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Super gentes et regna: papal 'Empire' in the later eleventh and twelfth centuries

The imperial ambitions of the eleventh, twelfth and thirteenth century popes are well-known. Pope Gregory VII (1073-85) wrote in his *Dictatus papae* that only the pope had the right to use the imperial insignia.¹ The popes who followed Gregory VII continued to 'imperialise' the papacy: Bernard of Clairvaux would accuse his protégé, Pope Eugenius III (1145-53), of being 'the heir not of Peter, but of Constantine'.² One collection of essays about Pope Innocent III (1198-1216) posed the question as to whether he was 'Vicar of Christ or Lord of the World?'³

If we accept this narrative of imperialisation – and there have been criticisms of it – then we must ask further questions: what exactly was the nature of papal 'imperium' over the kings of Christian Europe? What, in the later eleventh and

¹ *Das Register Gregors VII.*, ed. Erich Caspar, 2 vols (Berlin, 1920-3), 1: 201-8 (no. 2.55a) [henceforth: *Greg. Reg.*].

² Ian S. Robinson, *The Papacy, 1073-1198: Continuity and Innovation* (Cambridge, 1990), 18-26. Cf. the recent critique by Dale Kinney, 'Patronage of art and architecture', in John Doran, Damien J. Smith, ed., *Pope Innocent II (1130-43): The World vs the City* (London, 2016), 352-88.

³ James Powell, ed., *Innocent III: Vicar of Christ or Lord of the World?*, 2nd edn (Washington DC, 1994).

twelfth centuries, was the 'constitutional' position of secular rulers vis-à-vis the pope?

The stock answer has been feudalism. The great twentieth-century historian of the Medieval papacy Walter Ullmann claimed that, in the late eleventh and early twelfth centuries, the newly active Roman papacy sought to bring the monarchs of Europe under their 'feudal lordship':

[...] the king [...] had to surrender his land into full papal ownership [...] and receive [...] it back as a fief, so that he became legally an usufructuary. In recognition of his usufruct and of the Petrine protection the king [...] undertook to render certain services, be they in the form of an annual money payment – *census* or tribute – or in the form of military duties.⁴

Essentially a king would genuinely give his kingdom to the pope so that the pope became the actual owner of the kingdom.

The two best-known cases of this so-called papal feudal overlordship were the Norman states in southern Italy and the kingdom of Aragon. The German medievalist, Johannes Fried, however, made a strong argument in 1980 that the kingdom of Aragon was under papal protection – akin to monasteries which were

⁴ Walter Ullmann, *The Growth of Papal Government in the Middle Ages: A Study in the Ideological Relation of Clerical to Lay Power*, 2nd edn (London, 1962), 333; others of this opinion are cited in Robinson, *The Papacy*, 302-3.

placed under the protection of St Peter – and argued that such a position granted the papacy no real rights of ownership. It gave the papacy the right to receive an annual payment – the *census* – but the papacy's authority over the kingdom was limited to that payment; it was not evidence of genuine ownership. Fried contrasted this explicitly with the relationship between the papacy and the Normans in southern Italy, where (he thought) the papacy genuinely owned the Norman lands, and granted them to the Normans under some form of revocable tenure.⁵ Fried, like Ullmann, still believed that the Norman states were under papal feudal lordship.

Since Fried's book, little attention has been paid to papal dominion over kings from a comparative perspective. Alfons Becker, following Fried's work, suggested a vague third category between feudal overlordship and protection: 'fidélités non vassaliques'. However, he followed Fried in believing that a distinction between overlordship (as in Sicily and Southern Italy) and protection (as in Aragon) existed in the eleventh century.⁶

In the most recent contribution to the question of papal 'feudal lordship', Stefan Weinfurter identified a change in papal-royal relations in the first half of the

⁵ Johannes Fried, *Der päpstlicher Schutz für Laienfürsten: Die politische Geschichte des päpstlichen Schutzprivilegs für Laien (11.-13. Jahrhundert)* (Heidelberg, 1980), 53-87.

