THE ENGLISH HISTORICAL REVIEW

NO. CXIII.—JANUARY 1914 *

Manegold of Lautenbach

THE characteristic literature of the eleventh century was polemical. There were many men who wished to reform the church,¹ but they differed among themselves both as to the nature of the problems and as to the method of attack. Some were willing to accept the help of the emperor in their work, while others maintained that the church alone should reform herself. Reformers issued statements of their various opinions, and so began that controversial literature which was a prelude and an accompaniment to the struggle between the empire and the papacy.² At this period writers were interested in questions of church government and discipline, and only indirectly touched the affairs of the state; but the spiritual and temporal governments were so closely connected that no movement in the one could leave the other undisturbed.³ A new subject was introduced into the literature by Gregory VII's excommunication of Henry IV in 1076. It came as a shock to the age which had seen the papacy reformed by his father, and it forced men to examine their ideas about the basis of papal authority. The new elements thus introduced into the controversy did not oust the earlier discussions of reform, for Henry's offences against church discipline had led to his defiance of the pope at Worms, and so to his excommunication. The second excommunication in 1080⁴ had

¹ The state of the church at this period is admirably analysed in Saltet, *Les Réordinations*, iii^{me} partie, ch. ix.

² See generally A. Hauck, *Kirchengeschichte Deutschlands*, iii; Meyer von Knonau, *Jahrbücher des Deutschen Reiches unter Heinrich IV und V*, iv, 142-52; Martens, *Das Leben und Wirken Gregors VII.* Reference may also be made to Mr. Z. N. Brooke's essay on *The so-called Investiture Struggle of the 11th Century* (Rome, 1913).

³ For example, the third of Cardinal Humbert's *Libri III* dealt with lay investiture, which he regarded as a form of simony; cf. Hallmann, *Cardinal Humbert, sein Leben und seine Werke*. Humbert wrote his *Libri III* in reply to the doctrines of Peter Damiani, who was prepared to accept the help of the empire, and who was typical of the less extreme party. His (Damiani's) character is sympathetically sketched by Saltet. See also Otto Schumann, *Die Päpstlichen Legaten in Deutschland zur Zeit Heinrichs IV und Heinrichs V*, p. 12.

⁴ See Martens, i 193, on the installation of Rudolf and the second excommunication.

a yet greater effect on the controversy. because of the new emphasis laid on the deposition of the king. It is true that in 1076 the government was taken from Henry, but this was regarded as a logical result of his excommunication. not as an act definite and complete in itself. An excommunicated bishop was suspended from his priestly functions; an excommunicated king, as naturally, lost his power of governing. In 1080 this was no longer the case: Henry's deposition was made absolute; the kingdom was taken from him for ever and given to another. The questions raised by this action of Gregory were far-reaching: 'Was it possible for a king to be deposed? What was the origin of the royal power, what were its limits? Were there any precedents for such a deposition?' It was the last which seemed to contemporaries the most important, but in dealing with it they made clear their ideas about the functions of a king and the basis of his power. Political theories thus emerged by the way from arguments directed to immediate controversial ends. This, briefly, is the course of the controversial literature,⁵ with the excommunications of 1076 and 1080 as its turning-points.

The authors of controversial works were often leading men, who wrote as well as spoke and acted for their cause; others published their books anonymously or under borrowed names.⁶ Nearly all were priests or monks, for few others had either the leisure or the education necessary for such writing; but their ecclesiastical character had no influence on their attitude to the pope. It was among the churchmen of Germany that Henry found some of his most earnest supporters. Among the eminent men who took part in the controversy, Cardinal Humbert has a foremost place. He was head of the reform party under Leo IX and Nicholas II and author of the *Libri III adversus Simoniacos*.⁷ He was the envoy of the pope to the courts of Germany, France, and Constantinople, and his advice was weighty in the deliberations of the curia.⁸ Later, in Germany, Gebhard, archbishop of Salzburg, wrote two open letters to Hermann of Metz, the first after the congress at Kauffungen, and the second after the

and Greg. Reg. vii. 14a (Jaffé, *Monumenta Gregoriana*, p. 404), for the text of the deposition.

⁵ For a full account of this literature see Mirbt, *Die Publizistik im Zeitalter Gregors VII.*, and Dr. Anton Scharnagl, *Der Begriff der Investitur in den Quellen und der Literatur des Investiturstreites*, in Stutz's *Kirchenrechtliche Abhandlungen*, part lvi.

⁶ Cf. Mirbt, *Publizistik*, pp. 86 and 87.

⁷ *Monumenta Germaniae Historica, Libelli de Lite*, i. 100-253.

