal friends'.³⁸

VOLUNTARY RELIGION

Laity, crusaders and hermits

Until the last decades of the twelfth century, the laity who aspired to lead a religious life scarcely imagined any possibility other than that of entering into a monastery or in some way becoming connected to a religious community, in order to benefit from the spiritual wealth and merit accumulated in the shelter of the cloisters by the servants of God. The forms this association took were extremely variable: the laity who remained in society were most often happy to make a pact of *fraternitas* with an abbey or collegiate church, by virtue of which

³⁷ Dinzelbacher (1981). ³⁸ Le Goff (1981); cf., however, the critique by Southern (1982).

they became *consortes orationum* with the regular monks or canons. Sometimes, there were family groups or peasant communities who voluntarily placed themselves under the protection of a monastery, without requiring their members to stop attending to their temporal affairs.

Certain amongst the faithful went even further and placed themselves at the service of a religious community as lay brothers, that is to say, manual workers integrated into an abbey or priory, where they shared the life of the monks, to a certain extent, but with their own separate dormitory and refectory and remaining excluded from the choir.³⁹ Thus, at the beginning of the thirteenth century, Jean de Montmirail (d. 1217), a pious knight and follower of Philip Augustus, requested, at the age of forty, to be admitted to the Cistercians of Longpont as a lay brother, which was considered an act of great humility, since lay members were generally recruited from the lowest sectors of the peasant classes. His case was not, however, an isolated one, since shortly after, the lord Gobert d'Aspremont, after taking part in the crusade against the Albigensians in 1226, entered the *familia* (domestic service) of the Cistercian abbey in Villiers, in the Brabant region, where he acquired a reputation for holiness.⁴⁰

Yet one of the most original phenomena of the thirteenth century, from the point of view of the history of spirituality, consisted in the appearance of an elite of men and women among the laity who sought to lead a genuinely religious life, independent of any formal relationship with monasticism. This phenomenon predominantly involved the aristocracy of the knights, which after about 1130 saw a route to sanctification in the framework of military orders by following St Bernard's formula for monastic knighthood: these were the Templars and Hospitallers, soon followed by the Teutonic Knights, and numerous orders of the same type which developed in Spain in the framework of the *Reconquista*. But they were still soldier-monks, in general vowed to celibacy, and their way of life was unsuitable to the majority. Married sovereigns, like Louis IV of Thuringia, the husband of St Elisabeth of Hungary, who died en route to the Holy Land in 1229, or even the king St Louis, never belonged to any order of this type. This did not prevent them from leading a very intense religious life, in the framework of the spirituality of the crusades. In fact, there is often a tendency to see the crusades as nothing more than military expeditions guided by religious zeal. This dimension was certainly not absent, but we should not lose sight of the fact that 'taking up the cross' was more than a simple rite: for the crusader, this implied adopting an ascetic and pious life style, sometimes for years, which even before departure involved burdensome moral and religious requirements for the crusader and his family;

³⁹ Töpfer (1981). ⁴⁰ Parisse (1981).

a good case is that of the private and public behaviour of St Louis between his crusade of 1248 and his death in Tunis in 1270.⁴¹

Another possible choice was to become a hermit. The hermits or recluses were not all drawn from the laity: a certain number of them came from the ranks of the secular clergy; but many recluses, who lived just as often in the cities as in the country, were lay women, in general from the lower classes. The ecclesiastical hierarchy was forced to regroup the hermits into communities and pressured them to adopt the way of life of monks or canons. However, especially in the Mediterranean countries or the mountainous or forest regions of north-western Europe, there still remained, in the thirteenth century, genuine hermits and female recluses who enjoyed great prestige from the population among whom they lived, because of their extreme asceticism and, sometimes, their ability to perform miracles.⁴²

The fraternities

Undoubtedly the most innovative, often quite spontaneous, way of achieving a religious life within society was the fraternity.⁴³ Based on the model of priestly brotherhoods, the laity regrouped on a territorial basis (the village or area), or socio-professional basis (by profession), in order to practise mutual aid and take responsibility for funerals and the posthumous destiny of their dead. The community aspect was, in fact, essential in these groupings, which, in Provence for example, interestingly placed themselves under the protection of the Holy Spirit. The composition of these groups and their objectives varied considerably from region to region: certain brotherhoods remained associated with monasteries or convents; others were even more autonomous and only called upon priests or religious men to say Mass or for occasional preaching. But all of them had in common the fact that they were self-administered and were composed, on the whole – and sometimes even uniquely – of lay members of both sexes who voluntarily adhered to the brother or sisterhood. In the thirteenth century, except in Italy, the ecclesiastical hierarchy often did not look favourably upon these associations over which they had scarcely any control and which were suspected of being breeding grounds of anti-clericalism or subversion, in particular in the cities where temporal power was exercised by a bishop or an abbot. As for the clerics, they sometimes felt themselves to be in competition with these associations, which developed on the fringe of the parish system and competed with them by taking responsibility for the funerals of their members. It is hardly surprising, therefore, to find synodal statutes

⁴¹ Delaruelle (1981); Cole (1991). ⁴² Vauchez (1997), pp. 329–36; Clay (1914).

⁴³ *Le mouvement confraternel* (1987); Meersseman (1977); Westlake (1919).

such as existed in Bordeaux in 1255, which severely denounced the fact that the foundation of brotherhoods, established to do pious work, had been 'abused by the malice of certain members of the laity, who set down illegal statutes by which they attempt to weaken the freedom of the Church and to abolish the good and pious customs of the elders'.⁴⁴

On the other hand, the ecclesiastical authorities viewed more favourably the lay associations which placed themselves at the service of the 'Poor of Christ', endeavouring to alleviate the suffering of the ill and bringing comfort to those who were then beginning to be excluded from society, from prostitutes to lepers. The result of this was an extraordinary flood of initiatives in all the west, which were translated into the foundation of numerous hospitals and charitable establishments. Some of these gave rise to religious orders after varying lengths of time; others retained their structure as brotherhoods or lay groups, such as those in the Rhone valley or northern Italy which endeavoured to build and maintain bridges on the principal rivers, in order to facilitate the journeys made by travellers and pilgrims.⁴⁵ It is difficult to know the exact number of these *Maisons-Dieu*, hospices or leper colonies, most often founded by groups of local people or the bourgeoisie, where the poor and ill were welcomed and tended by male and female members of the laity, linked to a few canons or priests. But there is no doubt that their number and importance were considerable in many areas of Christendom during the thirteenth century.

Penitents and Xagellants

In certain highly urban areas, such as the Netherlands and the Mediterranean countries, there remained, however, a great number of faithful who belonged to devout groups, who above all set themselves the goal of helping one another and progressing spiritually. The main obstacle which prevented the laity from having access to a genuinely religious way of life was marriage: even between legitimate spouses, the sexual act, to the clerics, involved defilement, and virginity was considered the perfect state. After the end of the twelfth century, however, a new development began to take place in this area. Pope Alexander III, in an important papal bull of 1175, intended for the knights of the military Order of Santiago which had just been established in Castile to further the *Reconquista*, stated that spirituality was not linked to virginity but to obedience to a rule. Married or not, the knights who entered this Order could, therefore, rightly be considered as religious men, since they had taken vows and had placed their lives in danger to defend the Christian faith.⁴⁶ The importance of

⁴⁴ Pontal (1983), pp. 474–7.

⁴⁵ Mollat (1974); Le Blevec (1978); *Città e servizi sociali nell'Italia dei secoli XII–XV* (1990).

⁴⁶ *PL* 200.1024; Gallego Blanco (1971).

this text, which was confirmed by Innocent III in 1209, is considerable, since it is the first instance of an internalised idea of ‘fleeing from the world’, which, in effect, ceases to be necessarily identified with a rejection of carnal life and becomes a struggle against evil in all its forms, in which no category of Christian was disqualified *a priori* because of his life style. The canonists drew certain conclusions from this turn of events a few decades later, as is confirmed by Hostiensis, who wrote in his *Summa aurea* (1253): ‘In the broad sense, one might call religious those who live a holy and religious life, not because they adhere to a precise rule, but because their life style is harsher and more simple than other members of the laity who live in a purely worldly fashion.’⁴⁷

Between the beginning of the twelfth century and middle of the thirteenth century, there was, in fact, a spontaneous dawning of a whole series of religious styles of life common to the laity of both sexes. This was the case with the penitents in the rural communes of northern Italy, for example, formed around a church or a hospice in order to farm the land, pooling their goods and sharing the work, after having taken a vow of penitence from a bishop or abbot. Even more original was the Third Order of the Humiliati of Lombardy, whose rule was approved by Innocent III in 1201. This group brought together the laity, whether married or not, living in the cities in their own houses according to a *propositum* which allowed them to link work and family life with practising the evangelical ideal. Very similar constitutions were granted between 1208 and 1210 by the same pope to the Poor Catholics – former Waldensians who had returned to orthodoxy – under Durand of Huesca and to the Poor Lombards of Bernard Prim.⁴⁸

During the same period, in regions extending from Flanders to Bavaria, passing through the diocese of Liège and Alsace, there was an increase in the number of lay women known as beguines, who lived alone or in communities they ran themselves and who did not take eternal vows but combined manual work with helping the poor and leading a life of prayer. For some of these women, the regular meditation on the sufferings of Christ led to a voluntary desire for suffering and an aspiration to total deprivation, as is affirmed by the case of Marie d’Oignies (d. 1213), who is well known because of her biography, written in 1215 by her spiritual mentor, Jacques de Vitry, future bishop of Acre and cardinal; he obtained verbal approval from Honorius III concerning the way of life of the beguines, which was never confirmed by a formal document.⁴⁹

In Italy, the most important groups of *laici religiosi* were the brotherhoods of penitents organised in an *Ordo de poenitentia*.⁵⁰ Their existence is confirmed for

⁴⁷ Hostiensis, *Summa aurea*, p. 193.

⁴⁸ Meersseman (1982), pp. 276–89.

⁴⁹ McDonnell (1954).

⁵⁰ Meersseman (1982), pp. 1–38.

the first time in a pontifical document in 1221, when Honorius III took the penitents of Faenza, in Romagna, under his protection, but they no doubt appeared before 1215. The *propositum* of the penitents, similar in certain respects to that of the Third Order of the Humiliati, appeared as a public promise to consecrate themselves to God. The voluntary penitents of both sexes committed themselves to wearing modest clothing: a dark woollen habit, undyed, one single garment of one colour. The simple act of wearing this characteristic clothing was indicative of a religious profession. Those who wore it had to abstain from attending banquets, the theatre and dances, and had to observe fasts more frequently and more strictly than the rest of the laity. During these periods, married people were bound to abstain from having sexual relations, which must be interpreted as a periodical abstinence rather than a total restriction of sexual relations between married people. The penitents were committed to reciting the canonical hours every day, while the illiterate had to replace each one of them by seven 'Our Fathers' and twelve at midday, to which were added the creed and the Miserere at Prime and at Compline. They had to confess and take communion at least three times a year (Christmas, Easter and Pentecost) and meet once a month in the church appointed by their 'ministers', that is to say, the lay representatives of the brotherhood, to attend Mass and hear the exhortation made by a religious man educated in the Word of God. But it was in the realm of their relationship with society at large that the life style of the penitents was most unique: brothers and sisters were only accepted into the community after having returned goods illicitly acquired and renounced dishonest activities, if they engaged in any; moreover, they refused to carry arms and swear oaths, out of loyalty to evangelical precepts, which caused serious difficulties in Italy with the local authorities. These incidents occasioned frequent interventions in their favour by the bishops and the papacy, and in the end a compromise was reached, based on a sort of 'civil service': the penitents carried out certain functions for free to serve the community, from visiting prisons to keeping watch over municipal finances.⁵¹

In other contexts, the movement which pushed the laity to form associations in order to save their souls took a different direction, under the influence of the eschatological ideas of Joachim of Fiore, relayed and propagated by the Friars Minor in the Mediterranean regions. This was particularly the case with the Flagellants, who first emerged in Perugia in 1260, when a local penitent, Ranieri Fasani, read the inhabitants of the city a letter he had received from the Virgin Mary, ordering him to carry out his penance in public and inviting his compatriots to do the same in order to appease God's anger. In anguish over

⁵¹ Vauchez (1987), pp. 105–12.

the imminence of divine punishment, they responded en masse to his call and began to chastise each other during processions of repentance, flagellation permitting those who practised it to identify themselves with Christ by sharing His suffering. By doing this, they merely adopted a ritual of penitence practised by monks and gave it a public and communal dimension. At the same time, the faithful performed rites of conversion, becoming reconciled with their enemies and restoring goods illicitly acquired, in particular through money-lending and charging interest. When the 'Battuti' or 'Disciplinati', as they were called in Italy, gathered together or marched in a procession from city to city, they sang spiritual praises in honour of God, the Virgin Mary and the saints as they walked and whipped themselves. And it was in the heart of their brotherhoods, when the movement was channelled and institutionalised by the Church, that was to develop in Italy and in Catalonia an unprecedented tradition of religious poetry in the vernacular.⁵²

⁵² *Il movimento dei disciplinati* (1962); Dickson (1989).

THE CHURCH AND THE JEWS

Kenneth R. Stow

BY the early thirteenth century, the situation of European Jewry had become a precarious one. No longer considered a separate genus with well-defined rights, legally and constitutionally, the Jews had become directly dependent on feudal suzerains and were prey to arbitrary rule. Their mode of earning a living, largely through lending at interest (in northern Europe, at any rate), was viewed with general suspicion and disdain. Their affective nuclear family ideal and structure, wholly sustained by Jewish religious and political leadership alike, often seemed – and was – foreign to that of their Christian neighbours, and certainly to the ideal sustained by Christian clerics. Finally, their image in Christian eyes had universally become that of the nemesis of the Christian polity. They were alternately viewed as the personification – and, by projection, the incarnation – of perverse, unhuman, reason and reasoning; as the object on which to project and transfer irrational doubts and frightening convictions, most notably the conviction of the real presence of Christ in the Eucharist; and as the foil for promoting, conjointly with theories of worldwide conspiracies, the Marian cult and other local cults of saints, often in association with libels of ritual murder. Any, or all, of these views was sufficient to generate an image of the Jew as a mythical threat to Christian society. As the source, first, of spiritual pollution, then of the corruption of the Christian body politic, and eventually, in the sixteenth century, if not earlier, of pollution by infection of the physical and individual Christian body itself, occasionally accompanied by charges of magic, although pointedly not of witchcraft, the Jew was deemed capable of subverting a Christian society's legitimate aims and goals.¹ Since 1096, during the First Crusade, such conclusions increasingly exposed the Jews to libel and physical attack. What role, we can now ask, did the institution of the Catholic Church, its leaders and their ideologies play in either fomenting or moderating this state of affairs?

¹ It is possible in this brief space only to allude to materials recently published by Anna Abulafia, Anna Foa, David Berger, Yisrael Yuval and Gavin Langmuir.

Throughout the Middle Ages, the policies of the Church towards the Jews rested on a set of consistently enunciated principles. These principles referred to Christian salvation, the promotion of the Church as both a spiritual and a worldly institution and to the Jews' ultimately Christian soteriological role.² In each case, the Jews' continued presence in Christian society was judged necessary, if only for them to personify the absence of belief and its punitive effects. The desire to retain the Jews in order to achieve these ends (as stated by Paul in Romans 9:11) was admittedly balanced by a fear of 'contamination' (as stated by Paul in Galatians 4:5). Nevertheless, the tension between these two concerns was decisively resolved in favour of the former with an eye always focused on the latter. At the root of this resolution lay the idea of contingency: Jewish acts – including the very observance of Jewish rites – were at least indirectly to benefit Christianity; otherwise, they were to be forbidden. It was this idea that governed the policies of Gregory I and moderated the wrath (and possibly the designs) of earlier churchmen, such as John Chrysostom (in the fourth century) and Agobard of Lyons (in the ninth century). Eventually, the idea was verbalised by Alexander II who, in letters sent to Spain in 1063, indicated that Jews were to be protected, accepted into Christian society, and guaranteed their rights so long as they did not threaten Christianity (but, by implication, assisted it to achieve its goals). Churchmen throughout the Middle Ages and into the early modern period emphatically and repeatedly reaffirmed this formulation.³ In about 1140, it was incorporated into Gratian's normative 'textbook' of medieval canon law as the canon *Dispar nimirum est* (c. 23, q. 8, c. 1).

These theoretical and political continuities have too frequently been ignored. Rather than accepting that 'What is remarkable in the Middle Ages is not that the doctrine on the Jews was emphasized, but that it underwent so little change',⁴ historians have argued that during the eleventh or twelfth century, the Church set its sights according to an 'Augustinian vision' of toleration but then vacated that vision in its attempt to eradicate deviance (especially as represented by heresy and Judaism, which contemporaries are said to have viewed as being in some respects identical). In particular, the thirteenth century is said to have inaugurated a shift towards containment, which radically altered ecclesiastical Jewry policies.⁵ In fact, thirteenth-century innovations brought out more than anything else the implications of long-standing policies and heightened their definition, with resulting difficulties for the Jews. The yardstick applied to determine policy remained its congruence with the 'traditions' of Christian law, theology and practice. It was not by chance that in 1266 Pope

² Thomas Aquinas, *Summa theologiae*, IIa, IIae, Question 10. ³ Stow, (1988), pp. 58, 61.

