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MARSIGLIO DE PADUA AND THE DEFENSOR PACIS

A Thesis Presented to the Faculty
of Concordia Seminary, St. Louis,
Department of Historical Theology
in partial fulfillment of the
requirements for the degree of
Bachelor of Divinity

by

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CHAPTER I

INTRODUCTION

When I first began to work on the topic of this thesis, two years ago in Dr. Hoyer's course on Reformation History, my major interest was naturally in the Defensor Pacis itself. Since then, however, Dr. Alan Gewirth of the University of Chicago has published his Marsilius of Padua, the Defender of Peace, which is such a masterpiece of scholarship and completeness that it virtually precludes any work on that topic unless it be of the highest and most detailed nature. That took the heart out of my thesis, so that I had to expand what was to be merely background material into my entire thesis, with the result that it is less substantial than would have been originally the case.

Nevertheless, the life of Marsiglio de Padua is a considerable problem in itself. Opinions concerning the details of his birth, activity, and death vary widely. Each scholar that writes on the subject refutes in some way all those that precede him. Scholz and Haller seem almost to go out of their way to contradict each other. The English and American scholars are slightly more polite to each other than their German colleagues, but they, too, disagree widely. I have tried to present the cases of the various scholars and to determine as much as possible the most plausible solution to the various problems.

As far as I know, this is the first time that so many of the problems related to the life of Marsiglio have been treated in one place in English. That is about the only raison d'être of this thesis. The scholars who have written on Marsiglio usually concentrate on one or the other phase of his life. Thus, in some sections my material is based almost exclusively on one source. I am especially indebted to Brampton and Haller, particularly the latter, whose work I admire in every respect. In fact, I admire the work of these and other scholars so much that I have often incorporated their material almost literally into the text of this humble thesis.

CHAPTER II

THE EARLY YEARS

Padua

Padua was fairly bustling with activity of every kind during the latter half of the thirteenth century, that century which at least one of our own contemporaries has seen fit to call the "greatest" of centuries.¹ Greatness was hardly confined to that century, however, and even some of its own products did not become great until well after the mother century had been laid to rest. For Padua the era was most memorable, and in the areas of thought, of scholarship, of politics, and of commerce, she was a notable center of activity.

Padua's university was a source of great pride to her. This university had not begun in Padua but had migrated there from Bologna.² The organization of the University of Bologna, which had crystallized by the middle of the Thirteenth Century, was as follows.³ There were two corporations of foreign students, and these constituted the

¹J. J. Walsh, The Thirteenth, Greatest of Centuries (New York: Fordham University Press, 1952).

²J. O'Sullivan and J. F. Burns, Medieval Europe (New York: F. S. Crofts and Co., 1943), p. 321.

³H. O. Taylor, The Medieval Mind (4th edition;

university. The professors did not belong to these corporations, with the result that they were not members of the university. Naturally, being professors, they resisted this domination by the students; but, with their vast numerical superiority, the latter won out. In defense of their rights and to demonstrate their independence of faculty and location, the students would not hesitate to move to another city. This would cut off the income of the professors and reduce the revenue of the city, for, although the exact number of students in attendance at the various medieval universities is highly conjectural, a famous university would attract many thousands of students from all over Europe. Thus, students of the University of Bologna, since they felt their rights were in jeopardy, migrated to Arezzo in 1215 and to Padua in 1222. Despite their defection, the mother university continued to flourish, and one more university had been added to the growing number of these institutions, which have often been classified with the Gothic cathedrals as the two most lasting and influential contributions of the Middle Ages.⁴ Since this new university was an offshoot of the old, they had many things in common. Bologna's medical school

Cambridge, Mass.: Harvard University Press, 1941), II, 412-413. I have taken the entire description of Bologna's organization from this source.

⁴J. J. Walsh, High Points of Medieval Culture (Milwaukee: The Bruce Publishing Co., 1937), p. 83.

was renowned throughout Europe,⁵ and Padua also had a first-rate medical school. The University of Padua was a focal point for Averroism, and this was especially the case in the medical school.⁶ Concerning Averroism, Scholz says: "Padua und Paris waren die beiden Hauptzentren des Averroismus."⁷ This had important implications for Marsiglio's future, as we shall subsequently see. Bologna's most famous school, of course, was its law school; and, for its pre-eminence in this field, the University of Bologna had gained the name, "Mother of Laws".⁸ This naturally affected the emphasis at Padua's university. Finally, the Universities of Bologna and Padua were considered the least theological of the European universities,⁹ and this and the other factors probably influenced Marsiglio, who is generally considered to have studied at his home university. The fame of the University of Padua soon spread to the corners of Europe, and the city, grateful for this fame and for the added revenue from the many students, reciprocated. She gave the members of the university exceptional privileges

⁵J. O'Sullivan and J. F. Burns, op. cit., p. 328

⁶G. G. Coulton, Medieval Panorama (Cambridge: The Macmillan Co., 1939), p. 462.

⁷R. Scholz, "Marsilius von Padua und die Idee der Demokratie," Zeitschrift für Politik, I (1907), 65.

⁸J. O'Sullivan and J. F. Burns, op. cit., p. 320

⁹G. G. Coulton, op. cit., p. 449.

in her laws in 1260.¹⁰ In 1296 she began to salary the professors,¹¹ who were undoubtedly grateful for the security of this stipend, which contrasted so considerably with the uncertainty of depending on the fees of the students.

Padua was one of the most prosperous trading cities in Italy at that time,¹² and Italy was the most prosperous trading country in the world. Much of her trade was in luxuries, and she dealt with both the East, the so-called Levantine trade, and the West, England, Belgium and the Netherlands.¹³ This not only made her rich, but it also put her in contact with most of the civilized world and made her a most cosmopolitan city in which to be raised.

Politically, Padua was very active. When Marsiglio was born, she was a free city and was fiercely proud of her independence. However, she had not always been free, nor would she retain her independence uninterruptedly. It had only been in 1256 that she had been freed from the tyranny of Ezzalino da Romano,¹⁴ and in the next century Emperor Henry VII held her in vassalage for some time, but for the whole second half of the Thirteenth Century she was

¹⁰C. W. Previté-Orton, "Marsiglio of Padua, Doctrines," English Historical Review, XXXVIII (1923), 2.

¹¹Ibid., p. 3.

¹²Ibid., p. 2.

¹³J. O'Sullivan and J. F. Burns, op. cit., p. 680.

¹⁴C. W. Previté-Orton, op. cit., p. 2.

free, and she did all that was in her power to maintain that freedom. The biggest threat to her independence came from the larger cities, who were constantly trying to enlarge their spheres of influence, a trait which was not unique to that time nor to that place. It was her hatred and fear primarily of Ghibelline of Milan¹⁵ and of Verona with its hated Ghibelline tyrant, Alberto della Scala,¹⁶ that made her a Guelph city and kept her that. She was the most intensely Guelph city in the Northeast, as Florence was in the East.¹⁷ On the one side she had Milan, on the other, the Pope, so she chose the lesser of the two evils as far as she was concerned and sided with the Papacy, risking her freedom to preserve it. She could not resist a few imperialistic leanings of her own, however, and she became the "protector" of some of the smaller cities of Guelphic leanings in the "Joyous" Veronese March.¹⁸ This seemed to be a fairly satisfactory arrangement all around, however, although Vicenza appeared to be happy enough to be rid of her domination during the early years of the Fourteenth Century. As for her form of government, her republicanism

¹⁵J. W. Allen, "Marsilio of Padua and Medieval Secularism," The Social and Political Ideas of Some Great Medieval Thinkers, ed. F. J. C. Hearnshaw (London: G. G. Harrap and Co., Ltd., 1923), p. 170. Allen for some reason calls Padua a Ghibelline city, which is certainly a slip of the pen.

¹⁶C. W. Previté-Orton, op. cit., p. 2.

¹⁷J. Haller, "Zur Lebegsgeschichte des Marsilius von Padua," Zeitschrift für Kirchengeschichte, XLVIII (1929), 171.

¹⁸C. W. Previté-Orton, op. cit., p. 2.

was not much different from that of the other free Italian communes.¹⁹ At the head of her government stood four consiglia,²⁰ whose duty it was to run the affairs of the city. Freedom from outside domination of any kind was one of the ruling passions in the heart of every citizen of Padua, and that feeling was ingrained into Marsiglio's character also.

What was the state of the Church in Padua at this time? Positively, we have little evidence, but negatively we have very much. Padua was characterized by a virulent hatred not only of the Papacy, which was more or less her ally against the Ghibellines, but also of the clergy in general.²¹ There were many reasons for this situation, and Previté-Orton sums up them and their consequences admirably.²² The immunity of the clergy was resented in Padua most bitterly. The clergy and lay orders refused to pay taxes or to help repair the dikes and bridges, a most vital activity for the Paduans. As landowners, they were responsible for a share of the expense involved, which was considerable. The wicked habits of the priests, habits in which all the clergy shared, were notorious and most offensive

¹⁹Ibid.

²⁰R. Scholz, op. cit., p. 75.

²¹J. W. Allen, op. cit., p. 171.

²²C. W. Previté-Orton, op. cit., pp. 3-4. I have selected these facts almost literally out of these pages.

to even the cosmopolitan Paduans. The commune took the proper measures to curb the priests. In 1276 they passed laws which made it virtually impossible for a cleric to prosecute a claim against a layman. The ecclesiastical courts were prevented from infringing on the civil rights of citizens of Padua, and the podesta of the city was determined to stop any injuries inflicted by those courts unless the sentence was confirmed by the council of the commune. In 1282, since the bishop did not punish the crimes of the clergy, the fine for killing a cleric was reduced to one Venetian groat, probably an all-time low in that category. Apparently there was no shortage of groats, and the worthy Paduan citizens took advantage of the bargain sale of the lives of clerics. The passage in which that is described is worth quoting:

Et multi presbiteri, clerici et religiosi fuerunt occisi in Padua . . . quoniam tunc fuerat per commune Paduae stabilitum . . . ut pro homicidio commisso in personam alicuius ecclesiasticae personae condemnari debeat homicida solummodo in uno denario veneto grosso, quod statutum factum fuerat propter multa et enormia scelera, quae committebantur per clericos, de quibus nulla fiabat iustitia per episcopum paduanum.²³

This was a fine state of affairs, and the pope soon reacted by imposing excommunication and the interdict on the city. Finally, in 1289, after long negotiations, the city yielded somewhat. That did not prevent her from putting further limitations on the exemptions of the lay orders in 1299,

²³Ibid., p. 3.

though. The Paduans hated the Inquisition especially, and apparently they had good cause to do so, for in 1302 Boniface VIII sent up Dominicans to replace the Franciscans, who had been convicted of malversation in the administration of the Holy Office. It is hardly necessary to mention that Boniface VIII was not accustomed to give in to any secular powers unless they had pretty solid ground for their requests. Thus, Padua appears as one of the early champions of the laity against ecclesiastical domination and jurisdiction, and that attitude certainly shows up most prominently in the character and writings of Padua's outstanding product of the late Thirteenth Century, Marsiglio. For him, coercive authority and the power of the law must reside in the secular ruler alone, otherwise there will be strife and multiplicity of authority. He sums up his attitude in the following words:

the pope decreed all the clergy exempt from secular law, thus inducing schism in the state and a plurality of sovereign governments within it. This is the root and origin of the plague from which the Italian kingdom suffers.²⁴

The Birth of Marsiglio

In Padua, then, into that seething center of political ferment, intellectual activity, and commercial prosperity, was born Marsiglio, the hero of our tale. This much is

²⁴Ibid., p. 6.

sure: Marsiglio was born, and that historic event took place in Padua, but beyond that there is hardly a major point in his life upon which there is complete agreement among scholars who have done original work on this topic. This lack of agreement is caused by a lack of authoritative sources, and that lack is caused by a number of factors: the span of years which separates him from us; the incomplete records of the time and the loss of even some of those that were prepared; the variety of Marsiglio's occupations: doctor, lawyer, theologian, teacher, politician; his seeming inability to remain in one place for an extended period of time, resulting in wanderings throughout Italy, France, and Germany; and the vigorous condemnation by successive popes, which prevented chroniclers from going into detail about his life without falling into official disfavor.²⁵

Perhaps the widest variation of opinion is centered around the actual date of Marsiglio's birth. Until now, as far as I could discover, there has not appeared one single piece of positive evidence as to just when Marsiglio entered the chaotic Paduan scene from the sheltering womb of his mother, about whom silence has been kept both in Church and State. About his father, more later. (One can

²⁵C. K. Brampton, "Marsiglio of Padua, Life," English Historical Review, XXXVII (1922), 501.

cast a roving eye on the Italian matrons of today and speculate about his mother's appearance, for much wheat and less meat have always been the staples of the fertile plains of the North of Italy. Actually, however, we have no information at all about Marsiglio's mother. Women of the lower classes played as subordinate a role in the freedom-loving Italian cities as they did in less politically advanced areas, but their day was rapidly approaching. Considering how little we know about Marsiglio himself, it is small wonder that we know nothing about his mother, who did nothing to distinguish herself except perform her natural function of bearing children; it just so happens that she bore a genius. If she had borne a saint, we might know a little more about her.) Lacking any real evidence about the date of Marsiglio's birth, scholars have been thrown upon the resources of their imagination, which they can exercise upon the few scattered subsequent facts and fictions which are related to this problem.

The major source of information about the life of our subject is a semi-biographical poem by his distinguished friend, Mussato, a Paduan poet-statesman-historian who lived from 1262 to 1329.²⁶ This poem is at times very vague and at times humorous, so that its value as an historical

²⁶J. R. Tanner, Z. N. Brooke, and C. W. Previté-Orten, editors, The Cambridge Medieval History (New York: Macmillan Co., 1932), VII, 755.

document used for verifying facts and dates is somewhat questionable. Scholz describes it as follows: ". . . die halb scherzhafte, schwer verständliche und schlecht überlieferte poetische Epistel des Albertino Mussato."²⁷

However, one must make the best of what one has, and Haller for one bases almost his entire exposition of the life of Marsiglio on this poem, thoughtfully appending his edition of the original to the end of his article. It is most interesting to observe the use which the various scholars make of this poem. If it agrees with their theories, they quote it as if it were straight history. If it disagrees, they point out its ironic and humorous nature.

