



1958

5. Marsiglio and the Defensor pacis

Robert L. Bloom
Gettysburg College

Basil L. Crapster
Gettysburg College

Harold A. Dunkelberger
Gettysburg College

See next page for additional authors

Follow this and additional works at: https://cupola.gettysburg.edu/contemporary_sec4

 Part of the [Cultural History Commons](#), [European Languages and Societies Commons](#), [History of Christianity Commons](#), [History of Religion Commons](#), [Medieval History Commons](#), and the [Political History Commons](#)

Share feedback about the accessibility of this item.

Bloom, Robert L. et al. "5. Marsiglio and the Defensor pacis. Pt. IV: The Medieval Ferment." Ideas and Institutions of Western Man (Gettysburg College, 1958), 25-36.

This is the publisher's version of the work. This publication appears in Gettysburg College's institutional repository by permission of the copyright owner for personal use, not for redistribution. Cupola permanent link: https://cupola.gettysburg.edu/contemporary_sec4/5

This open access book chapter is brought to you by The Cupola: Scholarship at Gettysburg College. It has been accepted for inclusion by an authorized administrator of The Cupola. For more information, please contact cupola@gettysburg.edu.

5. Marsiglio and the Defensor pacis

Abstract

While the struggle between Boniface VIII and Philip IV of France may have marked the decline of papal temporal power, it did not end the efforts of the popes to restore themselves to their former position in European politics. Despite the fact that such a restoration became increasingly unlikely during the fourteenth century, these efforts were vigorously pursued by the Avignon papacy. At times they were merged with the execution of the historic papal policy of discouraging the creation of any strong power in Italy which might threaten the security of the Papal States. On one of these occasions the papacy again became involved in a long dispute with the Holy Roman Empire. The conflict between Pope John XXII (1316-1334) and Emperor Louis IV (1314-1347) is important if only because of the unusually large body of political literature which it encouraged the champions of both sides to write. The papalists were able to do little more than restate the principles enunciated in *Unam sanctam*. Their opponents, however, scrapped the theory of the two swords entirely and advocated a relationship between church and state which was based on a different set of fundamental principles. That one of the anti-papal treatises which appeared during this controversy, the *Defensor pacis* of Marsiglia of Padua (c. 1275- c. 1343), can be regarded as one of the first modern works on political thought is a sign of the ferment of the fourteenth century. [excerpt]

Keywords

Contemporary Civilization, government, Christianity, Pope, papacy, two swords theory, Medieval Era, Marsiglio

Disciplines

Cultural History | European Languages and Societies | History | History of Christianity | History of Religion | Medieval History | Political History | Religion

Comments

This is a part of [Section IV: The Medieval Ferment](#). The [Contemporary Civilization](#) page lists all additional sections of *Ideas and Institutions of Western Man*, as well as the [Table of Contents](#) for both volumes.

More About Contemporary Civilization:

From 1947 through 1969, all first-year Gettysburg College students took a two-semester course called Contemporary Civilization. The course was developed at President Henry W.A. Hanson's request with the goal of "introducing the student to the backgrounds of contemporary social problems through the major concepts, ideals, hopes and motivations of western culture since the Middle Ages."

Gettysburg College professors from the history, philosophy, and religion departments developed a textbook for the course. The first edition, published in 1955, was called *An Introduction to Contemporary Civilization and Its Problems*. A second edition, retitled *Ideas and Institutions of Western Man*, was published in 1958 and 1960. It is this second edition that we include here. The copy we digitized is from the Gary T. Hawbaker '66 Collection and the marginalia are his.