⁴ Langmuir (1963), p. 235.

⁵ E.g. Parkes (1934); Ben Sasson (1976); Chazan (1980); Cohen (1982), (1983), (1986) and (1989).

Clement IV warned the Talmud's Spanish opponents that their actions must not 'violate those privileges which the Apostolic See has conferred upon the Jews'.⁶ A subtle, if sometimes elusive, balance was going to be maintained.

Indeed, all the elements of canon Jewry law were fully in place by about the year 1012,⁷ and most of them were even gathered together and written down, first, in the influential *Decretum* of Burchard of Worms, and, then, about 1094, in the works of Ivo of Chartres. The twelfth- and thirteenth-century canon lawyers and editors of canon law collections, as well as the theologians, who all perfected Burchard's and Ivo's work, did so largely through editorial elaboration.⁸ These elaborations sometimes produced programmatic change, yet they did not affect overall goals and strategies. In particular, thirteenth-century canonists emphasised the deep roots of Jews in Christian society, for example, by enhancing the rights of Jewish parents over their children.⁹ They also went beyond Alexander II's *Dispar nimirum est* and incorporated into Church law the canon *Sicut iudaeis non*, which unambiguously defined the Jews' right to live peacefully and securely among Christians. Moreover, Jews and Judaism were identified by neither canonists nor theologians with heresy. Rather, Jews were uniquely 'Jews', a distinction that Honorius III explicitly reaffirmed in 1225.¹⁰

Radicals, too, even Dominicans such as Ramon Martí, still clung to the traditional Pauline formulation reserving the Jews' conversion for the End of Days. Martí thus acquiesced in the Jews' presence in Christian society, despite his conviction that contemporary, Talmudic Judaism was a demonic invention and that its observance diverted the Jews from following what he called their authentic, biblical and indeed christologically oriented faith. 'The Jews', he said, 'are like the pomegranate tree, which is spiny and emits a foul odour, but eventually produces sweet fruit.'¹¹ Moreover, ecclesiastics who did overstep bounds, especially papal inquisitors, were often summarily restrained by the popes themselves. When churchmen did associate with violence or force, it was nearly always in league with a royal partner, if not a royal initiator. This was true of the forced sermons delivered by the convert, Paul the Christian (Pau Crestià), and by other preachers in the 1260s, of the disputations held at Paris and at Barcelona in 1240 and 1263, and of the forcible conversion of nearly all of southern Italian Jewry around 1290.

These facts provide the groundwork necessary to understand the doctrine of Perpetual Servitude (*Perpetua servitudo*), first enunciated in the bull *Etsi iudaeos* issued in 1205 by an angry Pope Innocent III. Furious that Jews at Eastertide were forcing Christian wet-nurses to express their milk following their reception of the Eucharist, Innocent declared that the Jews must realise

⁶ Grayzel (1989), pp. 92–3. ⁷ See Gilchrist (1988). ⁸ See Gilchrist (1988), pp. 12–13.

⁹ Pakter (1974), p. 306. ¹⁰ Grayzel (1966), p. 173.

¹¹ Raymundus Martinus, *Pugio Wdeï*, ed. Carpzov, pt 3, ch. 10, paras. 21–3.

that their ‘guilt has consigned them to Perpetual Servitude’,¹² and that their actions must accordingly exemplify this state. The Jews’ ‘servitude’, as canonists like Hostiensis stressed, was neither a real one,¹³ nor was it a foil with which to parry imperial claims to power.¹⁴ It was rather a concept, a mnemonic device, combining the principle of ‘subservience’ enunciated in 1063 by Alexander II with the exegetical consensus based on Paul in Galatians (4:23) that the Jews were the offspring of Hagar the serving woman. Its purpose was to emblemise correct Jewish behaviour and to remind Christians, as well as Jews, of the rightful parameters limiting Jewish behaviour and of the need to maintain their integrity. Indeed, the specific purpose of *Etsi iudaeos* was to restore the traditional equilibrium of Jewish ‘subservient’, as opposed to Christian ‘dominant’, behaviour, which Jewish actions had upset.

Just as the concept of ‘Perpetual Servitude’ synthesised previous canonical demands on the Jews, so too did the well-known decrees of the Fourth Lateran Council in 1215. Their intention, in common with all this Council’s decrees, was to strengthen discipline in Christendom. To be sure, the summary and consolidation of heretofore scattered or local edicts in the format of ecumenical decrees – such as those of Lateran IV – can produce innovation. The fact, however, is that with the exception of the decree that Jews wear a special habit, all the Council’s edicts concerning Jews may be found in the collections of Burchard of Worms and Ivo of Chartres. And the Jewish decrees of the former found their way into at least thirty-four other canonical collections. Gratian’s *Decretum* contains more than fifty Jewry canons covering the full range of permitted and forbidden Jewish actions, most notably on the subjects of subservience, synagogues, converts, testimony and social segregation.¹⁵ Actual late twelfth- and thirteenth-century innovations, which concern lending, the paying by Jews of tithes and litigating with clerics before courts Christian alone, respond to problems that only then arose. The specific rulings of the Fourth Lateran Council, as well as those of the Third (in 1179), must thus be understood as actions taken to heighten – by a grant of ecumenical status – the observance of select, especially troublesome, rulings that had all too often been flouted. Specifically, the Third Lateran insisted that Christian testimony against Jews always be considered valid. The Fourth Lateran referred to Jewish public appearances during Easter week, denounced Jews holding public office and regulated the interest Jews might accept (it did not forbid the practice entirely) from crusaders. This legislative process culminated in the Decretals of 1234, which streamlined to about thirty the number of Jewry canons and closed existing legislative loopholes. Paradoxically, this

¹² Grayzel (1966), p. 114.

¹³ Pakter (1974), p. 306; De Susannis, *De iudaeis et aliis in illud libris*, pt 2, ch. 6.

¹⁴ Baron (1972), pp. 204–307.

¹⁵ Gilchrist (1988), pp. 10–11.

process also had its advantages. The limits of permissible behaviour had now been indisputably clarified – a point on which more than one Jewish writer commented. And, in fact, new documentation confirms that the popes, at least, unfailingly insisted that these limits be observed.¹⁶

How does the Fourth Lateran edict directing Jews to wear distinguishing clothing fit into this pattern? To begin with, the concept of special dress was quite likely borrowed from the occasional ancient Islamic practice of making Jews wear honey coloured turbans or sashes. More importantly, historians are becoming increasingly convinced that Innocent III, who presided over the Fourth Lateran Council, must be taken at his word. He was not rationalising when he said that without special clothing ‘it sometimes happens that by mistake Christians have intercourse with Jewish or Saracen women, and Jews or Saracens with Christian women . . . [which is] a grave sin’.¹⁷ Indeed, Gregory IX and Innocent IV, in 1233 and 1250, respectively, repeated this reasoning verbatim, citing as authority the Fourth Lateran decree.¹⁸ Sexual contact between Christians and non-Christians – whether Jews or Muslims – was a reality, and one that had long been a proverbial thorn in the ecclesiastical side. Hence it would be wrong to say that the ‘original’ purpose of the Fourth Lateran’s directive was visually to exemplify Jewish inferiority. We may also observe that Innocent III spoke in general terms of a ‘distinctive habit’. The pejorative ‘yellow [or otherwise coloured] cloth badge’ came into vogue somewhat later – and the initiators and enforcers of its wearing were often kings, such as England’s Henry III (at least indirectly through the legate Pandulf), in 1218. It was likewise Frederick II who may have been the first to associate this badge with signs such as the prostitute’s special marks of dishonour.

None the less, in both lay and ecclesiastical circles, the badge did come to signify the Jews’ inferior status. It tangibly marked them off as the ‘elder who shall serve the younger’ (Gen. 25:23, cited in Romans 9) and confirmed, as one historian has argued, their social marginality.¹⁹ The other medieval group that was commonly forced to wear special clothing was the lepers.²⁰ Yet, by visually indicating the Jews’ status, the badge, somewhat paradoxically, also lessened anxieties and established a *modus vivendi*. A prime reason why both clerical and lay communities so rapidly adopted the badge was surely the belief that what they saw, they might better know; what they knew, they might less fear; and what they less feared, they might more securely live with, and successfully control. In the thirteenth century, such control was viewed as an urgent

¹⁶ Simonsohn (1990), *passim*.

¹⁷ Grayzel (1966), p. 309; Boureau (1986), p. 29; Brundage (1988), p. 30; Kriegel (1979), p. 50.

¹⁸ Grayzel (1966), pp. 206–7, 272, 283.

¹⁹ Grayzel (1966), pp. 60–70; Genesis 25:23, cited in Romans, ch. 9. ²⁰ Ginzburg (1989), p. 11.

desideratum. Dissatisfied laymen had so mythically inflated the dimensions of 'Jewish misconduct' that it was being perceived as an 'obstacle' to social and political tranquillity. Uneasy clerics, especially Mendicant Franciscans and Dominicans, doubted that Jews willingly submitted to Christian dominion, and popes, too, occasionally expressed concern. Taking up the cries of their ninth- and tenth-century predecessors, clerical radicals were arguing that Jewish actions contaminated the *societas Wdei* and its members, and that to protect and stabilise this society, greater heed must be given to segregationist warnings, like those in Galatians, saying that 'a little leaven leavens the entire dough'. More, these warnings ought to be translated into political instruments – one of which was the 'badge'.

This urge to enhance social stability by visibly segregating the Jews may partly be ascribed to the thirteenth-century Church's broader predicament. Despite its apparently enormous power and prestige, it had failed to 'reform' society into a wholly submissive body; it was challenged by severe waves of heresy; it was forced increasingly to share the total control it claimed over the clergy with lay rulers especially in matters of taxation and justice; and it had to pacify internal dissension, such as that between the Franciscans and the secular clergy at Paris. The unremitting persistence of the seculars, which led to the condemnation of their leader, William of St Amour, might even have been interpreted as criticism of the papacy itself, since the pope supported the Franciscan protagonists.²¹

To these problems may be added others caused by utopian yearnings, themselves generated by the failure of the Church to create a unified Christian society. But such yearnings automatically implicated the Jews, whose eventual mass conversion was, from the time of Paul, said to prefigure the Second Coming. Thus, the Calabrian radical abbot, Joachim of Fiore, spoke of the Jews' imminent conversion,²² and the cardinal and papal legate in France, Robert Courson, said that the end of lending at interest – including, of course, that practised by Jews – would herald a utopian era.²³ At the very least, therefore, it was necessary to achieve the Jews' submission, as well as visibly to behold it. Their wearing of the badge, in particular, symbolised a stage in the actual achievement of the Christian order. With this last point, even the popes could concur. The possibility of Jews abusing Christian wet-nurses or the Eucharist (however indirectly) indicated a flaw in the Christian order: no wonder that the popes spoke angrily of Jewish 'contumely' and 'contempt'. Such flaws had to be mended, even at the Jews' obviously great expense. The badge – its original purpose, too, being that of repairing a breach – symbolised

²¹ Morrison (1969); William of St Amour, 1632, *De periculis novissimorum temporum, Opera omnia*, Constance, cited by Cohen (1982), p. 258; and cf. Pakter (1974), pp. 28–30. ²² Frugoni, p. 3.

²³ Mundy (1973), p. 175.

the undertaking of this internal healing process. Iconographically, it signified that the Jews' Perpetual Servitude had been achieved.

II

The achievement of order and equilibrium typified the thirteenth-century Church's formal stance toward the Jews. It did so even in the face of what came to be viewed as enormous provocations, namely, those associated, first, with the contents of the Talmud, and, second, with the wooing back to Judaism of converts to Christianity.

About 1236, the convert Nicholas Donin composed and sent to Pope Gregory IX a tract listing thirty-five charges against the Talmud. Donin charged that, especially in its aggadic (narrative) material,²⁴ the Talmud blasphemed, cursed non-Jews, slighted God and alluded to the right of men to emend divine precepts. It was also said to view Jesus as the son of a whore.²⁵ Worst of all, as Clement IV eventually put it, through the Talmud it could be said that the Jews had 'set aside the Old Law received from Moses and adopted another in its place'.²⁶ Going further, Ramon Martí charged that contemporary Judaism was a body of 'false practices given them [the Jews] by the demonlike Bentalamion'.²⁷ Not that all of this was a new discovery. In earlier centuries, Agobard of Lyons, Petrus Alfonsi and Peter the Venerable had all alluded to these matters. The Talmud, after all, is an amalgam of diverse legal and mid-rashic comments made over hundreds of years, with an internal logic far different from that of thirteenth-century Christian scholasticism. Negative interpretations of its meanings are easily obtained.

However, prior to the thirteenth century, Christians had no direct access to the Talmud, unless, like Alfonsi, they were converts. By the thirteenth century, Christians began studying Hebrew, better to know the Bible, often instructed by rabbis. The passage from biblical to rabbinic literature was not a difficult one. The main seat of this study was Spain, where in the 1260s Dominicans like Ramon Martí – whose *Pugio Wdei* in part paradoxically attempts to prove Christianity's truth through midrashic citations – called for the Talmud to be censored. Separated from the blasphemous chaff, the supposedly pristine and true kernel of Talmudic thought ('pearls on a great dunghheap') would remain to persuade the Jews to embrace Christianity. The Dominicans thus purposefully incorporated rabbinic texts into sermons, which they forced the Jews to hear, and for which they obtained royal enabling licences in 1245, the 1260s and in 1296. The Talmud's supposedly Christological texts were also exploited by

²⁴ Maccoby (1982), pp. 19–38.

²⁵ Rosenthal (1956); Merchavia (1973), pp. 93–127.

²⁶ Grayzel, 1989, p. 98.

²⁷ Bonfil (1971); cf. Cohen (1982), pp. 131–53; Chazan (1989).

the Dominican convert Paul the Christian, in a debate held at Barcelona in 1263.²⁸ Paul's Jewish opponent, Rabbi Moses ben Nahman (Nahmanides), was pressured into saying that Jews do not recognise midrashic texts as binding although there is evidence that he did believe they were.²⁹ Dominican missionary fervour, nevertheless, was neither consistent nor long-lived. By about 1278 the *Pugio Wdei* was already finding refuge behind the traditional argument that the Jews would convert in mass only at the End of Days.³⁰

Moreover, at the height of these events, in 1266, Pope Clement IV warned that any actions against the Talmud and its supporters (specifically, Moses ben Nahman) must not 'violate those privileges which the Apostolic See has conferred upon the Jews'.³¹ This papal concern for judicial propriety was even more critical a generation earlier at Paris. At first, Gregory IX responded to Donin's charges (although not before 1239) and ordered Jewish books confiscated and investigated, as they were in a (probably) inquisitorial hearing in 1242, and then burned. The scenario was repeated in 1244.³² It might have been repeated again, in 1247, were it not for the intervention of a Jewish delegation, to which Innocent IV, himself a canon lawyer of note, responded that the pope is 'debtor alike of wise and foolish; he must harm no one unjustly, but is in justice bound . . . to render to each his due'. Innocent's silence following a subsequent condemnation of the Talmud in 1248 by his Parisian legate, Eudes of Châteauroux, may be understood as a confirmation of this position. The Jews, said Innocent in 1247, must be allowed those books 'without [which] . . . they cannot understand the Bible and their other statutes and laws'.³³ This position was echoed in subsequent papal references to the Talmud. Blameless books, said Clement IV, ordering the Talmud expurgated in 1267, must be 'restored to the [Jews] . . . as is "just"'.³⁴ This phrase continued to appear as late as 1553 when Julius III ordered the Talmud burned in Italy.³⁵

In the thirteenth century, the real impetus for further action against the Talmud came primarily from Louis IX, king of France.³⁶ In the early fourteenth century, southern French inquisitors, notably Bernard Gui, took the leading role.³⁷ Papal involvement after the 1240s was sporadic and unpredictable. Indeed, one may also question the initial papal response. Although papal letters to confiscate the Talmud were sent throughout Europe, they were all 'mailed' from Paris through Donin's intermediacy,³⁸ with the assistance of the bishop of Paris, William of Auvergne, and the university chancellor, the legate

²⁸ Cohen (1982), pp. 108–22. ²⁹ Fox (1989). ³⁰ Raymundus Martinus, *Pugio Wdei*, ed. Carpzov.

³¹ Grayzel (1989), pp. 92–3. ³² Pakter (1974), pp. 30–1.

³³ Grayzel (1966), p. 275; Baer (1961), II, pp. 158–9. ³⁴ Grayzel (1966), p. 343. ³⁵ Stow (1972).

³⁶ Grayzel (1989), pp. 64–5, and (1966), pp. 336–7.

³⁷ Yerushalmi (1970), pp. 326–7, 351; Grayzel (1989), pp. 316–19.

³⁸ Baron (1952), p. 67; Merchavia (1973), pp. 349–60, esp. 356.