At the time when Mussato wrote his loving epistle to his friend, he ended his communication with the following: "Fertile tempus habes pulchra florente iuventa, quo te restituas, si te regat insita virtus."²⁸ Now, these lines present two problems in determining its relationship to the birth of Marsiglio. Just what does pulchra florente iuventa mean and when was this poem written? The former, as it is used, depends not only upon the meaning which its own age with its ideas of "youth" and youth's age limits but also upon the respective ages of addressor and addressee. Anyone

²⁷Marsiglio de Padua, Defensor Pacis, ed. by R. Scholz (Hanover: Hahnsche Buchhandlung, 1932), p. liv.

²⁸J. Haller, op. cit., p. 197, l. 99-100.

who has seen "Grandma" having a tea party with "the girls" or who has heard one's grandfather address one's father as "young man" will understand the latter point. (Even used objectively the term "young" or "youth" is rarely defined with any degree of accuracy.) What did Mussato's age consider young? Previte-Orton thinks that pulchra florente iuventa means under fifty.²⁹ No doubt he has some grounds for saying this, but it seems almost preposterous, since the average life expectancy of the time could not have exceeded that by much and may not have even attained that figure. Of course, many men lived many years past fifty, witness the venerable Pope John XXII, who was elected to that exalted office at the ripe old age of seventy.

However, he was certainly an exception. If we accept Previte-Orton's figure as the terminus ad quem, we can probably set the terminus a quo in general at about twenty and in particular, considering the content of the poem and everything that Marsiglio had done according to its author (including study at home, medical study abroad, army service, two years of study, and then a second departure from study), at between twenty-five and thirty, we have a range of from twenty to twenty-five years which the term

²⁹Marsiglio de Padua, Defensor Pacis, ed. by C. W. Previte-Orton (Cambridge: University Press, 1928), p. x.

pulchra florente iuventa could cover. That range of variation is precisely the range of variation in the estimates of the date of Marsiglio's birth. Also, because of that range, there can be no value in determining the effect of the relative ages of Marsiglio and Mussato on the meaning of the term.

Thus, we know that Marsiglio was born from twenty-five to fifty years before the poem was written. The next question one must answer is, "When was the poem written?" That may help us to narrow down the range of possible birth dates, and it will also be crucial for determining the subsequent chronology of Marsiglio's life. Here, too, there is considerable variety in the dates which are assigned to the writing of this poem. According to various estimates, Mussato wrote his metrical epistle some time between 1312 and 1326.³⁰ This whole question hinges around one statement in the poem: Paduae dum regna manerent,³¹ which was the time when Marsiglio left home apparently for the first time. That clause has been interpreted in two radically different ways. The majority of scholars interpret it as meaning "when Padua was politically free", referring to the time between 1256, when Ezzalino da Romano ruled them, and 1311, when Henry VII, King of the Romans, descended upon Lombardy

³⁰R. Scholz, editor, Defensor Pacis, p. liv.

³¹J. Haller, op. cit., p. 195, l. 19.

and received the iron crown at Milan on January 6. Padua also accepted an imperial vicar and paid tribute.³² This also is generally considered to refer to the time when Padua was ruling over Vicenza, when it had a regnum. Haller, on the other hand, translates the term "when the king ruled in Padua", "when the kingdom lingered in Padua", "when the king stopped off in Padua".³³ Since that never happened, he thinks it means "when in Padua a kingly rule obtained", just the opposite from the other scholars, in other words. This occurred when Bishop Aimo of Genf, a vicar of Henry VII, stayed there from June 20, 1311, until March 15, 1312, at which time the emperor's men were forcibly ejected.³⁴ Haller thinks it is much more reasonable that Mussato would refer to a limited period of nine months to recall something to Marsiglio's mind rather than to a period of fifty-five years, which the other interpretation would involve. On that we must agree. Now let us back track a little before we conclude this line of reasoning.

In his poem,³⁵ Mussato reminds Marsiglio that at an earlier time, Paduae dum regna manerent, he wavered between medicine and law. Mussato, knowing Marsiglio's character,

³²C. K. Brampton, op. cit., p. 502.

³³J. Haller, op. cit., p. 172.

³⁴Ibid.

³⁵Ibid., pp. 195-197.

advised him to study medicine, since he could attain fame and fortune more quickly in that field. His young friend took his advice and left home and family with his medical books in order to study medicine. After some time, he forsook his studies and entered the service of Cangrande della Scala and Matteo Visconti. Apparently not satisfied with that life, he studied with an "egregius doctor" for two years, and then went back into the affairs of the world, evidently in the service of the Germans. It was at that time that the letter was written, pleading with him to return to scholarship before it was too late. All the events that took place in the poem would involve a minimum of about five years and a probable maximum of fifteen.

Now if Paduae dum regna manerent refers to the time between 1256 and 1311, then the poem could have been written at any time between 1261 and 1326, which means that the term would have no value in dating the poem. However, if we translate it as Haller does, dating Marsiglio's departure from home in 1311-12, that narrows the possible time of the poem's actual composition to the period between 1317 and 1327. I must say that I am much more convinced by Haller's reasoning and the way in which he subsequently works out the chronology of Marsiglio's life than I am by the conclusions of Brampton and others; therefore, I shall follow his lead in this respect. The actual date which Haller assigns to the writing of the epistle is 1319, just before

Marsiglio's return to Paris.³⁶ Previte-Orton, believes that it was written after Marsiglio had fled to Germany in 1326.³⁷ He bases this on the following lines: "Iusta nec unius teneant nos vincula papae. Quid prohibet multos hoc nostro tempore papas Concessisse suis fundos et praedia posse?"³⁸ He believes these lines indicate that Marsiglio was known as an opponent of the pope. Haller discounts this on the basis of the fact that it would be improbable for Mussato to be urging Marsiglio to return to scholarship before it is too late if the latter had already written the Defensor Pacis and had become identified with Ludwig the Bavarian.³⁹ However, I think Previte-Orton's interpretation of the above-quoted lines to be a tenable one, if not exclusively so. The news of the Defensor Pacis reached Italy rather slowly, and exact details were especially late in arriving there. Marsiglio had left his studies before and had returned; perhaps he would do so again. Could not the germanus ensis⁴⁰ to which Mussato refers be that of Ludwig the Bavarian? After all, it seems that Marsiglio and Jean de Jandun were disguised as mercenaries for their flight. The evidence is not conclusive either way; the

³⁶Ibid., p. 181.

³⁷Marsiglio de Padua, op. cit., C. W. P.-O., ed., p. ix.

³⁸J. Haller, op. cit., p. 197, ll. 89-91.

³⁹Ibid., p. 170.

⁴⁰Ibid., p. 195, l. 9.

important thing Haller and Previté-Orton agree upon--the later date of Mussato's poem and the effect that has upon the chronology of Marsiglio's life, which I shall follow in this thesis.

What is the relationship of this conclusion to the birth of Marsiglio? Let us sum up the present situation. Mussato wrote his poem to Marsiglio between 1317 and 1327. The use of the term pulchra florente iuventa in the poem requires that Marsiglio be no younger than twenty-five and no older than fifty. We have now reached the limits of the possibilities which the poem presents as far as the birth of Marsiglio is concerned. Those limits are the years from 1267 to 1302. For reasons we shall soon give, the terminus ad quem is untenable; therefore, so far we have reached one conclusion about the life of Marsiglio: he was not born before 1267; that is, if you accept the authenticity of the poem and believe that Mussato was not joking when he used the term pulchra florente iuventa in connection with Marsiglio, the latter of which especially you would be completely justified in assuming. So far, everything has been guess-work; we shall now attempt to find the terminus ad quem, this time using more reliable and factual material.

The first fact which we can determine with complete certainty in the life of Marsiglio is that at the end of 1312 and the beginning of 1313 he served as the rector of

Paris University. There were certain requirements for those that filled this position, and, by determining these, we can discover at least the latest date possible for Marsiglio's birth. To do this, we shall have to jump ahead somewhat in our narrative. The only academic requirement for the rectorship was the degree, Magister artium. Since the middle of the Thirteenth Century, in order to obtain the master's degree, one had to have attained the age of twenty years and had to have studied from four to five years.⁴¹ It is not certain whether Marsiglio arrived in Paris with a degree from the University of Padua or whether he took his master's degree right there in Paris, but at or soon after his arrival in Paris at the end of 1311 he apparently had it,⁴² and it is certain that he had it a year later when he assumed his duties as the rector of the university. Haller points out that two regulations which are sometimes applied in this matter do not apply. The first had become obsolete; it was one of the Statutes of Roberts of Courcon, written in 1215, which required an age of twenty-one years and six years of study for the master's degree.⁴³ The other was not yet in force; this was a regulation first attested for the Fifteenth Century

⁴¹Ibid., p. 174.

⁴²Ibid.

⁴³Ibid., p. 174. C. K. Brampton calls this statute a bull of 1266.

in which the occupant of the rectorship must have taught six years before he became eligible.⁴⁴ Thus, we can set the years 1291-92 as the latest possible for the birth date of Marsiglio. If you think it rather unlikely that a twenty-one-year-old foreigner should be elected to the rectorship of the University of Paris, Haller very kindly will allow you to subtract one or two years for good measure, making him twenty-two or twenty-three at the time of his election.⁴⁵ At any rate, we have now determined as best we can the widest limits for the year of Marsiglio's birth, 1267 to 1292. How do the decisions of the various scholars fit into these limits? We have the satisfaction at least that no one exceeds these limits at either end. Riezler chooses the earliest date of all the scholars, 1270, which gives him a three-year margin.⁴⁶ Previte-Orton conjectures that he was born between 1275 and 1280,⁴⁷ to which Scholz adds his assent.⁴⁸ Brampton is substantially in agreement with these two scholars; only he is more definite and sets the date at 1278.⁴⁹ The nearer extreme is represented by Haller⁵⁰

⁴⁴Ibid., p. 174.

⁴⁵Ibid., p. 175.

⁴⁶C. K. Brampton, op. cit., p. 501.

⁴⁷Marsiglio de Padua, Defensor Pacis, ed. C. W. Previte-Orton, op. cit., p. ix.

⁴⁸Marsiglio de Padua, Defensor Pacis, ed. R. Scholz, op. cit., p. liv.

⁴⁹C. K. Brampton, op. cit., p. 501.

⁵⁰J. Haller, op. cit., p. 174.

and Hurant,⁵¹ who set 1291 and 1290 as the date, respectively, which gives them a one to two-year margin. Almost any of these views is justifiable, but I am inclined toward the later dating of Haller for reasons which I shall adduce in the succeeding chapters.

Marsiglio's Family

Although we know nothing of Marsiglio's mother, we have a few facts about his father. His name, as indicated by Mussato, was Bonus Matthæus,⁵² which is found in several variations, including Bonmatteo⁵³ and Bonmatheus.⁵⁴ A Paduan document of April, 1265, indicates that Bonmatheus, son of Johannes de Mainardinis, was acting as notary of the University of Padua.⁵⁵ This was a respectable occupation, but hardly one of special distinction. In fact, Marsiglio was born into a quite common family,⁵⁶ for he is considered a regular Paduan popolane⁵⁷ and is called civis Paduanus

⁵¹C. K. Brampton, op. cit., p. 501.

⁵²J. Haller, op. cit., p. 195, l. 2.

⁵³C. W. Previté-Orton, "Marsiglio of Padua, Doctrines", op. cit., p. 4.

⁵⁴C. K. Brampton, op. cit., p. 502. ⁵⁵Ibid., p. 501.

⁵⁶R. L. Poole, Illustrations of the History of Mediaeval Thought (London: Williams and Norgate, 1884), p. 264. He calls it a "plain burgher's family".

⁵⁷Marsiglio de Padua, op. cit., ed. C. W. Previté-Orton, p. ix.

plebeius by his friend Mussato.⁵⁸ There is some question about his family name, but it is quite certain that it is Mainardini,⁵⁹ which also is spelled in a variety of ways; such as, Maynardine, Mainardinis and Marquardino.⁶⁰ This name is the one most frequently used in the documents of the day. In a bull of John XXII a canonry is given to Marsiglio de Maynardino, author of the Defensor Pacis.⁶¹ The mix-up resulted because Riezler claimed that the family name was Raimondini.⁶² He based this upon the fact that Mussato calls him "Marsilius de Raymundinis". However, this is the only instance in which this family name is used,⁶³ and Riezler subsequently reversed himself in this matter.⁶⁴

Marsiglio's Youth

Now we enter into one of the many completely obscure portions of Marsiglio's life, his youth. This is the period which extends from his birth until 1312-13, when we know he was in Paris and became the rector of the University.

⁵⁸ Ibid., p. ix.

⁵⁹ C. W. Previt -Orton, op. cit., p. 4.

⁶⁰ J. Sullivan, "Marsiglio of Padua and William of Ockham," American Historical Review, II (1896-97), 410.

⁶¹ C. K. Brampton, op. cit., p. 502.

⁶² J. Sullivan, op. cit., p. 410.

⁶³ C. K. Brampton, op. cit., p. 502.

⁶⁴ J. Sullivan, op. cit., p. 410.

For some this is a longer period than for others, and all those that date Mussato's poem early would include all of the activities contained therein in this period.⁶⁵ However, I am following Haller's chronology, and I shall treat most of those matters, including his refutation of their chronology, in later chapters.

It seems fairly certain that Marsiglio began his education at his home-town university.⁶⁶ This would be only natural, especially since his father was employed by that institution. Most boys at that time began to study at the university when they were fourteen or fifteen years old, although Marsiglio may have begun one or two years later, which would make 1306-07 the latest time when he became a student.⁶⁷ (The course lasted five or six years, ending when the student was about twenty years old, which is the main reason I chose that figure as the earliest general time when one could use the term pulchra florente iuventa to describe some one. Then life truly began to bloom.) One of the subjects he studied was undoubtedly medicine, which he studied in the Averroistic medical school, for Mussato relates that when he left he took his medical

⁶⁵For example, Brampton, Riezler, and Valois.

⁶⁶Marsiglio de Padua, op. cit., ed. R. Scholz, p. liv.