⁶ Alfons Becker, 'Politique féodale de la papauté à l'égard des rois et des princes (XI^e-XII^e siècles)', *Chiesa e mondo feudale nei secoli X-XII: Atti della dodicesima Settimana internazionale di studio. Mendola 24-28 Agosto 1992* (Milan, 1995), 411-46, at 419-23, 433-5.

twelfth century. In Weinfurter's take, the papacy adopted some feudal terminology and rituals to structure its relations with rulers around and after 1120 (although 'feudal-bonds' were never the basis of papal authority).⁷ Weinfurter interpreted the ceremony of homage as an intrinsically feudal ritual and regarded its performance in papal-royal relations after 1120 as evidence of the invasion of 'feudal ideas' into the curia.⁸ However, the performance of the homage ritual does not allow us to be certain about the nature of papal dominion. Homage is a ritual with a wide range of uses and interpretations which cannot be reduced simply to 'feudal'.⁹ My own approach here is to look to ideas about investiture and coronation.

In this paper I will focus on the terminology used in letters between popes and secular rulers during the late eleventh and twelfth centuries; and on what that terminology tells us about how papal-royal relations were conceived. The question is basic: did secular rulers really see themselves as receiving their lands from the pope? What was the nature of papal empire over the monarchs of Europe?

⁷ Stefan Weinfurter, 'Die Päpste als "Lehnsherren" von Königen und Kaisern im 11. und 12. Jahrhundert?', in Karl-Heinz Spieß, ed., *Ausbildung und Verbreitung des Lehnswesens im Reich und in Italien im 12. und 13. Jahrhundert* (Ostfildern, 2013), 17-40, at 26-7, 40. My thanks to Herr Michael Schwab for bringing this work to my attention.

⁸ *Ibid.*, 25-6.

⁹ Paul Hyams, 'Homage and Feudalism: A Judicious Separation', in Natalie Fryde, Pierre Monnet, Otto-Gerhard Oexle, ed., *Die Gegenwart des Feudalismus* (Göttingen, 2002), 13-50.

I will argue that in the later eleventh and early twelfth centuries there was not yet any clear distinction between so-called protection – of the type which Fried saw between the papacy and Aragon – and the language used to describe the relationship between the Normans in Sicily and the pope, which Fried, Weinfurter and many others have called ‘feudal overlordship’. Further, the language used to describe the bonds between popes and both Aragonese and Norman rulers was similar to that used to describe – and indeed condemn – lay investiture, the practice whereby it was monarchs rather than archbishops or the pope who ceremonially appointed bishops and abbots. It was around the 1120-1150s that this ‘language of investiture’ ceased to be used to describe papal-royal relations and it seems likely that this was an unintended consequence of the end of lay investiture of bishops between c.1078 and 1122. Once we have recognised the similarities between lay investiture and the bonds between pope and kings, it is possible to determine a new interpretation of how papal imperium over kings was understood, and how it changed.

Aragon, the Normans and the ‘language of investiture’

From the early eleventh century, groups of Normans fought as mercenaries in Southern Italy and eventually sought to take over the counties and principalities of Southern Italy for themselves. To legitimise their usurpations of these territories some Norman rulers sought papal approval. Although they were initially rebuffed, in 1059 an alliance was formed between the pope and the two most powerful

Norman rulers in the south of Italy. These two potentates – the duke of Apulia and the prince of Capua – swore oaths to the pope, undertook to give a specified annual payment to him and promised to help the pope retain the Roman papacy if necessary.¹⁰ Importantly, however, we know that the duke of Apulia and the prince of Capua were ‘invested’ with their lands by the pope. We know this not merely from chronicle sources, but from the texts of the oaths themselves which the Norman prince and duke swore, and which were kept by the papal court: in the eleventh century all such oaths end with the Norman saying that ‘I will observe this fidelity to your successors [...] who [...] will confirm the *investiture*’ (*investitura*).¹¹ From the register of Pope Gregory VII, we even have the text of such an investiture, it simply states ‘I, Pope Gregory, invest (*investio*) you, Duke Robert, with the land which my predecessors conceded to you’.¹² Clearly therefore, in the eleventh century, the pope ceremonially invested the Norman rulers.

The kings of Aragon, during the same period, also initiated a special relationship with the papal court. Exactly when this relationship began is difficult to

¹⁰ Donald Matthew, *The Norman Kingdom of Sicily* (Cambridge, 1992), 9-32.

¹¹ Hanc fidelitatem observabo tuis successoribus [...] qui [...] firmaverunt investituram. *Das Papsttum und die süditalienischen Normannenstaaten, 1053-1212*, ed. Josef Deér (Göttingen, 1969), nos. IV/2; VII/1; VIII/1; IX/18a and b, pp. 17-18, 21-2, 23, 31, 32.