Eudes of Châteauroux. From the beginning, that is, the pope was most likely responding to a Parisian initiative. Yet, the pope also had reason to hesitate. The University of Paris had traditionally argued for the supremacy of the Sacred Page as the arbiter of Church doctrine. The popes had argued that they alone were supreme. By the late twelfth century, the popes had bested their opponents, but not by unanimous consent. The thirteenth-century attack on the Talmud as an invalid, extra-scriptural font of Jewish authority, originating as it did at Paris, may hence have been a disguised critique of the papacy itself, and perhaps an indirect challenge. It was best for the popes to proceed cautiously. Such caution may explain why, about 1245, in his 'Apparatus' on the Decretals, the canonist Innocent IV first justified the Talmud's burning in 1244 as due punishment for unchecked blasphemies but after 1247, a wisened pope Innocent IV refused to burn the Talmud again. The overwhelming ratification by Parisian university masters, especially the canonists, of Eudes's 1248 condemnation may have revealed to Innocent hitherto unseen motives:³⁹ namely, today's assault on rabbinic *halachah* law might presage a similar one tomorrow on the now papally and no longer scripturally based body of ecclesiastical canons.

Ironically, therefore, to observe the Talmud's fate is also to observe how capably the thirteenth-century papacy withstood challenges to its legal and institutional primacy. It was, it appears, no accident that later inquisitorial proceedings against the Talmud charged it only with blasphemy, not with being a 'new law'.⁴⁰ Here, at least, the inquisitors followed the papal lead, despite their zeal for prosecution or censorship. Even the Dominican inquisitor Bernard Gui, adopted this stance. But then had not some Dominicans and even Franciscans generally shown restraint? The Franciscan theologian, Alexander of Hales, for one, reaffirmed in the mid-thirteenth century the doctrines of Pope Alexander II.⁴¹ And he was followed by the former Dominican general, Humbert of Romans, who, in 1274, wrote at the behest of Pope Gregory X, in preparation for the Second Ecumenical Council of Lyons, that Jews 'are neither capable of harming Christians, nor do they know how to do so' (*ne sciunt nec possunt contra Christianos*).⁴² Jews, living peacefully in Christendom, that is, were to enjoy their good customs and traditions, as the popes often said. This same motif was stressed by Thomas Aquinas, as well.

Thomas's discussion of the Jews in his *Summa theologiae*⁴³ is predicated on the idea that Jews are an indispensable block in the seamless scholastic building

³⁹ Merchavia (1973), pp. 452, 356–60; cf. Cohen (1982), pp. 73–4.

⁴⁰ Grayzel (1966), p. 343; Yerushalmi (1970), pp. 351–2; cf. Cohen (1982), pp. 92–3.

⁴¹ Alexander of Hales, *Summa theologiae*, III, p. 729; Chazan (1980), pp. 43–51 (trans.); cf. Cohen (1986), p. 608.

⁴² Grayzel (1989), pp. 127–30.

⁴³ Thomas Aquinas, *Summa theologiae*, IIA, IIAe, Questions 10–12.

fabric of society and its ideals. The Jews' role is that of the inverse mirrored reflection. If it is natural to believe, said Thomas, then unbelief is contrary to nature. Belief resides in one's intellect; unbelief is the product of the intellect (inappropriately) moved by the will. The believer is separated from God. The Jews and their fate, Thomas continued, illustrate these theological verities; Jewish life in Christian society must be regulated accordingly. Hence, Jews are not heretics, nor are they to be treated as such, for their sins are certainly much less grave. Yet, unbelief does lead Jews to sin, especially through false textual interpretations. Christians therefore must guard lest through these interpretations, as well as through their other activities, Jews corrupt the faithful. Only those expertly trained should confront Jews in debate. Likewise, all contacts with Jews are to be restricted and supervised. This is so even if Jews, as Jews, are outside the body of the faithful and may not be restrained through spiritual punishments like excommunication. On the other hand, Jews may enjoy no dominion over the faithful, whether spiritual or temporal; they may particularly not employ Christian domestics. At the most, Jews may employ Christian day-labourers to work outside the home. Jews may observe their rites. For thus human government imitates that of God by allowing 'certain evils' that portend the good, in this instance, the testimony Jewish rites provide to the Christian truth which, of old, they foreshadowed. By the same token, none may force Jews to embrace the faith; although, should they be baptised, they may be compelled to constancy. Jewish children, too, may not be converted against their parents' will. To do so would be to invite apostasy; more importantly, it would be to defy natural justice, which even the Church may not do.

Thomas's presentation is, of course, wholly congruent with that of the canon law of the Decretals. So, too, is his (for us) difficult idea of Jewish justice, that is justice dispensed to the Jews. For at the root of that justice is not the modern idea of equality before the law, but the preservation of theological and canonical principles concerning Jews developed over the course of more than a thousand years. In this scheme, it was no less just to burn blasphemous books or to force the Jews to wear a badge than it was to decry charges of ritual murder, as Popes Innocent IV and Gregory X (among others) resoundingly did. Contemporaries likewise saw no contradiction between Nicholas IV's allowing inquisitors to try Jews accused of aiding heretics and his berating of the Roman clergy for unjustly oppressing that city's Jews;⁴⁴ they did not perceive in the many repetitions of the 1267 bull *Turbato corde* (mandating the papal Inquisition to proceed in these matters) that which recently one historian called a denial of previously more tolerant papal attitudes.⁴⁵ The same applies to our modern sense of oppression conjured up by the material contained in inquisitorial

⁴⁴ Grayzel (1977). ⁴⁵ Grayzel (1989), pp. 179–86.

manuals, detailing procedures against Jews who aided heretics, as well as ways for dealing with allegedly blasphemous Jewish books. Regrettably, there are too few extant records of inquisitorial trials against Jews, especially north of the Pyrenees, to confirm or deny this impression. The matter is further complicated by the question of whom the inquisition was prosecuting.⁴⁶

Turbato corde specified that the Inquisition might prosecute Christians who had been converted from Judaism and now relapsed, such as those Jews who had been forcibly baptised.⁴⁷ Were they to be considered apostates from Christianity, and even more their children, who may have been baptised at birth and raised in a crypto-Jewish climate? Forced baptism was, after all, illegal – before the fact. Afterwards, as stipulated as early as the year 633, at the Fourth Toledan Council, victims might be forced into Christian observance. This stipulation entered the canonical collection of Burchard of Worms and was incorporated into the official body of canons, in 1298, by Boniface VIII in his *Liber Sextus*. Along the way, fine distinctions between ‘absolute’ and ‘conditional’ compulsion had been drawn.⁴⁸ In theory, a victim of the former could again become a Jew, within three months of the event. In practice, all baptisms were deemed no more than ‘conditionally’ forced. Thus, in 1320, Bishop Jacques Fournier, inquisitor of Pamiers, and the future Benedict XII, forced one Baruch, a victim of the so-called Shepherds’ Crusade, to remain a Christian. This was canonically just. Baruch, as Fournier repeatedly elicited from him at his trial, had never verbally refused to be baptised. That he had held his tongue while being threatened with a sword was irrelevant to the issue.⁴⁹

Baruch, nevertheless, seems to have been let off lightly. And the truth is that some of those charged by the Inquisition were acquitted.⁵⁰ On the other hand, matters might hinge on an inquisitor’s personal whim or his desire to exploit canonical loopholes. When the number of converts grew large, as it did in southern Italy after about 1290, inquisitors were easily able to accuse of proselytising any Jew who had dealings with converts. Martin IV, in 1281,⁵¹ had, in fact, already warned inquisitors against prosecuting Jews who may unwittingly have frequented converts (*familiaritas*).⁵² But this warning was insufficient to prevent inquisitors, in 1315, from using such an accusation to persuade King Sancho, himself incensed at possible Jewish support for German proselytes and at attempts to draw converts back to Judaism, to confiscate the bulk of Majorcan Jewry’s wealth.⁵³ Inquisitors also tried to sow confusion by changing

⁴⁶ Pales-Gobilliard (1977), p. 101. ⁴⁷ Grayzel (1966), pp. 226, 262–7; see also Jordan (1989), p. 150.

⁴⁸ Kriegel (1978). ⁴⁹ Grayzel (1966), pp. 100–3.

⁵⁰ Grayzel (1958), p. 114; see also Albert (1974), p. 330.

⁵¹ Pales-Gobilliard (1977), pp. 102–3; Shatzmiller (1973), p. 332. ⁵² Grayzel (1989), pp. 22, 149.

⁵³ Baer (1961), II, pp. 10–14; Abulafia (1992).

venues, an act that aroused papal protests in favour of its Jewish victims.⁵⁴ In this atmosphere, one easily understands why in 1354 a Jewish synod held at Barcelona insisted that Pope Innocent VI publicly restate the limits of inquisitorial juridical competence over Jews.⁵⁵

Inquisitors had expanded the scope of their actions. Bernard Gui detailed plans to expurgate Jewish books of prayer, intending apparently to supervise the whole of Jewish religious practice; other inquisitors delivered conversionary sermons.⁵⁶ To be sure, inquisitors were sometimes opposed by kings. But, as expressed by Philip IV of France, that opposition was primarily to action taken without first obtaining royal consent. Both Philip III and Philip IV republished *Turbato corde*, just as they, and other kings, supported conversionary sermons.⁵⁷ In the early 1290s, Charles II of Anjou made league with inquisitors to force great numbers of Apulian Jews to convert.⁵⁸ The available evidence does not satisfactorily explain this event. But it is clearly at one with the doings of other rulers who assented to enforced preaching, ordered books indiscriminately confiscated and burned, and generally violated the Jews' 'good customs', quite to the contrary of the papal will. The papal commitment to protect the Jews' rights, no matter how few these rights had become, was a firm one. This commitment was even partly responsible for the decision to allow Jewish lenders to collect what Innocent III styled as 'not immoderate usury' (*non immoderatasve usuras*).⁵⁹ Martin V went so far as to threaten those wrongly accusing the Jews before the Inquisition with severe sanctions.⁶⁰ In apparent response to the petition of Aragonese Jews in 1354, Innocent VI – although otherwise mandating inquisitorial proceedings – issued numerous letters forbidding inquisitors to change venues and withhold knowledge of accusations and evidence.⁶¹ The popes also refused to sanction forced preaching, no matter how much they may have desired it. In 1245, Innocent IV approved and appended to his papal text an edict issued by James I of Aragon renouncing the normal royal right to confiscate the property of converts; but he omitted all reference to the royal edict's final paragraph ordering Jews to attend missionary sermons. Thirty years later, in 1278, Nicholas III, in *Vineam sorec*, came even closer to licensing such obligatory sermons, yet, he, too, refrained. Like that of almost every other pope, Nicholas's involvement in missions to the Jews was a limited, if not an ambivalent, one. A papal policy unrestrainedly pursuing conversion was launched only in the sixteenth century; and even then it

⁵⁴ Grayzel (1989), pp. 182–3. ⁵⁵ Finkelstein (1972), p. 331.

⁵⁶ Grayzel (1989), pp. 149, 141 nn. 1, 2; Yerushalmi (1970), *passim*.

⁵⁷ Friedberg (1963); Grayzel (1989), pp. 19–20; and see Baer (1961), I, pp. 155–6, 168; Cohen (1982), pp. 82–4; Stacey (1992); Jordan (1989), p. 161; Browe (1942), pp. 17–21.

⁵⁸ Roth (1946); Milano (1963), p. 103; Starr (1946); Cohen (1982), pp. 85–8; Abulafia (1996).

⁵⁹ Stow (1981), pp. 162–5. ⁶⁰ Grayzel (1989), pp. 141, 149. ⁶¹ Simonsohn (1990), I, pp. 408–13.

endured for no more than forty years. There was always the fear that a mass Jewish conversion, not followed by the Second Coming, would impeach Christianity's truth.⁶² The question of forced conversion was no less troubling. Still, Nicholas could not wholly refuse a mendicant request to license missionary sermons. At the same time, as he indicated in *Vineam sorec*, attendance at these sermons could not be made compulsory. At the most, Nicholas nebulously wrote, should the Jews prove stubborn and refuse to hear the preachers, he, the pope, was to be informed, 'so that he might consider some remedy'.⁶³ That, but nothing more. Certain *limina* could not be crossed. The bull, and eventual canon, *Sicut iudaeis non* (x.5,6,9), first issued as early as 1190, and then repeated by nearly every pope thereafter, indicates precisely what these thresholds of restraint were.

Sicut iudaeis is actually a contractual text, a fact which well may have ensured its efficacy. Its form is that of the so-called *tuitio* charters, namely, texts granted originally by early medieval secular rulers to guarantee the rights of Jews who pledged their 'fidelity', by which was meant 'service'. In *Sicut iudaeis non*, this fidelity became synonymous with 'submission' to the papally directed Christian order and to the directives of canon law, in return for which the popes guaranteed the Jews' practice of Judaism and their other traditionally permitted 'good customs'. To emphasise this mutuality, the text commenced with Gregory the Great's paraphrase of the *Theodosian code* (CT 16, 8, 18): 'Just as the Jews should not have licence to do in their synagogues more than the law permits, so should they suffer no limitations on that which they are allowed.'⁶⁴ So important was *Sicut iudaeis*, that from the time of Innocent III, the popes themselves called it the *Constitutio pro iudaeis*. The leading fifteenth-century canonist, Panormitanus, said that the prescriptions of *Sicut iudaeis* defined the limits of the Jews' Perpetual Servitude.⁶⁵ Even Eudes of Châteauroux, who so forcefully condemned the Talmud in 1248, was willing to append his signature to reissues of the text in both 1255 and 1262.⁶⁶

Nobody more appreciated the significance of *Sicut iudaeis non* than did the Jews themselves. One thirteenth-century Jewish chronicler, in a deliberate fiction (so well done that it has traditionally been given full credence)⁶⁷ wrote that a papal legate was able to halt a royal persecution merely by publicly reading the text. Jews may even have forged the copies of *Sicut iudaeis* attributed to Nicholas III and Martin IV.⁶⁸ This is not, however, because the Jews were blind to colours and nuances. They knew well that the popes were not willing

⁶² Foa (1988), pp. 155–60; Stow (1991). ⁶³ Grayzel (1989), p. 142.

⁶⁴ Grayzel (1966), p. 92; Stow (1984), p. 16.

⁶⁵ Panormitanus, *Lectura super libros V decretalium*, on *Decretals*, bk 5, title 6, canon 9 (4: 95–9); noted in Stow (1977), p. 346. ⁶⁶ Grayzel (1989), pp. 56, 71. ⁶⁷ Chazan (1972).

⁶⁸ Grayzel (1989), p. 141 n. 2.

protectors. Rather, they understood that within the framework of the canons and Christian theology, the popes were committed to establishing an equilibrium between Jewish obligation and privilege. The problem, of course – which has raised modern historiographical doubt about just what the popes intended⁶⁹ – was that equilibria such as this one fare better in theory than in practice. Clement IV thus ordered restored to her Jewish father, who ‘was being tormented by fatherly emotions’, his dubiously baptised, seven-year-old daughter. But he also said that when the child came of age, she was to be returned to the Church. Was this Jew expected to raise his daughter as a Christian?⁷⁰ And why should his ‘natural’ fatherly rights to retain his daughter, as Thomas might have justified it, be eventually subordinated to the ‘divine’ ones of the Church?

This predicament recalls the decision of Gregory the Great, 600 years earlier, monetarily to compensate Palermitan Jews, whose communal buildings the local bishop had forcibly consecrated as churches, rather than to restore the buildings themselves. Consecration, like baptism, could not be undone. Only now, the price was emotional, not solely physical loss. Principles and rules, therefore, had remained essentially constant. The price their application was demanding of the Jews had considerably increased. Moreover, new methods of enforcement created further difficulties. For, in about 1245, Innocent IV argued that the pope ‘may directly judge the Jews’.⁷¹ It was his privilege to do so ‘if they act contrarily to their law in issues of morality, . . . and if they fall into heresy with respect to their own law’. He was claiming, in other words, the authority to define Judaism’s permissible limits. Not only was this claim threatening in itself, but it also seriously weakened *Sicut iudaeis*’s guarantees against interference in Jewish religious practice. Its implications were no less perilous than were those of the *Theodosian code*, which warned (CT 16, 8, 18) that the Jews’ (religious) privileges would be abrogated, should their rites offend Christianity, or should they ignore Justinian’s decree fixing the date on which the Jews were to observe Passover, as well as the translation with which the Hebrew reading of the Torah was to be accompanied.

As Innocent IV himself indicated, the first victim of this new jurisdictional claim was the Talmud. But the real danger was that the right to impugn the Jews as *Jewish* heretics gave the Inquisition the equivalent of a *carte blanche* to interfere in strictly internal Jewish affairs. Indeed, the number of restraining orders against inquisitional excess issued by the popes from the later thirteenth century on suggests that this was a card the inquisitors sought to exploit. Yet, in all of this, there was a paradox. By finding ever more direct ways to assert its authority over the Jews, by defining ever more sharply the lines of permissible

⁶⁹ Grayzel (1977), *passim*. ⁷⁰ Grayzel (1989), pp. 113–15; and see Toaff (1989), pp. 94–5.

⁷¹ Kedar (1979).