⁶⁷J. Haller, op. cit., pp. 174-5.

books with him.⁶⁸ Previté-Orton believes that he had already qualified in medicine by 1311,⁶⁹ but he has no evidence to prove it except Mussato's letter, which is insufficient because of its uncertain dating. He probably also studied philosophy there, but one cannot tell whether he received a degree in that field.⁷⁰ It is also purely conjectural whether he came in contact with the renowned Paduan Averroist, Peter d'Abano, here or elsewhere.

One of the great questions of this period is whether or not Marsiglio studied law at Orleans. One reason this question is answered positively is to solve the legend that Marsiglio was a famous jurisconsult who had been sent by the University of Orleans along with the rest of its delegation to plead with the king for permission to enlarge the scope of its activities.⁷¹ This is based on a passage in the Defensor Pacis in which he states that he saw, heard, and experienced how the University of Orleans through envoys and letters attempted to share some of the

⁶⁸Ibid., p. 196, l. 43.

⁶⁹Marsiglio de Padua, op. cit., ed. C. W. Previté-Orton, p. ix. C. K. Brampton, op. cit., p. 503, agrees, basing his conclusion on the use of the term physicum in the title of the poem and considering 1312 as the date when the poem was written.

⁷⁰J. Haller, op. cit., p. 173.

⁷¹C. K. Brampton, op. cit., p. 504.

privileges of Paris University.⁷² These events took place at the end of 1312. Since 1306 Orleans had had a privileged university, but only for civil and canon law. It was first in 1312 that they made attempts to set up an arts faculty, but the king unequivocally forbade it on December 21, 1312.⁷³ This is the time when we are sure that Marsiglio had been elected as rector of the University of Paris. Thus, this not only does not prove that Marsiglio was a student at Orleans, but it also proves all the more conclusively that at the end of 1312 he was in Paris as a member of the teaching masters of the University, in a position of authority, and thus having an opportunity to see the goings-on. This is the position not only of Haller, but also of Riezler and Valois.⁷⁴ There are other reasons why scholars do not think he studied at Orleans. One is that Riezler could find no evidence of the fact in the annals of the University there. However, a complete rotulus was rare at any university,⁷⁵ and evidently his stay there could not have been too extensive in any case. A more valid argument against his studying at Orleans is

⁷²J. Haller, *op. cit.*, pp. 175 f.

⁷³Ibid., p. 176.

⁷⁴C. K. Brampton, *op. cit.*, p. 505.

⁷⁵Ibid.

the claim that he displayed a complete lack of knowledge of law.⁷⁶ Previté-Orton gives him credit for knowing a little about canon law, but that is about as far as he will go.⁷⁷ Riezler and Valois testify also to his ignorance of civil law. Any knowledge of civil law displayed in the Defensor Pacis they credit to Jean de Jandun. "However," queries Brampton, "what about the Defensor Minor, in which Jean had no hand at all?"⁷⁸ Scholz, on the other hand, substantiates the claim of those that say that Marsiglio was no learned jurist by pointing out the limited use of juristic sources in the Defensor Pacis.⁷⁹ There is some positive evidence about the fact that Marsiglio may have studied law, even though he perhaps did not know very much about it. The main piece is the statement of Ludwig the Bavarian in which he told Benedict XII that the reason he retained Marsiglio and Jean in his service despite the fact that they had been excommunicated was that they were of value to him as lawyers.⁸⁰ Knowing Ludwig's great capacity for hedging and circumventing the truth for his own purposes, this statement has little value. Brampton conjectures that Marsiglio did study at Orleans, and thus became better

⁷⁶J. Haller, op. cit., p. 175.

⁷⁷Marsiglio de Padua, op. cit., ed. C. W. Previté-Orton, p. x.

⁷⁸C. K. Brampton, op. cit., p. 505.

⁷⁹Marsiglio de Padua, op. cit., ed. R. Scholz, p. lxiv.

⁸⁰C. K. Brampton, op. cit., p. 505.

suited by age and experience for the rectorship at Paris.⁸¹ Haller rather conclusively squelches that, however, when he points out that Paris saw in Orleans a very unwelcome rival at that time, and anyone coming from there was not at all especially welcome.⁸² Brampton has a telling point, however, when he comments that Marsiglio's wavering between medicine and law, which Mussato indicates in his poem, would hardly be plausible if he had not devoted some time to the study of it as well as of medicine.⁸³ Haller again counters by wondering why, if he had studied law, which was possible, he did not do that at home.⁸⁴ After all, Padua was a migrant from the great "Mother of Laws", Bologna University. This is probably especially the case, because Mussato, speaking of the time when Marsiglio, taking his advice to stop wavering between law and medicine and choose medicine with its emoluments in preference to the long waiting and disappointing uncertainty of the bar,⁸⁵ left home to study medicine, undoubtedly at Paris, describes his departure in a way which seems to indicate that before then he had stuck pretty close to home. This would

⁸¹Ibid.

⁸²J. Haller, op. cit., p. 176.

⁸³C. K. Brampton, op. cit., p. 505.

⁸⁴J. Haller, op. cit., p. 176.

⁸⁵C. K. Brampton, op. cit., p. 503.

eliminate the possibility of a period of study at Orleans, since no one can fit it in after his Parisian period.⁸⁶

Where do we stand now? So far we have determined that Marsiglio was born in Padua of relatively humble parentage around 1290. After a period of study at the local university, including probably medicine, philosophy, and perhaps law, he sought the advice of his older friend, Mussato, who advised him to take up the study of medicine. To do this, he left his family and homeland behind him around 1311-12, Paduae dum regna manerent, and we next find him in Paris. That takes us to the next chapter.

⁸⁶J. Haller, op. cit., p. 173.

CHAPTER III

THE YEARS OF WANDERING

Paris

And so Marsiglio went to Paris, and here we must pause for a moment, for one cannot pass by a beautiful lady without at least a passing glance. We today would perhaps stand aghast at the sights, sounds, and smells of Paris at that time, but among western European cities of the age she was quite a jewel. Her great cathedral had been completed almost a century before, and her unique location contributed much to her beauty. She had lately been the scene for the somewhat less than beautiful turmoil between the Papacy and the king of France, in which the latter, Philip the Fair, dealt some of the most telling death blows to the medieval papacy. In the background of this struggle of State versus Church was the popular opposition to absolutism of any kind, either governmental or ecclesiastical.¹ The University of Paris sided with the king in his attitude toward the papacy and in his appeal from the pope to a general council.² The end result of the conflict was that the king secured the election of a French pope

¹R. Scholz, "Marsilius von Padua und die Idee der Demokratie," Zeitschrift für Politik, I (1907), 69.

²J. W. Allen, "Marsilio of Padua and Mediaeval Secularism," The Social and Political Ideas of Some Great Mediaeval Thinkers, ed. F. J. Hearnshaw (London: G. G. Harrap & Co., Ltd., 1923), p. 167.

and a majority of French cardinals, with the subsequent removal of the papal court to Avignon.³ The university was one of the most venerable and influential institutions of its kind, and it became the mother and grandmother of other universities. In theology it held first place among all medieval universities.⁴ Her medical school ranked with those of the Universities of Bologna, Salerno, and Montpellier in its excellence.⁵ Lanfranc had taught there in this department at the end of the Thirteenth Century, and his fame and tradition still lived on there.⁶ The University itself had developed from the cathedral schools of Notre Dame, St. Genevieve, and St. Victor, with Notre Dame retaining the most influential position.⁷ By the beginning of the Fourteenth Century, the university was becoming more and more independent of the schools from which it originated, and it had few rivals in Europe as a center of thought and education. Paris was one of the most likely places a young man anxious to obtain fame, fortune, and an education would go. So Marsiglio, desirous

³Ibid., pp. 167 f.

⁴O. J. Thatcher and F. Schwill, Europe in the Middle Age (New York: Charles Scribner's Sons, 1896), p. 600.

⁵J. O'Sullivan and J. F. Burns, Medieval Europe (New York: F. S. Crofts, 1943), p. 328.

⁶J. J. Walsh, The Thirteenth, Greatest of Centuries (12th edition; New York: Fordham University Press, 1952), p. 87.

⁷J. O'Sullivan and J. F. Burns, op. cit., p. 320.

of obtaining all three, appeared in Paris shortly before 1312.

University Rectorship

It has always been something of a problem that the first positive evidence that we have about Marsiglio's presence in Paris involves his election to the rectorship of the university. It seems rather strange that an apparently young man with little reputation and as little wealth, a foreigner of humble origin, should be chosen to this post. Valois has him coming to Paris as a "celebrite naissante", but he has no evidence to uphold this statement, even though the folks at home apparently had great hopes for him.⁸ More likely is the supposition that he had been in Paris for some time before his election and had built up a reputation for himself. There is no substantial evidence to support that statement either.⁹ Most scholars feel that some explanation for his election must be advanced because of the importance of the office. Brampton calls it the highest university magistrature of the time;¹⁰ Sullivan also talks about its importance,¹¹ but Haller seems

⁸J. Haller, "Zur Lebensgeschichte des Marsilius von Padua," Zeitschrift für Kirchengeschichte, XLVIII (1929), 174.

⁹Ibid., p. 173.

¹⁰C. K. Brampton, "Marsiglio of Padua, Life," English Historical Review, XXXVII (1922), p. 505.

¹¹J. Sullivan, "Marsiglio of Padua and William of Ockham,"

slightly skeptical about that fact,¹² since there is no positive evidence adduced to prove his opinion. The standing of the recotrship was not established until the middle of the Fourteenth Century,¹³ so that at Marsiglio's time it might not have had the prestige it later attained. Originally, it apparently was a rather subordinate office. It was the duty of the chancellor of the cathedral to license competent masters to open schools near the cathedral.¹⁴ He retained this power even after the university developed, for the Cathedral School of Notre Dame was the most influential of the three that made up the university. The licensed masters in time formed an association. This Society became a corporate body, more or less a guild, not later than 1175, which marks the beginning of Paris University. In 1210 Innocent III recognized this Society as a corporation. Then began a struggle between the masters and the chancellor of Notre Dame to achieve domination. The chancellor was authorized to license masters; the Society admitted the licentiate to its membership. Both were required in order to teach at the University. Eventually, the rector, the

American Historical Review, II (1896-97), 410.

¹²J. Haller, op. cit., p. 175.

¹³J. Sullivan, op. cit., p. 410.

¹⁴H. O. Taylor, The Medieval Mind (4th edition; Cambridge, Mass.: Harvard University Press, 1941), II, 413-15. I have excerpted the following information about Paris University from these pages.

elected head of the masters, displaced the chancellor as the real head of the university. It is rather difficult to determine at just what stage of development the controversy had reached by Marsiglio's time.

The rector was elected quarterly and for one term. Marsiglio's term of rectorship could not have begun before September 14, 1312, nor could it have extended past May 5, 1313,¹⁵ since others were incumbent before and after those dates. The elections that year took place on October 10 and December 16, 1312, and on March 19 and June 22, 1313.¹⁶ It is most probable that his term began on December 16, 1312, and extended until March 19, 1313, since it is on record that he signed two statutes before the duly-congregated masters of the four faculties on the Feast of the Blessed Gregory, March 12, 1313.¹⁷ That appears to be his only official act that was preserved for posterity; it was one of his duties to assemble the faculties and propound new statutes, since the old ones were apparently not always strictly adhered to.¹⁸ About his other duties we know little, but Haller thinks that the position was closer to the contemporary chairman of the general student

¹⁵J. Sullivan, op. cit., p. 410.

¹⁶Ibid.

¹⁷C. K. Brampton, op. cit., p. 504.

¹⁸J. Sullivan, op. cit., p. 410.

committees (Allgemeine Studenten-Ausschüsse).¹⁹ The university was organized into four faculties: arts, law, theology, and medicine, each of which had a dean. The students were organized by nations, usually representing the territorial sections of Europe rather than individual countries, and each of these had a proctor. All of these were under the supervision of the rector, who was also the dean of the arts faculty. Thus, to be chosen rector, one had to be a member of the faculty of arts, engaged in teaching. The recipient had to swear that he was graduated from a university having at least twelve teachers and that he had studied arts during six years.²⁰ Apparently Marsiglio had fulfilled those requirements. Since he had probably been in Paris not more than one year previous to his election, Haller thinks that he must have done pretty well in that year, soon revealing his individuality and ability, so that he was elected to the rectorship.²¹ It is not at all unusual that a foreigner should be elected to that position, for his predecessor was Emeric of Denmark and his successor was Nicholas of Vienna.²² That fact resolves one of the difficulties concerning his election.

¹⁹J. Haller, op. cit., p. 175.

²⁰J. O'Sullivan and J. F. Burns, op. cit., pp. 321 f.

²¹J. Haller, op. cit., p. 173.

²²C. K. Brampton, op. cit., p. 504.

There is another factor that sheds a little light on the election of such a young man to the office of rector. During the previous century interest in the arts waned, and metaphysical philosophy came to the fore. Study in the arts came to be looked upon more and more as a preparation for advanced work in the other fields of learning, especially theology. One would obtain his master's degree in arts and then study for a medical or theological degree. A result of this trend was that the arts course was shortened and the number of Magistri artium increased. These masters far exceeded in numbers those of the upper faculties of law, theology, and medicine; and they were also considerably younger. Because of their numerical superiority, the members of arts faculty were dominant, and the other faculties acquiesced to their decisions.²³ Accordingly, it is not difficult to conjecture that the fiery Italian captured the hearts and the imaginations of his youthful colleagues in short order, and they subsequently elected him to the highest office which they could bestow, the other faculties agreeing, perhaps with reluctance. It was also the rule that most of the arts masters were actually students in the higher faculties at the same time.²⁴ Therefore, Marsiglio might well have been studying medicine

²³H. O. Taylor, op. cit., p. 414.

²⁴Ibid., p. 415.

while he was teaching at Paris. (At that time Paris had a separate medical faculty; that was not the case at all universities, for some taught it under the arts faculty as a branch of philosophy, calling it physics.)²⁵ Thus, in the title of his poem, Mussato calls Marsiglio a physicus, physician.²⁶ (He mentions nothing about Marsiglio's being a lawyer.) The textbooks included just about all of the great treatises from classical times on. The work of the French and German medical historians has revealed that the course of studies was not so theoretical and limited to the ancient authorities as was once believed.²⁷ It was often very practical, but in some places surgery was frowned upon, especially by the Church. In fact, soon after 1300 the medical faculty of the University of Paris declared itself opposed to surgery, but the apparently more enlightened University of Bologna at about the same time began regular dissection, an absolute prerequisite for successful surgical practice. Although the barbers often took care of the surgery, there was not at that time in most places the present-day distinction between medicine and surgery.²⁸

²⁵J. O'Sullivan and J. F. Burns, op. cit., p. 328.

