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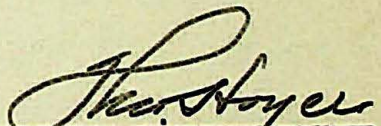
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THE DEFENSOR PACIS OF MARSILIUS OF PADUA
AND ITS RELATION TO THE REFORMATION

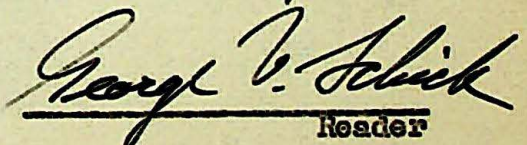
A Thesis Presented to the Faculty
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Bachelor of Divinity

by
August Bernthal
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Approved by:



Advisor



Reader

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INTRODUCTION

Any event in history that is linked in either a small or large way to the Reformation demands investigation. In examining the causes and the background of the Protestant uprising in the fifteenth and sixteenth centuries, historians usually make mention of the Defensor Pacis written by Marsilius of Padua in 1524. Some make much of it. Others ignore it. Yet the Defensor Pacis, directed as it is against Pope John XXII, remains the most daring and the most independent ecclesiastic-political work of the entire medieval period. Whether this document in any way influences the Reformation this thesis will endeavor to show.

The Defensor Pacis moves in two areas, the political and the religious. Therefore its influence on posterity lies in both the political and the ecclesiastical realm. This treatise, since it confines itself to the influence of the Paduan on the Reformation, must then concern itself chiefly with the religious implications. Of course, one does not exclude the other, and one must be examined in the light of the other. Yet the political ideals of Marsilius will not be considered chiefly as political theory, but only in their relation to the Reformation itself.

To determine the degree of influence this work of

Marsilius of Padua has on the Reformation one must determine the influence it has on people of the Reformation era. Certain questions arise. Whom does Marsilius influence? Does he influence directly the great reformer, Martin Luther, or is his influence felt only among the pre-reformers? History proves that the success of the Protestant uprising stands and falls with Martin Luther. Lutherans are very particular about the reasons which compelled Luther to break with the church of Rome. They insist that the success of Luther is due to the fact that he recognized a fundamental evil in the Church that no one before him saw clearly. Therefore, this thesis will examine in separate chapters the influence of Marsilius of Padua on the pre-reformers and his influence on the great Reformer himself.

To arrive at such conclusions, close examination of the Defensor Pacis itself is necessary. It must, first of all, be examined in the light of the times. Then, what the Defensor says must be set forth. Only then can its influence on the Reformation be made clear.

For the purposes of this thesis it is of little concern whether the Defensor Pacis is the work of Marsilius and his colleague at the University of Paris, John of Jandun. The problem of its authorship is not likely to be settled. It was debated already by contemporaries. The bulls of John XXII directed against the emperor were also directed against Marsilius and Jandun. These bulls make reference to a

"certain book" of the two men.¹ There is little doubt that the book here referred to was the Defensor Pacis or that the papal writer believed it was the joint work of the two Parisian scholars. But this is not valuable proof of joint authorship.

Some writers, notably Marian Tooley,² have endeavored to piece out certain sections of the book and assign them, according to their character, to the respective writers; Jandun, an abstract philosopher, and Marsilius, a political pamphleteer. Some treat Jandun as a copyist, some regard him as the translator, and others picture him as Marsilius' confidential adviser. The opinion of Emerton seems more logical.

If any one worked with Marsilius it must have been in a very subordinate capacity. A man of Jandun's undoubted quality could hardly have taken an important part in the work without leaving far more distinct traces of his activity . . .³

Whatever the truth in regard to authorship, it has no direct bearing on the question of this thesis: What is the influence of the Defensor Pacis of Marsilius of Padua on the Reformation?

¹Ephraim Emerton, "The Defensor Pacis of Marsiglio of Padua," Harvard Theological Studies (Cambridge: Harvard University Press, 1920), VIII, 18.

²Marian J. Tooley, "The Authorship of the Defensor Pacis," Royal Historical Society Transactions (Fourth Series; London, 1926), IX, 86.

³Emerton, op. cit., p. 19.

CHAPTER I

THE BACKGROUND OF THE DEFENSOR PACIS

The Defensor Pacis is said to be ahead of its time. What Marsilius wrote in the Defensor Pacis exceeded anything that any had dared to say before. Predecessors had merely tried to limit and stake the boundaries of papal sovereignty in France. Now Marsilius denied papacy itself. He destroys the very foundation of papacy by insisting it is neither a divine institution nor Scriptural. In this, it is said, he had no predecessor.¹ So Marsilius occupies a unique position among writers of the Middle Ages. He is unique also among the precursors of the Reformation.

Many authors agree that Marsilius is unique. His work is called a more advanced polity which "it needed centuries for men to understand."² His position is called "an entirely new method and way of looking at the Christian truth."³

¹Johann Haller, "Zur Lebensgeschichte des Marsilius von Padua," Zeitschrift Fuer Kirchengeschichte (Gotha: Leopold Klotz Verlag, 1929), XLVIII, 90.

²Reginald Lane Poole, Illustrations of the History of Medieval Thought (London: Williams and Norgate, 1884), p. 263.

³Augustus Neander, General History of the Christian Religion and Church, translated by Joseph Torrey (Boston: Houghton, Mifflin and Co., The Riverside Press, Cambridge, 1871), p. 25.

Another ventures that Marsilius was "far in advance of what his own age would attempt."⁴

What is the age in which Marsilius lived? The thirteenth century has often been called the "greatest of Christian centuries" by its own admirers. It was a century that had sealed the papal triumph. From Innocent III to Boniface VIII the papacy had been able to win one victory after another over its secular opponents. It had defeated national governments and temporal interests. In 1250 Frederick II, a vicious opponent of papal interests, died defeated and discredited. The election of Rudolph of Hapsburg in 1273 seemed to confirm once and for all the reign of the papacy.

But suddenly the papal power comes to an end. When France was called by the papacy to serve its cause in Italy, the action back-fired as far as Rome was concerned. In France there arose an increasing sense of French nationality and a willingness to work hard for it. When the papal chair was moved from Rome to Avignon, by Clement V, it was occupied by Frenchmen. These, of course, were subject to immediate pressure of French political interests for several generations. The Babylonian Captivity, 1305 to 1376, greatly weakened the papacy because it made it subservient to State interests.

⁴C. W. Previte-Orton and Z. N. Brooke, editors, "The Close of the Middle Ages," The Cambridge Medieval History (New York: The Macmillan Co., 1936), VIII, 630.

It is said that the final collapse of the medieval papacy came with the fall of Boniface VIII in 1303.⁵

A brief survey of dates and events clarifies the picture. In 1298 the bull Sacrosanctae Ecclesiae, issued by Boniface VIII, claimed for the pope a plenitudo potestatis over all persons in Christendom. It was an absolute and unlimited assertion of sovereignty. In 1302, through the bull Unam Sanctam, the pope further defended this claim. In the same year, however, Philip IV and all of France repudiated the pope's claims. In 1303 the University of Paris associated itself with Philip's attitude.⁶ In 1305 the triumph of the French monarchy resulted in the transfer of the papal seat to Avignon. In 1310 no one came to aid the pope when the French government insisted upon trying the dead Pope Boniface for his iniquitous life, and as a result the new French pope had to make concessions. So when Marsilius enters the historical picture the height of papal power is at an end.

The immediate political background of Marsilius of Padua begins after the death of Henry VII. Henry's death was followed by a divided election in Germany. Frederick

⁵Smerton, op. cit., p. 8.

