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The Donation of Constantine as applied by the Roman Church

DURING the last twenty years a great number of critical essays have appeared on the subject of the donation of Constantine the Great to the Roman church.¹ The forged grant purports to confer upon Saints Peter and Paul the imperial insignia, lands in Judea, Greece, Asia, Thrace, Africa, and Italy, and various islands to be disposed of at the hands of Pope Sylvester and his successors.² It likewise grants that pope and his successors the city of Rome and all the province, places, and cities of Italy and the west.³ However much the opinions and results of the numerous investigators of the subject may differ from one another, we may now, I think, accept as proved the fact that the document was forged in Rome in the course of the sixth and seventh decades of the eighth century.⁴ In contributing to the literature on the subject my chief aim is to investigate how far the donation of Constantine was theoretically or practically applied by the popes to enlarge their worldly sway.

¹ See the bibliography in Döllinger, *Papstfabeln des Mittelalters* (2nd ed. Stuttg. 1890), p. 125, n. 2; to which add A. Hauck, *Zeitschr. f. kirchl. Wissensch. u. kirchl. Leben*, iv. (1888); Krüger, *Theol.-lit. Zeitung*, Nos. 17 and 18 (1889); and Seeberg, *Theol.-lit. Blatt*, Nos. 8-5 (1890).

² Revised text by K. Zeumer in *Festgabe für R. von Gneist*, Sonderabdruck (Berl. 1888), p. 55, lines 197-208.

³ *Ibid.* p. 58, lines 264-70.

⁴ Döllinger, *l.c.* p. 88, set the term from 750 to 775; but compare p. 128, where it is put shortly before 754. With this view agrees Hauck, *l.c.*, who has developed a plausible theory to the effect that the 'Donation' was forged before the council of Quiercy, 754, on which assumption alone he can explain the demands made by the pope on that occasion, demands which had no basis either in law or fact. See also his *Kirchengeschichte Deutschlands*, ii. (Leipzig, 1890), p. 24, n. 1.

The ultramontane view holds that the papacy very rarely used the donation to enhance its power, and derived no particular claims to islands from it.⁵ Others consider it the foundation of the temporal power of the papacy.⁶ Who is right? We must turn to the papal registers particularly for an answer. Could we accept the theory of Hauck⁷ as to the origin of the 'Donation,' the first attempt to draw benefit therefrom would be that made by Pope Stephen III (II) at the council of Quiercy in 754. But, to turn to an indisputable case, there is a reference to it in a letter of Hadrian I to Charles the Great,⁸ where the pope calls upon Charles, but with little or no success, to follow the example of Constantine and endow the Roman church.⁹ The next notice of the donation comes from a different source, and is the more valuable as it tells of its whereabouts at a definite time. The reference occurs in Liudprand of Cremona's account of his embassy to Constantinople in 968-969.

LIUDPRANDI LEGATIO.

Constantinus imperator augustus . . . sanctae apostolicae Romanae ecclesiae . . . multa donaria obtulit, non in Italia solum sed in omnibus pene occidentalibus regnis, necnon de orientalibus atque meridianis, Graecia scilicet, Iudaea, Perside, Mesopotamia, Babylonia, Aegypto, Libya, *ut ipsius testantur privilegia, quae penes nos sunt.*¹⁰

DONATIO CONSTANTINI.

. . . rebus diversis eas [thecas Petri et Pauli] ditavimus, et per nostras . . . sacras tam in oriente quam in occidente vel etiam septentrionali et meridiana plaga, videlicet in Iudea, Grecia, Asia, Thracia, Africa et Italia vel diversis insulis, nostram largitatem eis concessimus. . . .¹¹

The likeness between the two passages seems sufficiently clear, only that Liudprand appears to have expanded 'Asia' into 'Perside, Mesopotamia, Babylonia,' and 'Africa' into 'Aegypto, Libya.' I cannot resist the inference that the author is here quoting from memory. If, besides, we take his last clause into account, the existence, at Rome, of the 'Donation' of Constantine, either in the original or in copy, seems proved for the middle of the tenth century. About a generation after the bishop of Cremona wrote, the emperor Otto III made a gift¹² to the Roman see, in which the voice of suspicion,

⁵ *Analecta Juris Pontificii*, xxi. 802, 833 (Romae). Cf. Hergenröther, *Kirche und Staat* (1872), p. 866.