⁸ Humbert and Boniface of Albano were called by Peter Damiani 'oculi papae Nicolai'. In the case of Berengar of Tours, 1059, and in the Election Decree, issued by Pope Nicholas II in 1057, Humbert's influence was strong. It may be noticed that Dr. von Pflugk-Hartung (*Zeitschrift für Kirchengeschichte*, xxviii. 179 seqq.) questions Humbert's influence on the Election Decree.

election of the antipope at Brixen. They were part of a consistent advocacy of the papal cause, which brought down on Gebhard misfortunes both of war and of exile. Gregory himself and Henry issued circular letters and manifestos to explain or defend their actions, and so added to the controversial literature. These are a few of the authors who acknowledged their works. Those who hid their names did so from one of two motives: either they hoped to gain increased influence by making the origin of the book a mystery, or they feared the hatred of powerful opponents—a feeling reasonable enough at a time when force was often used to crush unwelcome ideas.

Since the only valid argument was theological, the literature was filled with quotations from Scripture, the fathers, especially St. Augustine, St. Jerome, St. Gregory the Great, and St. Ambrose, and other canonical works. There was no appeal to reason as such, for authority and reason were regarded as identical. It was therefore more damaging to an opponent to attack his orthodoxy than his practical sense, for, once his policy was shown to be contrary to sound doctrine, he was discredited. In like manner, Henry's duties were measured by those of David, and his rights against rebellious subjects were confirmed by the example of Solomon.⁹ The writers believed that they were consulting the revealed Will of God; it did not occur to them that they were making an incongruous use of oriental precedents.¹⁰ The amount of quotation in a medieval book was limited only by the taste and time of the writer, and few could resist the opportunity of displaying their acquaintance with canonical works. For other works than the Bible, writers at times used compendia of extracts, in which the context was not given. It was thus possible for contradictory extracts to be drawn from the most orthodox sources; and men tried to make their arguments impressive by the number and length of their quotations, because none could be decisive alone.¹¹ There was a certain similarity in controversial works, due to the fact that authors had to use the argument from authority, and this similarity was further increased by the educational methods of the time. The writers came chiefly from church schools, which, of course, took theology as the basis of life and of thought. The law schools of Italy did not affect the form of controversial works until 1085, when Peter Crassus wrote his *Defensio Henrici*.¹² The text-

⁹ *Libelli*, i. 288-9; cf. p. 383.

¹⁰ Similarly St. Augustine, speaking of the story of Sarah and Hagar, said, 'Audite et videte in ipsis veteribus factis omnium futurarum rerum signa et inditia' (*Tract. in Evang. Ioh.*, *Opera*, iii. 2, quoted in *Libelli*, i. 375).

¹¹ The allegorical method of Scripture exegesis, traceable to St. Augustine, made it possible for writers to evade or to attenuate the meaning of texts or events which could be used against their party.

¹² *Libelli*, i. 435-53.

books of the ecclesiastical schools were the fathers, Boëthius, and such compendia as the *Origines* of St. Isidore of Seville, which contained masses of information on every recognized branch of study, from music to the laws of rhetoric, and from the names of the Teutonic tribes to the division of time. The information was at times remarkable rather than accurate; and the absorption of such ready-made learning must have been a burden rather than a stimulus to the understanding. It is important to bear in mind that no one aimed at originality of expression, and that authors used quotations as an integral part of their work, and not merely as adornments. Besides the canonical works mentioned above they used many others, nor did they neglect the writings of eminent contemporaries. Thus Gregory VII's letters, especially those to Hermann of Metz, were reproduced in whole or in part by many of his supporters; and the *Liber Gratissimus* of Peter Damiani,¹³ the letter of Guy of Arezzo,¹⁴ and the *Libri III* of Cardinal Humbert, were quoted repeatedly by writers on simony and the morals of the clergy.

There cannot have been many to whom the controversial works appealed directly, for reading was still an art not generally practised, but it is clear that some at least were widely known. Manegold reported that the work of an opponent was spread abroad in streets and public places;¹⁵ and later he wrote of calumnies about the pope which were 'echoed in the streets, shouted in the market-place, and even gossiped about by women at their spinning'. This is no doubt an exaggeration, but it must have had some basis in fact. There was, finally, no attempt at impartiality; the writers were partisans, and would have felt any tolerance of an opposite theory to be treachery to their friends. They could not present the reader with an array of arguments from which to draw his conclusions, for they dared not speak with an uncertain voice in the presence of the enemy.

It has already been said that theories about the royal power emerged by the way from arguments expressed in a theological form, and directed to an immediate end; these theories must now be examined in detail. First there is that of Gregory himself. His opinion of the position and character of the temporal power was largely modified in the course of his struggle with Henry IV; and we must take the theory which had most influence. This is undoubtedly that contained in the apologetic letter of 1081 addressed to Hermann of Metz, which, although

¹³ *Libelli*, i.

¹⁴ *Widonis monachi Epistola* (*Libelli*, i. 5-7). This was sent out under the name of Pope Paschal II; its importance was that its author first branded simony as a heresy, placing it in the same category as Arianism and Manichæism.