⁶J. W. Allen, "Marsilio of Padua and Mediaeval Secularism," The Social and Political Ideas of Some Great Mediaeval Thinkers, edited by F. J. C. Hearnshaw (New York: Henry Holt and Co., 1923), pp. 167-192.

of Austria, a Hapsburg candidate, evenly divided the electoral vote with an anti-Hapsburg candidate, Ludwig of Bavaria. Neither would sacrifice. The decision was to be made by war. After a struggle of eight years, Frederick was defeated in 1322 and Ludwig was acknowledged by the German princes.

In this struggle the papacy interfered. Emerton says:

Conflicts of this sort had always afforded to ambitious popes the most welcome opportunities for asserting their claim as arbiters of the political fortunes of the Empire, and Pope John XXII was not the man to let the chance escape him.⁷

Pope John XXII was a Frenchman, and accepting the papal residence in France, he threw his entire support on the side of Austria, using all the ancient papal weapons. Every effort was made to show that the imperial power was valid only as it was confirmed by papal sanction.

The imperial forces denied this and strongly asserted the principle of imperial independence, going so far as to claim the rights of control over the papacy itself. A new emphasis is placed on the question of Church and State. Marsilius comes to the aid of Ludwig of Bavaria. It was a time when a work like the Defensor Pacis would prove most valuable to the King, for it brought proof that papacy as it was, a secular power, stood in conflict with the teaching

⁷Emerton, op. cit., pp. 13-14.

of Christ and the apostles.⁸ The book may not have been intended for publication, but only for Ludwig, to whom it was addressed.⁹

Ludwig, in his struggle with the papacy for supremacy, needed every possible weapon. A hundred years earlier the papal institution had taken on a "new lease of life,"¹⁰ through the support of a tremendously popular religious enthusiasm expressing itself in the Mendicant Order, especially in the Order of St. Francis. The theme of "evangelical poverty" was found in that wing of the Minorites known as the "Spiritual Franciscans" or the "Fratricelli". The standard of unworldliness which should have characterized the papacy itself was not to be found. The Fraticelli were disillusioned by the worldliness of Avignon with its compromising system of taxation and benefices. Strenuously the Fraticelli objected to the papal order, and just as strenuously the pope replied with a decree of heresy. Now the Fraticelli needed every possible security against physical persecution by the papal arm.¹¹ Whatever could be done to expose the extravagant worldliness of the papacy was

⁸Haller, op. cit., p. 188.

⁹Ibid.

¹⁰Emerton, op. cit., p. 14.

¹¹Ibid., p. 15.

a contribution toward clearing up the entire question of the relation of the clerical to the civil powers. So the Fraticelli now line up with Ludwig as common enemies of the Avignon papacy. ✓

Through the alliance of the Franciscans with Ludwig, Marsilius is brought into the picture. Marsilius was not a Franciscan, but at the University of Paris he came into contact with Franciscan activity. Though it cannot be proved, Marsilius may have come into contact with the Nominalist Franciscan, William Occam.¹²

Marsilius was not the only writer of his age. The struggle between ecclesiastical and temporal power was strikingly set forth by two other writers of that period. To understand the importance of what Marsilius wrote one must bring him into relationship with his not too distant predecessors, Aquinas and Dante. Aquinas died three years before Marsilius was born and Dante died three years before the appearance of the Defensor Pacis.

To understand what Dante and Aquinas stand for is to see the value of Marsilius more clearly. Aquinas speaks for the strong papal power that within a few years after him was gone forever. Dante is a "note of transition."¹³ Now

¹²Ibid., pp. 15-16.

¹³Ibid., p. 1.

Marsilius comes as the herald of a new world, a new social order, an entirely different thinker.

The greatest work of Aquinas is the "Summa Theologiae," in which he reflects the papal-bound thought of his day. Rome insisted that Church and State were one in essence. Yet as the sun is brighter than the moon, so the spiritual power was in the final analysis superior to the temporal.¹⁴ So Aquinas also insisted. The cause of the long conflict between Church and State, he wrote, was in the confusion of their respective powers. In his thinking, this confusion disappears. Above all human law, Aquinas saw the divine law which directed men both individually and socially throughout life to eternity. He saw papal infallibility six-hundred years before its formal declaration in the bull Pastor Aeternus. If what Aquinas believed could ever be realized, an absolute theocracy would result.¹⁵ Every independent activity would perish. Fortunately, history brought champions of national interest to oppose these ambitious church leaders.

The second of the predecessors of Marsilius, Dante, is quite unlike Aquinas. Dante, born in Florence, the state in Italy which more than all other valiantly defended the prin-

¹⁴Ibid., p. 5.

¹⁵Ibid., p. 7.

oiple of democracy, was a Guelf by birth. As the struggle between Church and State became more pronounced, Dante switched to the Ghibelline party, that group which looked to the Empire as the guarantor of its claims. At first a supporter of the papal claim, Dante could not stomach the transfer of the papacy to France. It was a blow to his Italian patriotism.

With this background Dante gives to the world his philosophy in his De Monarchia. Not disallowing the papacy, he insisted that the primacy of Rome was only part of the divine representation in the Christian community. Coordinate with it is the Empire. The Empire does not derive its sovereignty by virtue of any right conferred on it by earthly approval, but independently according to its very nature.¹⁶ Of course, the monarchy belongs by right to Rome, since the Romans, from Aeneas down, were the noblest people. Yet the thesis of Dante is clear: the imperial power is independent of all human control. It is a divine right power. In his conclusion, Dante sees a two-fold leadership, a spiritual and a temporal. His government is not a theocracy. Temporal and spiritual administration are to be harmonized "through the realization by the temporal ruler of his divine origin and commission."¹⁷

¹⁶Ibid., pp. 10-11.

¹⁷Ibid., p. 13.

After Dante and Aquinas, Marsilius comes onto the stage. Not too much is known of Marsilius' life. He was born in Padua about 1270, the son of a university notary. As a young man he left Padua for Paris, seeking an education. He was definitely the Rector of the University of Paris in the year 1312. He studied both medicine, soldiery, and possibly Roman law. One or two documents from the University of Paris bear his name.¹⁸ Leaving Paris in 1324, he became allied with Ludwig, remaining with him as long as his career is traceable. He supplied Ludwig with the ammunition necessary to fight the papacy in France. He went to Rome to see a King of the Romans crowned emperor of Rome, not by the pope, but by those who claimed to be the delegates of the people.¹⁹ Returning to Germany in 1328, he disappeared from sight. That he died shortly thereafter, that he was reconciled to Pope John XXII and made Archbishop of Milan, that the emperor later disciplined him - all are guesses. The Catholic church insists he was neither a religious nor a legitimate Archbishop of Milan.²⁰ His

¹⁸Ibid., p. 19.

¹⁹"Marsilius of Padua," The Encyclopaedia Britannica (Fourteenth edition; New York: Encyclopaedia Britannica, Inc., 1937), p. 973.

²⁰Louis Salembier, "Marsilius of Padua," The Catholic Encyclopedia (New York: Robert Appleton and Co., 1910), IX, 719.

death is usually assigned to 1342.

It is apparent that the character of Marsilius is chiefly one of wavering between science or medicine and politics. Politics won out. In the final analysis it was politics that led him to theology, as the Defensor Pacis shows.

The Defensor Pacis is formally addressed to Ludwig. There is little indication that it was written on express commission of the emperor. In the dedication of it, Marsilius says that he is moved as a loyal . . .

. . . son of the city of Antonor (Padua), to commit these opinions to writing, by love of truth telling, by zealous devotion to his fatherland and his fellow citizens, by pity for the oppressed and a desire to save them and to recall oppressors from the error of their ways, and to rouse those who permit such things when they ought and can prevent them, especially emperor as the servant of God . . . after long, close, and diligent examination, in the hope thereby to be of assistance to you (the emperor) in your efforts to suppress these evils and in other ways to serve the public good.²¹

With this dedication Marsilius produces a document whose influence was felt throughout the centuries ahead.