⁶ Gibbon, c. 49; W. Moeller, *Lehrbuch der Kirchengeschichte* (2nd ed. Freiburg, 1898), ii. 89, 'Die phantastische Legende hat im Mittelalter eine sehr reale Macht erlangt'; see also K. Müller, *Kirchengesch.* (Freiburg, 1892), i. 445-6 (see note 23 below) *et passim*.

⁷ See note 4.

⁸ May 778. Jaffé, *Bibl. Rer. Germ.* iv. 199.

⁹ See Hauck, *Kirchengesch.* ii. 91, n. 1.

¹⁰ Liudprandi *Legatio*, *Monum. Germ. Hist.*, SS. iii. 350.

¹¹ Zeumer, *l.c.* p. 55, lines 203-6.

¹² *Monum. Germ. Hist.*, *Leges* II B. p. 162.

though unsupported by critical insight, was first raised against the forgery. Can the sumptuous copy in 'letters of gold,' to which the emperor refers in his grant, have been the one which Liudprand speaks of?

Another half-century passes before we hear of the 'Donation' again. To prove the superiority of the church of Rome, Leo IX, in 1054, sent a long letter to Michael, the patriarch of Constantinople.¹³ The fact that almost the entire text of the 'Donation' proper is inserted in it goes to show the implicit belief which the pope seems to have had in the supposititious document. The same year Leo IX once more called upon the great name of Constantine, but to no effect. After his defeat by the Normans at Civita in 1054 he made peace with his enemies, but with no intention of its being final; for he sent messengers with a letter to Constantinople to beseech the eastern emperor to take part with the German emperor in avenging his wrongs. In this letter the pope begged the emperor to give up to the holy see all that which Constantine and his successors had once granted.¹⁴ There was no response to the request, and the pope soon died. In significant contrast to the frank assurance of Pope Leo is the reserve of Gregory VII. Still it does not seem strictly true to say that he never so much as mentions the 'Donation';¹⁵ for in the oath which Gregory exacted from Rudolf of Swabia there is apparently an allusion to the spurious gift: *De ordinatione vero ecclesiarum et de terris vel censu quae Constantinus imperator vel Carolus sancto Petro dederunt . . . ita conveniam cum papa, ut periculum sacrilegii . . . non incurram.*¹⁶ Perhaps Gregory had the 'Donation' in mind when, in his celebrated *dictatus*, he claimed that 'only the pope can make use of the imperial insignia,'¹⁷ which, to be sure, always remained an empty claim. Finally, there is another case which is more in point but is still more doubtful than the two preceding. In a letter to the kings and princes of Spain¹⁸ the pope claims that *regnum Hispaniae ex antiquis constitutionibus beato Petro et sanctae Romanae ecclesiae in ius et proprietatem esse traditum*. Now the 'Donation' of Constantine is called *Exemplar Constituti Domni Constantini Imperatoris* in a manuscript of the ninth or tenth century,¹⁹ and this copy Gregory might have seen and had in mind. But on what a slender footing this hypothesis rests is made doubly clear when we examine another letter of the pope on the same subject, in which Spain is merely claimed as 'of old the property of St. Peter.'²⁰ In fact, it seems to me more than

¹³ Migne, *Patrol. Lat.* cxliii. No. c. pp. 744-69.

¹⁴ Gregorovius, *Gesch. d. Stadt Rom im Mittelalter*, iv. 88 (Stuttgart, 1862).

¹⁵ See Döllinger, *l.c.* p. 90. Friedrich, the editor of Döllinger, however, refers (p. 107, n. 1) to the oath spoken of in my text. ¹⁶ Jaffé, *l.c.* ii. 476.

¹⁷ *Ibid.* ii. 174; cf. Zeumer, p. 56, lines 214-27, and Döllinger, p. 97.

¹⁸ Jaffé, ii. 286.

¹⁹ Zeumer, *l.c.* p. 41; Codex, A 2.