Jewish behaviour, and by often succeeding in having its canon law applied, the thirteenth-century papacy was neutralising potentially inflammatory accusations and, possibly, violent behaviour, including its own. And it was doing exactly what both Augustine and Gregory the Great had done in the past, by reaffirming the traditional Pauline myth. Judaism, and Jews, were to be protected, just because they provided an example of improper behaviour and of its recompense. Jews were *not* to be perceived, as some – in particular, mendicant inquisitors – were beginning to say, as a menace to the ‘Christian polity’s’ health.⁷²

The popes, with perhaps the notable exception of John XXII in the early 1320s, thus followed Innocent IV’s example in asserting judicial power, yet not indiscriminately using it. Their example was also adopted in over twenty-five regional and local Church councils held in the second half of the thirteenth century. No edict issued at any one of them referred to the Talmud, the Inquisition or forced sermons. Papal Jewry policy, as expressed rather in the canons of the *Decretals*, was time and again overwhelmingly approved.⁷³

The Jews themselves summed up this behaviour best. The popes, wrote Meir ben Simeon, in the letter ‘he would have liked to send to King [Louis IX]’, obey their law. Unlike kings, they do ‘not forbid us to lend at interest, for that would be to forbid us our religion’.⁷⁴ The anonymous chronicler who, as noted above, had special faith in the powers of *Sicut iudaeis non* explained that the popes exercise *memshelet reshut* (lawful authority). By contrast, the government of the secular kings was a *memshelet zadon* (unjust rule). Nevertheless, to enjoy the papal rule of law, the Jews must also admit the pope’s claim to judge their observances and literature – precisely as Innocent IV had said, and as our chronicler fully knew. That, however, was a prospect so fearful and a behaviour so submissive that even this most politically sage chronicler could describe it only through hints and by implication. It meant bearing up to the often used papal epithet that the Jews were a ‘miserable people’, as well as conceding that, to this day, the dispersed Jews do not want to understand as well as they might that sufficient humaneness is accorded them when they are permitted to dwell among the faithful without ‘burdensome disgrace’.⁷⁵ It is not surprising that the contrasts of papal behaviour left some Jews, like Natan Official, the probable author of the *Debate of Rabbi Yehiel of Paris*, mired deep in a quandary.⁷⁶

Natan may also have doubted papal policy’s efficacy. When all was said and done, that policy’s enforcement was contingent on a not always forthcoming royal assent. And kings themselves were highly inconsistent, undercutting the canons one day, or going far beyond their demands the next. They exempted

⁷² Cohen (1982), *passim*. ⁷³ Grayzel (1989), p. 235.

⁷⁴ Meir ben Simeon, ‘Milhemet Mizvah’, MS Parma, 2749, fol. 71v, and cf. fols. 65r, 68r, 70v, 226v.

⁷⁵ Grayzel (1989), pp. 97–102. ⁷⁶ Greenbaum (1873), p. 12; Stow (1984), p. 42.

Jews from Easter Week curfews and from wearing the badge, but they also issued licences forcing Jews to attend missionising sermons. Henry III and Philip IV respectively believed libels of ritual murder and Host desecration.⁷⁷ And in the end, it was the kings, not the clergy or the popes, who decreed the expulsions of 1290 and 1306 (among others). Clerical radicals may have continuously carped at the edges of papal and conciliar policies, that is, at those policies established by the central institutions of the Church. But, for reasons that were at once spiritual and political, it was the kings who truly menaced the Jews.

The popes never threatened such extremes. It may be true that the need to shift with the pressures of the Avignonese 'exile', the subsequent fifty-year papal schism, the eventual rise of virtually independent regional churches and finally the increasing power of radical Franciscans in fifteenth-century Italy sometimes created instability, with the popes unpredictably alternating strict with loose controls. The popes also remained silent following various thirteenth- and fourteenth-century expulsions, possibly feeling bound not to question the clearly lay prerogative of determining who might reside in a given realm. More problematically, the popes seem sometimes to have accepted that Jews purposefully murdered Christian youths, and in 1295 Boniface VIII authorised the building of a chapel to commemorate a reported Jewish desecration of the Host. Yet Boniface refrained from mentioning the supposed Jewish perpetrators.⁷⁸ For Boniface, it seems, the Jews must enjoy the due process of law. It was not deserted even by the octogenarian Benedict XIII. With his (anti-)papacy threatened, in 1415, Benedict attacked the Talmud in the bull, *Etsi doctoris*, called for missionary sermons, proposed obligatory Jewish residential districts, demanded that the 'badge' be always worn and decried Jewish communal self-rule – all for conversionary ends. Nevertheless precisely as had been Innocent IV and Clement IV before him, Benedict set firm limits. 'Jews', he said – in an obvious paraphrase of *Sicut iudaeis* –

are never to be burdened beyond the limits of the present constitution. [They are not] to be molested, to be offended in their persons, or to have their goods seized . . . [Rather, they are to be treated] humanely and with clemency . . . For the troubled spirit is believed to offer a sacrifice acceptable to God on the altar of the heart when that sacrifice is offered voluntarily, not through coercion.⁷⁹

The limits determining where coercion began and ended were never clearly defined, resulting in perpetual anxiety and no little confusion.

⁷⁷ Stow (1984), p. 38; Roth (1964), pp. 77–8.

⁷⁸ Grayzel (1989), pp. 196–9, and (1966), pp. 104–7.

⁷⁹ Stow (1977), p. 288.

CHAPTER 9

THE RELIGIOUS ORDERS

André Vauchez

AROUND 1230, one of the greatest figures of the Reformation, the bishop of Acre, Jacques de Vitry, taking stock of the changes that had occurred to Christianity throughout the preceding decades, made the following observation: ‘Three types of religious life already existed: the hermits, the monks and the canons. The Lord wanted to assure beyond doubt the solidity of this foundation. And so, towards the end of this period was added a fourth institution, the beauty of a new religious Order and the sanctity of a new Rule.’¹ In writing this last sentence, Jacques de Vitry evidently had in mind the first two Mendicant Orders, which were then enjoying great success in all of Christendom: the Friars Minor, stemming from St Francis of Assisi, and the Friars Preacher, founded by St Dominic. The future cardinal seems to have considered them an addition to the structure that contained Christ’s supporters, the last piece (together with the existing Orders) in a perfect square, which made for more stability of the Church’s foundations. However, to some extent, reality contradicted this optimistic view. For if it was true, as Jacques de Vitry had believed, that the great innovation of the thirteenth century in the realm of religious life had been the rise of the Mendicant Orders, then we are also forced to recognise that this phenomenon went hand in hand with a decline and loss of influence by the older Orders, many of which did not – or could not – adapt to the new situation. Therefore, the harmonious vision of Jacques de Vitry, meaningful enough around 1230, rapidly became anachronistic, as some of the foundations on which the stability of the Roman Catholic Church was meant to depend were soon to crumble, becoming more of a problem to the Church than a support to it.

¹ Jacques de Vitry, *Historia orientalis*, ed. G. Golubovich, *Biblioteca bibliografica della Terra Santa, Quaracchi* (1906), I, p. 8.

THE TRADITIONAL RELIGIOUS ORDERS

When studying the history of the monastic Orders and groups of canons in the thirteenth century, one cannot help being struck by two facts: on the one hand there is a shortage of studies concerning this period, which contrasts with the abundance of work on the years 1000–1200; and on the other hand, there are frequent allusions to the laxity of the monks and canons, and to crisis, even decadence, in the works of those few historians who have ventured into this domain. In fact, these cursory judgements do not withstand a precise examination of the facts. Monasticism and the canonical movement during the thirteenth century are extremely diverse phenomena, and there is very little in common between a community of nuns, for example, whose existence was rather less harsh than the life led by most lay women, and a Carthusian or Cistercian monastery, where the community continued strictly to observe the religious Rule. Without making gross generalisations, it is appropriate to begin by distinguishing between the different countries. Thus, having come to France in 1247, the Franciscan Salimbene de Adam noted in his *Chronicle* that ‘with the Black Monks of St Benedict, the Rule is much better observed north of the Alps than in Italy’.² As much could be said for England and especially for northern and central Europe, where the traditional religious Orders expanded until the beginning of the fourteenth century, while they experienced severe decline in the Mediterranean countries during the last decades of the twelfth century. The great monasteries of the south, like Subiaco, Farfa and Montecassino, faced serious difficulties from 1200 onwards, and these problems persisted throughout the thirteenth century, making necessary continuous intervention by the papacy.

In order fully to appreciate the extent of this regression, it is equally important not to consider all the monks and canons in the same light: the crisis struck first and foremost at the independent monasteries, which were also the most numerous in the western part of Christendom, whereas it was only felt later in congregations like Cluny, La Chaise-Dieu or Saint-Victor, which were not, however, to be spared. The picture – a rather sombre one – which historians traditionally paint of the situation of the monastic and canon Orders of the thirteenth century must be viewed in a rather more subtle light, for it is often treated from what is in effect a moralising perspective; it is all too easy to view the attempts made by certain monasteries or religious congregations to adapt to the new social and economic realities as a betrayal of their original ideal. Finally, we must not fail to recognise certain interesting attempts at reform, which occurred most notably in that region where classical

² Salimbene de Adam, *Cronica*, ed. G. Scaglia, Bari (1966), I, p. 306.

Benedictine monasticism was experiencing the most serious of difficulties, that is, in Italy.

Necessary distrust on the part of historians concerning simplistic or excessively pessimistic judgements about the decadence of the monasteries of the thirteenth century should not, however, lead them to negate what the evidence makes all too obvious. It may, indeed, be an exaggeration to speak of a general crisis within monasticism and the canonical movement in the thirteenth century; but it is also undeniable that these movements, especially after 1230, were losing momentum and, in the second half of the thirteenth century, no longer played the fundamental role which had been theirs in the past, either in the Church or in western society. There are numerous causes for this regression: the explanation most frequently put forward is the rivalry between these movements and the Mendicant Orders. However, in numerous countries, the established Orders were in difficulty even before the Friars made their entrance on the scene, and their success seems even more a consequence than a cause of the decline of monastic institutions, although the Friars later helped to emphasise this decline by attracting numerous recruits chosen from the best sources. More important, without a doubt, was the vigorous revival of the secular clergy, initiated during the second half of the twelfth century: the bishops more and more strictly forbade the monks any sort of *cura animarum*, while at the same time working energetically to limit as far as possible the privileges of the exempt abbeys, exercising in addition their right to visit them; this brought about an increase in and sharpening of local conflicts and legal proceedings. But there were genuine social and economic problems which lay at the root of the difficulties which many religious communities found themselves facing at this period: a reduction in revenue, increasing debt, a quantitative and qualitative reduction in the level of recruits. On the whole, the rural world in which the great majority of monasteries were established was left ever further behind by the growth of cities which became the main hubs and decision-making centres of western civilisation in the thirteenth century. Now the monks and regular canons had a strained relationship with urban civilisation: the White Monks had fled the cities to return to 'the desert', and even though the Black Monks had often viewed without displeasure the foundation of true townships around their abbeys, as at Saint-Gall or Cluny, they were quick to enter into conflict with their inhabitants when the latter began to claim charters or rights for the community. Finally, certain of the fundamental values of monasticism, in particular asceticism and contempt for society, were broken down by social transformations and the evolution of ideas. All this created a negative atmosphere in which the traditional religious Orders and communities wavered between refusing to evolve, which in the long run was to be fatal, and attempt-

ing to adapt, which put into question their fidelity to customary practices and to the Rule, whether it was the Rule of St Benedict or that of St Augustine.

The crisis in the independent Benedictine monasteries

The isolated religious communities, both masculine and feminine, were the most seriously influenced by the problems we have just described, and often had difficulty coping with the changes. In many regions, financial contributions from the aristocracy, which had been abundant in the preceding centuries and allowed a number of establishments of this type to be founded and maintained, diminished or even ceased altogether. Moreover, their revenue consisted most often in rents or other charges on the land whose total amount was fixed and whose real value continued to diminish, during a period when prices and salaries were rapidly increasing. As a result, the monasteries and priories which did not have the free labour of the lay brothers at their disposal found themselves facing inextricable financial difficulties, especially after 1230/40. Therefore, they fell under the power of their protectors and lay benefactors even more than had been the case before. Now these benefactors were particularly interested in the social function of these religious establishments, where they sent their younger sons who were physically deformed in some way, or had been disinherited, and their daughters whom they did not wish to give in marriage, the monastic dowry being a minor sacrifice compared to the one an earthly husband would have demanded.³ In addition, these families expected the convents to take on the responsibility of educating the young daughters of the aristocracy and to give them a minimum of education before they were withdrawn at a marriageable age. Dependent upon the castle to which they formed in a sense an annexe, these establishments were not very intensely spiritual centres. For all that, however, one should not imagine, based on a few scandalous cases which made all the headlines, that they had become dens of iniquity: the children of the aristocracy most often led a sheltered life there, which allowed them not to lose their social standing and to experience, within the safety of the cloisters, administrative duties or activities related to running a household, amid a comfortable and easy piety.⁴ Rather than calling these communities, both masculine and feminine, decadent, it would be more appropriate to speak of their honest mediocrity.

The popes of the first half of the thirteenth century made great efforts to attempt to remedy the shortcomings of these Benedictine monasteries, which they attributed to their isolation. Thus Innocent III and the Fourth Lateran Council (canon 12, *In singulis*) imposed on their superiors – abbots or priors –

³ Leclercq (1980), pp. 79–92. ⁴ L'Hermite-Leclercq (1989), pp. 199–236.

the obligation of participating every three years in a general chapter, which met at the provincial level, and had the responsibility of examining the situation of various religious communities and organising visits to them. The autonomy of the monasteries was not questioned, but it was hoped that they could be led to reform through mutual aid and regular control. These measures had a certain effect in countries like England, where general chapters met in Oxford from 1218/19 onwards, or in Aragon-Catalonia where the Benedictines of the Tarragona and Saragossa provinces constituted, after 1233, a truly reformed congregation. However, in many other regions, these measures remained ineffective, since the conciliar decree only gave the general chapter consultative powers, leaving it up to the bishops to enforce its decisions, a situation which led to numerous conflicts. Therefore, from 1235 to 1237, Pope Gregory IX had to issue new, more rigorous statutes, which required the general chapters to meet annually and instituted the 'superiors', who were all powerful while the meetings were in session and could appoint 'visitors' from amongst the monks who enjoyed a good reputation. The importance of communal life, in particular at refectory and dormitory level, was emphatically stressed, and monks or nuns were forbidden to live isolated in priories or granges which were far away from the monastery. Finally, the abbots were requested to abstain from indulging in any unnecessary luxuries and were required to submit accounts of their finances to the monks on a regular basis, in particular those concerned with their earthly expenditures. But these decrees remained, on the whole, unenforced: the visits to the monasteries, often entrusted to Cistercians or Dominicans, were not acceptable to the Black Monks who often fiercely expressed their opposition to them, while the power of the abbots, who were far from objective in its use, was not really challenged. And even worse, in certain cases the embezzlement of collective assets by the Superiors was so extensive that they had to be split up and apportioned to individual monastic offices – a practice which favoured a tendency towards private appropriation, itself completely contrary to both the letter and the spirit of the Rule of St Benedict. Finally, after Innocent IV came to power, the Roman Catholic Church ended up selling dispensations to the monasteries and made these funds generally available for Church use, an act which marked the abandonment of any attempt at reform. But lay authority also contributed to this failure; thus, in England, the monarchs from Henry III onwards weighed the monasteries down with taxes, and in 1294 Edward I went so far as to demand half of their revenue for the crown. Moreover, since the burden of papal fiscal policy weighed heavily upon the abbeys during this same period, some of the great and prestigious ones like Battle and Bury St Edmunds found themselves on the verge of bankruptcy. The situation was no better in Germany where, in 1250, the monks of Fulda had to sell their most beautiful liturgical ornaments in order to pay off their debts. This does not mean that the long-standing royal

or imperial abbeys had lost all their prestige, as the English historiographers from the thirteenth century onwards were to testify, and as is affirmed by the Benedictine chronicler Matthew Paris, amongst others. But the material difficulties that these abbeys encountered at the time, along with the rigid conservatism which they demonstrated in the liturgical and cultural spheres, in the long run condemned them to decline.