²¹Emerton, op. cit., pp. 21-22.

CHAPTER II

MARSILIUS ANTICIPATES THE SPIRIT OF THE REFORMATION IN HIS DOCTRINE OF STATE

The Defensor Pacis is divided into two books. The first book is devoted to a discussion of the State principle, while the second is concerned with a discussion of the origin and development of the Church. The entire book is a fiery tirade against the papacy and papal interests.

Marsilius had learned to hate the papacy as the mortal foe of the peaceful State order in his own Italian home. As his elder contemporary Dante, Marsilius opposed the papacy for patriotic reasons, particularly, Italian patriotism. Having observed life in the papal court, he also saw it as a Ghibelline. As a result there arose a flaming impassionedness and an angry bitterness which he made no effort to hide. He hated papacy as the enemy of his country.

As a result, Marsilius insists on the sovereignty of the State. In fact, he has a tendency to emphasize the sovereignty of the State at the expense of individual liberty.¹ Yet his emphasis on individual liberty is surprising at the beginning of the fourteenth century. In insisting upon both the authority of the State and the right of the individual,

¹James Mackinnon, The Origins of the Reformation (New York: Longmans, Green and Co., 1939), p. 66.

Marsilius, in a way, anticipates the spirit of the Reformation.

What Marsilius says about the State has enormous political implications even for today. One historian insists that it is surprising to find "amid all the tyranny and despotism, both clerical and lay, everywhere prevailing, a man laying down the very principles on which the American government is founded."²

The Defensor Pacis does not dream of election by the people, as we know it today. Marsilius goes only so far in his revolutionary ideal. He seems to accept the existing government as authoritative. But he does insist that government officials, no matter how they got the job, are responsible to the people, and the people can depose the government.³

Great as this political implication appears, the vital point, as far as the Reformation is concerned, is the insistence of Marsilius upon the rights of the people. Over and over again he emphasizes that the basic power is in the people. This Rome had strenuously denied.

If the power lies in the people, the people must be defined. Marsilius declares that the source of all law is to be found, not in any divine right of rulers, not in any

²Clinton Locke, "The Age of the Great Western Schism," Ten Epochs of Church History (New York: Charles Scribner's Sons, 1910), VIII, 35.

³Personal notes taken in Dr. Theo. Hoyer's Church History Lectures.

superior class of society, but, in the whole body of citizens. The people are the entire body of citizens.

We declare that according to the Truth (Gospel) and to the opinion of Aristotle, the Lawgiver, that is, the primary, essential and efficient source of law, is the People, that is the whole body of citizens or a majority of them, acting of their own free choice openly declared in a general assembly of the citizens and prescribing something to be done or not done in regard to civil affairs under penalty of temporal punishment. I say a majority, taking account of the whole number of persons in the community over which the law is to be exercised. It makes no difference whether the whole body of citizens or its majority acts of itself immediately or whether it entrusts the matter to one or more persons to act for it. Such person or persons are not and cannot be the Lawgiver in the strict sense, but only for a specific purpose and at a given time and on the authority of the primary lawgiver.⁴

The keynote of Marsilius' entire argument rests upon his definition of law. By law he means "the whole body of opinion as to what is right and expedient in civil affairs and what is opposed to this opinion."⁵ Only people in the secular realm have this authority to make and apply laws. Therefore, the Church should be restricted to a spiritual function. The remedy for all the confusion in the exercise of the law-making power is to be found in drawing, as sharply as possible, the division between Church and State.

In defining the law-making process, Marsilius illustrates who is meant by the people.

The truth of a proposition is more accurately judged

⁴Emerton, op. cit., p. 24.

⁵Ibid., p. 23.

and its usefulness to the community more carefully taken into account when the whole body of citizens apply their intelligence and their feeling to it. For the greater number (major pluralitas) can detect a fault in a proposed law better than any part of them, as every corporate whole is greater in mass and in value (mole atque virtute) than any one of its separate parts.⁶

Throughout the book Marsilius uses the term pars valentior, which is translated "majority." This phrase has been the subject of much dispute. Some contend Marsilius had in mind the "more competent" or the "more responsible." Emerton, who has made an exhaustive study of the Defensor Pacis, making an examination of Marsilius' use of the term, asserts that Marsilius was a champion of the modern idea of majority rule. He says: "I feel no hesitation in regarding Marsilius as a theoretical advocate of majority government."⁷

Marsilius seldom mentions the universitas civium without adding "or its pars valentior." He enlarges at great length on the importance of giving to all citizens some share in the government. Even the humblest can do his part. Nowhere does he describe any higher group as having better qualifications for citizenship.⁸

After asserting that the basic power of the State is in the people, Marsilius gives the people something to do. The

⁶Ibid., p. 25.

⁷Ibid., p. 26.

⁸Ibid., p. 25.

people are to be the law-makers. The entire citizenship should choose, in assembly, wise men who are then entrusted with the framing of bills (regulae).

When these bills have been duly drawn up and carefully revised by these experts, they are to be submitted to the citizens in convention for amendment or rejection. Then, after everyone has been heard who has anything reasonable to say about them, again men are to be chosen or the former experts are to be confirmed, who are representatives of the authority of the body of citizens.⁹

After the people approve the bills they become "laws", but not before.

Marsilius draws the origin of the power of the people from Aristotle's Politics. The State is a complete community existing for the good of the people. It had its origin in the union of man and woman. From this union came the family, from one family came many families. Then came one town and then many towns. In the family and the towns certain laws and customs developed. Finally, there came the relationship between towns. Someone was needed to look after them. As a result, princes were put at the head through election. All the authority that the princes had they received from the people.¹⁰

Now the State has a responsible relationship to the people. Marsilius uses the illustration of an animal to

⁹Ibid., p. 27.

¹⁰James Sullivan, "Marsiglio of Padua and William of Ockam," I, American Historical Review, II, No. 3, (April, 1897), 419.

define a properly constituted State. By the whole body of citizens as the soul (anima), there is, or should be, created a part comparable to the heart. In this is to be fixed a certain power with an active force or authority to establish other parts of the State. Now this part is the government (principatus). Its function is to administer justice, issue commands, and carry out just and expedient civil administration.¹¹

Marsilius was not an advocate of a purely democratic form of government. After analyzing the various kinds of rule, he decides that a democracy is a corruption of a republic. He favors a limited-monarchy which rests upon the consent of the people. It is dependent upon the will of the people. In all his later treatment of the matter, Marsilius assumes this limited-monarchy.¹²

The monarch has a great responsibility. In his executive position, the ruler should have great liberty of action, but never should he forget that whatever he does is done by him as the agent of the sovereign people.¹³ He must govern according to laws. Still, he must interpret or moderate the laws in a specific case where it may be necessary in equity. And he may have an army to enforce the law of the people.

¹¹Emerton, op. cit., p. 28.

¹²Ibid., p. 29.

¹³Ibid., p. 27.

Marsilius insists that the State is supreme. To him the State is the supreme institution of the world. It has two duties, one to care for man's well-being in this world, the other to care for his well-being in the next. To perform the latter duty, the State constitutes the class of priests in the same manner in which it constitutes the other classes, such as builders. As it can regulate other classes, so it can determine the number of priests and prescribe the laws for the organization of the priesthood.¹⁴ This emphasis on the state leads many to denounce the Defensor Pacis. One writer says: "The Defensor Pacis is democratic in theory, in practice it is imperialistic. The Church is not made independent, but a subject and satellite to the civil State."¹⁵

From all that Marsilius says this observation seems groundless. His whole scheme rests upon the basic idea of the sovereignty of the people. This people is the ultimate lawgiver. It is represented by the ruler, who is the Christian prince. The personnel, both of the civil and the ecclesiastical communities, is the same. "There is no such thing as a church within the community; the church is the community in its religious aspect."¹⁶

¹⁴Sullivan, op. cit., p. 423.