¹² *Registra Vaticana (RV) 1-545/772-884* [CD-ROM], Archivio Segreto Vaticano, (digital images of Rome, ASV, Registra Vaticana), 2, fols 194^{r-v}; *Greg. Reg.*, 2: 515-16 (no. 8.1b); ET: *The Register of Pope Gregory VII 1073-1085: An English Translation*, trans. Herbert Edward John Cowdrey (Oxford, 2002), 365.

know but it might stem from 1068 when the king, Sancho Ramirez, went on a pilgrimage to Rome. By 1089 the king had established an annual payment to Rome, as he told Pope Urban II in a letter, and as the pope accepted in his reply to Sancho.¹³ It is difficult to know whether Sancho was seeking papal legitimisation for his rule over the nascent kingdom of Aragon, as the Normans were for their rule over Sicily and Southern Italy. Unlike for the Normans, there is no evidence that Sancho participated in an investiture ceremony, nor was the term 'investiture' used at all in the letters between Sancho and the pope. However, a papal privilege of 1089 for the royal monastic foundation of Montearagon, and for Sancho himself, claimed the king's successors should 'accept that kingdom from our hand or from the hand of our successors'.¹⁴ In 1095, Sancho's son, Peter I, told Urban II in a letter that he had 'placed himself under your lordship'.¹⁵ And again, also in 1095, in another privilege for the king, which gave the king freedom from excommunication unless it was pronounced by the pope, Urban II told Peter that 'all your successors should accept

¹³ ed. and transl. in Robert Somerville and Stephan Kuttner, *Pope Urban II, the 'Collectio Britannica', and the Council of Melfi (1089)* (Oxford, 1996), 97–9, 155–62 (nos 27a, 41a)..

¹⁴ [...] omnes eius successores regnum illud de manu nostra nostrorumve successorum accipiant [...] ed. in Fried, *päpstlicher Schutz*, no. 1, pp. 327-8.

¹⁵ Ed. in Paul Kehr, *Das Papsttum und die Königreiche Navarra und Aragon bis zur Mitte des XII Jahrhunderts* (Berlin, 1928), no. 1, pp. 55-7.

that kingdom from our hand or the hand of our successors'.¹⁶ Thus, it appears at first glance that my suggestion – that the terminology used for the Normans and for the Aragonese was the same – must be wrong. The Normans were invested – *investitura* – while the Aragonese were told to 'receive the kingdom' from the pope's hand. But if we turn to the language being used to condemn lay investiture at this time, we can see that in fact investiture and 'accepting something from the hand' are closely connected.

In 1078, a council of Gregory VII declared that: 'it is forbidden that anyone should accept investiture of churches from the hand of laymen';¹⁷ in 1089: 'No-one should dare to take investiture of abbey or bishopric or any ecclesiastical dignity from a lay hand';¹⁸ in 1114: 'we forbid that anyone should accept investiture of any ecclesiastical dignity from the hand of the emperor, or a king, or prince or any lay

¹⁶ [...] omnes tui successores regnum illud de manu nostra nostrorumve successorum accipiant [...]

This privilege is known only from a *de verbo ad verbum* reissue for King Peter II in 1213, *Innocentii III Romani Pontificis regestorum sive epistolarum liber decimus sextus*, PL 216, no. 87, cols 888-9.

¹⁷ Ut contradicatur, ne aliquis accipiat investituram ecclesiarum de manu laicorum, *Greg. Reg.*, 2: 401 (no. 6.5b).

¹⁸ [...] nullus in clericali ordine constitutus, nullus monachus, episcopatus aut abbatie aut cuiuslibet ecclesiastice dignitatis investituram de manu laici suscipere audeat, Somerville, Kuttner, *Urban II, 'Collectio Britannica', and the Council of Melfi*, 254.

person'.¹⁹ The principle that one accepted (*accipio*) investiture (*investitura*) from the hand (*a manu* or *de manu*) of a layman was prohibited by these decrees. The similarities between such language and the Norman and Aragonese terminology are clear: the Aragonese kings were supposed to accept (*accipio*) their kingdom from the hand (*de manu*) of the pontiff; the Norman dukes, on the other hand, received investiture (*investitura*) of their lands. Despite the apparent difference between the Aragonese and Norman kings, in fact, the language used to describe their position vis-à-vis the pope had something fundamental in common: both drew on the terminology used to describe lay investiture.