¹⁵ *Libelli*, i. 311.

not altogether typical of Gregory's views, yet represents the final stage in their development. The Pope asked :

Who can be ignorant that kings and princes have received their power from men who, unmindful of God, aimed with blind greed and intolerable presumption at ruling over men, their equals, by means of arrogance, robbery, treachery, murder, in fact by almost every sort of crime, and were inspired by the prince of this world, that is, the Devil ?¹⁶

Like most rhetorical questions, this carried its answer with it. The argument based upon it was briefly this : the kingship was of evil origin and therefore inferior to the priesthood, which was instituted by God and endowed with the power of binding and loosing on earth and in heaven. Kings were not excluded from the flock committed to St. Peter, and they were therefore subject to his successors, the popes. This was a clear and simple theory, and was eagerly accepted by most of Gregory's followers. Some of them introduced it wholly or in part into their books ; others used it as material for their own argument. Among the latter was Hugh of Flavigny, who devoted some space in his Chronicle to a justification of Henry's deposition. He held the Saxon view¹⁷ of the course of events after 1076, and therefore did not regard the excommunication of 1080 as more than a confirmation of the sentence of 1076 ; yet he found no difficulty in using Gregory's letter of 1081 for his purpose. He quoted from the section on kings in Isidore's *Liber Sententiarum*, which deals with the distinction between a king and a tyrant ; but this added very little to the theory of the royal power which Hugh borrowed from Gregory, for Isidore did not consider the nature of kingship at any length. Hugh began his discussion of the subject by quoting from St. Augustine.¹⁸ ' Without justice, what are kingdoms but great robber-bands ? ' Then he worked out in detail the development of kingdoms from such companies of brigands. These are under a chief, are bound together by ties of self-interest, and live on plunder. The society increases by

¹⁶ ' Quis nesciat reges et duces ab iis habuisse principium, qui, Deum ignorantes, superbia, rapinis, perfidia, homicidia, postremo universis pene sceleribus, mundi principe diabolo videlicet agitante super pares, scilicet homines, dominari caeca cupidine et intolerabili presumptione affectaverunt ? ' (*Reg.* viii. 21, Jaffé, *Mon. Greg.*, p. 457). For the two letters addressed by Gregory VII to Bishop Hermann of Metz see Martens, *Leben und Wirken Gregors VII.*, i. 49-66, and Mirbt, *Publizistik*. The influence of St. Augustine, *De Civit. Dei*, iv, is clearly shown in the extract given above.

¹⁷ The Saxons, to justify their election and support of the anti-king Rudolf, alleged that Henry IV had been restored at Canossa to communion only, on conditions which he had immediately broken, and that the question of the *regnum* had been reserved for later decision (Bruno, *De Bello Saxonico*, *M. G. H.*, *Scriptores*, v. 384, 385).

¹⁸ *De Civit. Dei*, iv. 4. It may be noticed that Hugh altered the conclusion of this chapter slightly in his account of the growth of kingdoms, and that his work here is in no sense original.

the admission of abandoned men, and it begins to seize land and even to capture cities. At length it is strong enough to conquer nations, and it openly assumes the name of a kingdom. None of its evil characteristics are gone, but it has gained immunity.¹⁹ Hugh's considerations are not in themselves noteworthy, but they show clearly the utter condemnation of the royal power by the orthodox theory.

Gregory's theory was, then, accepted by many of his supporters, but there were some who developed views of their own on the subject, and of these the most important was Manegold of Lautenbach. His treatment of the royal power in the *Liber ad Gebhardum*²⁰ has attracted attention, but it has not, perhaps, been given its true importance. The *Liber ad Gebhardum* was dedicated to Gebhard, the archbishop of Salzburg already mentioned, and was written, at the request of a partisan of Gregory, in reply to the letter of Wenrich of Trier.²¹ This letter expressed the views of a circle grouped round Dietrich, bishop of Verdun, who objected both to the manner and to the nature of Gregory's reforms.²² It was, therefore, an attack on the pope, but it was adroitly represented as the complaint of an earnest supporter who was unable to answer the calumnies of his enemies. These were set forth at length, but with little of that heated invective which was the natural language of contemporary disputants. Wenrich possessed the rare quality of restraint both in his language and in his use of quotations. The only part of the letter which falls within our subject is Wenrich's defence of kingship.

It is [he says] no new thing for kings to be filled with anger against rebellious subjects; and it is no new thing for secular men to act and think according to their kind; but it is a new thing, an unheard-of thing, for priests to seek to distribute kingdoms and to wipe out the name of king by a sudden attack. It is a new thing for priests to dismiss the Lord's anointed at their will like bailiffs, as if they were common people, and to condemn them to excommunication unless they make speedy submission and yield up the kingdom of their fathers.²³

¹⁹ *M. G. H., Scriptores*, viii. 437. 'Et beatus Augustinus in eodem libro (*De Civit. Des*) post pauca, "Remota" ait "iustitia, quid sunt regna, nisi magna latrocinia? quia et latrocinia quid sunt nisi prava regna?"' And so forth. Hugh continues to follow Gregory's argument, and warns kings to remember that they are within, not above, the church.

²⁰ *Libelli*, i. 310-430. Manegold's arguments are summarized by Mirbt, p. 233, and by Meyer von Knonau, iii. 511-19.