¹⁵F. W. Bussell, Religious Thought and Heresy in the Middle Ages (London: Robert Scott, 1918), p. 859.

¹⁶Emerton, op. cit., p. 73.

It is not quite true to say that Marsilius proposed to treat the Church merely as a branch of the State. This would imply as many churches as there are states. Marsilius favored more than one single government.¹⁷ He indicates that nature points rather toward multiplicity than toward unity. The empire is a unit of different states. In 1324 a national church would have sounded strange even to Marsilius, to say nothing of a church for every independent city.

What Marsilius says about the State is a . . .

. . . root-and-branch attack upon the ecclesiastical hierarchy, and especially upon a papal plenitudo potestatis, but he recognized that, even for special purposes and to resolve special questions, the church requires some organization distinct from the civil community.¹⁸

In the second part of his book he points out that the people are responsible for this organization.

So the daring voice of Marsilius anticipates the Spirit of the Reformation in his doctrine of the State. He dares to say what no one else would: the basic power is in the people. He is a thinker and politician who, from the soil of prevailing authorities, refutes the prevailing doctrines, and tries to destroy the institutions founded upon them.

"Upon Aristotle and the Bible the medieval doctrine of Church and State claimed to be founded, and Marsilius undertook from

¹⁷Ibid., p. 30.

¹⁸George H. Sabine, A History of Political Theory (New York: Henry Holt and Co., 1937), p. 299.

CHAPTER III

MARSILIUS ANTICIPATES THE SPIRIT OF THE REFORMATION IN HIS DOCTRINE OF THE CHURCH

The main part of the Defensor Pacis is the second. Here the theologian speaks. While the first part is founded upon Aristotle, the Bible is the source of the second. All the literature quoted is Biblical. Ambrosius, Augustine, and Bernard of Clairvaux are summoned to the witness stand. What Marsilius says about the Church exceeds anything that any had dared to say before. Marsilius dares to deny papacy itself. He destroys the foundation of its very existence. He insists it is not a divine institution; nor is it Scriptural.

The second part of the Defensor Pacis is not in contrast to the purpose of the entire book. The purpose is peace. Marsilius looks out and sees how all the disorder and conflict in the government is due to the vast worldly power of the clergy. This, he insists, must be abolished.

The attack on the papacy is violent. Marsilius spares no blows.

What else is there (at Avignon) than a clamour of lawyers, the onrush of quibbling benefice hunters, and the onset on the just? There the right of the innocent is so greatly endangered or so long deferred, if they are unable to buy it, that at length, drained and fatigued by innumerable labours, they are compelled to abandon their just and pitiable suits. For there human laws thunder forth, but divine teaching is silent or rarely makes itself heard. There, dis-

cussion and decisions for the invasion of Christian countries, and the getting and seizing of them by arms and violence from those to whom their protection has been lawfully committed. There is neither solicitude nor counsel for the winning of souls.¹

Marsilius anticipates opposition from the bishops. He sounds a note of Luther's appeal to the German princes as the only defenders of the people's cause. "May a merciful God restrain their fury and protect the faithful, princes, and people, whose peace is menaced by them."² More opposition will come from false teachers who will threaten followers of Marsilius with eternal punishment.³ Others will oppose, who, despite their knowledge of the truth, will "attack it with the noisy yelpings of presumptuous envy, simply because it is said by some one other than themselves."⁴

In his fierce attack upon the papacy, Marsilius again insists upon the right of the individual in the Church. The Church, he says, is the whole body of believers who call upon the name of Christ, and includes all parts of this body in whatever place they may be. Such was the primary use of the term among the apostles and the early church, and, therefore, all the faithful followers of Christ, priests or not, are

¹Mackinnon, op. cit., p. 33.

²Emerton, op. cit., p. 32.

³Ibid.

⁴Ibid.

"churchmen."⁵ The Church refers to all believers in Christ, priests, prelates, or not.

One individual is just as spiritual as the next. There is no essential difference between clergy and laity. "Who would say that a clergyman's crimes, should he commit theft or murder, were to be regarded as spiritual acts?"⁶ These are evidently to be punished like anyone else's, possibly with greater strictness, because "the culprits have not the same excuse of ignorance."⁷ The clergy, in these cases, and in all other civil relations, are simply members of society.

In the Defensor Pacis, Marsilius publishes the first questioning of the jure divino authority of the pope. He speaks of the Donation of Constantine. After rehearsing briefly the establishment of the priestly order through the ordination of the Apostles, all of them equally, he shows that this divine ordination was sufficient down to the time of Constantine. After that a claim "seems to have been derived from a certain grant which some say was made by Constantine to Sylvester."⁸ It is interesting that more than a century before the complete exposure of the fraudu-

⁵Ibid., p. 33.

⁶Pooler, op. cit., p. 271.

⁷Ibid.

⁸Merton, op. cit., p. 31.

lent Donation of Constantine by Lorenzo Valla, Marsilius casts a shade of doubt upon that universally accepted document.

Since the Church had, in recent times, been shifted from the historical basis of the Donation of Constantine to the dogmatic basis of the Petrine succession, Marsilius rejects vehemently the Petrine argument. In this rejection he excels.

Never, in the hottest controversies of the Reformation period was this line of attack followed more completely or more convincingly. Never, with all the resources or modern scholarship has anything essential been added to the chain of evidence which has shown the weakness of the Petrine claim as the basis of papal supremacy. Marsilius is the pioneer in the use of a strictly historical method in examining the foundations of the imposing structure of the mediaeval church.⁹

A single reference from the Defensor Pacis will suffice to show how forcefully Marsilius attacks the Petrine succession. It will also show how close is the thought of Marsilius to that of the reformers.

Peter had, therefore, no power and still less any coercive jurisdiction from God over the other apostles, neither the power of inducting them into the sacerdotal office, nor of setting them apart, nor of sending them out on their work of preaching, excepting that we may fairly admit a certain precedence over the others on account of age or service (officio) or perhaps from circumstances (secundum tempus) or the choice of the apostles, who properly revered him - although no one can prove such a choice from Scripture. The proof that what we are saying is true is, that we find in Scripture that St. Peter assumed no peculiar authority for himself over the other apostles, but on the contrary

⁹Ibid. p. 47.

maintained an equality with them. For the whole body (*congregatio*) of the Apostles was of higher authority than that of Peter alone or of any other Apostle. Furthermore, since it is written that Peter was elected bishop at Antioch by the multitude of the faithful, not needing the confirmation of the other Apostles, and that the rest of the Apostles presided over other regions without the knowledge of Peter or any institution or confirmation by him (since they were sufficiently consecrated by Christ), we ought in the same way to hold that the successors of these Apostles needed no confirmation from the successors of Peter.¹⁰

Marsilius continues the attack, point by point, defying the papal interests. He thinks it is strange that people overlook the fact that the Roman bishops are the successors rather of Paul than of Peter, since it can be proved by Scripture that Paul was in Rome for two years. "But, as to Peter, I say that it cannot be proved by Scripture that he was bishop of Rome or, what is more, that he was ever at Rome."¹¹ While Marsilius insists that there is no Scriptural proof for it, he does not deny that Peter could have been, at one time, bishop of Rome. But he contends that, were it true, it is likely that Peter followed Paul as bishop.

The intense feeling with which Marsilius attacks Rome is evidenced in his attack on the entire claim of plenitude of power. He traces the history of this claim, disclosing how the claim to the power of absolution was used for gain, how facts and restrictions were imposed, and how people came

¹⁰Ibid., p. 44.

