

reason for this condemnation, which displays an unexampled presumption and an unbelievable effrontery, is that the Latin Church dares to celebrate the commemoration of the Lord's passion with unleavened bread. What an unguarded accusation is this of yours, what an evil piece of arrogance! You 'place your mouth in heaven, while your tongue, going through the world',¹ strives with human arguments and conjectures to undermine and subvert the ancient faith. ...

11. ... In prejudging the case of the highest See, the see on which no judgement may be passed by any man, you have received the anathema from all the Fathers of all the venerable Councils.

32. As a hinge, remaining unmoved, opens and shuts a door, so Peter and his successors have an unfettered jurisdiction over the whole Church, since no one ought to interfere with their position, because the highest See is judged by none. ...

SECTION II

The Empire and the Papacy

I. CHARLEMAGNE AND EDUCATION, 789

From *Admonitio generalis*, cap. 72

... Let the ministers of the altar of God adorn their ministry by good behaviour, and likewise the other orders who observe a rule, and the congregations of monks. We implore them to lead such a life as befits their profession as God himself commanded in the gospel. 'Let your light so shine before men, that they may see your good works, and glorify your Father which is in heaven,' so that by our example many may be led to serve God. Let them join and associate to themselves not only children of servile condition, but also sons of freemen. And let schools be established in which boys may learn to read. Correct carefully the Psalms, the signs in writing, the songs, the calendar, the grammar, in each monastery or bishopric, and the Catholic books; because often men desire to pray to God properly, but they pray badly because of incorrect books. And do not permit mere boys to corrupt them in reading or writing. If the Gospel, Psalter, and Missal have to

¹ Cf. Ps. 73: 9.

be copied let men of mature age do the copying, with the greatest care.

II. 'THE DONATION OF CONSTANTINE,' EIGHTH CENTURY

Haller, *Quellen zur Geschichte der Entstehung des Kirchenstaates*, 1907, p. 241.
(Translation based on Laffan, *Select Documents*, I.) Mirbt, *Quellen*, 228.

[This document, which purports to be a deed of gift from Constantine to Pope Sylvester, was included in the 'Forged Decretals', and it played a great part in subsequent controversies. Its authority was unquestioned till the fifteenth century, when its authenticity was impugned by many eminent churchmen and its falsity finally proved by Lorenzo Valla. It is now completely discredited.]

In the name of the holy and undivided Trinity, the Father, the Son and the Holy Spirit. The Emperor Caesar Flavius Constantinus in Christ Jesus (one of the same Holy Trinity our Saviour, Lord and God) faithful, merciful, mighty, beneficent, Alamannicus, Gothicus, Sarmaticus, Germanicus, Britannicus, Hunicus, pious, fortunate, victorious, triumphant, ever August; to the most holy and blessed father of fathers, Silvester, Bishop of the Roman city and Pope; and to all his successors, the pontiffs, who shall sit in the chair of blessed Peter to the end of time; as also to all the most reverend and God-beloved Catholic bishops, by this our imperial constitution subjected throughout the world to this same Roman church, whether they be appointed now or at any future time—Grace, peace, love, joy, long-suffering, mercy from God the Father almighty and Jesus Christ His Son and the Holy Spirit be with you all. ... For we wish you to know ... that we have forsaken the worship of idols ... and have come to the pure Christian faith, the true light and everlasting life. ...

For when a horrible and filthy leprosy invaded all the flesh of my body and I was treated by many assembled doctors but could not thereby attain to health, there came to me the priests of the Capitol, who said I ought to erect a font on the Capitol and fill it with the blood of innocent children and that by bathing in it while it was warm I could be healed. According to their advice many innocent children were assembled; but, when the sacrilegious priests of the pagans wished them to be slaughtered and the font filled with their blood, our serenity perceived the tears of their mothers and I thereupon abhorred the project; and, pitying them, we ordered their sons to be restored to them, gave them vehicles and gifts and sent them back