²⁶J. Haller, op. cit., p. 195.

²⁷J. J. Walsh, op. cit., p. 90.

²⁸G. G. Coulton, Medieval Panorama (Cambridge: The Macmillan Company, 1939), pp. 446-8.

It is interesting to observe the attitude of the Church towards surgery. In twelfth and thirteenth-century conciliar decrees, the regular clergy were forbidden to study or practice medicine. The following reasons were given:

. . . abandonment or neglect of monastic life by many clerical doctors; neglect of the care of souls or their own spiritual welfare; avarice, pursuit of medical practice for purely temporal advantages; indecoriousness, for clergymen, of some medical work, and danger to modesty.²⁹

In 1215 the Fourth Lateran Council forbade all grades of regular and secular clergy to perform surgery involving cautery and incision.³⁰ These decrees apparently would seem to negate the possibility that Marsiglio was a Franciscan completely and call into question the supposition that he was a secular priest, although there is no record that he performed any surgery, and other priests studied and even taught medicine (William of Brescia, for instance, who was perhaps Marsiglio's teacher).

One of the constantly reoccurring questions among scholars who study this era is the relationship between Marsiglio and William of Ockham. There is a rather wide variation of opinion concerning that problem, and their proximity in time, place, and ideas has not measurably eased the problem. Some feel that Ockham influenced

²⁹J. O'Sullivan and J. F. Burns, *op. cit.*, p. 330.

³⁰Ibid.

Marsiglio; in fact, that is the generally-held opinion. A smaller number feel the opposite is the case. Some feel there was no interaction between the two, and others feel that they influenced each other. James Sullivan has surveyed this field admirably,³¹ and I owe most of my material to that source.

William of Ockham

It was for many years an accepted fact that Ockham taught at the University of Paris, the mother of his own home university, Oxford. It was there in Paris that he was supposed to have come in contact with Marsiglio, whom he infected with his heretical doctrines concerning the poverty of Christ and opposed to the papacy. Riezler says: "It was Ockham, who was yet teaching at Paris, who exercised such a deep influence on the mind of his Italian colleague."³² Poole also affirms: "At that time, the Invincible Doctor, William of Ockham, held undisputed supremacy over the minds of the Parisian scholars."³³ Poole continues: ". . . there can be little doubt that Marsiglio learned very much from him in the years they were together in Paris."³⁴ Yet Sullivan maintains that

³¹J. Sullivan, *op. cit.*, pp. 409-426, 593-610. Most of the material for this section is drawn from this source.

³²*Ibid.*, p. 414.

³³R. L. Poole, *Illustrations of the History of Mediaeval Thought* (London: Williams and Norgate, 1884), p. 264.

³⁴*Ibid.*, p. 276.

there is no evidence at all that Ockham ever taught in Paris, and that, if he did, it coincided with one of Marsiglio's stays in that city. He also questions whether Ockham were older than Marsiglio.³⁵ (Indeed, Ockham's life is about as poorly documented as Marsiglio's.) Haller sides with Sullivan in this case, for he contradicts Scholz, who says that Marsiglio based much of his thinking on the theology and nominalistic philosophy of the Parisian scholars.³⁶ He contends that the nominalism of the later Middle Ages, which would have been brought there by Ockham, were not known in Paris while Marsiglio was there.³⁷ However, Taylor stoutly maintains that Ockham was lecturing with distinction in Paris in 1320,³⁸ which is very close to the time that Haller assigns to the beginning of Marsiglio's most extended period of residence in Paris.

Sullivan sums up William's life as follows.³⁹ The first certain date concerning Ockham is a bull of John XXII directed to the Bishop of Ferrara and Bologna, dated December 1, 1323, in which he refers to a certain sermon which Ockham was supposed to have preached in Bologna, opposing the pope's conception of apostolic poverty. Shortly

³⁵J. Sullivan, op. cit., p. 416.

³⁶J. Haller, op. cit., p. 191.

³⁷Ibid.

³⁸H. O. Taylor, op. cit., p. 548.

³⁹J. Sullivan, op. cit., p. 416.

afterward, he was arrested and taken to Avignon to be tried. He was there for almost four years. On May 25, 1328, he escaped and fled to Pisa in the company of Michael Cesena and several others. Pisa was at that time under the control of Ludwig, who was in Rome. Meanwhile John and the orthodox officials of his order were sending out bulls commanding that he be seized and forbidding anyone to assist him. June 6, 1328, was the date of his excommunication. Most of the rest of his life was spent in the service of Ludwig in Germany, where he undoubtedly came into contact with Marsiglio. He died in 1349, but not before he had taken steps to be reconciled with Clement VI. Apparently, a satisfactory arrangement was never reached, and he died outside the favor of the Church. For his wavering, he earned the utmost scorn from Thomasius, who, in his Historia Contentionis Inter Imperium et Sacerdotium of 1722, has this to say of Ockham: "adulator, homo ambidexter, neutralista, timidus, . . . pessimum genus hominum ad maximas turbas in Republica excitandas."⁴⁰

The external proof about the relationship between him and Marsiglio is inconclusive. There is no record of their having met before the publication of the Defensor Pacis. Clement VI, in a speech of July 11, 1343, which was directed primarily against Ludwig and Ockham, had

⁴⁰Ibid., p. 606.

this to say:

Hoc dicimus propter illum Wilhelmum Occam qui
diversos errores contra potestatem et auctoritatem
sancte sedis docuit et docet, et ab illo Guillelmo
didecit et recepit errores ille Marsilius et multi
alii.⁴¹

This seems to indicate a reciprocal influence between the two, and Poole, whom we quoted before in connection with the influence of Ockham on Marsiglio, says also the following: "Nor on the other hand can it be questioned that Ockham in his turn fell strongly under the influence of the Italian speculator." However, an earlier communication from the pope, this time John XXII on January 21, 1331, accused the Minorites, among whom Ockham is included, of borrowing the heresy of Marsiglio.⁴² It is true that as early as 1314 certain nominalistic doctrines were condemned at Oxford, but it was not until 1339 and 1340 that the University of Paris prohibited the teaching of Ockham's philosophical doctrines.⁴³ Since Ockham had been excommunicated over ten years before, and even the correct teachings of a heretic were viewed with suspicion, it is possible that his philosophical teachings reached Paris only very slowly. At any rate, his first anti-papal writings appeared perhaps in 1330, at the latest 1332,⁴⁴ well after the completion of the Defensor Pacis. Indeed

⁴¹Ibid., p. 416.

⁴³Ibid., p. 606.

⁴²Ibid., p. 426.

⁴⁴Ibid., p. 413.

Ockham clearly implies in his letter Ad Fratres Minores that he had not even opposed the pope until 1328 and then only on theological and not political grounds.⁴⁵ This was also after the appearance of the Defensor Pacis, so on this one point Ockham definitely did not influence Marsiglio, and the shoe might well have been on the other foot. Thus, the external evidence indicates that Ockham and Marsiglio did not even meet until after the publication of the Defensor Pacis, that no anti-papal writings of Ockham had appeared before that time, that nominalistic philosophy cannot be proved to have held sway in Paris at that time, and that each was accused of influencing the other. That means that, unless that was done mediately, Ockham very likely did not influence Marsiglio before the writing of the latter's greatest work and that the reverse might well have been possible.

The internal evidence is a little more conclusive, but in a negative way. After diligently comparing the works of the two Fourteenth Century thinkers, Sullivan concludes that although they are in agreement in many minor points, in the essentials, in the foundations of their theories, they not only do not agree, but they are opposed to each other.⁴⁶ In their teachings about the state they

⁴⁵Ibid., p. 416.

⁴⁶Ibid., p. 425.

have almost nothing in common. In their doctrines about the Church they have very little in common. The same may be said about their views concerning the relationship between the two. Ockham's primary interest and influence were theological; Marsiglio's were political.⁴⁷ Thus, both externally and internally it is impossible to show a close connection between the two. This is somewhat disappointing, for Ockham influenced Luther and Biel, who also influenced Luther, and we had hoped to be able to trace a more direct line from Marsiglio to Luther than is otherwise possible. The reason the names of the two are often connected is that the minor points on which they were agreed were unique for their time; that accentuated and exaggerated the relationship between them.

State, Church, and School

The usual amount of conjecture has been expended about the years between the end of Marsiglio's term as rector of the University of Paris in 1313 and the next certain date we have concerning an actual activity of his life, which does not come until 1319. It does not help that the series of events which is attributed by some to this period is placed in its entirety before 1313 by others.⁴⁸

⁴⁷Ibid., p. 607.

⁴⁸J. Haller, op. cit., p. 167.

That is determined by the dating of Mussato's poem, which we are setting late, so that we agree with the first of the two groups mentioned in the preceding sentence. We shall see that Marsiglio's life falls very nicely into this pattern, while those that date the poem early have six years of complete silence during one of the most crucial periods of his life, the period after he had achieved a certain degree of prominence as the rector of a great and famous university and before he wrote the work which would preserve his name and fame for centuries.

After Marsiglio completed his term of office, he undoubtedly continued as one of the teaching masters in the faculty of arts. He probably also continued his medical studies. How long he remained in Paris at this time is uncertain, but it probably was not longer than two years. Mussato does not even mention this period, because, Haller believes, he no doubt considered it too short and unimportant.⁴⁹ (That is probably also the reason Haller minimizes the importance of the rectoral office. All in all, that is probably the weakest point in Haller's argument for dating the poetic epistle late.) Two years of teaching were required before one could take the oath and be finally admitted as a master.⁵⁰ Since

⁴⁹ Ibid., p. 177.

⁵⁰ J. O'Sullivan and J. F. Burns, op. cit., p. 323.

Marsiglio later returned and taught at the university, he apparently fulfilled that requirement, so that he must have remained in Paris until the fall of 1313 at the earliest.⁵¹ Brampton believes he stayed in Paris three years after the end of his rectorship, studying and practicing medicine. Then also he supposedly met Jean de Jandun, Albertino of Casale, Michael of Cesena, and William of Ockham.⁵² After this period, Marsiglio supposedly became canon of the cathedral in Padua. This happened after he had been in the service of the enemies of the pope, Cangrande della Scala and Matteo Visconti, which is slightly improbable.

Haller's account differs considerably in its chronology. According to Mussato's poem, Marsiglio forsook his studies first to serve Cangrande della Scala⁵³ and then Matteo Visconti, who is alluded to by the use of the word Vipera, since the viper was the animal represented on Matteo's shield.⁵⁴ Just when did this take place? Haller places it in the period between 1314 and 1316,⁵⁵ to which Scholz assents.⁵⁶ It was during this period, after the death of

⁵¹J. Haller, op. cit., p. 176.

⁵²C. K. Brampton, op. cit., p. 505.

⁵³J. Haller, op. cit., p. 196, l. 51.

⁵⁴Ibid., l. 55.

⁵⁵Ibid., p. 177.

⁵⁶Marsiglio de Padua, Defensor Pacis, ed. R. Scholz (Hanover: Hansche Buchhandlung, 1932), p. lv.

Emperor Henry VII, in the fall of 1313, that the hostilities in northern Italy flared up again, and the parties reorganized themselves, with the Ghibellines forming under the leadership of Verona and Mailand and their leaders, Cangrande and Matteo. It is difficult to surmise how an ardent patriot from one of the principal Guelph cities of Italy should suddenly be discovered in the camp of the Ghibellines. It is obvious that Mussato disapproved of this action, and it probably took some persuading to get Marsiglio to join them. Because of that, Haller guesses that perhaps Marsiglio was already someone who was worthwhile winning over.⁵⁷ He bases his disagreement with those that place Marsiglio's period of service in northern Italy before the rectorship in Paris on the following grounds. Cangrande was born in 1291, and he began to play an important role only after the appearance of Henry VII in Italy. In December, 1311, he became Alleinherrscher of Verona, and first achieved real prominence in the wars against Padua (!) in 1312-14. Matteo was a fugitive from Mailand until Henry VII gave him an opportunity to return at the end of November, 1311. Thus it was not until the time that we know Marsiglio was in Paris that he would have been able to serve those two.⁵⁸ Verona,

⁵⁷J. Haller, op. cit., p. 176.

⁵⁸Ibid., p. 171.

Cangrande's city, at that time was the home of the banished intellectuals of Italy, and it is possible that Marsiglio met Dante then.⁵⁹

Marsiglio's first venture into politics seemingly did not bring the desired results to him, and he began to seek some other way to achieve his ambition, an assured, respected, influential station in life.⁶⁰ Once more he returned to his studies and perhaps at the same time turned to the Church. How he could have been acceptable to the latter after his service with the anti-papal Ghibellines is a mystery to me, unless one remembers that it was not until later that both Matteo and Cangrande were excommunicated, which occurred for Matteo in 1317-18 and for Cangrande on April 6, 1318.⁶¹ At any rate, on October 14, 1316, the new pope, John XXII, awarded Marsiglio with a canonry in the cathedral of Padua.⁶² This did not necessarily indicate that the new pope and Marsiglio were especially friendly to each other. A new pope always handed out these posts without knowing most of the recipients. Thirty-five others received appointments on the same day as Marsiglio, and so it went on for weeks.

⁵⁹C. K. Brampton, op. cit., p. 504. His references, however, is to a later time.

⁶⁰Ibid., p. 177.

⁶¹Ibid., p. 181.

⁶²C. K. Brampton, op. cit., p. 506.