¹¹Ibid., p. 45.

to believe they were bound by whatever their priests might tell them. Not content with all this power, he says, the papacy reached out after the utmost limit of secular power to the extent that the pope "prevents the election and inauguration of the Prince of the Romans with every kind of malicious interference . . ." ¹²

In this discussion his fundamental principle again appears: the right of the whole people to share in the administration of all affairs which concern their welfare. His essential assertion is hammered home over and over: the basis of all power lies in the people. In the State it is the citizen. In the Church it is the believer. The effect of the plenitude of power is to destroy all the power of the people in Church and State.

To remedy this situation Marsilius has a constructive teaching.

For these reasons it is advisable that a General Council should be summoned by all princes and peoples . . . This council should absolutely forbid the use of this term plenitudo potestatis by the Roman bishop or any other person whomsoever, that the people may not be led astray through long continued hearing of false things. The Roman bishop should be deprived of all power of conferring ecclesiastical office and of distributing the temporalities or benefices . . . ¹³

Marsilius regards the plenitudo potestatis as the root of all the trouble. Certainly Luther did not agree. The

¹² Ibid., p. 61.

¹³ Ibid., p. 69.

council, which Marsilius desired to root out this trouble, should not be an assembly of clergymen, but a truly representative body, built upon lines of territorial and class representation, including laymen.¹⁴ Again, he insists on the rights of the people. The vehemence of Marsilius' arguments can well be understood since the Defensor Pacis was written in 1324, two years after Louis of Bavaria had maintained the verdict of the electoral college against the Hapsburg candidate supported by John XXII.

This demand for a council is certainly a point which pre-Reformation history cannot overlook. For it is from this time on that the demand begins for a council radically different from those of the mediaeval period. As Marsilius' doctrine of the people as the source of law penetrated more deeply in the thinking of men, "the feeling that this same principle must be extended to the church as well grew more intense, until it culminated in an irresistible demonstration."¹⁵

The council is to be above the pope. If it were not, all the governments of the world and all people would be subject to the pope. With great vehemence, Marsilius recalls the decree of Boniface the Eighth. "We proclaim, declare and establish, that henceforth it is a necessary arti-

¹⁴Ibid., p. 74.

¹⁵Ibid., p. 51.

cle of faith that every human creature is subject to the Roman pontiff."¹⁶

The conclusion is inevitable. The temporal power must be supreme. All clergymen must be subject to the civil rule, to the lawgiver, and to the people, acting either directly in assembly or through a ruler chosen by their own free action. Neither Church nor State should interfere with one another. If a single headship of the Church is necessary for operation, it is to be found in the approval by the people. This single head should be the bishop who excels all others in purity of life and in sacred learning. He should be from that church which most abounds in men of the highest character and most brilliant in sacred learning. Of course, other things being equal, it is the church of Rome which comes nearest this ideal standard.¹⁷ Yet this single head is responsible to the people through the General Council.

The Conciliar movement of Marsilius proved futile at the time, "yet its practical failure does not mean it didn't have any importance . . . The ideas which it championed by no means shared in its collapse."¹⁸ Emerton insists that the Defensor Pacis is to the Conciliar Period what Luther's

¹⁶Ibid., p. 53.

¹⁷Ibid., p. 59.

¹⁸Mackinnon, op. cit., p. 258.

Ninety-five Theses were to the Protestant Reformation.¹⁹

Marsilius analyzes the Church exhaustively. He condemns the abuses of the papacy. The clergy is given a limited function in life. "The function of the clergy is to know and teach those things which according to Scripture, it is necessary to believe, to do, or to avoid, in order to obtain eternal salvation and escape woe."²⁰

In this blanket exposure of the papacy, Marsilius anticipates the spirit of the Reformation. In fact, he is modern. "If we overlook his doctrine of the supremacy of the State over the Church, his views correspond closely with those held in Protestant Christendom today."²¹

We now look more closely at his influence on the reformers.

¹⁹Emerton, op. cit., p. 71.

²⁰Sabine, op. cit., p. 293.

²¹Philip Schaff, History of the Christian Church (New York: Charles Scribner's Sons, 1920), V, Part II, 77.

CHAPTER IV

MARSILIUS INFLUENCES PRE-REFORMERS

The writing of Marsilius did not lie dormant. The ideas set forth in the Defensor Pacis entered subtly into the doctrine of his successors.

That Marsilius influenced the Reformers few people question. Upon the extent of his influence few writers agree. It is said that the influence of Marsilius is "clearly traceable in the thought of the leaders of the Protestant Revolution."¹ Mackinnon insists that Marsilius "anticipates in a remarkable degree the critical-historical spirit of the Reformation and the Renaissance."² Not only does Mackinnon see the Paduan's influence on the Reformation in Marsilius' plan for freedom of belief, but he asserts that Marsilius goes beyond even the late reformers, in his appeal from ecclesiastical tradition to the New Testament, in his spiritual apprehension of the Church, in his conception of the sovereignty of the people, and in the vindication of its right in the Church as well as State.³ Qualben

¹Edward Maslin Hulme, The Renaissance, The Protestant Revolution and the Catholic Reformation in Continental Europe. (New York: D. Appleton-Century Co., 1915), p. 22.

²Mackinnon, op. cit., p. 63.

³Ibid., p. 65.

lists the Defensor Pacis under the chapter on "Reformatory Movements."⁴ Dunning contends it "accords with the full spirit of the Reformation and the Revolution."⁵

Most historians, in agreeing that Marsilius influences the Reformation, also define areas of his influence. His influence is seen in England in the great ideas of headship of the King arising in the days of Henry VIII.⁶ It is observed in the Waldenses.⁷ It is reported that the brilliant arguments which were made in the reform councils owed their might to the study the speakers had made of the Defensor Pacis.⁸

The Catholic Church emphasizes the influence of Marsilius on the Reformation. Marsilius is called the "most powerful agent of disintegration between St. Thomas and Luther."⁹ The area of his influence is defined:

⁴Lars P. Qualben, A History of the Christian Church (New York: Thomas Nelson and Sons, 1940), p. 191.

⁵William Archibald Dunning, A History of Political Theories (New York: The Macmillan Co., 1902), p. 238.

⁶George Park Fisher, History of the Christian Church (New York: Charles Scribner's Sons, 1928), p. 351.

⁷Albert Henry Newman, "A Manual of Church History," Ancient and Medieval Church History to A. D. 1517 (Philadelphia: American Baptist Publication Society, 1901), I, 584.

⁸Locke, op. cit., p. 35.

⁹Philip Hughes, A History of the Church (New York: Sheed and Ward, 1947), III, 135.

His influence is evident now, in the last years of the fourteenth century in France, in John Wycliff, and in the heresies that from this time begin to dominate Bohemia. We find no less a person than Gerson recommending the book, and it undoubtedly played a part at the General Council of Constance. It was more and more copied in the fifteenth century and more eagerly read as the breakdown of Christendom drew nearer. The first printed edition appeared in 1517, the year of Luther's first appearance as an innovator, and the publication of an English translation, 1535, was one of the earliest moves of Thomas Cromwell, then busy with the publicist strategy that accompanied the creation of the Church of England as we know it today.¹⁰

The preface of Cromwell's translation says: "Thou shalt fynde in it the image of these our tymes most perfectly and clerlye expressed and set out."¹¹

Catholic historians call Marsilius the forerunner of Luther and Calvin. Dollinger says: "In the Defensor the Calvinistic system was, in respect to church power and constitution, already marked out."¹² Pastor says: "If Calvin depended upon any of his predecessors for his principles of church government, it was upon the keen writer of the fourteenth century."¹³

While the opinion of Marsilius had a power to carry over into coming generations, particularly from Wycliffe to Luther, it is hard to trace. Its influence is seen indirect-

¹⁰Ibid., p. 153.