Authors

Robert L. Bloom, Basil L. Crapster, Harold A. Dunkelberger, Charles H. Glatfelter, Richard T. Mara, Norman E. Richardson, and W. Richard Schubart

5. Marsiglio and the Defensor pacis

While the struggle between Boniface VIII and Philip IV of France may have marked the decline of papal temporal power, it did not end the efforts of the popes to restore themselves to their former position in European politics. Despite the fact that such a restoration became increasingly unlikely during the fourteenth century, these efforts were vigorously pursued by the Avignon papacy. At times they were merged with the execution of the historic papal policy of discouraging the creation of any strong power in Italy which might threaten the security of the Papal States. On one of these occasions the papacy again became involved in a long dispute with the Holy Roman Empire. The conflict between Pope John XXII (1316-1334) and Emperor Louis IV (1314-1347) is important if only because of the unusually large body of political literature which it encouraged the champions of both sides to write. The papalists were able to

* Ibid., II, 583-588, 615-616, 627-628.

do little more than restate the principles enunciated in Unam sanctam. Their opponents, however, scrapped the theory of the two swords entirely and advocated a relationship between church and state which was based on a different set of fundamental principles. That one of the antipapal treatises which appeared during this controversy, the Defensor pacis of Marsiglio of Padua (c. 1275 - c. 1343), can be regarded as one of the first modern works on political thought is a sign of the ferment of the fourteenth century.

Marsiglio of Padua was a native of the Lombard city from which he took his name. He studied medicine in Italy and, about 1311, went to Paris where he taught philosophy. He served for a time as rector of the University of Paris. From the time of his youth he had been influenced by the anticlericalism of the northern Italian cities. With this background, he began to follow the course of the dispute then beginning between pope and emperor.

In 1314 the German electors had chosen Louis of Bavaria as their king. A minority, disapproving of this choice, picked another candidate. Both men were anxious to claim the imperial crown and went to war in order to secure it. The war ended with the victory of Louis in 1322. He then established friendly relations with the antipapal party in Italy, some members of which looked upon the emperor as the only possible harbinger of peace to the peninsula. The pope was alive to the danger which this move involved. Urged on by the king of France, who was equally opposed to the extension of German power in Italy, John forbade the recognition of Louis as emperor (1323). He claimed that, since Louis had never received papal confirmation of his election and since such confirmation was always required, he was within his power in demanding that Christendom reject Louis. The subsequent events followed a pattern which is already familiar. The emperor replied that a church council should be called. He was confident that there was enough sentiment in Germany and elsewhere outside France to condemn the action of the head of what some disparagingly called the church of Avignon. In 1324 the pope excommunicated Louis and laid under an interdict those areas where he and his supporters were to be found.

In the same year Marsiglio issued the Defensor pacis (the defender of peace) and dedicated it to the emperor.¹ When the book was condemned by the pope and its author excommunicated (1326), Marsiglio fled to the protection of Louis' court at Nuremberg. With him there were a number of Spiritual Franciscans who were also seeking protection from the papacy. John XXII had reversed the conciliatory policy of his predecessor and tried to break the Spirituals, who had by now extended their condemnation of ecclesiastical property to include the entire Church. It was John who in 1323 declared heretical the belief

1 - Whether Marsiglio's friend, John of Jandun, wrote parts of the Defensor pacis is an open question. There is a current trend to attribute the work to Marsiglio alone.

that Christ and the apostles had lived in absolute poverty. When the general of the Franciscan Order protested this decision, John ordered him to Avignon to defend his position. Instead, accompanied by William of Occam and others, he fled to Nuremberg (1328), from where the pope was now subject to a flood of bitter criticism from another group of opponents.

In 1327 Louis marched into Italy and in the following year seized Rome. To show his independence from the papacy he accepted imperial coronation from a group purporting to represent the people of Rome. He then proceeded to set up his own anti-pope. Louis' government collapsed when he returned to Germany in 1330. Marsiglio accompanied the emperor into Italy and was given several important positions, including one as Louis' deputy for ecclesiastical affairs. He appears to have spent his last years in Germany.