²⁰ *Ibid.* ii. 16-17.

likely that Gregory's policy was *not* to invoke the false 'Donation;' for in two cases he is careful to name the grantor of lands which he claims for the holy see. Thus he laid claim to Hungary as the gift of King Stephen, and to Saxony as that of Charles the Great.²¹ Furthermore, when he had an excellent chance of invoking the 'islands clause' of the 'Donation' he was silent; for he claimed Corsica only *ex debito vel iure proprietatis*, and Sardinia on the ground that Rome was the spiritual mother and guardian of the island.²² Such silence cannot have been an accident on the part of a pope who saw his policy clearly before him in laying the corner stone of the temporal sovereignty of the Roman church; and it is surely a misconception on the part of a recent church historian to ascribe to him a free use of the 'Donation' to reach his ends.²³

Urban II was less scrupulous, and he first made practical use of the 'Donation.' In a bull dated 8 June 1091 he granted the Liparian islands to the monastery of St. Bartholomew, which was situated on one of them, on the strength of it. These are the words of the bull: *Cum universae insulae secundum instituta legalia iuris publici sint, constat profecto quia religiosi imperatoris Constantini privilegio in ius proprium beato Petro eiusque successoribus occidentales omnes insulae condonatae sunt maxime quae circa Italiae oram habentur*,²⁴ &c. I pass over the peculiar interpretation of the 'islands clause'—*vel [in] diversis insulis nostram largitatem eis concessimus*—of the 'Donation' to go on to a second bull of Urban II for the bishop of Pisa, which was issued in the same month and contains much the same preamble.²⁵ These are the only two cases, to my knowledge, in which the popes cited the 'Donation' of Constantine with such bold assurance in support of their temporal claims. The action of Urban II stands unparalleled for centuries. His discreeter or more timid followers seem carefully to have avoided following in his footsteps; for Honorius II, in a bull of the year 1126 to the Pisan church, which confirmed that of Urban II, neglected to take the opportunity of proclaiming the grounds on which his predecessor had based the original grant,²⁶

²¹ Jaffé, ii. 128, 469. The latter country Gregory claimed by a great stretch of imagination and conscience. Cf. P. Scheffer-Boichorst, 'Zwei Untersuch. z. Gesch. d. päpstl. Finanzpolitik,' in the *Mittheil. d. Instit. f. Österreich. Geschichtskunde*, Ergänzungsheft iv. 82-5, 90.

²² Jaffé, ii. 290; cf. pp. 842-45.

²³ K. Müller, *Kirchengesch.* i. pp. 445-6. He cites the cases spoken of above, but is surely wrong in the case of Hungary and Saxony, if not in that of Corsica, Sardinia, and Spain.

²⁴ Rocchi Pirri, *Lipariensis Eccl. Notitia*, viii. lib. iii. in J. G. Graevius, *Thesaurus Antiquitatum et Historiarum*, &c., x. 1125-6. Pirri took his text from the original, transcribing the correct indiction 14. Ughelli, *Italia Sacra* (1st ed. Rome, 1647, ii. 1047-8, and 2nd ed. i. 775), misprints 18, and is followed by Migne, *Patrol. Lat.* cli. 829.

²⁵ Ughelli, l.c. iii. 423: *Cum omnes insulae . . . iuris publici habeantur, constat etiam eas religiosi imp. C. liberalitate ac privilegio in beati Petri vicariorumque eius ius proprium esse collatas.* Cf. Scheffer-Boichorst, l.c. pp. 105-6.

²⁶ Ughelli, l.c. iii. pp. 441-4.

and Innocent II, in granting half of Corsica to Genoa, did not cite the 'Donation.'²⁷