This was the usual way in which especially scholars succeeded to office.⁶³ Haller thinks that Marsiglio might have been sent to Avignon as a representative of the upper-Italian Ghibellines to the new pope,⁶⁴ and it is not impossible to imagine that the pope, learning of Marsiglio's inconstant spirit, may have awarded him the canonry in the hope of winning him back to the Church, since by that time Marsiglio was perhaps a person of some importance. We know that this appointment was requested by Cardinals Francesco Caetani and Jacopo Stefaneschi, both Romans and relatives of Boniface VIII.⁶⁵ Whether they made their request as representatives of the Guelph faction in Rome or as friends of Marsiglio by virtue of relationship or bribe is uncertain. Some think that Marsiglio must have been in Padua to receive this appointment, but that was hardly necessary. Haller contends that he probably obtained at least this first appointment in person, for he obtained it from the pope by the insistent urgings of two Romans, whom the Paduan could hardly have approached in this respect except at the papal court in Avignon.⁶⁶ Thus Haller would have Marsiglio, who perhaps first went to Avignon as a representative of the anti-papal Ghibellines, end up by

⁶³ J. Haller, op. cit., p. 178.

⁶⁴ Ibid., p. 180.

⁶⁵ Marsiglio de Pauda, Defensor Pacis, ed. C. W. Previté-Orton (Cambridge: University Press, 1928), p. x.

⁶⁶ J. Haller, op. cit., p. 179.

obtaining for himself a position under the pope, which seems rather contradictory but which would be right in character with an opportunist like Marsiglio. Two years later, April 5, 1318, John calls him his dear son and canon of Padua and says that he is entitled to the first benefice that fell vacant within the bishopric of Padua.⁶⁷ It is logical to assume that he spent the intervening time in the canonry of the Paduan Cathedral.⁶⁸ However, it is impossible to prove that he ever assumed that office,⁶⁹ although his friend of now or later, Jean, who received a canonry in the chapter of Senlis on November 13, 1316,⁷⁰ did assume his office. Indeed, it is conjectural whether or not he was ever a cleric. Sullivan states that the grants of the pope of 1316 and 1318 prove conclusively that Marsiglio was a member of the secular clergy, although he admits that the evidence about his being a regular clergyman is uncertain.⁷¹ However, one did not have to take Holy Orders to receive an expectancy,⁷² although it was expected that he would do so before he could take advantage of his appointment. Nor is the argument valid

⁶⁷C. K. Brampton, op. cit., p. 506.

⁶⁸Ibid., p. 505.

⁶⁹Marsiglio de Padua, op. cit., ed. R. Scholz, p. lvi.

⁷⁰C. K. Brampton, op. cit., p. 506.

⁷¹J. Sullivan, op. cit., p. 411.

⁷²J. Haller, op. cit., p. 179.

which says that he must have been a priest to receive the appointment as vicarius in spiritualibus of Rome, with which Ludwig rewarded him in 1328, for, according to the usage of the later Middle Ages, that office could be held by a layman;⁷³ besides, that happened considerably later. However, in a bull of April 9, 1327, after the flight of Marsiglio and Jean to Germany, John XXII says:

Marsiglio and Jean, unmindful of and ungrateful for the benefices they received, have adhered to Louis of Bavaria; therefore, I deprive them⁷⁴ of their ecclesiastical benefices and dignities.

Here he speaks of the two in the same terms, and we know that Jean did serve as canon in Senlis. Also, one could hardly be deprived of something which had only be promised to him. Thus, I think it is possible to assume that Marsiglio actually did hold the office of canon in Padua. Haller, who points out that a mere appointment to some ecclesiastical office at that time still left its actual occupancy in a somewhat problematical state, feels that both appointments which Marsiglio received never came to actual fulfillment;⁷⁵ they were merely promises. Previt -Orton thinks that Marsiglio was back in Padua after 1316, having stopped off at Avignon en route from Paris, and that he was practicing medicine there.⁷⁶ Haller has a

⁷³Ibid.

⁷⁴J. Sullivan, op. cit., p. 411.

⁷⁵J. Haller, op. cit., p. 178.

⁷⁶Marsiglio de Padua, op. cit., ed. C. W. Previt -Orton, p. x.

different explanation to offer concerning Marsiglio's activities during this period, one which is unique and brilliantly conjectured. Mussato, in his poem, mentions that Marsiglio, disillusioned at the lack of success of his first excursion into power politics, studied for two years under an "egregius Doctor".⁷⁷ Scholz suggests that this might have been Jean de Jandun.⁷⁸ Haller thinks that it might have been the famous doctor, William of Brescia, who served Pope Boniface VIII and the "ewig kranke" Clement V, who rewarded him for his services by making him the archdeacon of Bologna in 1313. William died in 1326, and he was in Avignon at this time. That in itself is not very significant, but Haller's case goes farther. The documents from the pope conveying an office never stood alone. With each belonged a corresponding commission to three men, called executors, who together or singly were to see to it that the favored one came into the use of the favor he had received. Among those three, one was relied upon especially to carry out their duties. In both cases of the awards to Marsiglio, that man was William of Brescia, while the other names change. Haller therefore concludes that William was the egregius doctor with whom Marsiglio studied, and that the period between the two bulls, 1316 to 1318, was the two-year period during which he did that,

⁷⁷J. Haller, op. cit., p. 197, ll. 71-75.

⁷⁸Marsiglio de Padua, op. cit., ed. R. Scholz, p. lvi.

during which time he was often if not always in Avignon.⁷⁹ (Although, as Scholz points out,⁸⁰ this is completely hypothetical, yet is a very reasonable and convincing hypothesis.) It was during this period that Marsiglio had an opportunity to see at first hand the corruption of the papal curia. His acquaintance with the conditions there as revealed in the Defensor Pacis indicate more than just a fleeting impression received on a short visit.⁸¹ Brampton thinks that he might have gained an acquaintance with the inner workings of the Church through his experience as a parish priest in Padua, or he might have visited Avignon around 1318, and that would explain the Luther-like language he uses when describing the papacy.⁸²

Whatever Marsiglio may have been doing before 1319, at that time he was once more (or, according to Previtè-Orton, for the first time⁸³) in the service of the upper-Italian Ghibellines. This is the second abandonment of scholarship for politics which Mussato mentions in his metrical epistle. Pope John XXII, in a letter of April 22,

⁷⁹J. Haller, op. cit., pp. 179-80.

⁸⁰Marsiglio de Padua, op. cit., ed. R. Scholz, p. lvi.

⁸¹J. Haller, op. cit., p. 179.

⁸²C. K. Brampton, op. cit., p. 507.

⁸³Marsiglio de Padua, op. cit., ed. C. W. Previtè-Orton, p. x.

1319, to Bernhard Jourdain de l'Isle, who held an influential place at the French court both as a politician and as a soldier, expresses his indignation because the latter had introduced "the vile man, the prior of Montfaucon, and this Italian, who is named Marsiglius" to Count Charles de La Marche, the brother of the French king, who later became Charles IV, with whom they dealt in the name of the Italian Ghibellines concerning the leadership of their party. In that letter the pope speaks in a rather friendly way about Marsiglio, and it appears that he was known in Avignon, perhaps from his possible years of study there.⁸⁴ The move was opposed by both the papal curia and the French court, so it came to nothing.⁸⁵ The rather strange offer to Charles was the result of a congress of the Ghibellines which met in December, 1318, in Soncino near Cremona, at which they elected Cangrande della Scala as the head of the party. There they also decided to approach Charles, and Marsiglio was one of those who were entrusted with this delicate mission, perhaps because of some connection with the French court which he had made earlier, either at Avignon or at Paris.⁸⁶ It is possible that at this time he also became a soldier; for Mussato puts language into his mouth which only an "unbridled" (zügellose) soldier

⁸⁴J. Haller, op. cit., p. 180.

⁸⁵Marsiglio de Padua, op. cit., ed. R. Scholz, p. lvi.

⁸⁶J. Haller, op. cit., p. 181.

would speak.⁸⁷ The fact that Marsiglio was part of this mission is significant in at least two ways. It indicates that Marsiglio's abilities were known and that the leaders of the Ghibellines had perhaps known him for some time, substantiating an earlier period of service with them. It is also significant that Marsiglio, perhaps just recently a churchman, was working with and for two men who had been excommunicated for over a year and were officially on the outs with the Church. He was thereby declaring himself free from the Church, which is the way Haller interprets the rather harsh words about the pope which Mussato places in his mouth in lines eighty-nine to ninety-one of his letter.⁸⁸ It is during this period that Previté-Orton dates the conception of the *Defensor Pacis*, for an anti-clerical ideal of a republic was native then only to north Italy.⁸⁹ He had an opportunity much earlier, in his native city, to view such an ideal, however, although he was hardly in a position to exercise mature judgment concerning its value at that time. As Gewirth points out, however, there were important discrepancies as well as great similarities between the theory expressed in the *Defensor Pacis* and the actual practice in Padua.⁹⁰ Perhaps this is also the

⁸⁷Ibid.

⁸⁸Ibid., pp. 169 f.

⁸⁹Marsiglio de Padua, op. cit., ed. G. W. Previté-Orton, p. x.

⁹⁰A. Gewirth, Marsilius of Padua, The Defender of the Peace (New York: Columbia University Press, 1951, I, 23-31.

period during which Marsiglio served with a "German sword", either voluntarily or through force, about which Mussato writes.⁹¹ The army of Henry VII is usually connected with that phrase.⁹² Henry was on Italian ground since the end of October, 1310, which is rather early, especially for Haller's chronology. He protests that there is no ground for saying that the "German sword" was that of the army of Henry VII, since many German troops remained in Italy after the death of Henry. One encountered them all over in the armies of the Ghibellines. Many of the mercenary Germans fought for now one city, now another in Italy. It is to one of those that Marsiglio belonged, states Haller.⁹³ Unfortunately, Schäfer's monumental record of German knights in Italy begins only after 1320, so there is no exact record of the troop Marsiglio might have been with, but there were certainly many Germans in the service at that time.⁹⁴ With whomsoever it was, Marsiglio apparently ended the second decade of the Fourteenth Century in a war-like way. The next decade was also spent in war, but it was much more a war of the pen and of the mind.

⁹¹J. Haller, op. cit., p. 195, ll. 9-10.

"Quidam aiunt tibi quod germanus cingitur ensis,
Quidam aiunt quod tu germano accingeris ensis."

⁹²C. K. Brampton, op. cit., p. 504.

⁹³J. Haller, op. cit., p. 171. ⁹⁴Ibid.

CHAPTER IV

THE GREAT DECADE

Paris Once More

After his second venture into politics, Marsiglio was still not satisfied with that life, and he returned to the life of a scholar. Perhaps his experiences in politics formed the basis for his impulse to study theology, since his use of theology in the Defensor Pacis reveals that he viewed it from an essentially political rather than theological standpoint. Possibly he also saw that he could not get very far in his opposition to the Church if he used only the weapons of law and politics. One must fight fire with fire, and Marsiglio was as successful as anyone in the Middle Ages in using the Church's own weapons to fight the Church. His thought remained essentially political, however, and it took a man of a later age to go all the way on the road Marsiglio began to tread. Already not only among the intellectuals but also among the people the way was being prepared for a revolt against both the authority of the hierarchy and also the doctrines propagated by it. In the Gothic reliefs of the Frauenkirche at Esslingen and the Church of Saint Sebald at Nürnberg devils are depicted rudely clutching popes and bishops and thrusting

them into hellfire.¹ During this same decade, in the city of Wartburg, Eisenach, the "Thuringian Mystery", or "The Parable of the Ten Virgins", was performed for the first time on April 24, 1322. The point of this play is that prayers to the saints and even to the Virgin are of no avail to save a soul from the wrath and judgment of Jehovah. That is the office of Christ only. This play was written by either an Augustinian monk of Erfurt (!) or a Dominican of Eisenach.² The spirit of revolt was directed not only against the Church. In the Roman de la Rose and the Roman de Renard, two of the most popular romances among the people, there were socialistic and even communistic elements which make the ideas of the Defensor Pacis look "fast Konservativ".³ The ars nova in music was tolling the death knell of the ars antiqua,⁴ the Renaissance in the plastic arts was already stirring healthily in Italy,⁵ and in general the old ways and structures were disintegrating and making way for the new. With the defeat and death of Frederick II the Empire also had died. The papacy,

¹E. Naumann, The History of Music, translated from the German by F. Praeger (London: Cassell and Co., Ltd., n. d.), I, 422.

²Ibid., p. 423.

³R. Scholz, "Marsilius von Padua und die Idee der Demokratie," Zeitschrift für Politik, I (1907), 72-3.

⁴H. P. Lang, Music in Western Civilization (New York: Norton, 1941), pp. 144 ff.

⁵H. Gardner, Art through the Ages (New York: Harcourt,

the victor, did not have long to enjoy its spoils. Nationalism, in the person of the French king, Philip the Fair, brought low the glory of the Medieval papacy, a blow from which it never recovered. Gone was the power of both the Empire and the papacy, never to return again in the plenitude with which they once possessed it.⁶ During this decade the remnants of the two were fighting a battle that was a mere shadow of the struggles of the preceding century, but out of that battle was born a document which would live and influence the course of events long after Ludwig the Bavarian and John XXII were gone and forgotten.

In 1320-21 Marsiglio was back in Paris, teaching and studying once more. We know that he was teaching, as before, in the arts faculty, for an unknown student who several years later sought to ingratiate himself with the pope by writing a poetic invective against Marsiglio heard his lectures on natural philosophy at this time.⁷ The fact that he was studying we infer from his announcement in 1326 that he was going to give a Bibelkurs.⁸ Most of our information concerning Marsiglio we derive from the

Brace and Co., 1926), pp. 335 ff.

⁶C. W. Previte-Orton, "Marsiglio of Padua, Doctrines," English Historical Review, XXXVIII (1923), 1.

⁷J. Haller, "Zur Lebensgeschichte des Marsilius von Padua," Zeitschrift für Kirchengeschichte, XLVIII (1929), 182.

⁸Marsiglio de Padua, Defensor Pacis, ed. R. Scholz

testimony which a certain Francis of Venice gave in Avignon on May 20, 1328, before an inquisitorial court. Francis was accused of helping Marsiglio with the Defensor Pacis while he was a student at Paris and of fleeing with him to Germany.⁹ Francis made a general denial of the accusations. He said that he had never been a servant of Marsiglio, that he had not stayed in the same lodging with him, and that he had not assisted in the composition of the Defensor Pacis or knew its contents. He testified that two months after the flight of Marsiglio and Jean, he heard from the hermits, the regular orders, and the teaching masters that they were the sole authors. The book had been much discussed after their departure, but he did not know any of the details of their heresy.¹⁰ Francis occasionally lent money to Marsiglio for him to take care of, and he returned some of it now and then. Shortly before his departure, at which time he owed Francis thirteen Parisian shillings,¹¹ he borrowed the large sum of about thirty Gulden from his friends in order to give a course of lectures in theology,¹² for which a considerable amount of money was needed. After he left, his creditors made no secret of their complaint

(Hanover: Hahnsche Buchhandlung, 1932)), p. lvii.