rejoicing to their homes. And when the day had passed, and the silence of night had descended upon us and the time of sleep had come, the apostles SS. Peter and Paul appeared to me saying, 'Since thou hast put an end to thy sins and hast shrunk from shedding the blood of the innocent, we are sent by Christ, our Lord God, to impart to thee a plan for the recovery of thy health. Hear therefore our advice and do whatever we bid thee. Silvester, bishop of the city of Rome, flying from thy persecutions, is in hiding with his clergy in the caverns of the rocks on Mount Serapte. When thou hast called him to thee, he will show thee the pool of piety; and, when he has thrice immersed thee therein, all the strength of this leprosy will leave thee. When that is done, make this return to thy Saviour, that by thy command all the churches throughout the world be restored; and purify thyself in this way, by abandoning all the superstition of idols and adoring and worshipping the living and true God, who alone is true, and devote thyself to His will. ...

Therefore I rose from sleep and followed the advice of the holy apostle. ... The Blessed Silvester ... imposed on me a period of penance ... then the font was blessed and I was purified by a triple immersion. And when I was at the bottom of the font I saw a hand from heaven touching me. And I rose from the water cleansed ... from the filthiness of leprosy. ...

And so the first day after my reception of the mystery of Holy Baptism and the cure of my body from the filthiness of leprosy I understood that there is no other God than the Father, the Son and the Holy Spirit, whom most blessed Silvester, the Pope, preaches, a Trinity in unity and Unity in trinity. For all the gods of the nations, whom I have hitherto worshiped, are shown to be demons, the works of men's hands. And the same venerable father told us clearly how great power in heaven and earth our Saviour gave to His Apostle, blessed Peter, when in answer to questioning He found him faithful and said: 'Thou art Peter, and upon this rock I will build My Church; and the gates of hell shall not prevail against it.' Attend, ye mighty, and incline the ear of your heart to what the good Lord and Master gave in addition to His disciple when He said: 'I will give unto 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 in heaven.' And when I learned these things at the mouth of the blessed Silvester, and found that I was wholly restored to health by the beneficence of blessed Peter himself, we—together

with all our satraps and the whole senate, and the magnates and all the Roman people, which is subject to the glory of our rule—considered that, since he is seen to have been set up as the vicar of God's Son on earth, the pontiffs who act on behalf of that prince of the apostles should receive from us and our empire a greater power of government than the earthly clemency of our imperial serenity is seen to have conceded to them; for we choose the same prince of the apostles and his vicars to be our constant witnesses before God. And inasmuch as our imperial power is earthly, we have decreed that it shall venerate and honour his most holy Roman Church and that the sacred see of blessed Peter shall be gloriously exalted above our empire and earthly throne. We attribute to him the power and glorious dignity and strength and honour of the Empire, and we ordain and decree that he shall have rule as well over the four principal sees, Antioch, Alexandria, Constantinople, and Jerusalem, as also over all the churches of God in all the world. And the pontiff who for the time being presides over that most holy Roman Church shall be the highest and chief of all priests in the whole world, and according to his decision shall all matters be settled which shall be taken in hand for the service of God or the confirmation of the faith of Christians. For it is right that the sacred law should have the centre of its power there where the Founder of the sacred laws, our Saviour, commanded blessed Peter to have the chair of his apostolate, and where, bearing the suffering of the cross, he accepted the cup of a blessed death and showed himself an imitator of his Lord and Master; and that there the nations should bow their necks in confession of Christ's name, where their teacher, blessed Paul, the apostle, offered his neck for Christ and was crowned with martyrdom. There for ever let them seek a teacher, where lies the holy body of that teacher; and there, prone in humility, let them perform the service of the heavenly King, God, our Saviour, Jesus Christ, where proudly they used to serve the empire of an earthly king. ...

To the holy apostles, my lords the most blessed Peter and Paul, and through them also to blessed Silvester, our father, supreme pontiff and universal pope of the city of Rome, and to the pontiffs, his successors, who to the end of the world shall sit in the seat of blessed Peter, we grant and by this present we convey our imperial Lateran palace, which is superior to and excels all palaces in the whole world; and further the diadem, which is the crown of our head; and the mitre; as also the super-humeral, that is, the stole which usually surrounds our imperial

neck; and the purple cloak and the scarlet tunic and all the imperial robes; also the rank of commanders of the imperial cavalry. ...