In the face of such apparent indifference on the part of the papacy it is interesting to see what a hold the fictitious 'Donation' had taken on the public mind by the middle of the twelfth century. John of Salisbury, for instance, in referring to the attempted feudal grant of Ireland to Henry II through Pope Hadrian IV, states his belief that the pope had a right to confer the island, *Nam, said he, omnes insule de iure antiquo ex donacione Constantini . . . dicuntur ad Romanam ecclesiam pertinere.*²⁸ Whether Hadrian IV himself derived his right of disposing of Ireland from the same source we have no means of telling, for the original bull is no longer extant. It was probably left to disappear as having outlived its purpose, for it seems that Henry was not willing then to become the vassal of the papal see, as he afterwards was forced by circumstances.²⁹ The bull *Laudabiliter*, which has so long been considered by many a genuine bull of Hadrian IV, must now, I think, be considered an innocent forgery, a medieval scholastic exercise.³⁰ Still it serves our purpose here, which is to show how the public, or at least the catholic, mind was then imbued with the fascination exercised by the mighty name of Constantine. But we must not overlook the fact that in this same century the first voices, since that of Otto III, were raised against the genuineness of the 'Donation.' The *Historiae Farfenses*³¹ report a litigation which took place in the year 1105. The story tells how the monks of the monastery of Farfa resident in Rome were involved in a dispute about the possession of a castle with some Roman nobles who based their claim on the 'Donation' of Constantine. Without absolutely denying the genuineness of that document, the monks nevertheless turned the evidence of historical criticism upon it to refute their rivals' arguments. Shortly before John of Salisbury upheld the tradition of the church the then powerful Arnoldists began to shake it. One of their number denounced it as a lie and heretical fable

²⁷ Pflugk-Hartung, *Acta Pont. Rom. Inedita* (Stuttgart, 1888), ii. 274, No. 313.

²⁸ *Metalogicus*, iv. 42; of which Scheffer-Boichorst, *l.c.* p. 104, gives the best text.

²⁹ *Ibid.* pp. 110-1. That the attempt failed is clear from a genuine bull of Alexander III (20 Sept. 1172; Jaffé-Loewenfeld, 12162), in which he congratulates Henry II on his success in Ireland. Here the 'island' is referred to as having been brought within the jurisdiction of the Roman church by the initial act of the king, not as granted in fee by the pope on the condition of being made subject to Rome.

³⁰ *Ibid.* pp. 112-20, especially pp. 116-20. For the other view see Miss Norgate, 'The Bull *Laudabiliter*,' *ENGLISH HISTORICAL REVIEW*, viii. 18-52. The words of the bull which refer to the 'islands clause' of the 'Donation' are *Sane Hiberniam et omnes insulas, quibus solius iustitiae illuxit, et quas documenta fidei Christianae ceperunt, ad ius B. Petri et sacrosanctae Romanae Ecclesiae (quod tua et nobilitas recognoscit) non est dubium pertinere.* Migne, *l.c.* clxxxviii. 1441.

³¹ *Mon. Germ. Hist.* xi. 668-70.

which was so patent that even labourers and women could convince the most learned thereof.³²

It is remarkable that, although the 'Donation' was embodied in the collections of canon law from that of Anselm of Lucca (†1086) onwards,³³ the popes for some centuries availed themselves so little of it. Innocent III, whose reign marks the climax of the temporal sovereignty of the papacy, in one of his sermons merely stated it as a fact that *vir Constantinus egregius imperator . . . Urbem pariter et senatum cum omnibus et dignitatibus suis, et omne regnum Occidentis ei [Silvestro papae] tradidit et dimisit.*³⁴ He left it to a successor, Gregory IX (1227–41), to draw the logical conclusions from it, and he maintained in a letter to the emperor Frederick II that, through his gift of the imperial insignia to the Roman see [as granted in the 'Donation'], Constantine had for ever entrusted the city and duchy of Rome and the imperium to the care of the popes.³⁵ Nevertheless when, in 1239, the pope took steps to exercise his assumed right of guardian of the imperium by dispossessing Frederick II of it by bull, he did not derive it from the above-mentioned claim, but rather *ex parte Dei omnipotentis Patris et Filii et Spiritus Sancti et autoritate apostolica Petri et Pauli.*³⁶ The reference here is probably to the papal 'power of the keys.' Gregory's next successor but one, Innocent IV, had recourse to the same power in renewing the excommunication pronounced against the emperor,³⁷ thus likewise desisting from carrying into practical effect the claim put forth by his predecessor. Nor did Boniface VIII, in spite of his overreaching claims, ever, so far as I know, turn for support to the authority of the 'Donation' of Constantine. From his retirement at Avignon John XXII once invoked the false 'Donation,' but only to demonstrate the spiritual sovereignty of Rome.³⁸

More than a century later the position of Nicolas V (1447–55) towards the 'Donation' appears uncertain; for whereas in one case³⁹ he disregards the privilege supposed to have been bestowed by Constantine on the church—namely, the claim to the east and west and various islands—he is not slow to avail himself of it in a bull in favour of Alfonso of Portugal and his uncle Henry the Navigator, dated 8 Jan. 1454. It grants them full and exclusive rights over their discoveries in Guinea and several islands. In view of the great significance which the formula of grant afterwards obtained I quote its terms in full.