⁹J. Haller, op. cit., p. 182.

¹⁰C. K. Brampton, Marsiglio of Padua, Life," English Historical Review, XXXVII (1922), 514.

¹¹Ibid., p. 515.

¹²J. Haller, op. cit., p. 182.

and made the whole transaction a matter of public disgrace.¹³ It is not certain whether Marsiglio had seriously considered reading a course in theology or whether he merely collected the money to help him on his flight to Germany, but in any event he must have been very close to his degree in theology in order to give the pretext for the loan which he did. Now, to lecture on theology, one had to have a theological degree, the lowest of which was the Baccalarius cursorius, called that because it gave the right to deliver a course of lectures on the Biblical books.¹⁴ That degree required study as well as money. In 1215 the requirements were an age of thirty-five years and at least eight years of study, at least five of which had to be spent in attending lectures in theology. By 1366 the eight years had increased to sixteen, no doubt because of the addition of Thomas Aquinas, Bonaventura, Duns Scotus, and others to the theological curriculum. By 1320 one can assume that the requirements were at least ten years for the master's degree and six to the first bachelorship. Thus, to be able to announce a Bible course shortly before his flight in 1326, Marsiglio must have attended theological lectures since 1320-21, which determines the dating of his

¹³C. K. Brampton, op. cit., p. 515.

¹⁴J. Haller, op. cit., p. 183. I have taken this whole section on the requirements for a theological degree from this source.

last Paris stay.

Who was Marsiglio's teacher? Some say Ockham, who supposedly was teaching in Paris at this time; others claim that Ockham never taught there, and that Jean de Jandun was his master.¹⁵ That is immaterial, and the theology of both of them is not too discernible in his own. The chief subjects which the theological student at that time studied were the Bible and the Sententiae of Peter Lombard. In addition, the candidate for the master's degree had to demonstrate his ability in sermons and theological disputation. The latter was a real endurance test, for the candidate had to militare in scholis against a succession of opponents from 6:00 A. M. until 6:00 P. M., with an hour off at noon.¹⁶ The numerous citations from Christian writings, especially the Bible, in the Defensor Pacis show the results of his theological study. Marsiglio usually cites the text word for word; less often he cites it according to the thought or interpretation of other writers.¹⁷

Francis of Venice also testified that he had accompanied Marsiglio when he visited his patients as a doctor,¹⁸

¹⁵Ibid.

¹⁶H. O. Taylor, The Medieval Mind (4th edition; Cambridge, Mass.: Harvard University Press, 1941), II, 418.

¹⁷Marsiglio de Padua, op. cit., p. lxii.

¹⁸C. K. Brampton, op. cit., p. 515.

which he probably did for extra income. Francis said; "Sciebat in medicina et interdum practicabat." This is the first positive evidence that we have about Marsiglio's practicing medicine, although various scholars think that he may have been doing that even since before his rectorship in Paris, mostly in Padua. Even this does not prove that he had completed his medical studies, since one did not have to have an academic degree in medicine to practice in those days.¹⁹

It was in the years after 1320, Scholz believes, that Marsiglio began to become interested in the political trend toward Germany and Ludwig. He thinks that the political change there and the outbreak of the Minorite controversy gave him an opportunity to take part in political questions.²⁰ Perhaps Marsiglio had done some work in politics previously, but this is the time that he actually brought his work before the world. Just when he did that is one of the major questions of his life.

The Date of the Defensor Pacis

There are three extant manuscripts of the Defensor Pacis which conclude with the following verse:

¹⁹J. Haller, op. cit., p. 182.

²⁰Marsiglio de Padua, op. cit., p. lvii.

On the Feast of John the Baptist, 1324, this
Defensor Pacis was finished. ²¹
 Fraise and glory be to thee, O Christ.

This seems like rather conclusive evidence about the dating of the Defensor Pacis, but, sad to say, it is not. In the first place, this verse may refer to either the author or the copyist. However, it is unlikely that three manuscripts would be completed on one day or that two succeeding copyists would incorporate the concluding note of another copyist, so that argument has never received much credence. Secondly, the words "quarta vigeno" could possibly be interpreted as standing for "quater vigeno", which would mean eighty and which would certainly indicate that it was the inscription of a copyist. However, Sullivan, who suggests the above argument, himself points out that it is not the usual formula which copyists used and that the date was almost certainly 1324, especially since it coincides with Francis of Venice's dating of the completion of the Defensor Pacis.²² Thirdly, there are more significant doubts concerning the dating of the book, some of which include the possibility of a version of the Defensor Pacis

²¹ R. Scholz, "Zur Datierung und Ueberlieferung des Defensor Pacis von Marsilius von Padua," Neues Archiv der Gesellschaft für ältere deutsche Geschichtskunde, XLVI (1927), p. 503.

Anno trecento milleno quarto vigeno
 Defensor est iste perfectus festo Baptiste.
 Tibi laus et gloria Christe.

²² J. Sullivan, "The Manuscripts and Date of Marsiglio of Padua's Defensor Pacis," English Historical Review, XX (1905), pp. 296 f.

having been completed on the date mentioned. Moritz Ritter, for instance, believes that there were two redactions, one of which was written by Marsiglio and Jean in 1324 in Paris, the other of which was written by Marsiglio alone during the Römerzug but before the coronation.²³ This was the libellus, as the pope calls it, selections of which reached the papal curia for the condemnation which was issued on October 23, 1327.²⁴ Heinrich Otto is about the only scholar since Ritter who follows that line of reasoning, in opposition to Sullivan, Previté-Orton, Brampton, Valois, and later Haller and Scholz.²⁵ Otto's reasoning is based on the following opinions. He finds an allusion in the work to a bull of July 11, 1324, so it could hardly have been finished by June 24 of the same year. Furthermore, he believes that chapters two to eighteen of the first Dictio do not follow the plan announced in chapter one (only chapter nineteen does follow it); the original plan was rather contained in chapter one of Dictio II. He also questions the use of imperator in the first chapter when Ludwig is referred to, while everywhere else he is called rex. (Ludwig was not actually crowned emperor until

²³R. Scholz, "Zur Datierung und Ueberlieferung des Defensor Pacis von Marsilius von Padua," p. 492.

²⁴J. Sullivan, op. cit., pp. 293 f.

²⁵R. Scholz, "Zur Datierung und Ueberlieferung des Defensor Pacis von Marsilius von Padua," p. 493.

January 17, 1328.) Also, in chapter twenty-six of Dictio II there is an apparent reference to a bull of Pope John XXII dated April 3, 1327. Finally, only a few chapters, including those mentioned above, deal with the question of the plenitudo potestatis. He concludes that chapters one and nineteen of Dictio I and chapters twenty-three, twenty-four, and twenty-six of Dictio II were of later origin.²⁶

The evidence for a single redaction is as follows. The external evidence from the manuscripts is almost conclusive. Sullivan studied all the available manuscripts, and every one contained chapter one of Dictio I with the word imperator and without any evidence of its being a later addition.²⁷ He does not offer any explanation for the consequent use of rex, but he points out that Ludwig considered himself to be the emperor already in 1324 without the confirmation of the pope and the customary coronation. Chapter twenty-six of Dictio II is also contained in all the dated and undated manuscripts.²⁸ The internal evidence is also rather conclusive. Scholz states that Marsiglio followed his plan stated in the first chapter better than Otto believes,²⁹ and Gewirth backs

²⁶ Ibid., pp. 493, 497, 498. J. Sullivan, op. cit., p. 293.

²⁷ Ibid., pp. 296 f.

²⁸ R. Scholz, "Zur Datierung und Ueberlieferung des Defensor Pacis von Marsilius von Padua," p. 493.

²⁹ Ibid., p. 499.

this up with documented evidence.³⁰ Scholz completely discredits the statement that only several chapters deal with the plenitudo potestatis, but states that from the first to the last chapter the book is concerned with that problem.³¹ It is also questionable that chapter twenty-six of the second Dictio refers to the bull of the pope, because of the use of the future tense instead of the perfect and because of the lack of similarity between the texts of the two.³² Scholz states too that the use of "Gönner der Ketzler" in that chapter, in reference to Ludwig could just as well been the case in 1324 as in 1327.³³ Finally, the pope's use of the term libellus hardly proves that there was an earlier, short version of the work, since that term was used to describe a book of any size during the Middle Ages,³⁴ and, besides, what purpose would Marsiglio have had in writing the Defensor Minor if he already had a short version of his work on hand?³⁵

Nonetheless, there are some differences in the manuscripts of the Defensor Pacis. How are these to be explained? Scholz admits that although there are small

³⁰A. Gewirth, "John of Jandun and the Defensor Pacis," Speculum, XXIII (1948), pp. 267-72.

³¹R. Scholz, "Zur Datierung und Ueberlieferung des Defensor Pacis von Marsilius von Padua," p. 501.

³²J. Sullivan, op. cit., p. 300.

³³R. Scholz, op. cit., p. 496.

³⁴J. Sullivan, op. cit., p. 300.

³⁵R. Scholz, op. cit., p. 507.

stylistic and redactic changes, none of them is radical.³⁶ These corrections and revisions continued until perhaps as late as 1330,³⁷ but by 1327 the work had essentially reached its final form.³⁸ Previté-Orton thinks that Marsiglio and Jean left behind in Paris a French translation and perhaps a Latin copy and took a second copy with them. From these are derived the two groups of manuscripts, the so-called French and German groups.³⁹ The evidence for that is not conclusive. All in all, the differences apparently are inconsequential and need little more explanation than that manuscripts were rarely preserved in their original, pristine state by the copyists, and Marsiglio's masterpiece was not accorded special treatment.

We have concluded that the Defensor Pacis was completed on June 24, 1324. When was it started? Sullivan states that it was begun at the end of April, 1324, and was completed on June 24 of the same year.⁴⁰ This is rather difficult to believe, and it seems to stem from a misunderstanding of Francis of Venice's testimony. The amount of research alone which went into this book would

³⁶ Ibid., p. 502.

³⁷ Marsiglio de Padua, op. cit., p. xvii.

³⁸ R. Scholz, op. cit., p. 507.

³⁹ C. W. Previté-Orton, op. cit., p. 4.

⁴⁰ J. Sullivan, "Marsiglio of Padua and William of Ockham," American Historical Review, II (1896-97), 412.

have required a longer time even if one left out the time required for planning and formulating the thought of the work. We must agree with Previt -Orton that it represents the thought of many years,⁴¹ but that gives us little information on how long it took to put that thought into words and document it from various authorities. If Jean had much of a hand in it, he could not have been much help before November 4, 1323, since at that time he finished a book of his own while serving as a canon in Senlis, De Laudibus Parisius. In that work he mentions the urgent request of a friend of his to return to Paris, and that may have been an allusion to Marsiglio.⁴² The writing of the Defensor Pacis, the ideas of which had probably been floating around in his head for many years, may have been hastened by the conditions of the time. Early in 1324 the fight between John and Ludwig flared up in earnest, and Ludwig was excommunicated in March of that year.⁴³ Haller believes that one does not write books such as this one unless one sees an opportunity to put it to some practical use. "Where would one find such an opportunity before 1324?" he asks. Thus, he says that is hard to believe that the author(s) went to work on it before early in the year of our Lord, 1324,⁴⁴ soon after the appearance

⁴¹C. W. Previt -Orton, op. cit., p. 4.

⁴²C. K. Brampton, op. cit., p. 507.

⁴³C. W. Previt -Orton, op. cit., p. 4.

⁴⁴J. Haller, op. cit., p. 185.

of the noted Sachsenhauser Appellation, in which various elements, including German and Italian Ghibellines, certain cardinals, and the Minorites united against the pope.⁴⁵ After all, he writes, one can never tell just how fast the two of them could work. Scholz does not think that the entire Defensor Pacis was written at this time. He thinks that Marsiglio may have used older preparations, "Vorarbeiten", in it.⁴⁶ Some of the material may have been re-worked and redacted for the specific purpose of this work. This gives it slightly the appearance of a mosaic, but it in no way proves that it was completed after 1324. One section that is especially puzzling is the conclusion, which appears in the manuscripts but not in the printed editions. Scholz thinks that it stems from an earlier time, Italy during the wars under Henry VII or France during the last days of Philip the Fair, and that, accordingly, it is deservedly left out. This leads him to the conclusion that that part may have belonged to an earlier work which we do not possess, which was perhaps only outlined or planned, and that the Defensor Pacis may have been based on another work of Marsiglio which had been written for another purpose. In his opinion, the Defensor is Marsiglio's life work, worked on for many

⁴⁵Marsiglio de Padua, op. cit., p. lvii.

⁴⁶Ibid., p. xlvi.

years and finally collected and put into its present form in 1324.⁴⁷

The Authorship of the Defensor Pacis

There has been considerable discussion concerning the authorship of the Defensor Pacis. It is generally agreed that the work represents in some way joint effort by Marsiglio and Jean de Jandun. The principal argument concerns the part which the latter played in the actual writing of the work. Jean was one of the leading Averroistic philosophers of the time and an outstanding authority on Aristotle. Since the first Dictio of the book is almost entirely Aristotelian, that is the section to which his influence or even authorship is usually ascribed. That his influence is shown in this part is rarely denied, some saying that he selected the citations quoted in it.⁴⁸ Others describe his part in it as copyist, translator of the French version, or collaborator who perhaps constructed some of the philosophical arguments.⁴⁹ His authorship of the section is most cleverly advanced by Marian Tooley,⁵⁰ whose arguments sound remarkably like

⁴⁷R. Scholz, "Zur Datierung und Ueberlieferung des Defensor Pacis von Marsilius von Padua," pp. 500, 509-12.

⁴⁸C. W. Previte-Orton, op. cit., p. 7.

⁴⁹M. J. Tooley, "The Authorship of the Defensor Pacis," Transactions of the Royal Historical Society, 4th series, IX (1926), 85.