Marsiglio's contribution to political thought was more important than his services to the emperor during the latter's conflict with the pope. When he attacked the integrated body of thought which had been developed by the Church from the time of Gregory the Great, he found that it was necessary to think in more general terms than those applicable to any particular state, even the Holy Roman Empire. This was a formidable task. Once its presuppositions were granted, the papacy had much the better of the argument.

Assume that God is supreme over the world which He created; that eternal life is more important than temporal; that, as far as even temporal life is concerned, the spiritual is more important than the bodily; and that all men are sinners. It is but a few easy steps further when led by the hand of a canon lawyer to the supremacy of the Church over the state. On these points all the canonists were agreed, even though they differed as to the means by which they were to be implemented. While the Gelasian theory of parallelism between church and state continued to have its protagonists, the main line of papal arguments was in terms of the plenitude of power. This doctrine was applied in two ways which were not always mutually exclusive of each other. The direct method was expressed in Unam sanctam, which demanded each individual's direct allegiance to the pope. The indirect method, suggested by Thomas Aquinas and others, outlined a hierarchy of allegiances and permitted papal interference only for such causes as heresy or sin.

Instead of approaching this body of thought from the usual theoretical angle, Marsiglio chose to use another approach, the practical. In doing so he asked a different set of questions, focusing not on what ought to be but on what is, not on the idea but on the institution, not on ends but on means, not on final causes but on efficient causes (to use his own Aristotelian terminology), and not on right but on might (to use a later terminology). Instead of employing the tools of the Church he used a different set of tools, those of the state. Instead of asking whether the Church was correct in its power, he asked whether

the results of the Church's actions as an institution were in line with its professions and with the welfare of the state. In the terminology of athletics, he reversed the field.

But to do this without establishing a standard for his judgments would have been to leave himself in the position of nothing more than a carping critic. One must give reasons why he does not like something; otherwise it is merely a question of one man's opinion against another's. It was for this reason that the Defensor pacis is constructed as it is. The first part, or First Discourse, deals primarily with the state, discussing its nature, needs, and the reason for its existence. The Second Discourse deals primarily with the church, discussing its teachings, work, and relationship with the state. The much shorter Third Discourse, which follows, is a summary of Marsiglio's conclusions. Throughout the whole work we get a clear picture of the secular lawyer matching wits with the canon lawyer, after the pattern of a medieval university disputation.

Marsiglio was greatly influenced by four strands of thought current during his time. The first of these was Aristotelianism. The second was Averroism, still strong in the University of Paris, which called for a separation of faith and reason, and which, when applied to church and state, meant a complete separation of the two institutions. The third strand was that of the Spiritual Franciscans who were turning now to the state for help in reforming the Church -- a curious reversal of position for the Franciscans. The fourth strand of thought was Augustinianism with its emphasis on God's immediate and direct control of the entire universe, and the need for love or charity to make all other virtues, individual or social, possible.

Marsiglio brought these four strands of thought into his own unique synthesis. In doing this he departed from the Church's method of reasoning and developed one of his own. He drew on Scripture, reason, and experience, calling the last "the mistress of disciplines," in a way reminiscent of Roger Bacon. The ideal that he drew from the New Testament was not an immutable transcendent absolute, but rather a primitive Christian church. By interpreting the same sources as the Church had used, with this new method he was able to arrive at something quite different from the usual medieval interpretation of the relationship between church and state.

In the First Discourse Marsiglio sets up his standard of human life and the secular state. Following Aristotle and the New Testament he arrived at the conclusion, startling for his time, that "sufficiency of life" was the goal of human experience, and that peace was necessary for the attainment of this goal. The role of the state is, therefore, to maintain peace in order that men may achieve this sufficiency. In order to maintain peace, the state must have both might and right, power and law. To have only power and not law would be to have a self-destructive state. To have only law would be to have an ineffectual state. Might and right must somehow be united. To

unite these two necessary elements in any part or faction of the state would be to destroy the possibility of either peace or unity. Up to this point Marsiglio was thoroughly Aristotelian, but since the time of the Greeks another part had been added to the parts of the state. This was the church, about which Aristotle knew nothing. Therefore it was not to Aristotle that he could turn for finally finding the unity and peace for which he was seeking.