³² Wetzel in a letter to Frederick I, 1152, in Martène, *Ampl. Coll.* ii. 556.

³³ Dollinger, *Lc.* p. 96.

³⁴ Migne, *Lc.* ccxvi. 481.

³⁵ *Mon. Germ. Hist., Epist. Pont. Rom. saec. xiii.* i. 604.

³⁶ Matthew Paris, *Chron. Maiora* (R. S.), iii. 588 sq.

³⁷ *M. G. H., Ep. P. R. saec. xiii.* ii. 93, lines 22–6; p. 90, lines 32–40. He says that Gregory had invoked the 'power of the keys' against Frederick.

³⁸ *Magn. Bull. Rom.* (Luxemburge, 1727), pt. iii. pp. 168, 169.

³⁹ Bull of Nicolas V to Alfonso V of Aragon and Sicily, 6 Oct. 1450. *Ibid.* p. 259.

De praemissis omnibus et singulis plenissime informati, *motu proprio*, non ad ipsorum Alfonsi Regis et Infantis vel alterius pro eis nobis super hoc oblatae petitionis obstantiam, maturaque prius desuper deliberatione praehabita, *auctoritate apostolica, et ex certa scientia de apostolica potestatis plenitudine*, literas facultatis praefatas . . . ad Ceptemsem et praedicta et quaecunque alia . . . *provincias, insulas . . .* harum serie declaramus, etiam ad ipsos Alfonsum Regem successores suos . . . *pertinuisse, ac in perpetuum spectare et pertinere de iure. . .*⁴⁰

Although no reference is here made to the 'Donation' in so many words, there can be little doubt that the grantor had it in mind; for had not the emperor Constantine given the apostles Peter and Paul the east and west and various islands, to be disposed of at the hands of Pope Silvester and his successors? The above formula is generally thought to have been first used in the celebrated demarcation bull of Alexander VI, dated 4 May 1493; but it is evident that it originated with Nicolas V and was used several times before the former pope is supposed to have given it prominence. Nicolas himself repeated the clause word for word in a bull of 9 Jan. 1454,⁴¹ which was confirmed by Calixtus III the next year.⁴² Here we again meet with the formula in question in full. Both of the foregoing bulls were confirmed by Sixtus IV 21 June 1481, where we once more find the clause in question, though with immaterial changes.⁴³ Probably it also occurs in the confirmatory bull of Innocent VIII mentioned in Raynaldus.⁴⁴ Perhaps the most interesting bulls, however, in which the formula of Nicolas V occurs are those of Alexander VI dated 3 and 4 May 1493. The latter is the famous demarcation bull, which divided the discoveries in the new world between the kings of Spain and Portugal.⁴⁵ This long series of bulls is closed by that of Leo X of 3 Nov. 1514, which recites and sanctions all the previous bulls addressed to the kings of Portugal.⁴⁶

⁴⁰ *Magn. Bull. Rom.* pt. iii. p. 263. The date of the pope's regnal year is wrong by a year in the *Bullarium*; instead of *an. viii.* it should be *an. vii.*, as Nicolas V was consecrated 18-19 March 1447.

⁴¹ Raynaldus, *Annales Eccl. Continuatio* (Lucæ, 1758), x. 8-10.

⁴² *Ibid.* pp. 17-20. Another confirmation, dated 1456 and beginning *Inter caetera*, which I have not been able to find, is mentioned by J. F. von Schulte, *Die Macht der röm. Päpste*, &c., Prague, 1871, p. 87.