¹¹Ibid.

¹²Schaff, op. cit., p. 77.

¹³Ibid.

ly. Very rarely is it seen in open acknowledgement of indebtedness.¹⁴ It is found oftener in similarities of argument that are unmistakable and in the unsparing criticism of orthodox opponents. It is probable that the influence is hard to trace because later writers would be cautious about using the name of a thrice-condemned heretic to support their own opinions.

In examining the influence of Marsilius on the Reformers, one must observe the relationship of Marsilius and Occam. Some claim that Occam's influence on Marsilius accounts for all the Paduan's doctrine.¹⁵ Others disagree. The confusion of thinking on this point is expressed by Sullivan, who himself, sees originality of thought in Marsilius. He cites three historians who give different opinions. Poole says: "Occam may justly be claimed as the precursor of the German reformers of the sixteenth century, but Marsilius exercised no direct influence on the movement of thought." Piezler says they are "nearly equal in prominence as precursors of the Reformation." Silbernagl "denies that Occam is a precursor of the Reformation in the same sense as Marsilius, who, in his *Defensor Pacis*, takes the same grounds as Luther."¹⁶

¹⁴Emerton, op. cit., pp. 1-2.

¹⁵Fisher, op. cit., p. 271, and, Poole, op. cit., p. 264.

¹⁶James Sullivan, "Marsiglio of Padua and William of Occam," II, American Historical Review, II, No. 4, (July, 1897), 593.

Clement VI declared that Occam had drawn all his political heresies from Marsilius.¹⁷

There is no evidence of actual collaboration between the two. Perhaps the safest conclusion is that each influenced the other in his own way; Occam, a philosopher interested in general principles of thought, Marsilius, an outright political theorist. That Marsilius did influence the Reformers seems clear from the superabundance of evidence.

The clearest case for the influence of Marsilius on a Reformer is found in Wycliffe. The papal bull of 1377, which condemned Wycliffe as a heretic and forbade the preaching of Wycliffite doctrine in the University of Oxford, traced his opinion to Marsilius, "of damned memory."¹⁸ It came to be one of the stock charges made against every leader of reform that he was repeating the heresies of Wycliffe and through him those of Marsilius.

The pre-reformers were not imitators of Marsilius. In fact, they operated in a different field. While both Wycliffe and Hus show the influence of Marsilius in their doctrinal apparatus, they devote themselves exclusively to purely theological and ecclesiastical questions.¹⁹ Marsilius

¹⁷Schaff, op. cit., p. 193.

¹⁸Sabine, op. cit., p. 314.

¹⁹Dunning, op. cit., p. 260.

did not enter into the merits of distinctly theological doctrine, "nor see the deep connection between the dogma of transubstantiation and sacramental penance and papal tyranny as the English reformer (Wycliffe) did."²⁰ Certainly Marsilius did not proclaim the biblical doctrine of justification by faith in the crucified Saviour. What bears the impress of Marsilius in Wycliffe is his exaltation of the secular over the ecclesiastical authority.

One of Wycliffe's most elaborate treatises involved the whole problem of "Dominium". He was concerned with fixing the condition of the ecclesiastical order. The big question was: Supposing a pope is not among the elect, what then? Surely he can have no dominium. In explaining who determines the fact of the pope's unrighteousness, Wycliffe falls back on an argument of the Defensor Pacis, the evidence of personal conduct. If the pope offends the common sense of Christendom, then the believers as a whole may discipline him. Perhaps the argument of the Defensor Pacis may here be regarded as an introduction to Wycliffe's Dominium.²¹

Wycliffe's argument here, freed from its almost impenetrable tangle of scholastic involution, follows very nearly the lines of Marsilius' thought. He does not, so far as I know, refer to him by name, but the resemblance is unmistakable and the conclusion is irresistible that Wycliffe had before him the text of

²⁰Locke, op. cit., p. 78.

²¹Emerton, op. cit., p. 79.

the Defensor Pacis.²²

If the influence of Marsilius is felt by Wycliffe, obviously it must be felt by Hus. For in his political theory as well as his doctrinal matter Hus borrowed largely from Wycliffe. So the Defensor Pacis spreads to Bohemia, and its influence is carried forward a generation. Hus "strengthens again in Central Europe the dogmas which has been propounded by Marsilius."²³

The impact of the Defensor Pacis is also traced to Gerson. The moving spirit of the Council of Pisa, 1409, Gerson insisted that a General Council was superior to the pope and that a genuine reformation was necessary in the head and members of the Church. His writings present the theory of a limited-monarchy. Both the conciliar theory and the limited-monarchy theory seem identical with the theories of Marsilius. Only Gerson is less radical. The conclusion is that Gerson's theory "embodies many features of the doctrine of Marsilius."²⁴

So from Wycliffe to Luther the views of Marsilius seem to advance. Marsilius had not spoken in vain.

²²Ibid.

²³Dunning, op. cit., p. 265.

²⁴Ibid., p. 266.

CHAPTER V

MARSILIUS AND LUTHER

While it is true that the Defensor Pacis exerted a strong influence on the pre-Reformers, the question of its influence on Luther is another story. Luther is the Reformer. With him comes the Reformation. So the influence that the Defensor Pacis had on the Reformation is certainly contingent upon its influence upon Luther. If the writing of the Paduan became part of Luther's thinking, then the relation of the Defensor Pacis to the Reformation is great indeed. Then the stature of Marsilius would be all the greater.

In the Catholic Church there is no question about the influence of Marsilius upon Luther. Already at the Liepsig debate Eck tried to save himself by embarrassing and discrediting Luther. He contended that Luther, in denying the jure divino right of the pope, was defending the damnable errors of Marsilius of Padua, Wycliffe, and Hus, all of which had been condemned by the Church. Luther did declare that some of Hus' positions were not heretical, for they could be proved true by Scripture. But he does not mention Marsilius.

Luther was accused by a contemporary, Albert Piglio, (Hierarchiae Ecclesiasticae Assertio, 1538) of having taken

a large number of his errors from the Defensor Pacis.¹ Today the Catholics insist that Luther would have recognized his theories in "these heretical assertions" that were so disastrous.² But whether Luther actually was influenced by the Defensor Pacis, or whether he even heard of the document, is not established by arbitrary assertions.

If an historical chain is to be linked between Marsilius and Luther, the cause is not helped by Luther. Apparently Luther did not recognize Marsilius. To date no one seems to have found any reference to Marsilius in the writings of the Reformer. While Luther often refers to many pre-Reformers, he does not mention the Paduan. The Encyclopedia Britannica, however, takes for granted that the Defensor Pacis was "known by Wycliffe and Luther,"³ but offers no evidence for this contention. Of course, it is one thing to say that Luther knew the Defensor Pacis and an entirely different thing to say that he was influenced by it. No one can deny that the Defensor Pacis was in Luther's library, and to this date no one can prove it.

A chain from Marsilius to Luther may be drawn through

¹James Sullivan, "Marsiglio of Padua and William of Ockham," II, American Historical Review, II, No. 4, (July, 1897), 601.

²Salembier, op. cit., p. 720.

³The Encyclopaedia Britannica, p. 974.

Occam. Occam's philosophy exerted a strong influence upon Martin Luther.⁴ Marsilius and Occam, as before mentioned, undoubtedly exchanged ideas. Or, the chain may, in like manner, be drawn through Gerson, for Luther himself mentioned Gerson.⁵ But certainly this indirect influence of Marsilius on Luther through Occam or Gerson can have, at best, little value for argument.