²¹ *Wenrichi scolastici Treverensis Epistola*, *Libelli*, i. 284-99.

²² Hirschau was the centre of this anti-Gregorian party; cf. Meyer von Knonau, iii. 622 f.

²³ 'Non est novum regiam dignitatem indignari in eos, quos vident in se sacrilegia temeritate insurgere; non est novum homines seculares seculariter sapere et agere. Novum est autem et omnibus retro seculis inauditum, pontifices regna gentium tam

The royal power has been established by God, and has existed since the beginning of the world. This he proceeds to prove by means of the usual array of texts ;²⁴ and concludes that any resistance offered to a king is a revolt against God. This letter made a great stir ;²⁵ and Hartmann,²⁶ prior of the small monastery of Lautenbach, thought it necessary that some reply should be made on behalf of the papal party. He laid the duty of replying on Manegold, one of his younger monks.²⁷

The result was the *Liber ad Gebehardum*, a book nearly ten times as long as the letter and far less original. It was a painstaking compilation of the opinions of the best authorities on the questions at issue ; and it was only occasionally that Manegold failed to fit his ideas with other men's words. The framework of the *Liber* came from the *Apologeticus* of Bernold,²⁸ a defence of the reforming decrees of the synod of 1075 ; but it was necessary that Manegold, who wrote between 1081 and 1085, should take note of the burning questions of Henry's excommunication and deposition ; and so he made a long digression²⁹ after the justification of the third decree, which dealt with these subjects. He used here another work of Bernold's, the *de Damnatione Scismaticorum*³⁰ and the letter of Gebhard of Salzburg.³¹ When he dealt with the morals of the clergy, he made considerable use of the *Liber gratissimus*. This was the amount of his debt to contemporary writers. On his debt to the canonical writings we cannot enter into detail. Every chapter is weighed down with quotations from Scripture, the fathers, and the decretals ; in short, the *Liber* is an example of the argument from authority at its worst. In his style, Manegold was a stranger to restraint, and delighted in sounding and violent invective. When he borrowed from contemporaries, he embroidered their language with his own superfluity of adjectives, and the periods of his argument are marked by assertions of his belief in the final

facile velle dividere, nomen regum, inter ipse mundi initia repertum, a Deo postea stabilitum, repentina factione elidere, cristos Domini quotiens liberit plebeis sorte sicut villicos mutare, regno patrum suorum decedere iussos, nisi confestim adquieverint, anathemate damnare' (*Libelli*, i. 289).

²⁴ Cf. J. N. Figgis, *The Divine Right of Kings*.

²⁵ Manegold says of it, 'Qui libellus quia ab illis (the Henricians) pro autentico et iam iam canonizato undique circumfertur, immo pene per omnes plateas et andronarum recessus ad ecclesie ludibrium propalatur', &c. (*Libelli*, i. 311).

²⁶ Harmannus, *ibid.* p. 311.

²⁷ *Ibid.* Manegold speaks of himself as 'juvenem et pene idiotam'. The second epithet is merely conventional, but there seems no reason to doubt the truth of the first.

²⁸ *Libelli*, ii. 58-88. An account of the works of Bernold and of his discussion with Bernhard will be found in Saltet, *Les Réordinations*, pp. 208 seqq., and in Meyer von Knonau, iv. 102 f., 263-5, 433-5.

²⁹ *Libelli*, i. 355-419.

³⁰ *Ibid.* ii. 47-58.

³¹ *Ibid.* i. 263 seqq.

damnation of Henry and his followers. These are his obvious failings ; yet, in spite of them, he produced a theory of kingship unique in contemporary literature.

Manegold had to deal with the deposition of Henry and the absolution of his subjects from their allegiance ; and here he was without authority for his opinions. He had to put them in his own words, though he supported them in the usual way by quotations. He borrowed from Bernold³² the description of the council of Worms and of Henry's subsequent excommunication, and then discussed the deposition, quoting at length historical precedents. He concluded the chapter with an adapted quotation from St. Jerome : ' As bishop, priest, deacon, are names not of virtues but of offices, so king, earl, duke, are names of offices and ranks, not of nature nor of virtues.'³³

This served as text for the next chapter (xxx) entitled *Quod rex non sit nomen nature, sed vocabulum officii*. His remarks under this heading are worth quoting at length :

Since, therefore, the royal rank and power are above all earthly powers, there should be set up no base or profligate man to exercise them, but one who surpasses all others, not only in rank and dignity, but also in wisdom, justice, and piety. He, then, who has to care for all and to control all, ought to outshine others by greater grace of virtue, and strive to wield the power committed to him with the most nicely-balanced equity. For the people do not set him over them in order that he may have full liberty to tyrannize over them, but that he may defend them from the tyranny and wickedness of others. But when that man, who was chosen to suppress the wicked and to defend the upright, begins to develop a base character, to oppress good men and himself to practise on his subjects that tyranny which he ought to avert from them, is it not clear that he rightly falls from the rank given to him, that the people are free from his overlordship and their allegiance, since he has, obviously, been the first to break the compact by which he was set up ? No one can accuse them of treachery with any justice or reason, when it is indisputable that he first broke faith. Let us take an example from more commonplace things. If a man confide the care of his swine to any one at a good wage, and then discover that instead of feeding them he steals, maims, and destroys them, will he not remove him with disgrace from his position as swineherd, and withhold his promised wage ? If, I say, in these common things it is customary that he should cease to be regarded as a swineherd, who tries not to feed but to destroy the swine ; so much the more should any king, who tries to drive his people into error

³² *De Damna. Scismat., Libelli*, ii, pp. 47-58.