*The varied destinies of the great monastic and canonical congregations
and the military Orders*

The attempts at reform undertaken by the papacy in the thirteenth century did not concern the 'exempt' monasteries. On the whole, these were monasteries belonging to congregations some of which had previously played a considerable role in the life of the Church and Christianity. In any case, the Cluniacs, after 1200, used their own initiative to instigate a general chapter which brought together the abbots and priors of the houses belonging to their congregation around the abbot of Cluny. But these measures were not enough to restore the former prestige of the congregation: in the thirteenth century, none of the abbots of Cluny, descended, for the most part, from families belonging to the Burgundian gentry, acquired either the notoriety or the influence of an Odilo or a Peter the Venerable.⁵ Several were even forced to resign and, on the whole, the abbatial reigns were quite short, as if the difficulties encountered in the government of the *ordo cluniacensis* were beyond the powers of even the best intentioned superiors. The geographical spread of the patrimonies, and the problems of administration and management which this implied, together with the reduction of contributions, had already begun to have an impact from the second half of the twelfth century. To this must be added the renewed control, on the part of the secular clergy, over the parishes which in most cases only left the monks a mere advowson and, even more, the flaring of local and national particularism which called into question the unity of the congregation and the power of the abbot of Cluny. In France, a number of Cluniac monasteries demanded the right freely to elect their priors and in various countries, such as England, Spain or Lombardy, the relationship between the main abbey and the various branches became merely symbolic or dissolved altogether around 1300. While it is not possible to speak of a total decline or even of a crisis at the Abbey of Cluny, since it still counted 200 monks amongst its members when Louis IX and Innocent IV met there in 1245, by the end of the thirteenth century, the Cluniac Order was a mere shadow of its former self, and it has been calculated that the number of clergy attached to it had diminished by approximately 25 per cent compared with the

⁵ Pacaut (1986), pp. 242–54; Melville (1990).

previous century. As much could also be said for most of the great congregations of Black Monks, whether they were La Chaise-Dieu and Saint-Victor of Marseilles in France, or in Italy, at San Michele della Chiusa or Montecassino, with the exception of Cava dei Tirreni, in the kingdom of Sicily, or of San Pietro di Gubbio, in Umbria, founded by the holy Abbot Sperandeo (who died before 1264). In central and eastern Europe, the Benedictine monasteries suffered greatly from the Mongolian invasions and the appropriation of their property by the lay aristocracy, but a recovery was felt, after 1260, under the impetus of the Abbeys of Tyniec in Poland, Brevnov in Bohemia and Pannonhalma in Hungary, which took control of these national congregations, with royal support.⁶

The case of the Cistercian Order was even more complex, which makes it difficult to examine the situation in the thirteenth century objectively. The White Monks were just as open to criticism as the others and it is easy to demonstrate, simply by looking at the decisions made at their annual general chapter, that in many areas they distanced themselves from the norms set by Robert de Molesme and St Bernard, for example, by obtaining from the papacy the privilege of exemption for their possessions and by obtaining the donation of lands and villages which were obliged to pay them a tithe. Moreover, certain historians have stressed – and rightly so – how passionately, and sometimes obsessively, they sought to constitute a single estate around their monasteries, through exchanges and sales, not hesitating to expel the landowners, nor to raze villages in order to surround themselves by the ‘desert’ dictated by the Rule.⁷ An even bleaker picture emerges when it is pointed out that certain Cistercian monasteries went as far as giving up home farming on their lands, or that they acquired an income from houses in the city. Others, not knowing what to do with the considerable sums of money brought in by the wool from their sheep, invested it in splendid buildings: witness the grandiose ruins of Fountains in Yorkshire, or San Galgano in Tuscany, which still survive today.⁸ Add to this the fact that Abbot Stephen of Lexington – who renounced the anti-intellectualism which was the tradition in the Order since St Bernard – created, between 1237 and 1250, a college in Paris where the most gifted Cistercian monks could receive a university education, and that after a violent reaction, this initiative was finally accepted and extended to other university centres (Oxford, Toulouse, Montpellier) by the general assembly in 1287, and then there is no difficulty in demonstrating the deviations – some would say betrayals – which the White Monks allowed to erode their ideals throughout the thirteenth century.

But this point of view only takes into account one aspect of the true situation. Leaving aside Scandinavia and central and eastern Europe, where the Cistercian Order expanded right up to the last decades of the thirteenth century,

⁶ *Naissance et fonctionnement* (1991), pp. 156–245. ⁷ Donkin (1960). ⁸ Duby (1973), pp. 391–2.

the Cistercians remained one of the most prestigious religious institutions in Christendom at this time: witness the fact that the papacy entrusted certain of its members with many important and delicate missions – beginning with the reform of the Black Monks – and that the Emperor Frederick II, on his death bed, had himself garbed in their robes. Never had the influence of the Cistercians seemed to be so strong in France and the Netherlands as during the first half of the thirteenth century, in particular in aristocratic circles where the call to their order was still potently felt. It is to the White Monks that we owe the works which profoundly influenced the minds of the time, like the anonymous *Queste del Saint Graal*, which gave an intensely mystical interpretation to the Percival cycle, or the *Dialogus miraculorum* of Caesarius of Heisterbach, which equally contributed to breathing new life into the hagiographic genre with his *Life of St Elisabeth*, composed around 1235.⁹ In the same way, the Abbey of Villiers, in Belgium, was a very active centre where numerous biographies were written of holy fathers, nuns and lay clergy who were products of the Order, as well as the holy women who had been attracted to their sphere of influence.¹⁰ Finally, recent works have stressed the important role played by the Cistercians, especially in Italy (the Abbeys of Fossanova and Casamari in southern Lazio), in distributing both the texts of Joachim of Fiore (d. 1202) and the Joachite ideas.¹¹ Even though the Calabrian monk had left the White Monks in 1191/2 to found his own abbey in San Giovanni in Fiore, he can, nevertheless, be rightly considered a representative of the monastic theology inspired by the Cistercians, insofar as a large portion of his thoughts and writings are concerned with symbolic interpretations and images, while radically opposing the spirit of scholastic theology. In a general way, in spite of the lack of success which they experienced in Languedoc in preaching against the Cathars, the Cistercians appeared much less cut off from contemporary society than the other monks, at least during the first half of the thirteenth century; and they seem to have been more eager to communicate what they considered to be the essence of the Christian message, assuming thereby what was in some respects a pastoral role in Christian society.

However, it was in their dealings with women that the followers of St Bernard enjoyed their greatest success in the thirteenth century. The trend within the newly created women's communities towards the creation of links with Citeaux took place on a massive scale, and is all the more impressive since the White Monks had merely tolerated rather than encouraged this development. In fact, after accepting the incorporation of several women's convents into the Order between 1213 and 1224, the Cistercian general chapter, fearful of being overwhelmed by the burdens presented by the *cura animarum* of the

⁹ Caesarius of Heisterbach, *Dialogus miraculorum*, ed. J. Strange, Cologne (1851); Hilka (1933–7).

¹⁰ Roisin (1947), pp. 23–45. ¹¹ Bloomfield and Reeves (1954).

nuns and by visits to their houses, adopted a negative attitude towards new petitions, as the Premonstratensians had recently done. But this did not stop the movement, and, according to Jacques de Vitry who witnessed the phenomenon, ‘the nuns who professed the religion of the Cistercian Order multiplied like the stars of heaven and vastly increased – convents were founded and built, virgins, widows and married women who had gained their husbands’ consent, rushed to fill the cloisters’.¹² In fact, in most cases, these institutions, which sometimes took the place of beguine or other relatively informal communities of *mulieres religiosae*, were content to follow the customs of Citeaux; but some of the women managed to obtain their affiliation to the Order, either due to the influence exercised by the papacy or temporal sovereigns, or thanks to the goodwill of certain male monasteries, such as Villiers, in rejecting the policy endorsed by the general chapter of refusing them admission. Several hundred female convents which adhered to Cistercian observance without legally belonging to the Order were founded in the west throughout the thirteenth century, particularly in the Germanic countries, in France, England and the Netherlands.¹³ This flourishing of the Cistercians was not only important in a quantitative sense. These communities, often very fervent and poorer than the masculine monasteries, were also spiritual centres characterised by an intense devotion to the Eucharist and towards various aspects of the humanity of Christ. This devotion was expressed through a collection of hagiographic literature, such as the *Life of St Lutgarde d’Aywières* (died 1246), as well as in narratives recounting visions and revelations. One of the most remarkable representatives of Cistercian feminine mysticism in the thirteenth century was Beatrice of Nazareth (d. 1268), author of an autobiography and an important spiritual treatise in Flemish on ‘The seven degrees of love’ (*De seven manieren van Minne*).¹⁴

What has just been said of the Cistercians is just as valid, *mutatis mutandis*, for the principal congregations of regular canons, who lived according to the Rule of St Augustine. Even though they stopped founding monasteries in western Europe after the beginning of the thirteenth century, the Premonstratensians continued their expansion on the eastern confines of Germany, between the Elbe and the Oder, in Poland, and especially in Austria and Hungary. In the unexplored regions of the Germanic settlements, from the banks of the Danube to the Baltic, they often played an active pastoral role, founding rural churches and ministering to new parishes. But elsewhere, they seemed especially concerned with properly maintaining their property and resources. Well before the Cistercians, the Premonstratensians refused to turn their attention to the women’s communities which had originally been part of

¹² Lawrence (1984), pp. 184–5, quoting Jacques de Vitry, *Historia occidentalis*, ed. J.F. Hinnebusch, Fribourg (1970), p. 117. ¹³ Fontette (1967), pp. 27–64; Lawrence (1984), pp. 184–6.

¹⁴ Vekeman (1985), pp. 78–98.

their Order. In the thirteenth century, this did not prevent the foundation of new convents of Norbertine nuns. Sometimes called 'Parthenons', they had no official links to the masculine counterpart but were generally placed under its spiritual direction. This was still too much: in 1270, the general chapter forbade nuns from being accepted in the future, and gave those who were already in the convents the choice between gradual extinction or entry into other religious establishments.¹⁵

The Order of Grandmont, which had enjoyed great prestige in France and England in the twelfth century and whose Rule was monastic in nature but eremitical in spirit, was seriously weakened, from the 1180s onwards, by internal crises which set the lay brothers against the monks. The popes of the first half of the thirteenth century imposed a series of reforms which disposed of its most unusual features: the communities' possessions were no longer limited to what was strictly necessary, as their founder, St Stephen of Muret, had wished, and the lay brothers, stripped of their power in favour of the prior, particularly in financial matters, were reduced to a minor role. From that point on, this form of religious life lost whatever attractiveness it once had, and the monks who lived in the hundred houses owned by the Order of Grandmont were henceforth barely distinguishable from the Cistercians.

Similar considerations can be applied to the principal military Orders: the Hospitallers, the Templars, the Orders of Calatrava and St James in the Iberian peninsula. Favoured by the princes and the papacy for the eminent role they played in the fight against Islam in the Holy Land, the first two covered Christendom with a very dense network of provinces, priories and commanderies, thanks to which they became very rich and powerful. Alongside the knights were lay brothers, stemming from more modest social circles, responsible for financial activities and domestic chores. But with the loss of the Holy Land by the Christians, caused by the familiar problems of bickering and discipline, people began questioning the usefulness of these large organisations which managed immense estates and were at the centre of the European money markets. Only the Teutonic Knights, or Order of St Mary of the Germans, supported by Innocent III in 1199, really flourished in the thirteenth century. But the brutality they used, from 1230 onwards, to attempt to convert the Prussians and the other Baltic pagans to the Christian faith, as well as their exclusively Germanic membership, were obstacles to their expansion.

On the whole, however, the lasting impression which emerges from the study of the principal monastic and canonical congregations in the thirteenth century is less negative than that of the isolated monasteries. In any case, up to about 1250, there is no clear-cut evaluation, and the difficulties that the White Monks, the Black Monks and the Augustinian Monks encountered should not

¹⁵ Fontette (1967), pp. 13–26.

allow us to forget either their close network of establishments or their profound influence, especially in rural areas. It could even be claimed that the stagnation or the slight decline of the masculine Orders at that time was more than compensated for by the overall increase in feminine convents, which was breaking new ground. Yet it is undeniable that after 1250/60, even the Orders which had most resisted change, like Cîteaux, found themselves confronted by more and more serious problems which they themselves did not have the means to solve. As for the others, including the military orders, they behaved more and more like simple administrators or political powers intent on pursuing their own interests. This could only elicit doubts as to the legitimacy of their way of life and incite the lay and even the ecclesiastical powers to expropriate their riches and revenue.

Attempts at revival and their limitations

The difficulties of the great monastic and canonical institutions should not overshadow the appearance of new, often successful, forms of religious life, with ambitions that were both more precise and more concrete. This was particularly the case for a certain number of pious secular associations which sometimes transformed themselves into canonical or monastic congregations. Thus the Antonines or Hospitallers of St Anthony, founded at the end of the eleventh century by a nobleman from the Dauphiné, specialised in caring for people suffering from St Anthony's fire, caused by consuming rancid grain. They experienced very rapid expansion during the twelfth century and in the first half of the thirteenth century, in particular in the Germanic world, from the banks of the Rhine to the Hanseatic cities.¹⁶ The Hospitallers of St Lazarus, as well as the Cellites or Alexians, were more involved with caring for lepers, while the Hospitallers of the Holy Ghost, founded in 1180 by Guy de Montpellier and introduced to Rome in 1204, covered all of Christendom with a network of hospitals.¹⁷ Finally, the Order of Trinitarians was created in 1198 by Jean de Matha (d. 1213) with the goal of buying back Christians who had been taken as prisoners or slaves in the Muslim countries. Living by the Rule of St Augustine they practised begging in order to survive. The Order included a large number of houses, especially in France and Spain.¹⁸ There was also the Order of the Mercedarians, created in Barcelona in 1203 by Pere Nolasc, which had a similar purpose.¹⁹ Finally, several other small canonical congregations, such as Aubrac and Roncevaux on the way to Santiago de Compostela, or the Order of Great St Bernard on the way to Rome, helped the pilgrims make their way across even the most difficult mountains.²⁰ These institutions hardly ever

¹⁶ Mischlewski (1976). ¹⁷ Revel (1978), pp. 343–56. ¹⁸ Deslandres (1903).

¹⁹ Dossat (1978), pp. 365–88; Brodman (1986). ²⁰ Jugnot (1978), pp. 321–41.

receive any credit from historians, but they acted efficiently to fulfil the objectives they had set for themselves; their faithful followers seemed to have been very attached to them, as they demonstrated by their generosity towards these monks who took upon themselves the burden of following the example of both Martha and Mary by merging the active life and the contemplative life.

As for monasticism, its revival was due more to small, eremitic congregations which were especially plentiful in Italy, where the great cenobitic abbeys had undergone an early, and very serious, crisis. The term 'recluse' in this context does not imply the solitary life of the hermit, which was unusual amongst the monks in the west, but rather a more watered-down form of community life, which valued asceticism as well as individual and collective poverty. Orders of this type appeared after the end of the eleventh century: the most famous was the Order of the Carthusians, which steadily continued to develop, particularly in the Mediterranean countries, and with which some women's communities became associated. In central and northern Italy, the Orders of Camaldoli and Vallombrosa, first established in Tuscany, enjoyed their golden age during the first half of the thirteenth century and also founded women's convents, as is illustrated by the life of St Umiltà of Faenza (1126–1316) who was at the head of several. In the kingdom of Naples and in Sicily, the congregation of Montevergine, founded by Guglielmo di Vercelli and recognised by Pope Alexander III in 1181, prospered under the security of royal protection. It was the same for the congregation of Pulsano, near Monte Sant'Angelo, in Gargano, founded by Giovanni di Matera in 1129 and recognised at approximately the same time (1181). The ascetic monks renounced owning any more lands than they required to maintain their livelihood and dedicated themselves to becoming wandering preachers. At the beginning of the thirteenth century, the congregation included some thirty-odd monasteries and extended its influence as far as Pisa, where the monastery of San Michele degli Scalzi was an important spiritual centre.

Various new establishments, all eremitical in nature, continued to enrich the already varied palette of Italian monasticism in the thirteenth century: the Order of Fiore, founded by Joachim after his break with the Cistercians, was recognised by the papacy in 1196 and supported by Henry VI and Queen Constance. Introduced especially in Calabria and the south of Campania, it developed to a certain extent until the 1260s. In the Marches, a priest knowledgeable in the law, Silvestro Guzzolini (d. 1267), who wanted to renounce the world, created a group of like-minded ascetics; and then in the Abruzzi a discipline-minded monk, Pietro Morrone, attracted numerous followers through his preaching and miracles, setting up a penitential style of life within his community which won papal approval in 1283. He founded houses in the northern part of the kingdom of Naples. This holy man, elected pope in 1294 (quite by chance), granted many privileges to his Order, which took the name of the Poor Hermits of Pope

Celestine. A certain number of Franciscans were drawn to this Order, as they were being persecuted within their own Order because of their dedication to the principle of absolute poverty. After the death of their founder, the Celestines experienced difficulties under Pope Boniface VIII, but shortly afterwards they profited from the support of the kings of France, in whose land they settled in the fourteenth century. Other areas of Christendom also witnessed the birth of smaller Orders with eremitical leanings, such as the Order of the Hermits of St Paul, or Paulinians, which was created in Hungary around 1250 and spread across central Europe.

The overall picture of western monasticism in the thirteenth century cannot ignore all these initiatives, which illustrate very well the capacity for revival shown by this traditional institution, while diminishing the impression of decline which might be given by a study of the isolated monasteries or even some of the larger congregations. Yet despite the success of these new Orders in certain regions, it is obvious that neither monasticism nor the canonical movement was capable of solving the main religious problem of the thirteenth century, that is the challenge thrown at the Church by the soaring expansion of the cities and of urban civilisation.

THE MENDICANT ORDERS AND THE RELIGIOUS RECONQUEST OF URBAN SOCIETY

Recalling in his chronicles the most important religious influences of his day, the German Premonstratensian Burchard of Ursperg (d. 1230) noted the following: 'At that time, the world was growing weary: two Orders emerged within the Church which gave it new life in the most brilliant way, and the Apostolic See supported them: the Friars Minor and the Friars Preacher.'²¹ This statement, which is not an isolated remark, demonstrates very well that the members of the traditional Orders quickly became aware of the innovative nature of the first Mendicant Orders and of the parallel ways they were taking. Yet the founders of the two Mendicant Orders were men who were very different from each other, and even if it is likely that they met each other in Rome in 1215, each one matured and developed his experiences independently of the other.