Significantly, this language of investiture vanished in the twelfth century. The eleventh century oaths sworn to the pope by the Normans had ended 'I will observe this fidelity to your successors [...] who [...] will have confirmed the investiture'. However, the oaths from the Norman rulers to the pope from the later twelfth century – otherwise identical – excised the word *investitura* from this sentence: they simply said that 'I will observe this fidelity to your successors [...] who [...] will

¹⁹ *interdicimus ne quis investituram episcopatus abbatie, vel cuiuslibet ecclesiastice dignitatis a manu imperatoris, regis, principis, vel cuiuslibet laice persone accipiat*, Robert Somerville, 'The Council of Beauvais, 1114', re-printed in: *Papacy, Councils and Canon Law in the 11th-12th Centuries* (Aldershot, 1990), no. 10, 493-503, at 503.

have confirmed what was conceded to me in your privilege'.²⁰ At the beginning of the papal schism of 1130-8, one of the two elected popes – Anacletus II – elevated the Sicilian count-duke, Roger II, into a king. The 1130 privilege granting Roger the royal title made no mention of *investitura*, however. It allowed Roger to be crowned and anointed by an archbishop of his choosing, but there was no mention of a ceremony of *investitura* performed by the pope.²¹ Roger's actual coronation in 1130 was apparently conducted by a cardinal sent by Anacletus, rather than an archbishop, but the lack of any mention of *investitura* in Anacletus' privilege still indicates that this was a coronation ceremony rather than an investiture.²² Although Anacletus II's side lost the 1130-8 papal schism, the 'winning' pope, Innocent II, eventually confirmed Roger's kingship in 1139. Because of Roger's support for the antipope Anacletus, Innocent was not initially disposed to look kindly on Roger and indeed led an army against him. Unfortunately for Innocent, Roger was able to defeat the papal army and capture the pope. Once in Norman hands, Innocent proved

²⁰ 1188 (William II) and 1192 (Tancred): MGH Constitutiones et acta publica imperatorum et regum, various editors, 11 vols (Hannover, 1893-), 1: 591-3 (nos 415-16) [henceforth: MGH Const.]. The 1212 oath of Frederick II also leaves out any mention of investiture in the final clause, MGH Const., 2: no. 411, p. 542, as does the 1198 oath of Queen Constance, MGH DD. 11(3), no. 65, pp. 203-5.

²¹ Hartmut Hoffman, 'Langobarden, Normannen, Päpste. Zum Legitimationsproblem in Unteritalien', *Quellen und Forschungen aus italienischen Archiven und Bibliotheken* 58 (1978), 137-80, at no. 1, pp. 173-6; ET: *Roger II and the Creation of the Kingdom of Sicily*, trans. Graham Loud (Manchester, 2012), 304-6.

²² *Ibid.*, 184-5.

unsurprisingly willing to confirm Roger's kingship, in essentially the same words as Anacletus.²³ The privilege of 1139 – like the privilege of 1130 and the later treaty of 1156 between the Norman kingdom of Sicily and the papacy – made no mention of any sort of ceremonial *investitura* by the pope.²⁴ The Sicilian king was given the privilege of being crowned and anointed by an archbishop, instead.

The papal-Aragonese relationship also changed in the twelfth century. It finally adopted the terminology of papal *protectio* – the protection afforded to abbeys and churches by St Peter and the pope. Fried thought that *protectio* had been the keyword from the start. I am suggesting that this was a post-Investiture Contest development. This *protectio* gave the papacy a limited right: the right to an annual payment. The king of Aragon was not dependent on papal approval for his rule. There would be, in the twelfth century, no more discussions of the Aragonese kings

²³ Graham Loud, *The Latin Church in Norman Italy* (Cambridge, 2007), 151-6.

²⁴ Hoffman 'Langobarden, Normannen, Päpste', no. 2, pp. 176-8; MGH Const., 1: 588-91 (nos 413-14).

ET: Roger II and the Creation of the Kingdom of Sicily, 310-12; *The History of the Tyrants of Sicily* by 'Hugo Falcandus' 1154-69, ed. and trans. Graham Loud, Thomas Wiedemann (Manchester, 1998), 248-52.