⁴³ The bull is in a confirmatory charter of Leo X of 3 Nov. 1514; see *Bullarium Patronatus Portugalliae Regum . . . Olisipone*, 1868, i., p. 106 sq. D. Cyriacus Morelli, *Fasti Novi Orbis*, &c. (Venetiis, 1776), gives the best summary of all the bulls relating to the discoveries in the new world. But the book does not give the text of any of the documents, always referring to books few of which I have been able to find. The bulls which may have a bearing on my subject are those of Alexander VI, 9 June 1494, 1 June 1497; Julius II, 2 Nov. 1503, 21 Jan. 1506, 28 July 1580.

⁴⁴ Raynaldus, *l.c.* ad an. 1484, xi. 88.

⁴⁵ Navarette, *Coleccion de los Viajes y descubrimientos* (Madrid, 1825), ii. 28-7, especially 26; pp. 28-34, especially 32. The latter is also in the *Magn. Bull.*, pt. iv. pp. 2-8. Cf. a letter of Alexander, 25 Sept. 1493, in Navarette, pp. 404-6.

⁴⁶ *Bull. Patronatus*, p. 106 sq. Cf. Hergenröther, *Registrum Leonis X* (Freiburg, 1888), p. 764, No. 12516. The bull contains the traditional formula with slight variations. For the reference I am indebted to Herr Hans Schulz of Berlin.

Such was the sudden and general use which the popes, from the middle of the fifteenth century to the eve of the Reformation, made of the 'Donation' of Constantine, not, to be sure, to enlarge their own territorial possession, but rather to dispose of lands newly discovered. But it was just this disposing power which had been conferred by the supposed gift of Constantine. By a strange irony of fate the very half-century which saw the triumph, as it were, of the forged 'Donation' saw also, after several onslaughts of the fourteenth century, the final overthrow of the audacious fiction at the hands of the culture of Europe. Enea Silvio Piccolomini, the secretary of the emperor Frederick III and afterwards Pope Pius II, in 1443 had urged the emperor to have the question as to the authenticity of the 'Donation,' 'which was bewildering many minds,' decided at a council.⁴⁷ If the German Nicolaus Cusanus⁴⁸ had wavered in his judgment, Reginald Pecock, bishop of Chichester, had brought a remarkable series of historical arguments to bear upon the spuriousness of the document.⁴⁹ But the crushing blow had already been dealt by the Italian humanist Lorenzo Valla in 1440, through his 'De falso credita et ementita Constantini Donatione Declamatio.'⁵⁰ Still the canonists wisely clung to the fiction for about a century, until the dictum of a cardinal of the Roman church, Baronius, in his ecclesiastical annals decided against the document known as the 'Donation' of Constantine, and thus hushed its defenders.⁵¹ Yet its spirit was revived only nine years ago, when, in the dispute about the Caroline Islands, the Spaniards based their claim to them on the famous demarcation bull of Alexander VI.

I have traced the history of the 'Donation' of Constantine in literature, and especially in papal politics, from its appearance to the period when it was swept away as a living force. It is evident that it was used by some popes to further their claims, but by rather fewer than has been generally supposed. Apart from the doubtful cases of Stephen III and Gregory VII, only Urban II and some of the popes from Nicolas V to Leo X, 1447-1521, derived a practical benefit from the forged grant. Consequently we must differ from the first and modify the second opinion quoted above (p. 626), and admit that the popes drew far less advantage from the 'Donation' of Constantine than, for instance, from their 'power of the keys' or that of the 'two swords.'

F. ZINKEISEN.

⁴⁷ Dollinger, *l.c.* p. 118.

⁴⁸ Schardius, *De Iurisdictione . . . et praeceminentia imperiali ac potestate . . . variorum auctorum* (Basiliae, 1571); Nica. Cusanus, *De Concordantia Catholica, &c.*, lib. iii. c. 2, p. 608 sq.

⁴⁹ R. Pecock, *Repressor of over much Blaming of the Clergy* (Lond. 1860), li. 861-7; cf. Dollinger, *l.c.* p. 118.

⁵⁰ *Apud* Schardium, *l.c.* pp. 784-780.

⁵¹ Baronius, *Annales Ecclesiastici* (Luciae, 1789), iii. cap. cxviii. Cf. Dollinger, *l.c.* p. 119.