³³ St. Jerome (*adversus Iovinianum*, i. 34) really said ' *Episcopus et presbyter et diaconus non sunt meritorum nomina sed officiorum* '. He made no mention of secular titles, which would have looked strange indeed in a dissertation on the virtues necessary to the clergy.

instead of governing them, be deprived of all power and honour which he receives among men, as men are of more value than hogs.³⁴

This passage appears to be modelled on Cardinal Humbert's description of the simoniacal bishops as hireling shepherds.

The argument continues: It was not surprising that kings should be so deposed in Christian times, when even the ancient Romans cast out their kings for tyranny and pride.

To be a king is one thing, to be a tyrant another. Since emperors and kings receive fealty and reverence for the security of the government of their kingdoms, by the clearest of reasons, they lose both fealty and reverence if they begin to act as tyrants, without any breach of faith or loss of piety [on the part of their subjects].³⁵

Briefly, Manegold's argument was as follows: Henry was a bad ruler, therefore he was a tyrant who should lose his power. His followers were schismatics and damnable. At this stage of his argument he was led into a digression on the charity of persecution, and dwelt on the deadly sin of Henry's followers, and on the various violent ways in which he desired that they should be restrained. He quoted at length from St. Augustine on this topic; and dragged in conciliar decrees against disobedient clerics. Then he took up the thread of his argument about the royal power, and replied to Wenrich's quotation from 1 Pet. ii. 13 and 17, 'Be subject to every ordinance of man for God's sake, whether to the king as supreme', &c., and 'Honour the king'. These commands, said he, were, of course, true, but

³⁴ 'Regalis ergo dignitas et potestas, sicut omnes mundanas excellit potestates, sic ad eam ministrandam non flagitiosissimus quisque vel turpissimus est constituendus, sed qui sicut loco et dignitate, ita nihilominus ceteros sapientia, iusticia superet et pietate. Necesse est, ergo, qui omnium curam gerere, omnes debet gubernare, maiore gratia virtutum super ceteros debeat splendere, traditam sibi potestatem summo equitatis libramine studeat administrare. Neque enim *populus ideo cum super se exaltat ut liberam in se exercendae tyrannidis facultatem concedat, sed ut a tyrannide ceterorum et improbitate defendat. Atqui cum ille qui pro coercendis pravis, probis defendendis eligitur, pravitate in se fovere, bonos contere, tyrannidem, quam debuit propulsare, in subiectos ceperit ipse crudelissime exercere, nonne clarum est merito illum a concessa dignitate cadere, populum ab eius dominio et subiectione liberum existere, cum pactum, pro quo constitutus est, constet illum prius irrupisse? Nec illos quicquam poterit iuste et rationabiliter perfidiae arguere, cum nihilominus constet illum prius fidem deseruisse. Ut enim de rebus vilioribus exemplum trahamus, si quis alicui digna mercede porcos suos pascendos committeret ipsumque postmodo eos non pascere, sed furari, mactare, et perdere cognosceret, nonne, promissa mercede etiam sibi retenta, a porcis pascendis cum contumelia illum amoveret? Si, inquam, hoc in vilibus rebus custoditur, ut nec porcarius quidem habeatur, qui porcos non pascere, sed studet disperdere, tanto dignius iuste et probabili ratione omnia, qui non homines regere, sed in errorem mittere conatur, omni potentia et dignitate, quam in homines accepit, privatur, quanto conditio hominum a natura distat porcorum' (*Libelli*, i. 385).*

³⁵ 'Aliud est regnare, aliud in regno tyrannidem exercere. Ut enim imperatoribus et regibus ad tuenda regni gubernacula fides et reverentia est adhibenda, sic certe, sic firma ratione, si tyrannidem exercere eruperint, abque omni fidei lesione vel pietatis iactura nulla fidelitas est vel reverentia impendenda' (*ibid.*).

were they pertinent? None of Gregory's supporters had denied that all honour was due to the office of king, but 'king', like bishop, priest, and deacon, was only the name of an office.