Marsiglio found this unity in the people. Here was a whole which was greater than the sum of its parts. Here was a unity which maintained rather than destroyed individuality and plurality. Here was a totality which, because it was more than the state, could never set one part against another part. The people represented, therefore, a universal in which all participate as all persons participate in the form of humanity. When the people acted in unison Marsiglio called them the legislator. This legislator was to discover the laws and elect the rulers to enforce them. The state receives its coercive power over persons and property from the people themselves and not from God. The state thus envisaged is the defensor pacis which Marsiglio sought.

Marsiglio interpreted the church as also being interested in peace. This attitude he found in the New Testament's picture of primitive Christianity. He accepted the beliefs that eternal life was more important than temporal life, and that the sacred was of greater value than the secular; but he refused to believe that the sacred should ever disrupt the peace of the secular aspect of life. The apostles had accepted the power and authority of the state, and avoided disturbing the secular peace by refusing to hold property, by collecting no compulsory tithes, and by rejecting any attempt to force people to believe or behave as they did. Their lives and their teachings were their only weapons. By limiting itself to teaching and the administration of the sacraments, the early church was able to bring its message of the higher life and the means of attaining it without upsetting the peace and tranquillity of the state. This, for Marsiglio, was the true religious role of the church.

He turned next to the organization which the church should have if it were to fulfill its true role. The true church, far from being a powerful Petrine papacy, should be the whole body of believers (universitas fidelium). The main organ for discovering and promulgating the law of this church should be a council, summoned by the temporal power and made up of both laity and clergy. This council alone would have the right to make decisions concerning doctrine, the interpretation of the Scriptures, and the sacraments. Such a council could elevate one of the priests to preside over it and decide what matters should be considered. All of its acts were viewed as regulative in nature, not as coercive. For Marsiglio the church was like a physician who receives his right to practice from society at large, but whose advice, although men pay for it, they are not forced to follow.

When Marsiglio came to the question of clerical appointments and enforcing the decisions of the council (such as excommunications, which he believed were still necessary), he carried his interpretation of unity one step further. While he admitted the possibility of a government within a pagan society, he was almost exclusively concerned with a situation in which society and Christendom referred to the same thing. In such a situation the universitas civium and the universitas fidelium could be united in what he called the faithful legislator, something to be distinguished from the people simply acting in unison. And further, in such a situation, the ruler would also be a Christian. If these things were true, then the faithful legislator could give the ruler the power to carry out religious decisions, even as in non-Christian societies it granted him the power to carry out all other decisions. The parallel of church and state, council and legislator, doctrine and law, priest and ruler was thus brought to its final unification in the faithful legislator. This, we should note again, was possible only when dealing with a Christian society, something which the Church had labored to bring about during the Middle Ages. And it is this assumption which marks Marsiglio as being, partly at least, a man of the Middle Ages.

Nevertheless, it should be equally evident that he was not just another medievalist. In his thought are to be found many modern concepts: the separation of church and state, the idea of a completely secular state, the concept of religion as a fundamentally individual matter, the sovereignty of the people, the empirical and historical rather than the rational and authoritarian approach to politics, an emphasis on the institutional rather than on the ideal aspects of politics, and the demand that the power factor be frankly faced. From the foregoing we can understand why Marsiglio was one of the most provocative thinkers of the whole Middle Ages. We can see why he has been called the precursor of such diverse thinkers as Machiavelli, Luther, Locke, Rousseau, and Karl Marx, or the father of modern political philosophers. Without making any final judgment on such historical interpretations we can turn to his writings and catch some of the medieval ferment, as well as gather some of the most important insights into the perennial problem of the relationship between religion and politics:

Copyrighted Material Removed

To see this publication, or an earlier translation or edition, please see
“Additional Resources” on the cover page.