Luther's "Letter to the Christian Nobility", it is asserted, is derived from sources in addition to Scripture.

He evidently drew on some of the Fathers, the decree of the Council of Nicaea, the papal Decretals, and the Canon Law, the decrees of the reforming Councils of the fifteenth century, especially that of Basle. He does seem to have drawn directly from the works of the early fourteenth century publicists, John of Paris, John of Jandun, Marsiglio of Padua, and Occam, the defenders of the independence of the State against the papal claim, and the right of the secular power to take steps to reform the Church.⁶

But Mackinnon qualifies this:

This independence and this right they based on the doctrine of the sovereignty of the people, and with this doctrine Luther does not seem to have been familiar. At all events, if he was, it does not seem to have appealed to him. He develops no political philosophy and vindicates the claim he makes for the State on religious rather than on political grounds.

⁴Qualben, op. cit., p. 192.

⁵"On the Councils and the Churches," Works of Martin Luther, translated by C. M. Jacobs (Philadelphia: A. J. Holman Co., 1931), V, 249.

⁶Mackinnon, Luther and the Reformation (New York: Longman, Green and Co., Ltd., 1928), II, 228.

⁷Ibid.

It is more probable that Luther was in debt to the leaders of the conciliar party in the fifteen century. Mackinnon seems to stand alone in actually linking Luther to the Paduan in a particular writing.

One thing is certain; there is an apparent similarity of expression and argument between Luther and Marsilius. This similarity can be found, though its value is questionable, even in short expressions. "Even the laity are churchmen (*virī ecclesiastici*)", says Marsilius.⁸ This suggests Luther's phrase "the priesthood of the Christian man." But this does not mean that Luther was dependent on Marsilius.

The likeness of the two can be found in the language of their fearless opposition to the papacy and its appalling evils. In discussing the arrogance of the pope, Marsilius uses "as strong language as Luther later did in denunciation of the papal claims and the evil consequences for the nation and especially the empire of the papal regime."⁹

Marsilius reminds one of Luther as he devotes several chapters to apostolic poverty, letting himself go in bitter accusation of the folly and wickedness of the clergy. He exposes the papal system.

For not all their acts are spiritual or ought to be so called. Many of them are civil acts subject to contention, carnal, and temporal. For priests can borrow, make trusts, buy, sell, strike, ill, rob, for-

⁸Sabine, op. cit., p. 300.

⁹Mackinnon, The Origins of the Reformation, p. 65.

nicate, rape, betray, bear false witness, slander, fall into heresy, or commit other crimes, just as they are committed by laymen. Wherefore we may properly ask them whether any one of sound mind can call such actions when committed by them spiritualia.¹⁰

This language of Marsilius recalls Luther as he describes Rome. "There is buying, selling, bartering, trading, trafficking, lying, deceiving, robbing, stealing, luxury, harlotry, knavery, and every sort of contempt of God."¹¹

Like Luther, Marsilius condemns all the evils in the Church. ✓

What do you find there but a swarm of simoniacs from every quarter? What but the clamor of pettifoggers, the insults of calumny, the abuse of honorable man? There justice to the innocent falls to the ground or is so long delayed - unless they can buy it for a price - that finally, worn out with endless struggle, they are compelled to give up even just and deserving claims. For there man-made laws are loudly proclaimed; the laws of God are silent or are rarely heard. There are hatched conspiracies and plots for invading the territories of Christian peoples and snatching them from their lawful guardians. But for the winning of souls there is neither care nor counsel.¹²

There is also a resemblance to Luther in the method of Marsilius' arguments. Both have similar emphasis on the use of Scripture. Repeatedly Marsilius quotes such passages as "My Kingdom is not of this world," John 17:36; and "Render unto Caesar the things which are Caesar's, and to God the things which are God's," Matthew 22:21. Other passages, ✓

¹⁰Smerton, op. cit., p. 35.

¹¹Works of Martin Luther, V, 95.

¹²Smerton, op. cit., 66.

such as John 6:15, John 19:11, Luke 12:14, he opposes to texts falsely interpreted to the advantage of the heirarchy, such as Matthew 16:19, Luke 22:38, John 21:15-17.¹³

In disputing Rome's demand for obedience, Marsilius considers the question of which writings the Christian man must absolutely accept as a condition of salvation. He insists upon the acceptance of Scripture, which can never lack in truth. In proving his point, Marsilius quotes Augustine:

St. Augustine, therefore, understood by canonical writings only those which are contained in the Bible and not the decretals or decrees of the Roman pontiff or of the college of his priests whom they call 'cardinals' nor any other human ordinances whatsoever concerning human actions or contentions and devised by human ingenuity. For 'canon' means rule or standard, a standard because it is something certain, something that is peculiar to Holy Scripture alone as compared with other writings.¹⁴

While Marsilius' assertion of the authority of Scripture is neither as dramatic, as forceful, or as clear as that of Luther (at the Diet of Worms, for example) yet he does contend for the Sola Scriptura principle.

Marsilius also insists upon the interpretation of Scripture by the individual. It is to be interpreted according to the principle of common sense. Where no mystical meaning is involved the literal sense of language is to be accepted. Where a mystical interpretation is necessary, he will accept the more probably opinion of holy men. Those who advance

¹³Schaff, op. cit., p. 76.

¹⁴Merton, op. cit., p. 51.

opinions of their own are not to be honored. "Those which are discordant with Scripture I will reverently reject, but never without the support of Scripture upon which I shall always rely."¹⁵ Here is a proclamation of the principle of biblical authority which is stressed by the great leaders of the Reformation.

Marsilius also resembles Luther, though minutely, in his emphasis on the grace of God. His emphasis on grace is not nearly so forceful, nor so fundamental, as it was with Luther. Marsilius is a political theorist; Luther, a devoted servant of God. Yet Marsilius, in attacking the authority of the Church, does speak of the grace of God. He shows that the real process of absolution depends, not upon any act of the priest, but only upon the grace of God freely given to the individual soul. For proof Marsilius quotes Peter Lombard and Richard of St. Victor, summing up his conclusion from their opinions.

From which it is evident that as regards the merit of the penitent, the Roman bishop has no more power than any other priest to absolve from guilt or penalty. God alone absolves the truly penitent sinner without any action of the priest either preceding or accompanying.¹⁶

Christ is the only judge.

Certainly it can be said that Marsilius anticipates Luther. When Marsilius attacks the temporal power, some of

¹⁵Ibid., p. 70.

¹⁶Ibid., p. 37.

his statements are almost identical with those of Luther. ✓
 Luther says exactly what Marsilius says when the Reformer
 writes: "It is not proper for the pope to exalt himself
 above the temporal authorities, save only in spiritual
 offices such as preaching and absolving."¹⁷ Luther's "On
 the Councils and the Churches" reminds one of Marsilius.
 In their fearless opposition to the papacy, in their emphasis
 on the grace of God, in their insistence upon Scripture as
 the only norm, Marsilius and Luther display a striking simi-
 larity.