When any of these is put out of the office given him for certain reasons, he is no longer what he was, and the honour due to the office is not to be paid to him. Whoever pays him the reverence due to his lost office, is rather a transgressor than a keeper of the laws; whereas if he commands that which is against the Lord in his dominions, he is by no means to be obeyed, but rather to be resisted with all freedom. Therefore those who are resisting your Henry, who is deposed from his royal power, are certainly not acting against the commandment of the apostle. For he who bade all to obey the powers, chose rather to die than yield to Nero, thus teaching us by his example that when we cannot obey God and the secular power, we should obey God rather than men.³⁶

It is, then, wicked, if not heretical, to obey a deposed king. From this point of view Manegold approached the absolution of the Germans from their oath of allegiance, as follows:

No man can make himself king or emperor, and so the people set some one man over them, that he may govern and rule them by reason of his righteous authority, that he may render to each his own, encourage the just, suppress the unjust, in a word, do justice to all men. But if at any time he infringes the compact by which he was set up, and breaks forth into disquieting and confounding and destroying what he was set up to keep in order, then, on the ground of right reason, he absolves the people from the allegiance which bound them in fealty to one another, since he himself has first broken faith. Besides, the people do not by any means bind themselves by oath to obey all his mad whims, nor does the compulsion of their allegiance force them to follow wherever fury and madness may drive him.³⁷

³⁶ 'Et cum quilibet horum certis ex causis de commisso sibi officio deponitur, non est quod erat, nec honor officio debitus postea est impendendus. Quisquis ergo amissae dignitatis postmodum sibi reverentiam impendit, potius prevaricator quam legum servator existit; quamquam et si in ipso imperio quod sit contra Dominum imperant [sic], nullatenus sit obediendum, sed omni libertate resistendum. Ergo nequaquam contra apostoli preceptum faciunt qui vestro Heinricho a regali dignitate deposito nunc resistunt. Huc accedit, quod apostolus, qui omnes potestatibus obedire precepit, mori potius quam Neroni morem gerere voluerit, videlicet nos suo docens exemplo ut, cum Deo et seculari potestati simul obedire nequimus, Deo potius obediamur quam hominibus' (*Libelli*, i. 385).

³⁷ 'Cum enim nullus se imperatorem vel regem creare possit, ad hoc unum aliquem super se populus exaltat, ut iusti ratione imperii se gubernet et regat, cuique sua distribuat, pios foveat, impios perimat, omnibus videlicet iusticiam impendat. At vero, si quando pactum, quo eligitur, infringit, ad ea disturbanda et confundenda, que corrigere constitutus est, eruperit, iuste rationis consideratione populum subiectionis debito absolvit, quippe cum fidem prior ipse deseruerit, quo alterutrum altero fidelitate colligavit. Huc accedit quod populus nequaquam iuramento ad hoc se cuiquam obligat, ut ad quoscumque furentis animi impetus obediat, aut, quo illum furor et insania precipitat, illum necessitudo subiectionis sequi compellat' (pp. 391-2).

Thus Henry had freed his subjects from their allegiance by governing badly, and so forfeiting his right to the kingship.

For this oath binds the swearer strictly so long as the man to whom it is sworn asks the swearer only to fulfil his oath. But when he, instead of governing the kingdom, takes advantage of his power to rule despotically, the swearer is absolved from his oath; and the people are free to depose [the king] and set up another, since he has clearly been the first to depart from the agreement that binds them to one another.³⁸ . . . When he began to drive the people, whom he ought to rule, into error, it was wrong to fulfil any oaths sworn to him, because he had ceased to be king.³⁹

Manegold's theory has, therefore, some resemblance to the eighteenth-century theories of the Social Contract.⁴⁰ The king, according to him, was an official elected by the people to protect them from domestic disorder and from foreign oppression. So

³⁸ 'Hoc namque sacramentum iurantem tam diu necessitate obstringit, quam diu is cui iuratum est ad iurata facienda iurantem poposcit. At vero si ille non regnum gubernare sed regni occasione tyrannidem exercere . . . exarserit, adiuratus iuramenti necessitate absolutus existit, liberumque est populum illum deponere, alterum elevare, quem constat alterutro obligationis rationem prius deseruisse' (*Libelli*, i. 382).

³⁹ 'Ubi vero populum, quem debuit regere, in errorem cepit precipitare, quia rex desit esse, nefas fuit sibi data iuramenta observare' (p. 393).