Romuald's chronicle refers to investiture in 1156, however even if this is accurate, since investiture was not mentioned in the texts of the 1130 and 1139 privileges or in the 1156 privilege and treaty, it is clear that it was no longer considered important, MGH SS 19, *Romualdi II. archiepiscopi Salernitani annales*, ed. Wilhelm Arndt (Hannover, 1866), 429. Even Paul Kehr, who believed in the existence of a feudal relationship, accepted that papal investiture ceased by 1156, Paul Kehr, *Die Belehnungen der süditalienischen Normannenfürsten durch die Päpste 1059-1192* (Berlin, 1934), 52.

receiving their kingdoms 'from the pope's hand', instead the kingdom would be 'under ours and St Peter's protection': the exact formulation used for protected monasteries.²⁵ The first use of this formula to describe the king of Aragon appeared in a letter of protection for the boy-king Alfonso II in 1163.²⁶ This letter, from Pope Alexander III, was also the first indication that the Aragonese were supporting him, rather than his opponent, in the papal schism which had begun in 1159. Perhaps under such circumstances, the papal court had no interest in arguing for a more extreme interpretation of papal-Aragonese relations.

The terminology used to conceptualise papal imperium changed during the twelfth century: the language of investiture – by which the pope conferred government on the rulers of Aragon and Norman Sicily – vanished. Why though did this common 'language of investiture' disappear from papal-royal relations at this time? The likely impetus comes from the changes resulting from the conflict between kingdom and priesthood about – inter alia – lay investiture of bishops.

²⁵ *Papsturkunden in Spanien. Vorarbeiten zur Hispania Pontificia, 2: Navarra und Aragon*, ed. Paul Kehr (reprint, Göttingen, 1970), 338–41, 341–3, 362–3, 364–6, 369–70, 370–2, 382–6, 404–7, 412–14, 416–18, 422–8, 441–7, 455–7, 468–72, 480–86, 495–7, 518–21, 524–6 (nos 43–4, 59, 61, 64–5, 72, 86, 93, 95–6, 100–1, 111–12, 122, 133, 141–3, 150, 172–3, 177).

²⁶ *Papsturkunden in Spanien. Vorarbeiten zur Hispania Pontificia, 1: Katalanien*, ed. Paul Kehr (Berlin, 1926), no. 107, pp. 392–3.

Unintended consequences: The end of lay investiture of bishops and of papal investiture of kings

The solution to the dispute over lay investitures was for bishops to be invested with the *regalia* – that is: the property granted to the bishopric – by the secular rulers and to be consecrated and given the *spiritualia* by their ecclesiastical superior. Kings and emperors had often invested bishops with their bishoprics and drawn little explicit distinction between the property – which was the king's to give – and sacral character. Such vagueness over whether laymen could give spiritual authority stretched even to the highest honours. In the mid-eleventh century, Emperor Henry III deposed and appointed several popes: even the Roman clergy acknowledged – at least practically – that the emperor could do this.²⁷ Such authority apparently extended as far as actually investing the pope.²⁸ By the 1070s and 80s, however, the *patricius Romanorum* – the legal justification which Emperor Henry IV

²⁷ Guido Martin, 'Der salische Herrscher als *Patricius Romanorum*: Zur Einflußnahme Heinrichs III. und Heinrichs IV. auf die Besetzung der *Cathedra Petri*', *Frühmittelalterliche Studien* 28 (1994), 257-95, at 267-9, 294; Mary Stoll, *Popes and Antipopes: The Politics of Eleventh Century Church Reform* (Leiden, 2012), 16.

²⁸ A number of sources specify that Cadalus-Honorius II was actually 'invested' – *investiri* – with the papacy by the emperor or his mother in 1061, 'as is the custom' (ibid., 139, n. 26), or that he 'accepted the pontifical insignia through the hand' – 'accipiens [...] per manum' – of the monarchs (ibid., 139-40, nn. 27, 30). One should again note the interchangeability of 'investiture' and receiving something *a/de/per manu/manum*.

adduced for imperial oversight of papal elections – was being dismissed and challenged by the Roman church.²⁹ From at least 1078 clerical reformers insisted that, since a layman could not consecrate a clergyman, no layman could play any part in the appointment of bishops generally. One counter position to this – articulated by the year 1100 – was that when a king invested a bishop he did not grant him sacral power but only the lands and rents of the bishopric. This counter position did not challenge the argument of the reformers that a king had no capability to invest a bishop with his sacred authority; only a clergyman could do that. Eventually compromises were reached in the early twelfth century – most famously at Worms in 1122 – whereby kings invested bishops with their *regalia* and the pope – or the appropriate clerical superior – invested them with the *spiritualia* – the sacred and spiritual power of a bishop or abbot.³⁰ This compromise accepted that kings could

²⁹ *The Papal Reform of the Eleventh Century: Lives of Pope Leo IX and Pope Gregory VII*, trans. Ian S. Robinson (Manchester 2004), 5-6, 56-8, 187-8, 209-10; Stroll, *Popes and Antipopes*, 20.