And we decree that those most reverend men, the clergy of various orders serving the same most holy Roman Church, shall have that eminence, distinction, power and precedence, with which our illustrious senate is gloriously adorned; that is, they shall be made patricians and consuls. And we ordain that they shall also be adorned with other imperial dignities. Also we decree that the clergy of the sacred Roman Church shall be adorned as are the imperial officers. ...

Wherefore that the pontifical crown should not be made of less repute, but rather that the dignity of a more than earthly office and the might of its glory should be yet further adorned—lo, we convey to the oft-mentioned and most blessed Silvester, universal pope, both our palace, as preferment, and likewise all provinces, palaces and districts of the city of Rome and Italy and of the regions of the West; and, bequeathing them to the power and sway of him and the pontiffs, his successors, we do (by means of fixed imperial decision through this our divine, sacred and authoritative sanction) determine and decree that the same be placed at his disposal, and do lawfully grant it as a permanent possession to the holy Roman Church.

Wherefore we have perceived that our empire and the power of our government should be transferred and removed to the regions of the East and that a city should be built in our name in the best place in the province of Byzantium and our empire there established; for it is not right that an earthly emperor should have authority there, where the rule of priests and the head of the Christian religion have been established by the Emperor of heaven. ...

Given at Rome, March 30th, when our lord Flavius Constantinus Augustus, for the fourth time, and Galliganus, most illustrious men, were consuls.

III. CHURCH AND STATE

a. *Decree on Papal Elections, 1059*¹ Doeberl, *Monumenta*, iii. Mirbt, 272 [The eleventh century saw the reform of monasticism and the inauguration of a line of worthy Popes by Henry III. And the Lateran Council of 1059, under Nicholas II, struck at an evil which was the cause of much that was wrong with the Church—the control of appointments by laymen.]

¹ The translation of this and the three following extracts is based on that of Laffan, *op. cit.*

... We [Pope Nicholas II] decree and establish (3) that, on the death of the pontiff of this Roman universal church, the cardinal bishops shall first confer with most diligent consideration and then shall summon the cardinal clergy to join them; and afterwards the rest of the clergy and people shall give their assent to the new election. (4) That, lest the disease of venality creep in by any means, godly men shall take the chief part in the election of the pontiff, and the others shall follow their lead. This method of election is regular and in accordance with the rules and decrees of the Fathers ... especially with the words of St. Leo; 'No argument,' he says, 'will permit them to be considered bishops who have not been elected by the clergy, nor demanded by the people, nor consecrated by the bishops of the province with the approval of the metropolitan.' But since the Apostolic See is raised above all churches in the world and therefore can have no metropolitan over it, the cardinal bishops without doubt perform the function of a metropolitan, when they raise the elected pontiff to the apostolic eminence. (5) They shall elect someone from out of this [Roman] church, if a suitable candidate be found; if not, he shall be chosen from another church. (6) Saving the honour and reverence due to our beloved son Henry, who at present is acknowledged King and, it is hoped, will be Emperor, by God's grace; as we have granted to him and to such of his successors as obtain this right in person from the apostolic see. (7) But, if the perversity of evil and wicked men shall make it impossible to hold a pure, fair and free election in the city, the cardinal bishops with the godly clergy and catholic laymen, even though they be few, shall have the right and power to elect the pontiff of the Apostolic See in any place which they shall consider most convenient. (8) After an election has been clearly made, if the fierceness of war or the malignant endeavours of any man shall prevent him who is elected from being enthroned on the apostolic chair according to custom, the elected shall nevertheless have authority as Pope to rule the holy Roman church and to dispose of its resources, as we know that blessed Gregory did before his consecration. ...

b. *Letter of the Synod of Worms to Gregory VII, January 1076*
Bernheim, *Quellen zur Geschichte des Investiturstreits*, 1907, i. 68

[Gregory annoyed Henry IV by suspending certain German bishops. Henry retorted by nominating bishops to Italian sees. The Pope threatened excommunication, and Henry then made common cause with the disaffected German bishops and at the Synod of Worms this manifesto was drawn up.]