⁴⁰ It may be well to consider the possible sources of Manegold's theory. Bernold, from whose *Apologeticus* and *de Damnatione Scismaticorum* Manegold borrowed so large a part of his *Liber*, may be dismissed at once. In none of his works did he venture beyond the doctrine laid down by Gregory VII. Gebhard, to whom the *Liber* is addressed, did not consider the nature of sovereignty in either of his letters to Hermann of Metz. He may have examined it thoroughly, in the history 'said to be by the archbishop of Salzburg' (*contra Wolfelmum, Libelli*, i. 306), but since that has perished we cannot tell. There is a third author who must be considered in this connexion—St. Isidore of Seville. His *Liber Sententiarum* is quoted twice in the *Liber ad Gebhardum*, and this appears to prove that the work was known to Manegold. Yet it is difficult to believe that he was influenced by Isidore's statements about kings, for two reasons: (1) There is no quotation from book iii, which deals with kings and their subjects; and Manegold would surely have taken some sentence from a work of such authority, had it helped to form his theory. Why, for instance, did he neglect this: 'The name of king is kept by righteousness and lost by sin'? (2) Isidore held that bad kings might be sent to rule as a divine punishment for the sins of the people; while it was the essence of Manegold's theory that a king who ruled badly ceased to be a king at all. Such a direct opposition of view makes it improbable that Manegold was in any way dependent on Isidore; and, perhaps, explains the absence of any quotation from book iii. The source of the theory cannot then be found in any work to which Manegold refers, but there are some things which must have had a certain amount of influence on its form. The first of these, the story of the expulsion of the Tarquins, is definitely quoted by Manegold in the chapter on the office of king (ch. xxx). It would be easy to exaggerate the importance of this classical reference; but there is nothing in Manegold's work to suggest that his knowledge of Roman history was more than superficial, and so it must stand simply as a fact which was known to him and interested him. The second was the election of the emperor, which may have given him some ideas, although it was almost entirely a matter of form. The third, and perhaps the most important, since it had the authority of Scripture, was the account of the choice of Saul as king of Israel. None of these is sufficient to explain the origin of Manegold's definition of the royal power, for all were matters of common knowledge; but each may have helped to develop it.

long as he ruled well, thus fulfilling the conditions of his election, they were bound to him by fealty; but as soon as he abused his power, he lost his office, and set them free from their allegiance. They could then, without any breach of faith, choose another man to take his place. Such a theory of popular sovereignty left little room for the pope's action; in fact, Manegold allowed him only the duty of proclaiming the invalidity of their oaths to the people. That is, his place in the scheme is not that of a judge, but that of a spiritual adviser.

It was the duty of the pope to reassure those whom he saw were troubled about the oaths they had taken. It is therefore clear that he rightly removed those oaths, since it was manifest to all the faithful and to all with reasonable intelligence that they were void. He, therefore, did his duty and acted as became a pope, when he did not hesitate to put asunder openly those things which he knew to be essentially divided.⁴¹... Thus he rather proclaimed to the people of God that these essentially void oaths were not to be kept, than gave absolution from them.⁴²

The pope either sanctions an accomplished fact or, at most, explains to the nation a doubtful moral question. In comparison with the power and authority claimed by Gregory, these functions are insignificant. He had finally come to claim that as successor of St. Peter, the holder of the keys of heaven, he had power to judge and to punish kings, who were his inferiors. 'Can he be denied the power of judging on earth, to whom is committed the power of opening and shutting Heaven? Impossible!' ⁴³ A pope who spoke thus could not have regarded Manegold's theory favourably, had it come to his knowledge; but it seems unlikely that he ever heard of it. It is true that Gerhoh, prior of Reichersberg,⁴⁴ writing much later, stated that Gregory disapproved of the book; but this can only have

⁴¹ 'Pertinuit igitur ad apostolici officium populum de his securum reddere, quem de exhibitis sacramentis vidit sollicitum estuare. Constat ergo illum inste sacramenta solvisse que omnibus fidelibus et rationali intellectu nitentibus certum et manifestum est nulla existere. Implevit ergo officium suum, fecit quod erat apostolicum, dum ea quae intus soluta cognovit, foris discindere non distulit' (*Libelli*, i. 392).

⁴² 'Igitur non tam ille illa resolvit, quam intus resoluta populo Dei non observanda consignavit' (*ibid.*).

⁴³ 'Cui ergo aperiendi claudendique coeli data potestas est, de terra iudicare non licet?' *Abait* (Greg. *Reg.* viii. 21, Jaffé, *Mon. Greg.*, p. 455).

⁴⁴ *Epistola ad Innocentium Papam* (1131), *Libelli*, iii. 232. This was in the form of a dialogue between a regular and a secular cleric; the former, of course, expressed Gerhoh's own opinions. The regular referred the secular to Manegold's book 'contra septimi Gregorii laceratores compositum'; and the secular replied, 'Ille Manegoldus etiam fuit homo inportunus, et est iam defunctus. Unde optamus ut liber ipsius cum ipso sit sepultus, quem credimus despici etiam ab ipsis tui claustris confratribus, quia liber ille, licet in defensione septimi Gregorii fuerit compositus, tamen ab ipso non creditur approbatus.' The regular half agreed with him: 'Nec ego librum illum habeo pro auctoritate licet eum sciam catholicis etiam episcopis placuisse,' &c.

been an inference drawn from the contradiction between the pope's claims and Manegold's theory.