And yet they are so different. In approach, in purpose,
 and in result a vast gulf appears. One looks at Marsilius,
 then at Luther, and he knows why the latter is the great Re-
 former. It is not the political situation that makes Luther
 the herald of a new age, nor the social conditions, though
 both have their effect. It is a total difference of thought
 that distinguishes Luther from the Paduan. For that reason
 it is difficult to see any direct influence of Marsilius of ✓
 Padua on Martin Luther. The Defensor Pacis, absorbed in the
 thinking of the fifteenth and sixteenth centuries, may have
 influenced Luther as any other part of the general thought
 pattern of the age of revolt, but a direct influence seems

¹⁷"An Open Letter to the Christian Nobility," Works of
Martin Luther, translated by C. M. Jacobs (Philadelphia:
 A. J. Holman Co., 1931), II, 109.

improbable. Luther, in thought and character, is independent, unlike any man before him. Luther is the only man for the Reformation. The personalities of Wycliffe and Hus are not like Luther . . . "they lack the strength to become strong men who overmaster their age. Occam and Marsiglio do not touch him in this respect."¹⁸

If Luther felt the influence of Marsilius it was certainly not in the approach to the whole problem. Marsilius hated papacy as the enemy of his country. He attacked Rome for patriotic reasons, particularly Italian patriotism.¹⁹ He studied theology in order to have a weapon against Pope John XXII.²⁰ He was a Ghibelline, flaming and bitter. The political viewpoint of Marsilius motivates even the closing words of the Defensor Pacis.

When this (what the book teaches) is understood, held fast, and strictly observed, the realm and every orderly civic community will be preserved in peaceful, tranquil condition, in which the members of society will obtain what they need for their life in the world, and without which they will inevitably lose those things and be ill prepared for eternal salvation.²¹

Luther's approach is entirely different. He had a new faith that gave meaning and purpose and drive to his work. As far as Marsilius was concerned the basic trouble with Rome

¹⁸Mackinnon, Luther and the Reformation, II, 335.

¹⁹Haller, op. cit., p. 190.

²⁰Ibid.,

²¹Ibid., p. 192.

was the doctrine of plenitudo potestatis.²² Remove that evil and the trouble is remedied, he thought. Luther, on the other hand, recognized the fundamental evil in the Church, the false doctrines which led people astray and endangered their souls. He attacked the papacy from a theological approach.

The great reformers primarily did not break with the Catholic church because it was corrupt in life and practice, but rather because the church steadily refused to base its doctrine and its religious life entirely on the principles of Holy Scripture.²³

The difference in approach between Luther and Marsilius is apparent in their use of the word Church. Marsilius says the Church does not consist of the clergy, but is the universitas fidelium. All true believers are members of the Church and are thus ecclesiastics. This language reminds one of Luther, but Marsilius does not mean what Luther meant. Marsilius always places the emphasis on the true Christian as a member of the legislative body of the Church.²⁴ For Luther the emphasis is on the spiritual priesthood.

Not only does Luther have an entirely different approach, but also his purpose differs from that of Marsilius. If the Defensor Pacis in any way influences Luther, it is not in connection with his purpose. Marsilius wishes to preserve

²²Emerton, op. cit., pp. 66-67.

²³Quaiben, op. cit., p. 216.

²⁴Allen, op. cit., p. 185.

the soul. In stating his purpose Marsilius says:

We hope so to lift the veil that it may henceforth readily be banished from all civil communities, and when this is accomplished that rulers and people of good will may live in peace, the supreme desire of all men in this world and the loftiest goal of human action.²⁵

The Church disturbs the peace, and Marsilius attacks the disturbing element. Luther's purpose, utterly different, is to break the power of error and so restore to men the pure Gospel of Christ. Luther's purpose is in no way derived from the influence of Marsilius.

Because Luther and Marsilius are entirely different in spirit they are also different in results. One result both can claim. Both were condemned viciously by the papacy. On April 9, 1527, Pope John XXII cited Marsilius to a council of faithful to answer for his erroneous dogma.²⁶ Under the date of October 25, 1527, John issued two new bulls. The bull Quia Iuxta Doctrinam condemned Louis as a heretic for his patronage of the Franciscan and also of Marsilius. In the same bull the Defensor Pacis was condemned.²⁷ Marsilius and John of Jandun were denounced as "sons of perdition, the sons of Belial, those pestiferous individuals, beasts from the abyss."²⁸

²⁵Emerton, op. cit., p. 22.

²⁶Sullivan, op. cit., p. 594.

²⁷Hughes, op. cit., p. 139.

²⁸Schaff, op. cit., p. 72.

The second bull was directed against Marsilius in particular, saying that a synod of cardinals, of theologians, and of professors of law had decided to condemn five heretical articles of Marsilius: 1. Christ paid tribute money to Caesar, not voluntarily, but because He was forced by necessity. 2. Peter had no more authority than the other apostles. Christ created no head of the Church. 3. All temporalities of the Church are subject to the emperor. The emperor can institute, depose, and punish the pope. 4. All priests, regardless of rank, are by institution of Christ of equal authority. 5. The Church may not punish any man with temporal punishment unless the emperor permits.²⁹

On May 20, 1328, Franciscus of Venice, one of Marsilius' students at Paris was examined before the court of Inquisition at Avignon, to find out if he or others had aided Marsilius in his work.³⁰ Clement VI carried on extensive examination of the Defensor Pacis with the result that more than 250 heretical articles were extracted from it.³¹ In 1376, when a French translation of the work appeared in Paris, it created a profound sensation. During a lengthy inquest, from September to December, all the learned men in the city were made to swear before a notary that they were ignorant of the transla-

²⁹Sullivan, op. cit., p. 594.

³⁰Ibid.

³¹Ibid., p. 597.

tion.³² The Defensor Pacis was put on the first Index Librorum Prohibitorum.³³ To this day, Marsilius and Jandun, called "frivolous and lying men", "blasphemers", are branded as heretics by Rome.

These declarations are condemned as being contrary to the Holy Scriptures, dangerous to the Catholic faith, heretical, and erroneous, and their authors, Marsilius and Jandun as being undoubtedly heretics and even heresiarchs.³⁴

While both Marsilius and Luther are vehemently denounced by Rome, it is apparent that both were not equally successful. Marsilius was a theorist, appealing to everyone, the masses as well as the intellectuals. This, too, indicates that the influence of Marsilius was not felt strongly by Luther. Marsilius had ideas that were to bear fruit in the Reformation, but they were too radical for their age. Besides, "something was lacking in Marsilius himself."³⁵ He was a cool thinker rather than a person who could translate theory into action. As a result he could not create a dynamic leadership. So it may be that Marsilius vanishes from contemporary notice almost as completely as if he had never written.

³²Henry Charles Lea, A History of the Inquisition of the Middle Ages (New York: The Macmillan Co., 1922), III, 140.

³³Sullivan, op. cit., p. 602.

³⁴Salambier, op. cit., p. 720.

³⁵Williston Walker, A History of the Christian Church (New York: Charles Scribner's Sons, 1918), p. 294.

Of Marsilius, the theorist, it is written:

Therefore, (because he was a theorist in his thinking and striving) his life was wrecked and its influence upon posterity very modest. It has often been said that he was ahead of his time by centuries. Could that have been the case, if with his postulate he had stood on the ground of reality? In this abstract, theoretic character, in this unconcern about all the political realities of his time, we must recognize the reason for the fact that the appearance of one of the freest and most courageous spirits remained only an episode without results. Two hundred years later that which he thought and strove for became a reality, a common good, and reconstructed life. During his life it was but a scientific vision, a dream, so far as practical life was concerned, even though a dream that showed the truth and would at some time come true. ³⁶

If anyone would want to oppose the papacy successfully, he must realize it is a religious power. Then he must equip himself with religious powers. This Marsilius lacks, speaking as he does in the name of science and politics. The power of the papal error could be broken only when the religious power of a new faith stood opposed.

So Marsilius represents one of the earliest and most violent outbreaks of protests against the papacy - and one that did not end at the stake. The Defensor Pacis kept opposition to the papacy alive and thus in a measure prepared and paved the way for the overthrow of papacy through the Reformation.

³⁶Johann Haller, "Zur Lebensgeschichte des Marsilius von Padua," Zeitschrift fuer Kirchengeschichte, translated by Rev. August F. Bernthal (Gotha: Leopold Klotz Verlag, 1929), XLVIII, 196.

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