⁵⁰Ibid., pp. 85-106.

those of Ritter and Otto. She points out the apparent dissimilarity between chapters two to eighteen of Dictio I and the rest of the work and claims that it is characteristic of Jean. However, deeper scholarship than hers undermines her arguments, which on the surface appear so plausible. The two editors of the modern editions of the Defensor Pacis are agreed upon its single authorship. Scholz concludes this from his study of the manuscripts as well as from the unity of style of the work, unity in "Wortschatz und Wortgebrauch, Satzrhythmus und Verwendung der Regeln des cursus".⁵¹ Gewirth clinches the argument in favor of the single authorship with almost irrefutable scholarship.⁵² His citations from the Defensor Pacis showing the unity of style and subject matter between the disputed chapters two to eighteen are conclusive. In addition he shows the dissimilarity between the thought of Jean and of the work, citing nine differences between it and the Questions on Metaphysics of Jean.⁵³ In fact, he points out that the author of the Defensor Pacis, who has great faith in the right desire of most people for the welfare of the state, seems to refute an argument of Jean himself, who claims the opposite.⁵⁴ Gewirth concludes that the ways

⁵¹Marsiglio de Padua, op. cit., pp. v and lli.

⁵²A. Gewirth, op. cit., pp. 267-72.

⁵³Ibid., pp. 268-71.

⁵⁴Ibid., pp. 270-1.

in which Dictiones I and II agree are "far greater and more fundamental than the differences."⁵⁵ The case rests with his conclusion. (It is interesting to note how closely the questioning of the single authorship of the Defensor Pacis approximates the approach of the higher critics of Biblical scholarship. It is encouraging to note, on the other hand, that the arguments advanced by the scholars in favor of the single authorship of this work are hardly more conclusive than those advanced by conservative scholars of the Bible in favor of the unity of many books especially of the Old Testament.)

Flight and Condemnation

It was not until 1326, two years after the completion of the Defensor Pacis, that the work and its author(s) became generally known, necessitating the flight of Jean and Marsiglio to Germany. There are many conjectures as to just why the book was not revealed sooner, since it is difficult to believe that such a timely and pointed work should have been written without immediate publication in mind. Some think that the author(s) were waiting for a suitable opportunity to publish it in France, but Philip the Fair was no longer on the throne, and the curia and court were too closely bound to each other at that time to present a

⁵⁵Ibid., p. 271.

suitable moment for its publication in the foreseeable future. Haller's argument seems to be the most reasonable one. He states that the work was certainly not intended for France, but for Germany, which at that time was in the midst of a struggle with the pope, and where it would have been useful right then. However, it was not written to be published there in Germany or anyplace else, for that matter, and perhaps it was revealed only by an indiscretion at the German court. Marsiglio and Jean worked on it with the idea that it would be kept secret and would be used as a sort of memorandum, "Denkschrift," for Ludwig, from which his advisers could get ideas and material.⁵⁶

The main reasons for this view are the two-year lapse in time between its writing and its becoming known, as well as the subsequent actions of those accused of writing it. We are not certain whether or not Marsiglio's announcement of a course of lectures on the Bible was only a pretext to borrow money for his flight to Germany, but it is sure that Jean did not expect his share in its composition to become known. For, on June 19, 1324, shortly before the completion of the Defensor Pacis, an agreement was drawn up that Nicholas of Vienna, rector of the university, was to rent a house in the Choître-Saint-Benoît, near to and belonging to the Sorbonne, and after him Jean de Jandun was

⁵⁶J. Haller, op. cit., pp. 186 f.

to do so on the same terms.⁵⁷ At any rate, spring of the year 1326⁵⁸ finds them fleeing to the court of Ludwig the Bavarian in Nürnberg, a place which was even safer for them than the campus of the excommunicated chiefs of the upper-Italian Ghibellines. Ludwig was the natural person to whom they would flee, for, unless the first chapter was a later addition, the Defensor Pacis was written for him. Also, it was Ludwig "of whose enlightened views they were aware, and whose infirmity of purpose and want of resource only time could show."⁵⁹ The Continuator of William of Nangis describes their flight as follows:

Two persons of perdition, Marsiglio of Padua, an Italian, and John of Jandun, a Frenchman, fled from their studies at Paris, where they had gained a reputation for learning, to Lewis, duke of Bavaria in Nuremberg.⁶⁰

For the journey they perhaps adopted the disguise or were thought to have adopted the profession of mercenaries.⁶¹ However, when Marsiglio reached the court, he was received not as a soldier, but as a "bonus clericus, bonus medicus."⁶² Perhaps their reception at first was not too cordial, since

⁵⁷C. K. Brampton, op. cit., p. 508.

⁵⁸J. Sullivan, "Marsiglio of Padua and William of Ockham," p. 412.

⁵⁹R. L. Poole, Illustrations of the History of Mediaeval Thought (London: Williams and Norgate, 1884), p. 265.

⁶⁰C. K. Brampton, op. cit., p. 508.

⁶¹Marsiglio de Padua, Defensor Pacis, ed. C. W. Previté-Orton (London: Williams and Norgate, 1928), p. xi.

⁶²J. Haller, op. cit., p. 170.

Ludwig apparently still wanted to keep his argument with the pope as much political and as little theological as possible.⁶³ He and Jean were taken to Ludwig and introduced to him "a quibusdam de ducis familia, qui eam Parisius agnoverant".⁶⁴ Riezler conjectures that it was perhaps Peter of Aspelt, the philosopher and doctor, educated at Padua and Paris, who was a friend of Ludwig and of Henry VII, who introduced them at the court. The "Continuator" speaks of a departure of Marsiglio and Jean in 1318 in almost the same terms with which he describes the one in 1326.⁶⁵ Perhaps at that time they visited Peter in Mainz, where he had been archbishop since 1305, and he subsequently wrote to Ludwig or to other friends at the German court, recommending the two to them. Since Peter died in 1320, he could hardly have been there in person.⁶⁶ When they were introduced to Ludwig, the "Continuator" has him say to them: "Quis movit vos venire de terra pacis et gloriae ad hanc terram bellicosam?"⁶⁷ This indicates that perhaps the Defensor Pacis and their part in it were not yet known by the authorities, since they apparently

⁶³Marsiglio de Padua, *op. cit.*, ed. R. Scholz, p. lviii.

⁶⁴J. Haller, *op. cit.*, p. 187.

⁶⁵C. K. Brampton, *op. cit.*, p. 509.

⁶⁶*Ibid.*

⁶⁷*Ibid.*, p. 510.

were not forced to go there. Yet, something must have been in the wind, for the tone of the question and their arrangements in Paris indicate that they did not go too willingly.

According to Francis of Venice, it took the Parisian masters two months to discover the names of the authors of the Defensor Pacis.⁶⁸ Apparently, then, the document itself had been discovered earlier, perhaps the French translation or the Latin manuscript they may have left behind.⁶⁹ Merula, the Milanese historian, states that the men at Paris condemned the authors, burned the books, and enjoined silence, all before the flight of the authors. Brampton thinks that this burning of the books was friendly and that it accounts for the lateness of John's obtaining exact information about the book and its authors.⁷⁰

Once the pope found out about the Defensor Pacis,⁷¹ however, he acted upon it swiftly and repeatedly, even

⁶⁸ Ibid., p. 509. Brampton notes that Merula, in his history of Milan, contradicts Francis' assertions on most points.

⁶⁹ C. W. Previté-Orton, op. cit., p. 4.

⁷⁰ C. K. Brampton, op. cit., p. 509.

⁷¹ J. Haller, op. cit., p. 188. Some, including J. Sullivan on page 593 of his article herein quoted, "Marsiglio of Padua and William of Ockham," basing their conclusion on an erroneous passage of John Villani, state that Marsiglio and Jean were condemned on July 13, 1324. See also C. K. Brampton, op. cit., p. 509. Haller, in note four on page 188 of his article herein cited, notes also that the letter of the bishop of Passau, supposedly dated September 6, 1326, in which Marsiglio is spoken of as having been condemned as a heretic by John XXII, is really dated 1328.

before his information was very complete. In a bull of April 3, 1327, in which he condemns Ludwig, John mentions Marsiglio and Jean as being part of the duke's party. He also condemned the Defensor Pacis and its author (!) on the strength of the "opinions of many learned men" who had examined it and found heresies in it.⁷² On April 9, 1327, less than a week later, John issues the first summons to Marsiglio and Jean (others were also included) to appear before a council of the faithful to answer for his erroneous ideas.⁷³ In this bull he complains that they were "acceptorum beneficiorum immemores et ingrati". Therefore because of their heresies and their adherence to Ludwig he deprives them "omnibus beneficiis ecclesiasticis".⁷⁴ Perhaps at this time he still did not have a copy of the Defensor, since there are still no definite references to errors contained it.⁷⁵ Six months later, on October 23, 1327, John issued two bulls with the following contents. In the first one "Lewis is condemned for his opinions on apostolical poverty, for giving support to Marsilius, and for allowing him to teach to publish his heretical doctrines." In the second one John writes that "a synod of cardinals, archbishops, and other prelates with seven masters in theology

⁷²J. Sullivan, "Marsiglio of Padua and William of Ockham," p. 594.

⁷³Ibid.

⁷⁴Ibid., p. 411.

⁷⁵J. Haller, op. cit., p. 188.

and professors of law, condemned five heretical articles which several Catholic men had taken from the Defensor Pacis and brought to him." Because of those five points and their refusal to come to the council to which he had summoned them, Marsiglio and Jean are condemned as heretics, all persons are prohibited from helping them, and the faithful are enjoined to seize them so that they may be punished.⁷⁶ Haller thinks that by this time they had a copy of the book in their possession,⁷⁷ but Brampton states that "John XXII appears to be acting on hearsay evidence."⁷⁸ After this, the processes issued against Marsiglio and Jean followed thick and fast. During 1328, on January 28, February 27, March 30, April 15, and May 21, John sent letters to his legates at Rome and other officials, commanding them to seize the two heretics.⁷⁹ On May 10 of that year occurred the inquisitorial trial at Avignon, with Gasbert, Archbishop of Arles, assisting at the Inquisition, in which Francis of Venice gave the evidence which was mentioned previously. Finally, on April 20, 1329, the Ketzerkatalog was enriched with the names of our two heroes, and they were included with the rank of heresiarch,

⁷⁶J. Sullivan, "Marsiglio of Padua and William of Ockham," p. 594.

⁷⁷J. Haller, op. cit., p. 188.

⁷⁸C. K. Brampton, op. cit., p. 509.

⁷⁹J. Sullivan, "Marsiglio of Padua and William of Ockham," pp. 594 f.

all of whose writings were forbidden for good Catholic minds.⁸⁰

Der Römerzug and Its Aftermath

After Marsiglio had reached the court of Ludwig the Bavarian, he did not wait long to make his influence felt. He soon became the confessed leader of the Minorites who had gathered around Ludwig.⁸¹ Mussato writes in a congratulatory note which is much more respectful in tone than his metrical epistle that he has heard that Marsiglio is the chief adviser to the king.⁸² He had arrived in Germany at an opportune time. Ludwig already in 1326 was preparing to march on Rome. Behind him he had a united Germany, with him the Spiritual Franciscans, and before him the Ghibellines of Italy, who were up in arms over the entrance of John of Calabria into Florence. The united loyalty of so many gave him a pretext as well as an encouragement to carry out his "duty" and depose the pope.⁸³ This led to the unprecedented and unique Römerzug of Ludwig, in which Marsiglio's hand can be seen quite clearly. Early in January of 1327 Ludwig accepted the invitation of the Ghibelline chiefs, who were assembled at Trent, to become

⁸⁰J. Haller, op. cit., p. 188.

⁸¹R. L. Poole, op. cit., p. 265.

⁸²C. K. Brampton, op. cit., p. 510.

⁸³Ibid.

their leader. He marched on Milan shortly afterwards, and on May 30 he was crowned with the iron crown of Lombardy as Henry VII had been before him. This was done by two deposed bishops, while the archbishop of the city, Aycardus, somehow found himself absent. Marsiglio probably preached there in Milan, as he may have done in Trent also.⁸⁴

After that, accompanied by Castruccio Castracani, Ludwig left Milan and headed toward Rome. He entered the "Eternal City" in triumph on January 10, 1328, at the invitation of the people.⁸⁵ An assembly of the people declared the

King of the Romans to be emperor, and, on January 16, less than a week after his entry, Bishops Albert of Venice and Gerard of Aleria bestowed the holy unction on him in Saint Peter's Cathedral, while a layman, Sciarra Colonna, as a delegate of the people, put the imperial crown of gold on his head.⁸⁶ There especially was Marsiglio's hand

evident, and Villani notes that this was the first emperor to be crowned by anyone except the pope or his legate.⁸⁷

In April, after a long harangue composed by Marsiglio and Albertino of Casale, the Roman assembly deposed John XXII as a heretic for his denial of the doctrine of the poverty

⁸⁴Ibid.

⁸⁵Ibid., p. 511.

⁸⁶C. W. Previté-Orton, op. cit., p. 4.

⁸⁷C. K. Brampton, op. cit., p. 511.

of Christ. The two decrees of Ludwig in which he announced the deposing of John, the present one of April 18 and the later one at Pisa dated December 12, 1328, were probably founded on the Defensor Pacis.⁸⁸ The assembly elected a Spiritual Franciscan, Peter of Corbara, as Nicholas V in his stead. The new pope obligingly put his blessing on Ludwig's coronation. Marsiglio usurped the office of papal vicarius in spiritualibus⁸⁹ for the city, and as such he seemed to be a most intolerant fellow, for he seemed quite willing to persecute his opponents.⁹⁰ It is during these days that John was issuing one letter after another against him, all without effect. Also about this time, Peter Palude, Patriarch of Jerusalem, wrote his treatise in favor of John and opposed to Marsiglio's heretical ideas, entitled De Causa immediata ecclesiasticae Potestatis.⁹¹ In spite of this also, John's legates at Rome were completely helpless at the time and could not put the judgments of the pope and his defenders into effect. However, Ludwig and Marsiglio's moment of triumph, the practical application of some of the principles of the Defensor Pacis, was rather short lived. In his masterpiece, Marsiglio displays great faith in the judgment of the people and their ability to do

⁸⁸J. Sullivan, "Marsiglio of Padua and William of Ockham," p. 595.