Manegold's history is at fault. In 1076, Henry IV defied Gregory's authority in a council at Worms; and as a result was excommunicated by the Lent synod at Rome. The hands of the king's enemies were strengthened and his friends fell away from him. The Saxon rebels rose up again, and his nobles united to impose conditions on him before they would recognize him as their ruler. Being threatened with a papal trial at Augsburg, he took the only way of escape from his difficulties, and went to Italy to profess his penitence to Gregory. At Canossa, the pope had to restore him to the fellowship of the church. The Saxons regarded this as a desertion of them by the pope; but they had gone too far to draw back, and hence in 1077 they set up Rudolf, duke of Swabia, as king in place of Henry. They alleged that the question of the kingdom had been reserved for future settlement, but the fact that Henry began the oath (by which he promised to help the pope) at Canossa with the words '*Ego, Henricus rex*' proves that this was not true. From 1077 to 1080 Gregory tried to preserve a neutral position between the rival kings, although Rudolf was ostentatiously canonical in his church policy and Henry was not. But at length, and after long hesitation, in 1080 he renewed Henry's excommunication and transferred the kingdom to Rudolf for ever. The only possible intervention of the 'people' in this series of events was that of the council of Tribur, which in 1076 bound Henry to await the pope's decision before attempting to reassume the kingly dignity. There is, therefore, nothing in the actual events which could have suggested to the monk of Lautenbach his theory of popular sovereignty. The people—or a part of them—had chosen Rudolf as their king, without declaring Henry deposed, and the pope had waited for three years before recognizing that new king. At Rudolf's election the nobles imposed many conditions on him, but the election of Henry had been a mere formality, performed in accordance with his father's wishes.

It is doubtful whether Manegold understood the full meaning of his theory; for the tone of his work makes it hard to believe that he would have introduced it so quietly if he had done so. Yet he may have seen that, if it were emphasized, it involved danger for himself and his friends, and therefore have contented himself with stating it in the course of a long argument. There was also the medieval distrust of originality to deter a man of Manegold's conventional nature from laying stress on a fresh idea. Yet there is consistency in his use of the theory, which is developed logically from its first appearance (in ch. xxx) to its last (in ch. xlviii), and this suggests that it must have stood clearly in his mind,

or have been worked out with some thoroughness beforehand. It may, however, be noticed, that he does not make it clear whether the king loses his power, *ipso facto*, by bad rule, or whether thereby he merely gives his people the right to depose him.

The theory met with very little favour, for it was not a good weapon, either for defence or attack, in the struggle with the state. Neither party was interested in a theory of popular sovereignty, for though both desired popular support, neither would have conceded to the people the power which Manegold asserted that they possessed. There is only one work which appears to have any relation to his theory. This is a fragment, among the writings of the schismatic cardinals, of which both the date and the authorship are uncertain. It runs as follows :

No man can make himself king, for the kingship is conferred by the choice of the people : but once the king is chosen and confirmed in his kingdom, he holds the government, and his subjects can by no means shake off his yoke from their necks. It is in their power to choose him whom they will to be king, but when he has been chosen, it is no longer in their power to depose him. Thus choice is changed to necessity.⁴⁵

This is a modification of the doctrine of divine right, and its form suggests that it was a reply to a definite theory, and not part of a general defence of the king. Henry's supporters as a rule upheld the doctrine of divine right without modification.

Peter Crassus, probably the only layman besides Henry IV among the controversial writers, wrote a defence of Henry from the legal point of view.⁴⁶ His argument was that Henry had as much right to the kingship as an ordinary man had to property inherited from his father, and that it could not be taken from him for any reason. Henry III and his father were both kings ; both died possessed of the kingdom, and it therefore descended by hereditary right to Henry IV. His was an undisputed succession, and so any attempt to deprive him of his kingdom was sheer robbery. It was illegal to interfere with the property of a private person, it could not, then, be legal to try to take away the possessions of a king ; for, ' by Divine dispensation, the father is succeeded in the kingdom, first by his son, and the son by the grandson.' ⁴⁷

⁴⁵ ' Nemo potest se ipsum regem facere, sed populus creat sibi regem, quem elegit. Sed cum rex ille fuerit factus et confirmatus in regno, iam habet potestatem in hominibus et nullo modo potest populus iugum eius de cervicibus suis repellere. Nam primum quidem in potestate populi est facere sibi regem quem vult ; factum autem repellere non est iam in potestate eius, et sic voluntas populi postea in necessitatem convertitur ' (*Libelli*, ii. 422). It is interesting to notice the resemblance between this theory and those of counter-Reformation apologists, e. g. Cardinal Bellarmine.

⁴⁶ ' Defensio Regis Heinrici.' *Libelli*, i. 441 seq.

⁴⁷ ' Huic (a king) vero, dispensatione divina, in regno filius, filio nepos successit ' (p. 445).

The theories of sovereignty developed after 1080 were not cast in a single mould. Each author shaped his own definition, influenced, of course, by the views of his leaders, but not slavishly reflecting their opinions. Wenrich and Peter Crassus, from their different points of view, asserted Henry IV's absolute right to the throne. Hugh of Flavigny is typical of those supporters of Gregory VII who adopted his later definition of the state as an institution of the devil, and who did not seek to advance any views of their own. There was only one supporter of the pope who made a notable departure from the hierarchical doctrine, and who gave to the people that power of choosing and deposing the king which Gregory claimed for the successors of St. Peter, and he was an obscure monk, Manegold of Lautenbach in Germany.⁴⁸

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⁴⁸ My attention was drawn to this theory of Manegold by the reference in Dr. Poole's *Illustrations of the History of Medieval Thought*, p. 232.