³⁰ For the thought behind lay investiture see Stanley Chodorow, 'Paschal II, Henry V, and the Origins of the Crisis of 1111', *Popes, Teachers, and Canon Law in the Middle Ages*, ed. James Ross Sweeney, Stanley Chodorow (Ithaca NY, 1989), 3-25, at 7-9, 14-5, 18; idem, 'Ecclesiastical Politics and the Ending of the Investiture Contest: The Papal Election of 1119 and the Negotiations of Mouzon', *Speculum* 46 (1971), 613-40, at 621-2; Gerd Tellenbach, *The Church in Western Europe from the Tenth to the Early Twelfth Century*, trans. Timothy Reuter (Cambridge, 1993), 266-86; Uta-Renate Blumenthal, *The Investiture Controversy: Church and Monarchy from the Ninth to the Twelfth Century* (Philadelphia, 1988), 163-73; eadem, 'Patrimonia and Regalia in 1111', re-printed in: *Papal Reform and Canon Law in the 11th*

not give clergymen their sacred power, but did allow them to give temporal goods. It was therefore predicated on a degree of possession: the *rex* could invest with the *regalia* – that is, with what pertained to the king.

Once one accepts that position, the idea of ‘investiture’ took on an extra level of meaning such as to render papal ‘investiture’ of a king unacceptable. The language of investiture as it was crystallised by the Concordat of Worms raised the question: how could the pope invest any ruler with his land unless it was the pope’s to give away? Before the Investiture Contest no-one was too worried about what allowing kings to invest bishops, or popes to invest princes might actually *mean*.³¹ Prior to the Conflict bishops had been invested by kings even though a king had no power to give a clergyman his sacral authority, and likewise, the kings of Aragon were perfectly willing to admit that they received their kingdom from the hand of the pope, while the Normans certainly took part in ceremonies of investiture. What is common here – before the investiture dispute – is a lack of concern with the possible connotations: the Aragonese and Normans did not clearly distinguish

and 12th Centuries (Aldershot, 1998), no. 9, 9-20; Herbert Edward John Cowdrey, *Pope Gregory VII, 1073-1085* (Oxford, 1998), 546-50; Joseph Canning, *A History of Medieval Political Thought, 300-1450* (London, 1996), 82-110, esp. 106-7.

³¹ For similar observations see Charles West, *Reframing the Feudal Revolution: Political and Social Revolution between Marne and Moselle, c.800-c.1100* (Cambridge, 2013), 213-21.

between the general approval of their rule which they wanted from the papacy and any suggestion that this implied that the pope was actually *giving* the land to a ruler.

The 1076 coronation of the king of Croatia and Dalmatia provides confirmation that in the eleventh century papal investiture of kings did not presuppose temporal authority, but was instead simply indistinct from spiritual approval. The king – Demetrius Zvonimir – announced to all that he had been ‘invested and constituted king, through banner, sword, sceptre and crown’ by Pope Gregory VII’s legate. The legate and pope must have concurred with this account since Demetrius’ document recounting it was incorporated into Cardinal Deusdedit’s collection of canons in the later twelfth century.³² And what exactly did ‘being invested through a crown’ imply other than a coronation ceremony?

This account of the Croatian ceremony drew no distinction at all between what we might assume to be a ‘feudal’ investiture with a banner or a sceptre and what we might think of as a ‘spiritual’ ceremony of coronation. Any distinction between being invested with land by a superior (who has some right to give that land away) and simply being recognised and approved by God (and his representative) was absent or unclear in 1076.

³² Ego Demetrius [...] a te [...] Gebizo ex apostolice sedis legatione [...] potestatem optinens [...] per vexillum, ense, sceptrum et coronam investitus atque constitutus rex, *Die Kanonessammlung des Kardinals Deusdedit*, ed. Victor Welf von Glanvell (Paderborn, 1905), 383-4.