St Francis, St Dominic and the innovative nature of the Mendicant Orders

Francis of Assisi and the origins of the Friars Minor

Born at the end of 1181 or the beginning of 1182, Francis was the son of a rich cloth merchant in the small city of Assisi, in Umbria, and normally would have

²¹ Burchard d'Ursperg, *Chronicon*, in Lemmens (1926), p. 17.

followed in his father's footsteps by taking up a career in the family business. But from the time he was an adolescent, he seemed to be more interested in the jovial life of the privileged youth of his town than in commercial matters. His wealthy background allowed him to spend his time in the company of the sons of noble families; and, under their influence, he adopted the ideals of courtly culture, which were profoundly to influence both his state of mind and his way of life. Attracted by the life led by the Knights and chivalrous adventures, he joined a military expedition in 1205 to fight in Apulia at the request of Pope Innocent III. But he was taken ill at Spoleto and a vision ordered him to return to Assisi. Driven by the idea of Divine Grace from that moment on, he sought his true path for several years, dedicating himself to solitary meditation and prayer. After breaking off contact with his father, who reproached him for his generosity towards the poor and various churches, Francis renounced his worldly goods and placed himself under the protection of the bishop of Assisi as a penitent. In February 1208, while listening to a priest reading a passage from the Gospel of St Matthew (Matt. 10:7–16) which describes sending apostles out on missions, bare-foot and without any money, he became aware of his true vocation: to live in evangelical poverty.²² From that moment on, he changed his normal clothing, wearing only a simple tunic and replacing his belt with a rope, and began calling on his fellow citizens to convert. He was soon joined by some of the inhabitants of Assisi and its outlying areas, as much by laymen as by clerics, with whom he formed a small itinerant preaching community. In 1209, Francis compiled a kind of manifesto, made up entirely of passages from the Gospel placed end to end, and went to Rome to submit it to Pope Innocent III. The pope gave his verbal approval to Francis's way of life, but refrained from committing himself further before seeing the outcome of this experiment – which greatly resembled that of the Waldensians.

Comforted by this relatively favourable welcome, the Friars then took the name of 'Minor', which meant tiny or humble, and developed their preaching campaigns in central Italy, where they attracted numerous recruits who were fascinated by the personal charisma of Francis. Amongst them were women, the first of whom (in 1212) was Clare, a young noblewoman from Assisi, who was to become the founder of the Order of the 'Poor Recluses of St Damian' or Damianites, who were later known as Clares. In 1217, at the general chapter which brought together all the Friars once a year in the small church of the Porziuncula, birthplace of the brotherhood, the decision was made to send the Friars north of the Alps and abroad. Francis himself wanted to go to France, but Cardinal Ugolino stopped him in Florence and persuaded him to remain in Italy to look after the community he headed, which was developing rapidly but which was still in rather a fragile state. In 1219, however, the Poverello left for

²² Hinnebusch (1959/60); Lambert (1961), pp. 35–62.

the Holy Land and joined the Fifth Crusade in Damietta in Egypt, just after the crusaders had occupied the city. During a truce, he left the Christian camp with only one companion and was led before the sultan, whom he tried to convince of the superiority of the Christian faith. But this was in vain; having failed in his attempt, he left on a pilgrimage to the Holy Places, but had to return to Italy in 1220. In his absence, those who had replaced him had taken initiatives which placed the spirit of his Order in danger. Francis restored order, but preferred to give up leading the group, whose rapid growth – the Friars Minor already numbered more than 1,000 in 1221 – was causing institutional and disciplinary problems which he no longer felt strong enough to tackle, in particular the transformation of the Evangelical Brotherhood of the early days into a veritable religious Order complete with a Rule, which Cardinal Ugolino, now their official protector, had continually urged them to adopt. After various fruitless attempts, a text known as the ‘second Rule’ (more precisely, the *regula bullata*) was approved by Pope Honorius III in November, 1223.

Succumbing more and more to illness (he had returned from the east with a serious eye infection and also suffered from problems with his spleen and stomach), uncomfortable with the way his Order was developing and was slipping more and more out of his control, Francis spent long periods of time in hermitages, in particular at La Verna, where he is said to have received the stigmata as sign of the Passion following a vision in September 1224. In 1225, despite being almost completely blind, he composed the *Canticle of the Sun* or of *Creation*, one of the earliest known religious literary texts in Italian. In 1226, sensing that the end was near, he wrote his *Testament*, in which he passionately evokes his early religious experiences and attempts to bequeath his original ideal of the evangelical life to his fellow Friars. In September of that year, he was brought back to Assisi, where he died at the Porziuncula on 3 October, and was canonised in 1228 by Ugolino, who had become Pope Gregory IX in 1227. Shortly afterwards, with the encouragement of the pope and Brother Elias, construction began on an immense and magnificent basilica in Assisi, where his remains were sent in 1230.

It is obviously impossible fully to convey Francis’s extraordinary success during his lifetime with this bare summary of the principal episodes in his life. A vibrant and charismatic personality, his contemporaries were greatly struck by the absolute harmony which the Poverello demonstrated between what he preached and the way he lived, between the message he delivered and its practical attainment. This message, as we well know, was essentially based on the idea of poverty. Far from being merely a social condition or a virtue, poverty, in his eyes, was the very essence of the evangelical life. The long-standing ascetic adage ‘follow naked the naked Christ’, which was so well known in the west in the twelfth century, to him became a concrete way of life, both on the individual and the collective level. Up to that time, this commitment to living an ideal

had only ever been put forward by dissident groups or heretics. As for monasticism, even under the ascetic form it had taken in the Cistercian Order or with the Carthusians, it had never demanded anything of its followers except personal poverty, which in no way prevented the community from being well endowed with property or from enjoying a good income, and which made it possible for them to practise a cenobitic life. However, Francis's demand that his followers strip themselves of worldly possessions continued to increase, as he required them not only to renounce their goods and distribute them to the poor, but also to refuse any common property and place themselves in the hands of Providence for their daily survival, through manual labour and begging. For him, living according to the Gospel meant accepting financial insecurity and placing oneself on an equal footing with the poorest people – outcasts, lepers, tramps – who, following the example of Christ, had neither money nor a fixed abode. It was for the same reason that he also placed more emphasis on humility, that is to say, the *a priori* refusal of any type of power (both the power enjoyed by lords, as well as cultural superiority), which could lead man to oppress others and take pride in owning things which did not really belong to him.

St Dominic and the Order of the Friars Preacher

During those same years, a Castilian cleric, Dominic of Guzmán, had embarked on a path which in certain respects was similar to that of the Poverello, but differed in others. Born in Caleruega around 1175 to a noble family, he was destined to an ecclesiastical career very early on in his life. He studied in Palencia before being elected canon of the cathedral of Osma in 1196. In 1203, his bishop, Diego de Azebo, who seemed to have been inflamed with great apostolic zeal, took him along on a diplomatic mission in northern Germany, on behalf of the king of Castile. Reaching the end of their journey, they were witness to the ravages caused in these regions by the Cumans, the pagan tribes of central Europe whom the princes of the area used as mercenaries. Once back in Spain, they decided to dedicate themselves to the evangelisation of the Cumans and went to Rome to ask Pope Innocent III to support their endeavour. On their return, however, they passed through the county of Toulouse, and after spending some time in the city, they realised exactly how successful the Cathar heresy had been in the region, a situation which grieved them greatly. In August 1206 in Montpellier, the two men encountered Cistercian legates the pope had sent to the region to preach against the heretics, and who were so discouraged by the poor welcome given them by the local population that they were about to abandon their mission. Shocked by the richness of their clothing and their lavish retinue, which was indeed a contrast to the ascetic frugality and simple way of life of the Cathar perfecti, they decided

to remain in Languedoc to try to win back the region's inhabitants to the Catholic faith through preaching in the apostolic style, proclaiming the Word of God in humility and poverty. Renouncing any pretension to authority, which was inadvisable in a region where the Roman Church could no longer count on the support of the aristocracy, they agreed to face the Cathars and Waldensians in open public debates. In certain cases, as in Montréal in 1207, they succeeded in winning over their opponents through their knowledge of the Scriptures and evangelical testimony. In the same year, Dominic founded a religious community at Prouille intended to receive women he had succeeded in rescuing from Catharism, while Diego, in Pamiers, managed to bring back to the Church an important group of Waldensians led by Durand of Huesca, who subsequently formed a religious congregation, approved by Innocent III in 1208 under the name of the 'Poor Catholics'.

While all this was taking place, Diego had died, and Dominic pursued his activities with some of the companions who had joined him. In 1214, after the victory won by Simon de Montfort, he settled in Toulouse where he founded a community of clerics who dedicated themselves to the salvation of souls, in collaboration with the local bishop, and strove to redress the inadequacies of the clergy in the parish. This modest congregation of diocesan preachers was approved by Innocent III, after the meeting of the Fourth Lateran Council which Dominic attended, under the title of *ordo praedicatorum*. However, since the Council had just prohibited the creation of new religious Orders the pope commanded them to take up the Rule of St Augustine, which was seen as appropriate for regular clerics. The new establishment would not, however, take on its definitive shape until after it received final approval in 1217, and especially in 1220/1, when Dominic provided it with Constitutions which succeeded in defining its characteristics, emphasising in particular the poverty of the Friars Preacher and their refusal to possess any worldly goods, either individually or as a community, beyond what was absolutely essential for their housing.

The Order thus established would not, perhaps, have enjoyed the success which it ultimately had if its founder had not taken the initiative to uproot it from the region where it originated, due to the violent turn of events in Languedoc. His most brilliant idea was to disperse his companions, even though there were still very few of them, scattering them between a few large urban centres, which were also university cities – Orleans, Paris and Bologna – where they could dedicate themselves to study with the goal of preaching. The austerity of their way of life, as well as their ardent apostolic zeal, did not fail to impress those in the intellectual milieu from which they recruited many valuable members. With the support of the papacy, the Order thus acquired a universal dimension and, on the death of its founder in 1221, it already had several hundred Friars, twenty-five houses and five provinces. Some female communi-

ties had joined them, in Rome as well as in Bologna, and the Dominicans also had great success in the Germanic world shortly afterwards. Benefiting from the trust the papacy placed in them, the Preachers were entrusted with the running of the Inquisition between 1231 and 1233, which was to lead them, though not exclusively, towards the pursuit and repression of heresies.

Diversity and unity of the principal Mendicant Orders

While the Friars Minor placed clerics and the lay brothers on an equal footing and followed a Rule which was completely new, the Order of the Preachers might appear at first glance to be less original, since it brought together religious members, like the regular canons, living under the Rule of St Augustine. However, through its constitutions and structures, the Order of the Preachers found itself in direct contact with the society of its time. Like Francis of Assisi, Dominic had, in effect, understood the fundamental importance of the spoken word in transmitting the faith. The fact that the majority of the Preachers were priests allowed them to go beyond the kind of purely persuasive preaching which the pope had granted to St Francis and his first (predominantly lay) disciples. But while the Poverello maintained a certain amount of distrust of schools and studying, fearing that education might reintroduce new rifts within the bosom of his brotherhood, the Dominicans, on the contrary, wished to depend on education to make their ministry more efficient. This gamble on the value of erudition was to pay off: in a world where theoretical knowledge enjoyed great prestige and where the universities were soon to become breeding grounds which would attract the elite leaders of Christianity, there was most surely a place for an Order of Doctors, whose preaching was rooted in the study of theology and philosophy.

All the same Dominic had spent enough time with the Cathars and the Waldensians to know that the learning of preachers would not be sufficient to ensure that their audiences would convert. He himself seemed to have been more a man of prayer than of education, even if, in his eyes, these two aspects of spiritual life were inextricably linked. Finally, he joined with Francis in his fundamental choice, which consisted of rejecting power over and ownership of land, while at the same time allocating a different place to poverty. To him, in fact, poverty constituted a weapon against heresy; it was a necessary condition, though not in itself sufficient, to make the public accept the apostolic evidence of the Catholic Preachers. But he did not make an absolute virtue of poverty, whereas Francis identified it with the evangelical life. The Dominicans were therefore to behave less rigidly than the Franciscans in this particular field; and they accepted the ownership of the churches given them and that of the property where their houses stood with no qualm of conscience. Besides these differences of opinion, important to be sure but becoming less so, the features

common to the new orders were basic and contemporaries were correct in seeing in them two aspects of the same phenomenon. Even more than through the begging to which they owe their name, the Mendicant Orders defined themselves above all by their apostolic attitude, that is to say, their desire to dedicate themselves to the salvation of souls in peril, whether they be merely the faithful, heretics or pagans. Thus, unlike previous religious Orders, they proved themselves extremely familiar with the world which they proposed to convert (including, eventually, the worlds of Judaism and Islam as well). Despite living in closed communities, they did not remain within the shelter of the cloisters, but rather ventured out as often as was necessary to maintain relationships with the people. Unlike the monks, the followers of St Francis and St Dominic only renounced the profane life in order better to turn towards those who lived around them, to speak to them of God. The principal vocation of the Mendicant Friar was not to atone for his own sins or his infringements of the Rule, but to lead the faithful to penitence and unbelievers to the true faith.

For this reason, the Mendicants were not constrained by concerns for stability, but were characterised, on the contrary, by their great mobility. Movement was constant from one house to another, and the Friars were often engaged on journeys, travelling in pairs. The pursuit of education, which developed rapidly within both the Orders, led them to travel, if only to reach a *studium* where their superiors had committed them to study or teach.²³ Meetings of provincial and general chapters, missions to carry out work on behalf of the curia, or diplomatic responsibilities with which they were often entrusted, both within the boundaries of Christendom or further afield, were equally opportunities for stimulating contact, as well as for exchanging new ideas. Relations with the laity were even more important: because begging meant taking up collections, there were already opportunities for the Friars to meet the people upon whom they were dependent for their material subsistence. But it was clearly their preaching which provided the main opportunity for transmitting the good Word to the faithful. Preaching could be done in the context of a parish church where the curate had either invited or allowed them to come, or outdoors, in public places (when the weather and circumstances permitted), or even in the context of meetings of religious fraternities or other devout groups which had chosen them as chaplains or had simply gravitated towards them. Thus by very diverse means, the Mendicants sought profoundly to influence the laity by creating support systems and networks of sympathisers, to assure that their message of penance and the spiritual themes which they carried were widely spread. Thus, since the papacy knew better than anyone else the weaknesses of the secular clergy and how difficult it would be to impose change on this ossified body, it is

²³ *Le scuole degli ordini mendicanti (sec. XIII–XIV)* (1978).

easy to understand why the pope greeted the appearance of Francis and Dominic and their spiritual followers as providential, and why the papacy was tempted to use this zealous and ardent militia to meet what it considered the urgent needs of the Church, even at the risk of distorting the intentions of their founders on certain points.

Expansion and development of the Mendicant Orders in the thirteenth century

In only a few decades, the two principal Mendicant Orders – the Friars Minor and the Friars Preacher – experienced extremely rapid expansion within all of Christendom and even beyond, since they soon had establishments in the Orient and in certain other countries where the missionaries had travelled, like Persia or certain parts of the Mongol empire. Towards 1300, the Franciscans alone numbered approximately 30,000, spread out over 1,100 houses, which represented 40 per cent of the total number of Mendicant establishments. But this remarkable success did not fail to bring with it repercussions which affected the entire complexion of these new Orders, in particular the Friars Minors who underwent a profound transformation.