When the distinction between temporal *regalia* – goods given by the secular superior – and spiritualities – conferred by the ecclesiastical superior – was accepted for episcopal investiture, it had a knock-on effect on papal relations with rulers. Investiture was now something that a king did to ‘his’ bishops to give them their *regalia*. After the 1130s the Norman kings received the spiritual endorsement they wanted from being crowned and anointed; investiture was no longer equivalent to coronation. The Norman king did not need a ceremonial investiture which might have confused his temporal and spiritual legitimacy. The first appearance of coronation was in the antipope Anacletus’ 1130 grant of the royal title to King Roger of Sicily, only eight years after the concordat of Worms.³³ Papal investiture had ceased to be of any importance, probably because no-one saw the papacy as giving the actual territory, which is what investiture would have implied after the concordat.

From the 1130s onwards papal relationships with secular powers would move further away from the forms employed in the eleventh century. By the middle of the twelfth century, Aragon was, as Johannes Fried argued, a papal protectorate, where the papacy held limited rights only. In the eleventh century, the emperors had argued that they could intervene in papal elections generally through their authority as *patricius*, and had invested popes; in the 1150s, however, Frederick I judged that he could intervene in a papal election because he – as emperor – was the ultimate

³³ Hoffman, ‘Langobarden, Normannen, Päpste’, 173-8.

source of the pope's *regalia*: the temporal power of the pope in the city of Rome.³⁴

The emperor's justification was now couched solely in temporal terms: it was now dependent on a clear differentiation between the spiritual and temporal powers of the pope, and where those powers came from.

The focus here has been on southern Italy and Aragon because – apart from being the best studied – they are also the best documented relationships with the papacy. Other supposed 'feudal' relationships are often so poorly recorded that little can be said definitively. The evidence adduced to prove, for example, that Gregory VII sought lordship over Brittany or England is fairly ambiguous.³⁵ We should be wary of building arguments from such meagre evidence.

Gregory VII's letters to King Solomon of Hungary in October 1074 have been read as showing that papal temporal authority over that kingdom was conceived as distinct from papal power over kings generally: Hungary was a papal fief and therefore the pope held temporal power over its king. Writing to Solomon, Gregory

³⁴ John B. Freed, *Frederick Barbarossa: The Prince and the Myth* (New Haven, CT, 2016), 254-5.

³⁵ Brittany: *Sancti Gregorii VII Pontificis Romani operum pars secunda*, PL 148, no. 37, cols 684-5; Cowdrey, *Gregory VII*, 645. England: *Greg. Reg.*, 2: 499-502 (no. 7.23); *Epistolae diversorum ad Gregorium VII*, PL 148, no. 11, col. 748; Zachary Nugent Brooke, 'Pope Gregory VII's Demand for Fealty from William the Conqueror', *English Historical Review* 26 (1911), 225-38; idem, *The English Church and the Papacy: From the Conquest to the Reign of King John*, new edn (Cambridge, 1989), 140-3; Cowdrey, *Gregory VII*, 463, 646-7.

expressed grave disquiet that the king had accepted his kingdom as a *beneficium* from the Emperor Henry IV, for the sceptre of Hungary was a *beneficium* of apostolic, not royal, authority. That kingdom had been ‘offered and handed over to blessed Peter by King Stephen [the first king] with all his right and power’.³⁶ This latter phrase again invites comparison with the kingdom of Aragon which – according to King Sancho in 1088 – had been ‘handed over into the power of God and St Peter’.³⁷

Solomon’s dealings with the emperor Henry IV were prompted by the opposition to the Hungarian king, in the preceding years, from his cousin, Duke Gesa.³⁸ It therefore seems likely that Gregory’s criticism of Solomon’s association with Henry was prompted by complaints from Gesa and was not entirely of Gregory’s own initiative: Gesa had been in communication with Gregory for months before this.³⁹ Solomon had looked for help from the emperor; Gesa had thus countered by calling on the pope for support.

³⁶ *Greg. Reg.* 1: 144-6 (no. 2.13): eius regnum a rege Teutonicorum in beneficium, sicut audivimus, suscepisti [...] sceptrum regni [...] apostolice, non regie magestatis beneficium recognoscas [...] [regnum Ungarie] a rege Stephano olim beato Petro cum omni iure et potestate sua oblatum et devote traditum. ET: *The Register of Pope Gregory*, 108.

³⁷ Somerville, Kuttner, *Urban II, ‘Collectio Britannica’, and the Council of Melfi*, 97-9.

³⁸ Cowdrey, *Gregory VII*, 444-6

³⁹ Gregory’s earliest surviving communication with a Hungarian was with Gesa, in March 1074, *Greg. Reg.*, 1: 85-6 (no. 1.58).