The standardisation of the Franciscan Order

On the death of their founder, the Friars Minor, whose numbers had continued increasing, found themselves faced with serious problems which touched the very purpose of their vocation: should they at all costs remain faithful to the model of evangelical fraternity set down at their inception, as Francis had so touchingly urged them to do in his *Testament*? Or should they instead adapt to the changing times and the demands of an apostolic mission whose development was closely linked with ecclesiastical institutions, in particular with the hierarchy? Pope Gregory IX quickly put an end to these perplexing questions, and he – as well as his successors – increased their efforts to remould the Franciscan Order along the lines of the Dominican Order, even if that meant eradicating their most unique characteristics – which were also the most shocking in the eyes of the jurists – that is, the life style and spirituality of the Friars Minor. With the Papal bull *Quo elongati* in 1230, the pope exempted the Friars from observing the *Testament* of St Francis and stated that to be a good Friar it was only necessary to observe the Rule. Thus there was no longer any question of having to perform manual labour to provide daily sustenance: this was to be acquired uniquely through begging, contrary to Francis's express wishes. In the following year, the Minors obtained, through the Papal bull *Nimis iniqua*, the privilege of exemption; here again contrary to the exact words of their founder who wanted them to be 'humble and obedient to everyone',

this removed them from the jurisdiction of the bishops, except in matters concerned with preaching and the establishment of their houses. Thus they became totally dependent on the Holy See, which thereafter intervened more actively, to defend them and recommend them to the prelates and princes. These measures did not result from a desire to malign the memory of the Poverello. On the contrary, it was at this very time that the impressive – and expensive – Basilica of Assisi was being constructed in St Francis's honour, whose religious message was spreading throughout Christendom. But Gregory IX wanted to ensure above all else that the essential holiness and religious enthusiasm which was the legacy of the Poverello be used to serve the Church in what he believed to be the best way.²⁴

The final stage in this process of standardisation was completed at the end of the 1230s, on the occasion of a quarrel between the minister general of the Minors, Elias of Cortona (1231–9) and a certain number of Friars. With the support of Innocent IV, they succeeded in convincing the Holy See to convene a general chapter in 1239, which ousted Elias. This issue was complex in several ways: Elias had governed the Order in an extremely authoritarian manner and, in order to strengthen his influence, he had rashly increased the number of provinces. Moreover, his wish to complete the enormous task of constructing the Basilica of Assisi as quickly as possible drew him into a misguided financial policy, difficult to reconcile with the spirit of poverty; while his sympathy for Emperor Frederick II, to whom he was to ally himself in the end, earned him the hostility of the Roman curia. But the heart of the problem doubtless resided in the fact that Elias was a lay brother and that he had done everything possible to strengthen the position of the lay brothers within the Order, at a time when it was seriously threatened by the growing number of clerics emerging from the schools, and by the influence they had gained. In fact, the coalition which forced Elias to resign in 1239 was led by Friars who belonged to the circle of university theologians, and his successor, the Englishman Aymon of Faversham, favoured the educated clerics and the development of academic study within the Order. By the time this process of clericalisation was coming to an end, in about 1250, the Franciscan Order was hardly distinguishable from the Preachers in this respect, and from that point onwards, the lay brothers were only admitted in small numbers, and even then limited to a secondary role. After the end of the 1230s, certain Friars Minor, like Alexander of Hales or Jean de la Rochelle, held chairs in theology at the University of Paris, in the same capacity as the Dominicans Albertus Magnus and, later on, Thomas Aquinas.²⁵ Apart from the original followers of St Francis, who lived in isolated hermitages in Umbria and the Marches, the

²⁴ Moorman (1968), pp. 83–95. ²⁵ *Francescanesimo e vita universitaria* (1990).

memory of the genuine Poverello and his expression and authentic message of the Poverello became blurred within his Order with remarkable rapidity.

The final point in this evolution was reached under the generalship of St Bonaventura (1257–74), who attempted to settle the controversy which had developed within the Minors on the subject of St Francis. At the general chapter of Narbonne, in 1260, it was decided that from that point on, the *Legenda major* he had written would be the only acceptable official biography of the founder in the Order, and that the existing copies of previous Lives would be destroyed. Moreover, it emphasised the eschatological significance of his supposed stigmatisation, which had identified him with the Angel of the sixth seal, as described in the Apocalypse, and made of him a ‘second Christ’ (*alter Christus*). Through this extraordinary miracle, had not God himself authenticated his message and recognised in advance the providential role of the mission of his spiritual sons?

Finally, Bonaventura, who became a cardinal at the end of his life, emphasised even more the Order’s primary function in the apostolic mission and pastoral activity. To him, the vocation of the Friars Minor was to dedicate themselves to preaching and confession, to join the battle against heresy and to agree to perform the functions of a bishop or inquisitor, in short, to respond to the most pressing needs of the Church. Everything else had to be subordinate to these fundamental requirements. And so it is hardly surprising that under his influence, the Minors had defined a concept of evangelical perfection, which was at the heart of the Franciscan message, as a refusal to own anything, either as individuals or as a community. But in redefining the concept of poverty as a simple renunciation of any legal form of ownership – a definition which was ratified by the papacy in 1279 by the papal bull *Exiit qui seminat* – the Friars turned their back on their heritage once and for all. This situation was to create new tensions within their midst, tensions which, in the long term, were to generate serious crises.

The growth of the Mendicant Orders

The rapid expansion that the Franciscans and the Dominicans enjoyed during this period did not prevent new Orders from appearing. These either opted for the Mendicants’ life style or had it imposed on them. Thus in 1244, Pope Innocent IV brought together into a single congregation all the eremetical groups of Tuscany, with the exception of the Guglielmites, and instructed Cardinal Riccardo Annibaldi to unite these clerics, who took on the Rule of St Augustine. In 1255/6, other groups of Italian and Ultramontane hermits joined with them, and from that time on, the group formed a coherent whole, known under the name of the Order of the Hermits of St Augustine, whose

first general chapter was held in Rome in March 1256 and elected a general prior, Lanfranc of Milan. After the 1270s, the Augustinians counted 300 houses distributed throughout all of Christendom. Of course, in a certain number of cases, in particular in Italy, these were not new institutions but rather former eremetical establishments which became monasteries. In France, England and Spain, however, a number of establishments were created *ex nihilo* and the Order became influential after the end of the thirteenth century, as is demonstrated by the fact that one of its members, the theologian Giles of Rome, was elected archbishop of Bourges in 1295.²⁶

Another Order, the 'Friars of St Mary of Mount Carmel', better known as the 'Carmelites', also increased the ranks of the Mendicants towards the middle of the thirteenth century. It was initially a community of hermits which had developed during the twelfth century in the Holy Land, at the foot of Mount Carmel, with the purpose of following the example of the prophet Elijah who had lived in solitude, near the source of a river. Between 1206 and 1214, the Latin patriarch of Jerusalem, Albert, ratified their constitutions, which were confirmed by Honorius III in 1226. But the vicissitudes in the Holy Land and its conquest by the Muslims after 1230 obliged them to move to the west, where Gregory IX, then Innocent IV, gave them a new Rule which aimed at making them Mendicant Friars. It was difficult for them to adapt to this new way of life: witness the treatise entitled *Ignea sagitta*, composed by the general prior of the Carmelites, Nicholas of France, in 1270/1, in which he expresses his profound nostalgia for the ascetic and contemplative life of the past.²⁷ Their right to continue to exist was again questioned at the Second Council of Lyons, in 1274, but they survived thanks to the support of the papacy. At the end of the thirteenth century, the Order of the Carmelites counted 150 houses spread over twelve provinces, and the only major feature which distinguished them from the other Mendicants was their profound devotion to the Virgin Mary.

Alongside the four 'greats', place should equally be given to a few small Orders which are differentiated from the others by the fact that they never managed to spread throughout Christendom. However, this did not prevent some of them from having an important influence in certain countries or social circles. For example, this was the case for the Order of the Penitence of Jesus Christ, whose members were commonly known as Friars of the Sack or Sachets, because of the poor, rough cloth they wore. Created in Provence by lay people who had been influenced by the preaching of the Joachite Franciscan Hugues of Digne, in 1248, they experienced rapid expansion in France and England, in particular amongst the common people. Thus they had no less than

²⁶ Gutierrez (1980), pp. 120–53. ²⁷ Staring (1989); Jotischky (1995).

five houses in Flanders at the end of the thirteenth century, just one less than the Dominicans; their mission had particular success with the textile workers in the great cloth cities of the region. They also appeared in Majorca in the thirteenth century.²⁸ In Italy, we must give pride of place to the Servites of St Mary, an Order created towards 1240 by seven Florentine merchants who had decided to give up their professional activities in order to dedicate themselves to the religious life. At first led by the Dominicans, the small religious community became autonomous and soon spread over central and northern Italy where the Servites, who were also very devoted to worshipping the Virgin Mary, took solid root. They were recognised as a Mendicant Order by the papacy in 1259 and succeeded in surviving the threat of suppression which weighed heavily on them in 1274. At the same time, in Parma, the Movement of the Apostles also developed after 1260. It was created by a layman, Gerardo Segarelli, who reproached the great Mendicant Orders for having betrayed their ideal of poverty. Supported by the secular clergy, they were harshly criticised by the Franciscan chronicler Salimbene, who considered them 'bawdy', deploring the fact that these unworthy people dared to imitate the great Orders and to compete with them in begging.²⁹ This pointed to a worrying problem: that of the proliferation of the Mendicant Orders, which after 1250, began to arouse considerable anxiety in the heart of the Church and of society.

The conflicts between the Mendicant Orders and the secular clergy

Throughout the course of the second half of the thirteenth century, there was in fact a noticeable deterioration in the relationship between the Mendicants and the secular clergy, which was inevitably to lead to violent confrontations, especially in certain countries like France and Germany. Yet initially, most of the bishops had warmly welcomed the newcomers, and some helped them to settle in the cities of their diocese, for example, Walter of Tournai in Flanders, or Federico Visconti in Pisa, who in his *Sermons*, continuously praised them and proposed that they be taken as models for the clergy in his diocese.³⁰ But the kindly disposition of the high and even the low clergy towards the Friars disappeared when they began to claim rights and privileges for themselves instead of being content to co-operate humbly with the parish.

The first phase of the conflict opened in Paris, and was concerned with the university. Certain Friars who taught there, especially in the Faculty of Theology, came up against a great deal of hostility from their secular colleagues, who reproached them for not showing solidarity with the university, in

²⁸ Elm (1973); Simon (1992).

²⁹ Salimbene de Adam, *Cronica*, ed. Scaglia, II, pp. 373–9.

³⁰ Murray (1981), pp. 19–76.

particular by refusing to associate themselves with strikes, and of demonstrating disloyalty towards the other masters by giving free lessons. Moreover, the Mendicants had obtained various privileges. For example, because of the education they had already received in their monasteries they were not required to sit for the *Licence-ès-Arts* degree, and instead proceeded directly into the Faculty of Theology. In 1252, the University of Paris therefore declared that no member of a religious Order could subsequently hold a Chair. The following year, since they had continued teaching even though the university had suspended courses in protest against the cruelty inflicted on a student by the royal police, the Mendicants were excluded from the university and even excommunicated. Pope Innocent IV rushed to their aid and obliged the university to reinstate them. However, as the crisis had revealed the discontent of a large part of the clergy against the privilege that the Mendicants had obtained of carrying out pastoral duties in parishes without authorisation from the priest in charge, the pope abolished this privilege in 1254, through the papal bull *Etsi animarum*. But his successor, Alexander IV, repealed this decision in 1255 and the conflict started off again.

The second phase of this quarrel was rooted in the domain of dogma. The Joachite Franciscan Gerardo di Borgo San Donino in his *Introduction to the eternal Gospel* stated that the Mendicants had been called to replace the secular clergy who were unworthy in the spiritual Church of the future. A master at the University of Paris, Guillaume de Saint-Amour, used this as a pretext to attack the new Orders in his *De periculis novissimorum temporum*, composed in 1255. He reproached them for supporting heretical ideas, for being hypocrites, eager to collect legacies which would benefit them under the guise of poverty, and of usurping the functions of the clergy. At the insistence of the pope, Louis IX finally proclaimed sanctions against Guillaume who was banished from the kingdom, but a number of his colleagues united with him and declared their support. In 1256, the Dominican Thomas Aquinas and the Franciscan Bonaventura retaliated by writing an apology for the Mendicants' life style, declaring it superior to the way of life of the clerics. The controversy became even fiercer in 1268/70, when Gérard d'Abbeville, Nicolas de Lisieux and Henry of Ghent supported the idea that the authority of the parish priests – with whom the Mendicants were in conflict within the parishes – was of divine origin because it stemmed from the authority of the seventy-two Disciples of Christ, in the same way that the bishops' authority derived from the twelve Apostles. Thomas Aquinas again took up his pen to combat this thesis, maintaining that, given their dedication to poverty and their vows of chastity and obedience, the Mendicants had attained a level of perfection which was superior to the level which could derive from any other function or office within the Church.

After 1270, these quarrels within the university influenced a much wider public, and the episcopacy, at least in France, Germany and England, supported their clergy against the Mendicants. In fact, from 1255 onwards, it was only necessary that the Mendicants be authorised by the bishop of a diocese in order for them to operate freely in all of the churches. In 1281, Martin IV again increased their privileges, through the papal bull *Ad fructus uberes*, by virtue of which the Friars were authorised to carry out their pastoral activities (preaching and taking confession in the parishes, burying the dead in their own churches in the convents, which was an important source of income) without having to ask for any authorisation whatsoever. Following this decision, a true rebellion developed within the heart of the French clergy, led by the archbishop of Rheims and the bishop of Amiens. There followed a legal battle right up to the highest level, and at the lower level, a bitter struggle between the Friars and the parish clergy, which gave rise to numerous incidents, often violent.

Apart from these constant bickerings, it is worth considering what was really at stake within this conflict. The reason it broke out after 1250 was that at this time the status of the secular clergy had noticeably increased, at least in the cities, compared to what it had been at the beginning of the century. Towards 1270, the parish priests of Paris, Cologne or London no longer considered themselves inferior to the Mendicants: some of them had even gone and studied at the universities, and viewed with some bitterness the fact that the people more willingly frequented the Friars' churches rather than their own parishes, and allowed them to benefit greatly from their donations. But to these circumstantial and sometimes pragmatic considerations were added many others, which were more fundamental and ecclesiological in character. In fact, to the secular clergy, there existed an Ecclesiastical Order of divine origin, founded on a hierarchy with two levels: the bishops and the priests. The Church was structured on the basis of communities, defined spatially in ascending size: the parish, the diocese, the province, the universal Church. A minister presided over each one of these by divine right, possessing the ordinary jurisdiction which accompanied his office. No one could withdraw this jurisdiction from him – unless he showed himself to be unworthy of it – not even the pope, whose supreme authority remained uncontested. But even his supreme authority did not give the pope the right to modify the very constitution of the Church by introducing intruders, however great their merits. The Mendicants replied to these arguments by pointing out the apostolic mission they had received from the pope, whose power was universal. If Thomas Aquinas recognised that the bishops were masters in their own diocese, Bonaventura and certain Augustinian polemicists put forward the idea that the Church constituted in some way a unique diocese over which the pope was the

sole prelate, the bishops only being his 'lieutenants' or 'vicars'. This ecclesiology, which placed the prerogatives of the Roman Church over those of the local churches, was only applied systematically at the beginning of the fourteenth century, but its foundations were already in place in the last decade of the thirteenth century.³¹

The bitterness and severity of the conflict between these two clergies, which tore each other apart instead of co-operating to reform the Church, was clearly evident at the Second Council of Lyons in 1274. Here the bishops displayed intense dissatisfaction over the growth of the Mendicant Orders and the way they had taken over some of their own prerogatives. They therefore attempted to suppress them. Their offensive failed owing to the strong resistance of Bonaventura, cardinal and minister general of the Friars Minor, and of Giovanni di Vercelli, master general of the Friars Preacher, but especially because of the refusal of Pope Gregory X, who was all too aware of everything the Church owed to the Friars and the fundamental role that they played within the Church. But in order to appease the anger of the episcopate, and with the agreement of the great Mendicant Orders, who viewed the competition among the smaller Orders with distaste, the Council announced, with the constitution *Religionum diversitatem*, that a certain number of these smaller Orders chosen by the Holy See were to be abolished. Shortly afterwards, the Holy See decreed the dissolution of the Friars of the Sack, and of the Pious Friars, who complied, as well as of the Apostolics, who became dissidents. But this partial measure had failed to resolve any of the most basic conflicts, and the problems between the secular clergy and the Mendicants were to recur on many occasions right up to the end of the Middle Ages.

The Mendicant Orders and the cities

During the thirteenth century, the religious influence of the Mendicant Orders was felt above all in the cities; and even in those regions where they had been established for quite a long time, such as in Tuscany, their influence was hardly felt in rural areas before the fourteenth century. There are many reasons which explain the priority they accorded in their mission to the towns. The first is evidently the great rise in population in the west, at least up to about the middle of the thirteenth century, and the increasing role of cities in political, economic and cultural life; far more so than in the past, the cities were now becoming vital centres of Christianity. The Church had been slow to adapt to the situation that had been evolving and remained on the whole attached to the structures and values of rural society, where the majority of religious movements of

³¹ Tierney (1972), pp. 131–70.

the eleventh and twelfth centuries had blossomed, for example the eremitical movements and Citeaux. The city, by contrast, was seen as a den of iniquity, where opportunities to sin lay on every side. In general, it was in the cities that people grew rich more quickly, and there was more money in circulation there, which meant the possibility of considerable financial gain through credit and loans. A significant number of rigorists, or people with high moral standards, within the Church reacted by declaring certain new forms of economic life and urban society to be anathema. In eleventh-century Italy, Peter Damian, who was more truly a hermit than he ever was a cardinal, and in the twelfth century Benedictine monks like Guibert de Nogent in France, or Rupert of Deutz in Germany, could not find harsh enough words to denounce the immorality of life within the city, where robbery and illicit enrichment were the rule for every member of society, regardless of standing or social class (some authors singled out the Jews as particularly active in financial matters). Not only did the rich become more corrupt in the cities; poor people as well, often fugitive peasants drawn to the city by the appeal of financial gain and the desire for freedom, vengefully formed illegal conspiracies with the middle classes, sometimes openly revolting against the power of the bishop, or the ruler of all or part of the city. Later on, the canons of the Second Lateran Council (1123) and the Third Lateran Council (1179) denounced in one fell swoop the role of the moneylenders in economic life and their misdeeds, the scandals provoked by the influx of prostitutes attracted by these great urban centres, as well as the development of heresies in the cities of the Midi region, while St Bernard accused the students – whose numbers had multiplied in the cities – of preferring pointless debates on philosophical themes to serene and respectful meditation on the Word of God. To the sterile flurry of activity at the urban schools, St Bernard opposed the austere joys of contemplation in the ‘desert’, that is at the Cistercian monasteries located deep within the woods, isolated and surrounded by nature.³²

This was the situation of the beginning of the thirteenth century, when the first Mendicant Orders appeared. Their founders quickly became aware that the cities had to be reconquered on a religious level. In Umbria, it was necessary to wrench city dwellers away from the fascination that wealth and power had exercised; communal institutions sanctioned their exercise, or abuse, of power, and too often were used to crush the poor and the peasants; in the cities of Languedoc, the major problem was that of heresy, to which a large part of the population had supposedly adhered through their hatred of the Church and the clergy, under the influence of the evangelical preaching of the Cathar perfecti and the Waldensians. It was, therefore, essentially for pastoral reasons,

³² Rubin (1992).

and because of their desire to lead the city dwellers to salvation, that Francis, Dominic and their followers gave priority to preaching in the cities, where they believed thousands of souls were threatened by sin.