It is the use of *beneficium* in Gregory's letter which has caused some confusion, because – as well as simply meaning 'gift' – *beneficium* could also be a technical term denoting a conditional grant of land (i.e. a fief).⁴⁰ But John Cowdrey – the doyen of Gregorian studies – noticed the flexibility of the term. In his translation of Pope Gregory's register, the first use of *beneficium* was translated as 'fief' ('you received this kingdom as a fief'); while the second use was translated as 'gift' ('the sceptre of the kingdom [...] [is] a gift of apostolic, not of royal, sovereignty').⁴¹ In his biography of Gregory, however, Cowdrey translated both uses of *beneficium* in this letter as 'gift'.⁴² I do not think that we should here read *beneficium* as a semi-technical term – like 'fief' – denoting a unique papal temporal authority over Hungary. Rather it should be understood as an assertion of papal power over kings generally: all kingdoms were, in the end, gifts from God. Confirmation of this interpretation comes from a letter of Gregory to Duke Gesa of March 1075. Here 'the kingdom of Hungary, just as other most famous kingdoms [my emphasis], should be [...] subject to no king of another kingdom save to the [...] Roman Church'.⁴³ Gregory did not see

⁴⁰ As, for example, Weinfurter, 'Die Päpste als "Lehnsherren"', 23-4; although he only discusses the first use of it in the letter, and not Gregory's claim that the sceptre was a papal *beneficium*.

⁴¹ *The Register of Pope Gregory*, 108.

⁴² Cowdrey, *Gregory VII*, 444.

⁴³ *Greg. Reg.*, 1: 218-19 (no. 2.63); ET: *The Register of Pope Gregory*, 157. Gregory did, in 1074, list points when, he thought, previous Hungarian kings had acknowledged that the pope was the source of

Hungary as distinctly under the temporal power of the pope, instead all kings were under some form of papal authority which did not explicitly distinguish between sacral and temporal.

Conclusion

It was not until the first half of the twelfth century that investiture or 'accepting land from the hand' of someone began to signify that the person who performed the investiture actually owned the thing they were giving away. With the end of the dispute over lay investiture (1122) it was recognised that a king could invest a bishop only with the *regalia* – with what pertained to the king. Now it was clear: how could a pope invest a king with a kingdom – or how could a king 'accept' it from a clergyman – unless the pope actually possessed it, unless it was really his to give away? Previously this had not been such an issue: kings had given away bishoprics, both spiritually and temporally, despite having no sacral legitimacy to do so. The coronation of the king of Croatia-Dalmatia did not distinguish between investiture and coronation. But the kings of Aragon and of Sicily were beginning to do so after the 1120s. Investiture of the Norman rulers of Sicily declined after 1122; the Aragonese kings did not 'accept the kingdom from the hand' of the pope in the

royal power, but there is no reason to think that these constituted a basis for a distinct papal temporal lordship over Hungary.

twelfth century, and after ca 1150 the Aragonese-papal relationship clearly came under the rubric of protection.

Papal authority – papal Empire – over monarchs does not fit neatly into distinct categories before the mid-twelfth century. We cannot simply say that Gregory VII and his successors believed the pope was the temporal governor of all kings, because it is not clear what the distinction between temporal superiority and spiritual leadership was. By the beginning of the thirteenth century, the distinction between the spiritual power which the popes had over all kings, and temporal power which they did not, was explicit: Innocent III, accepting the surrender of the kingdoms of England and Ireland to the papacy in 1213-14, told King John when returning them to him as a fief (*feudum*) that ‘those provinces which from of old have had the Holy Roman Church as their proper teacher in spiritual matters should now in temporal things also have her as their special lord’.⁴⁴ The two – spiritual magistracy and temporal lordship – were distinguished and did not automatically go together. But to categorise the earlier royal-papal relationships – in the eleventh and early twelfth centuries – either as ‘feudal’ or ‘protective’ is to put the cart before the horse. These types of relationship were only defined after the end of the Investiture Contest. The old language of investiture – where popes had indivisibly

⁴⁴ *Selected Letters of Pope Innocent III concerning England (1198-1216)*, ed. C. R. Cheney, W. H. Semple (London, 1953), no. 67, pp. 177-83.

invested kings with both spiritual and temporal authority – would not wash any more. Papal imperium had moved on to new ground.

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