But other reasons equally attracted the new Orders to the cities. The rapid increase in their numbers and their refusal to own any land forced them, in fact, to settle within urban societies: here money was abundant and they could find the means to support themselves – initially alms, but soon also legacies from wills and pious foundations – which they needed to ensure the survival of their communities. The fact that they were outside both the seigneurial regime and the network of feudal bonds gave them high repute, in particular with the middle classes. Members of the bourgeoisie, who had become wealthy through moneylending, charging interest and other similar activities, seen as illicit by the Church, felt guilty enough to wish to redistribute some of those earnings to the Friars, who had chosen to live in poverty and humility. Moreover, the Friars Preacher, who were from the very beginning an Order of clerics, chose to settle quite close to the schools, at the heart of the great urban centres, and the Friars Minor were quick to follow in their footsteps.³³

Thus, towards 1230, the first two Mendicant Orders had taken a decidedly urban orientation which was not to be reversed in the future and which would be imitated by those to come. Initially, however, up to about 1250, they mainly settled in the outlying quarters of the cities, which were generally situated beyond the city walls. Several considerations made this choice imperative: on the one hand, these newcomers were still not very well known in the beginning, and the bishops and the cathedral chapters, to which the popes recommended them, often conceded them only modest churches in the outlying regions or on land situated in areas which were in the process of becoming urbanised. However, these locations corresponded to the wishes of the Friars who, in these suburbs, came into contact with people who had recently arrived from the country and who were not well integrated into the traditional structures of the parishes. Yet, in many cities after 1250, the Mendicants decided to relocate, building monasteries and beautiful churches situated within the city walls, usually at the expense of the commune or paid for by some rich lord or member of the middle classes. By doing this, the Friars were certainly responding to the wishes of a good portion of the population, in particular the ruling classes – the nobility and urban aristocracy – who increasingly valued their way of life and supported them through subsidies. But this complete and definitive urbanisation was not accepted by everyone, in particular members of the Friars Minor, because it was accompanied by an avoidance of the financial precariousness and insecurity which constituted a fundamental aspect of their

³³ Rosenwein and Little (1974).

vocation. Therefore, certain of their members, in particular the original followers of St Francis who were still alive, preferred to withdraw to hermitages, and did not hide their hostility towards the changes which were taking place. They were called the Spirituals.

But their demands remained unfulfilled at the time, and the hierarchy within the Mendicant Orders as well as the papacy continued to emphasise the pastoral mission of the Friars and the role they had to play in the religious education of the faithful. The fundamental task assigned to them by the hierarchy was preaching, which was intended to lead laymen to penitence and holy confession. Where better, then, than in the urban centres, where great crowds gathered together in the churches or in public places to speak of God and invite them to convert? Moreover, especially in Italy, heresy was essentially an urban phenomenon and, after 1233, the Dominicans and later on the Franciscans were officially given the responsibility of carrying out the Inquisition. In those regions contaminated by heresy, therefore, their houses became tribunals where they would interrogate suspects; sometimes they were even used as prisons. Even though their vocation would seem to exclude them from assuming any authoritarian role, the Friars found themselves becoming the instrument of ecclesiastical power, and even agents of political propaganda serving the Holy See, as was noted in Italy on the occasion of the great conflict between the Emperor Frederick II and Popes Gregory IX and Innocent IV. In Europe during the middle of the thirteenth century, the cities were important political forces and it was essential for the Church to control them.

The foothold held by the Mendicant Orders in the cities was acquired progressively and through different methods in various regions. In northern Italy after 1233, there was an attempt by certain Friars to impose their law on civil society, thanks to the popularity they had acquired in public opinion. Thus the Dominican John of Vicenza was entrusted with full political powers by cities such as Bologna or Vicenza, which allowed him to take measures which would bring peace back to the city by fighting heresy and preventing arguments between the factions. But this success led nowhere: once the enthusiasm aroused by the preaching had tailed off, the communities did not hesitate to return to their internal quarrels and territorial conflicts.³⁴ The Friars, who had learned from previous experience, preferred in future to concentrate on the lay population, who gravitated towards them on the spiritual level, and to organise them into movements. Certain of these had essentially religious goals, but others, like the Society of the Faith, created in Florence and Milan by the Dominican St Peter Martyr, or even the Militia of Jesus Christ, a knightly order

³⁴ Vauchez (1980), pp. 71–118.

established in an urban environment, aimed at procuring militant support for orthodoxy in its fight against the heretics and their protectors. More widely in Italy, the Mendicants used their status with the laity and the influence they exercised over numerous brotherhoods of penitents (*Laudesi*) who sang the canticles in the vernacular in honour of the Virgin Mary and the Saints, or the Flagellants (*Disciplinati*) whose numbers increased after 1260 both belonging to Third Orders with a definite structure from 1280 onwards; these contacts enabled them to win back to the Church that urban society which, around 1200, seemed about to slip through its fingers.³⁵

By the time this process was coming to an end, during the last decades of the thirteenth century, it could be said that the Mendicant Orders were deeply rooted in the cities and influenced them greatly. Their policy of settling in urban areas had borne fruit, and links were established, which were often extremely close, between themselves and the municipal powers, who harboured no mistrust of the Friars, of whom they considered they had nothing to fear on the political level. In Marseilles as in Bruges or Rome, the monastic Church of the Friars Minor served as a meeting place for the leading bodies of the urban community, and it was there that the city officials came to seek an honourable tomb, as well as prayers and offerings in order to face what lies beyond.

This solidarity between the Mendicant Orders and the cities which sheltered them depended on a balanced exchange of services: the municipality granted them regular subsidies in the form of gifts in money and wax candles, but also regular offerings of wood and clothing. In exchange, it often took advantage of their services as messengers, mediators or diplomats. In certain Italian cities, this collaboration was so closely linked that the Dominicans guarded the communal archives in their house, while the Franciscans and the other Mendicants played no less useful a role by returning to the public coffers money taken by thieves which had been returned to them by penitents under the protection of confession.

The most remarkable and lasting illustration of the success of the Mendicant Orders is to be found in their churches. While their founders had wished the Friars to be content with modest buildings, they were quick to launch the construction of monasteries and churches which are still striking, where these buildings have survived, owing to their considerable size. This development was very rapid with the Dominicans, who from the beginning preferred to settle in big cities, building large houses there, while the Friars Minor, on the other hand, preferred more modest surroundings. The Friars Minor allowed themselves to be pressured into constructing sumptuous build-

³⁵ Housley (1982), pp. 201–8.

ings, under the influence of important laity, such as the Countess Jeanne of Hainault in Valenciennes, or Louis IX in Paris. They obliged the Friars to allow professional architects to build them edifices in the best contemporary style, like the house of the Cordeliers (the name given in France to the Friars Minor) in Paris, whose nave, at eighty-three metres long, was the grandest and vastest in the city. Here again, the distortion of the spirit of the Rule could be justified through arguments about usefulness and efficiency: the construction of these great churches in fact allowed the greatest possible number of inhabitants of the city to gather together to hear edifying sermons and, therefore, indirectly raised moral and religious standards.

Research carried out over the last few decades on the relationship between the number of Mendicant monasteries and the importance of the cities which housed them has, moreover, demonstrated that the Mendicants' establishments were not built haphazardly, but instead through the application of demographic and economic criteria.³⁶ Towards 1300, a city which had four or five Mendicant convents was considered an important city, while a city which had only one would not have very many inhabitants. Furthermore, it is worth noting that the wave of construction in the thirteenth century began in the large cities (which would subsequently have four or five Mendicant convents), followed by more modest towns, which would end up with only two or three. Finally, it is clear that the most urban regions of the west – in central and northern Italy, the Paris basin, Flanders, the Rhine valley – were the first to be influenced by the Mendicant phenomenon; other parts of Christendom, where urbanisation was late and rather limited, such as Brittany and Poland, were only affected at the very end of the thirteenth century and especially in the fourteenth century.

If these observations alone were taken into account, it would be logical to view the map of the distribution of Mendicant monasteries as a reflection of the map of western cities during the Middle Ages, as well as a reflection of their hierarchy. However, this assumption must be examined more closely, for there are a certain number of exceptions to the rule we have just defined. In several of the most important cities of France, the resolute opposition of the monks of the cathedral chapter was for a long time an obstacle to the installation of the Mendicants who were only allowed to build a single house, while the city, logically, should have had several. On the other hand, it should not be forgotten that the Mendicants were often travelling a great deal. It was therefore necessary for them to have a guaranteed stopping point every thirty or forty kilometres along the main routes, like the Via Francigena which led from Italy to France, or the road which led from Lombardy to Germany via the

³⁶ Le Goff (1968).

Brenner pass. Therefore, certain Orders were led to establish houses in smaller locations, but ones which were very well placed once the difficulties of travelling were taken into account. Finally, after 1300, the papacy forbade the creation of new houses without its authorisation, to avoid too much competition between the Orders at a time when the economic situation began to deteriorate and when the secular clergy were less and less willing to accept the proliferation of the Mendicants.

A particularly interesting and well-documented example, the example of Flanders, allows us to have a fairly precise idea of the establishment of the Mendicants in a region characterised by a high degree of urbanisation.³⁷ At the end of the thirteenth century, the Friars owned no less than twenty-six convents, distributed as follows: seven for the Friars Minor, six for the Preachers, five for the Friars of the Sack, four for the Augustinians, three for the Carmelites and one for the Pious Friars. It is impossible not to be struck by the high number of Dominican convents, which is partly explained by the particular favour which the countesses of Flanders, Jeanne and Marguerite, showed towards this Order, and on the other hand by the relatively small number of Franciscan houses (compared to what was found in other regions), which must, without a doubt, bear some relation to the scarcity in this region of average-sized and small cities, an area the monks took to particularly well. On the whole, these convents were founded very early on; nearly all of them already existed in 1274. If we now consider the distribution of houses by city, we see that it was more or less in proportion to the size of the population, with the exception of Bruges, which had six Mendicant houses, while Ghent, which was more populated, only had five. This demonstrates very well that to the Friars, a city's wealth was even more important than the number of its inhabitants. Ypres comes next with four houses, Douai and Tournai had three, Lille two, and three minor urban centres with one house each. Unfortunately, we do not know the exact number of Friars that these numbers represent in total, but it must have been quite high, especially in the larger cities. In Bruges, towards 1300, the Dominicans had no less than ninety establishments, while the Carmelites had seventy and the Franciscans fifty. On the contrary, there was not much growth in the female sector: in Flanders there existed only four convents of Clares and two of Dominicans, including the one at Lille, which had a very aristocratic membership. In France, this was equally the case in Poissy for the Dominicans, and in Longchamp for the Poor Clares. As for the friars, they seemed more often to be descended from the middle classes and from the Flemish patriciate, at least at the end of the thirteenth century. As elsewhere, they were primarily confessors and preachers. But they also played the role of earthly administrators and spiritual directors of the beguinages as well as of

³⁷ Simons (1987).

certain hospitals, and their links with the merchants' guilds and artisans seemed to have been particularly close. However, it was not until the fourteenth century that these communities, beginning with the Italian merchants, began to establish brotherhoods which had chapels constructed in their churches.

On the whole, we can speak without exaggeration of a massive establishment of the Mendicant Orders in urban society at the end of the thirteenth century: they owed their success to the fact that they could bring to the faithful something which the secular clergy had for a very long time been incapable of providing: the example of a moral way of life which, on the whole, was irreproachable, and sufficient education to provide a better way of presenting and transmitting the Christian message through preaching. The very close relationship that they held with the laity allowed them to understand their problems extremely well, in particular those concerning the economic life of the merchants or bankers. Therefore, it was not merely chance which placed them at the forefront of theological and canonical thought in this area. In fact, these men, who had chosen evangelical poverty, were above all preachers of penitence, eager to win over souls for God and to create faithful followers for the Church. In addition, since they themselves were often descended from the middle classes and came from urban settings, they shared with their lay interlocutors the idea that they would be held accountable for their behaviour on earth. This was demonstrated by their role in propagating the belief in Purgatory, or in buying indulgences which could, without any real exaggeration, be considered paying back debts in the after-life by making payments in hard cash in the here and now.³⁸

Their specific contribution in this area consisted mainly in finding ways to justify the new forms of economic activity, through consideration of their social usefulness, and in putting forward a new concept of the value of time, which was inspired by the thought of Aristotle. After the 1240s, the Dominican Ramon de Penyafort agreed to recognise, in certain cases, the legitimacy of charging interest, not because of the risk run by the lender, but in order to compensate him for the amount he would have gained if the sum loaned had been invested. There were others who later defended the argument of certain contemporary jurists, like Azzo, who emphasised the necessity of evaluating the wrong which might result for the lender from non-payment of his debt by the borrower, and the right of the lender to compensation if the borrower was declared bankrupt at the end of the term of the loan. This meant establishing, at least indirectly, a distinction between the practice of interest and usury, and recognising, at least in certain cases, the legitimacy of charging interest.³⁹

However, the most innovative contribution in the sphere of economic

³⁸ Le Goff (1986), pp. 69–89. ³⁹ Little (1978), pp. 19–42 and 171–217.

doctrine was undoubtedly introduced by the Languedoc Franciscan Pierre de Jean Olieu, or Peter Olivi (1248–98), who was the first to provide a definition of the notion of capital.⁴⁰ He defined as capital any amount of money or merchandise destined for productive economic activity (for example commerce) and which, in this regard, had an innate potential for profit and the expectation of financial gain. Since the value of capital was, in his opinion, more important than the actual quantity of money involved, a ‘fair’ price had to include an additional amount to determine its true value. If someone were to loan this amount, motivated to do so by charity or the consideration of the borrower’s needs, he could legitimately expect to receive interest. Of course, money in itself was not meant to bear fruit, as St Thomas Aquinas pointed out in the wake of Aristotle: money in itself is sterile, but a sum of money becomes capital when its owner decides to invest it. Because of this intention, money changes its nature in some respects when it is being used for a concrete productive project, and anyone who loses such money would be a victim, who therefore deserves compensation. Using the same logic, Olivi considered as normal the fact that a borrower who repaid his debt before the fixed term would obtain a reduction in the interest rate that had initially been agreed, so that, by virtue of the pact agreed with his financier, time had become his personal possession. Since the Dominican Gilles de Lessines reasons in a similar way in his treatise *De usuris* (1278), one could say that at the end of the thirteenth century, under the influence of the Mendicants, the traditional belief which held that a merchant or lender is guilty of a serious sin by selling Time, which is the sole property of God, was becoming archaic.

It will be seen from other chapters in this volume that the role of the Friars in the evangelisation of the world did not stop by any means at the city walls of Christian towns. The mission to the Jews (stimulated by Ramon de Penyafort and his successors), to the Muslims (again with a notable contribution from the Catalan Dominicans) and to the Mongol lands that lay beyond Islam has received considerable attention from historians, and the view has even been expressed that it was the Friars who spearheaded the new approach to the Jews which aggressively turned their own texts, notably the Talmud, against them and overturned the traditional Augustinian view that they had a right to subsist within Christian society as ‘testimonies to the truth’ of Christianity. Similarly the study of Islamic texts by Ramon Martí and his associates was intended to enable Christian disputants to challenge Islam on the basis of a close reading of the very texts the Muslims utilised; a particularly energetic figure in conversionist campaigns, with close contacts to both major Mendicant Orders, was the prolific polymath Ramon Llull of Majorca (1232–1316).⁴¹

⁴⁰ Spiciana (1990), pp. 85–96 and 223–54.

⁴¹ Cohen (1982); Chazan (1989) and (1992); also Kedar (1984) and Hood (1995). For further discussion, see the previous chapter.

It is arguable that in their attempt to adapt to the realities of urban life, certain Friars went too far. From the middle of the thirteenth century onwards, the Parisian poet Rutebeuf, who had begun by singing the praises of the Franciscans, severely criticised the excessive complacency of the Mendicants with regard to the rich, in particular towards moneylenders and their very close links with those in power. Others were to accuse them of hypocrisy, scorning their advances towards women and people on their death beds, or reproaching them for transgressing their Rule and vow of poverty by accepting rents and income from wills, which was frequently the case after 1250.⁴² However, these weaknesses and shortcomings with regard to their ideals must not allow us to forget that, on the whole, the Mendicant Orders did indeed obtain the objective which the Church had set for them, that is to say a new movement towards the evangelisation and the Christian reconquest of urban society in the west.

⁴² Szittyá (1986), pp. 11–61.