⁸⁹C. W. Previté-Orton, op. cit., p. 5.

⁹⁰Ibid.

⁹¹J. Sullivan, "Marsiglio of Padua and William of Ockham," p. 595.

the right thing for the preservation of the peace. Perhaps after 1328 he was not so sure, for the people soon grew tired of their new emperor and their anti-pope. In August, the royal party, including the erstwhile vicarius in spiritualibus, made its way back to Pisa, disappointed in its venture and derided by the people who had welcomed it in triumph. Palm Sunday became Good Friday once more, and the fickleness of the masses won out. There at Pisa a parliament of notables was held in December 13, 1328.⁹² Here the schismatic nobles once more condemned John, but with little effect. It was perhaps at that parliament that Marsiglio received the appointment as archbishop of Milan, which he received in place of the vicarship which "he had been obliged to abandon"⁹³ and "in derogation of the claims of Giovanni Visconti",⁹⁴ who had deserted Ludwig after the Rome fiasco. It is doubtful whether Marsiglio was ever able to hold that office, because of the uncertain conditions in both the Church and the State. At any rate, a year later, December, 1329, Ludwig and his followers were back in Trent, and Marsiglio's period of greatest influence apparently was over, at least for a while. Now the more moderate counsel of Ockham and others pre-

⁹²C. K. Brampton, op. cit., p. 511.

⁹³Ibid., p. 514.

⁹⁴Marsiglio de Padua, op. cit., ed. G. W. Previté-Orton, p. xi.

ailed,⁹⁵ but Marsiglio had had a unique opportunity to put his theories into practice, and something had failed.

⁹⁵J. Sullivan, "Marsiglio of Padua and William of Ockham," p. 610.

CHAPTER V

FINALE

Last Years

Within the space of one decade, Marsiglio had formulated his ideas and the proofs thereof and had had an opportunity to put some of those ideas into practice, at least in a limited way. Such an opportunity was almost unique, but for Marsiglio it was not entirely successful; indeed, it was hardly so. He had reached the greatest pinnacle of his influence, a height which he would not nearly equal again. His work was not forgotten, however. For example, Ludwig incorporated some of the ideas set forth in the introduction of the Defensor Pacis in a letter addressed to the cities of Spire and Worms on October 29, 1329.¹ His subsequent activities are pretty well shrouded in silence, and we receive most our information concerning him from the continued attacks of the popes and the conciliatory letters of Ludwig in return. Apparently he became or remained Ludwig's physician,² or perhaps he developed a private practice. In addition to that, he

¹J. Sullivan, "Marsiglio of Padua and William of Ockham," American Historical Review, II (1896-97), 595.

²C. W. Previté-Orton, "Marsiglio of Padua, Doctrines," English Historical Review, XXXVIII (1923), 5.

would be of service to his liege at least once more in a political way, but his days of active participation in politics had reached their zenith and then set suddenly, like the sun in the desert. Even of his death we must hear second-hand, but his book was preserved while he was forgotten.

For almost fifteen years after the disastrous Römerzug there is scarcely a positive bit of evidence to indicate what Marsiglio was doing. However, we know he was alive through the mention of his name in various official communications. Pope John regularly issued bulls directed against Ludwig and his followers, and Marsiglio was consistently mentioned in them together with other followers of the Duke. Such bulls were issued on May 5 and June 15, 1329; February 15, July 22 and 31, and September 6, 1330; and July 8 and 21, 1331.³ The pope did not confine his activities to these bulls only, for they did little to combat the spread of Marsiglio's ideas. On May 30, 1329, John XXII wrote the chancellor of the University of Paris, reminding him of the processes which had been issued against Marsiglio and Jean. The faculty of theology dutifully drew up a list of the 485 errors condemned by John in view of which they condemned the Defensor Pacis.⁴ One can

³J. Sullivan, op. cit., p. 595.

⁴Ibid.

hardly condemn them for this action, since if there were ever a dangerous and heretical work at that time, the Defensor was it. It is almost to their credit that they waited as long as they did before they condemned the work attributed to their colleagues, since the faculty as a whole was undoubtedly brought under suspicion because of the action of the two. Fifty years later, they were still questioning the faculty concerning a possible role they may have played in producing the revolutionary work.⁵

In 1331 Gerald Odo, who had just been elected general of the Minorite order felt it was his duty also to say something against the man who had been so closely associated with the rebellious members of his order. It has often been debated whether or not Marsiglio was a Franciscan. He certainly joined forces closely with their leaders⁶ and even had many followers among the Minorites. There are a number of points against his being a member of the regular clergy, however. Monks were not allowed to practice medicine in the first place. Brampton summarizes the other reasons.⁷ The bull of 1318 granted him a benefice without a permit to break his Minorite vow.

⁵Ibid., p. 598.

⁶C. K. Brampton, "Marsiglio of Padua, Life," English Historical Review, XXXVII (1922), 513.

⁷C. W. Previté-Orton, op. cit., p. 4.

There is no record in the official annals to substantiate his membership. In a letter of John XXII and in one of Ludwig, Marsiglio is mentioned separately after several Franciscans have been mentioned by name in a group. Before the death of John at least two more orthodox adherents in addition to Peter Palude attempted to refute the errors of the Defensor Pacis. The first of these was Alvarez Pelagius, who tried to refute two of Marsiglio's heretical opinions in his Summa de Planctu Ecclesiae, which is elsewhere referred to as the Apologia contra Marsilium et Occamum and which appeared between 1330 and 1332. The second was the De Jurisdictione Imperii et Autoritate summi Pontificis, written by Alexander of Saint Elpidio.⁸

Pope John XXII died on December 4, 1334, but with his death the controversy did not die. This was no quarrel which involved only one pope. It was a quarrel striking at the very foundations of the medieval papacy, thus involving all popes. However, at the end of 1334, perhaps hoping for a fresh start with the new pope, Ludwig opened negotiations with Cardinal Napoleon Orsini with the intent of calling a general council. However, the cardinal refused to do anything for Ludwig unless he sent Marsiglio away from his court. This is an indication of the hate with which the papal authorities viewed Marsiglio as well

⁸J. Sullivan, op. cit., pp. 595 f.

as a point in Ludwig's favor personally. Ludwig has been much maligned for his weakness and inability to act, but despite the fact that the presence of Marsiglio and others prevented him from ever reaching an agreement with the pope, he never gave them up or abandoned them for his own personal gain.⁹ Of course, one might argue that if he gave them up he would have had no one to plead his cause and he would have been bound to lose anyway, but let us leave this one bright spot in Ludwig's favor.

Meanwhile, Benedict XII was keeping up the fight which his predecessor had so energetically pursued in his old age, and the year 1336 finds Ludwig a suppliant to the papacy which he had previously defied.¹⁰ In a very interesting letter from Ludwig to the pope, dated October 28 of that year, the following is contained. Ludwig readily condemns Cesena, Ockham, and others, as well as Marsiglio and Jean, and explains to the pope why he allowed them to stay at his court. He thought they were loyal members of the Church, and he retained them in his service because they were valuable to him as lawyers.¹¹ Besides, if their opinions were heretical, he did not accept them, using only such of their opinions as were of value for the

⁹C. W. Previte-Orton, op. cit., p. 5.

¹⁰R. L. Poole, Illustrations of the History of Mediaeval Thought (London: Williams and Norgate, 1884), p. 266.

¹¹C. K. Brampton, op. cit., p. 505.

defense of the Empire. He had intended to reduce them to obedience to the Church, and he had only allowed them to preach against His Holiness' most noble predecessor because he wanted to give good churchmen a chance to refute their errors. (That is certainly a novel point, and one can just hear Benedict sputter at such balderdash.) He faithfully promises to destroy any heretics which the Church would point out, especially Marsiglio and Jean.¹² Of course, the words and the promises were quite empty, and Benedict swallowed neither. He kept up his demands that Marsiglio and the Minorites at the court of Ludwig be brought under submission to the pope. Ludwig countered with a proposal in 1338 that Marsiglio and the Minorites should justify their opinions before an assembly of clerics and laymen, which would decide their punishment. Herein is seen once more the hand of Marsiglio, although Ockham could just as well have suggested it. Benedict rejected the proposal, although he later granted a safe-conduct to the men involved. By that time, Ludwig had lost interest, so the negotiations fell through completely.¹³ After the death of Benedict, Clement VI continued the witch hunt, and he condemned over 250 heretical articles taken from the Defensor Pacis.¹⁴ It was during his reign that Marsiglio

¹²J. Sullivan, op. cit., p. 596.

¹³Ibid.

¹⁴Ibid., p. 597.

died, to be followed soon after by his accomplices and his master.

Before he died, however, Marsiglio was still to wield his pen against the power of the pope. Ludwig, on the lookout for the future, was desirous of having his son and namesake marry the wealthy heiress, Margaret Maultasch, daughter of Henry of Tyrol and Duchess of Carinthia and Countess of Tyrol.¹⁵ Unfortunately, Margaret was already married to John Henry of Moravia, and the pope, the usual dispenser of divorces, was hardly in a mood to do a favor of any sort for Ludwig, especially one which would increase his rival's power. Therefore, Ludwig called on his trusty advisers, Marsiglio and Ockham, who were always ready and willing to adduce a few facts and opinions in favor of their lord and opposed to the pope. For this occasion Marsiglio produced his De Iure Imperatoris in Causis Matrimonialibus, whose content is obvious from its title.¹⁶ This was written before February 10, 1342, the date of Margaret's marriage to Ludwig of Brandenburg, the emperor's son.¹⁷ Perhaps this was also the occasion which prompted Marsiglio to prepare a short synopsis of the Defensor Pacis under the title of the Defensor Minor. The

¹⁵C. K. Brampton, op. cit., pp. 501-1.

¹⁶C. W. Previte-Orton, op. cit., p. 5.

¹⁷C. K. Brampton, op. cit., pp. 501-15.

tractate allowing the emperor to grant divorces on his own authority is incorporated into this work, and Previte-Orton thinks that Marsiglio expanded the tractate into a summary of his views, calling it the Defensor Minor, which was his last work.¹⁸ Most scholars think they were done independently, however, and were merely put together as works of one author. There are indications that Marsiglio may have written some philosophical works, but there is no evidence to support that possibility. The only other work which is definitely ascribed to Marsiglio is the Tractatus de translatione Romani imperii, which various scholars have dated from 1325-26¹⁹ to 1341-42.²⁰ It is actually an almost literal copy of a treatise on that subject by Landulf Colonna, written about 1260,²¹ so it is relatively unimportant as far as Marsiglio is concerned.

Death

Already between September 10 and 15, 1328, according

¹⁸C. W. Previte-Orton, *op. cit.*, p. 5.

¹⁹J. Sullivan, *op. cit.*, p. 413.

²⁰Marsiglio de Padua, Defensor Pacis, ed. R. Scholz (Hanover: Hahnsche Buchhandlung, 1932), p. lviii.

²¹M. J. Tooley, "The Authorship of the Defensor Pacis," Transactions of the Royal Historical Society, 4th series, IX (1926), 104.

to John Villani, Marsiglio had died at Montalto during the imperial retreat from the disastrous Rome experiment.²² However, that is certainly erroneous, for Marsiglio figures repeatedly in subsequent papal bulls and he also wrote two works which are preserved for us, both of which are dated in the Forties. Valois was the first to conjecture that the person about whom Villani was actually writing was Marsiglio's companion, Jean de Jandun.²³ More recent scholars are fairly agreed in accepting that diagnosis with a few changes, although Jean is mentioned several times in the Thirties in papal bulls together with other men, all of whom were still alive. Other evidence, especially a letter which Michael of Cesena wrote to Gerard Odo during December, 1332, bears this out. In it he wrote:

You falsely accuse me of communicating with Master John of Jandun; he has died, as everyone knows, in Todi, before I reached Pisa; now I did not set foot, nor did I ever propose to set foot in Todi.²⁴

Michael arrived at Pisa on June 8, 1328, so that would indicate that he had died before that date. Brampton combines the reports of Villani and Michael and comes up with the following result: Jean died at Todi (Michael) before August 31, 1328 (Villani).²⁵ At any rate, it

²²C. K. Brampton, *op. cit.*, p. 511. ²³*Ibid.*, pp. 512 f.

²⁴*Ibid.*, pp. 511 f.

²⁵*Ibid.*, pp. 512 f. Brampton accepts implicitly

was not Marsiglio that died. Just exactly when Marsiglio did die is completely unknown. The closest one can come to that date is a speech of Clement VI which he delivered on April 10, 1343. In that speech he definitely states that both Jean and Marsiglio were dead.²⁶ Unlike Ockham, Marsiglio apparently remained defiant to the end, and he died, excommunicated and condemned by the Church. In the speech referred to above, Clement said: "We have hardly ever read a worse heretic than this Marsiglio."²⁷ This was the epitaph that the Supreme Pontiff wrote concerning Marsiglio, and I cannot but feel that by that time those would have been sweet words to the arch-heretic if he had been able to hear them.

Summary of Marsiglio's Life

This, then, is a summary of the life of Marsiglio de Padua as it has been portrayed in these pages. He was born about 1290 in Padua. He was raised in his home city and attended the local university, probably studying philosophy, law, and medicine. Late in 1311 or early in 1312 he left home upon the advice of his friend and

Villani's facts as to dates and places, but not names. Villani wrote: ". . . e partissi dat Todi a di 31 d'Agosto col suo Antipapa, e con tutta sua corte e gente."

²⁶Marsiglio de Padua, *Defensor Pacis*, ed. G. W. Previte-Orton (Cambridge: University Press, 1928), p. xiii.

²⁷J. Sullivan, *op. cit.*, p. 597.

counsellor, Mussato. His destination was Paris, the mecca of young intellectuals in those days and for many days to come. After about a year of study and teaching at the University of Paris, he was elected by his associates to the rectorship of that august institution. His term ended in the spring of 1313, but he remained at the university for about two years as a teaching master. Meanwhile he probably continued his study, especially in the field of medicine, a Paris specialty. He tired of the life of scholarship, however, and joined the newly stirred-up hostilities in Italy, fighting on the side of the anti-papal Ghibellines. This flirtation with politics, which began in 1314, did not bring the expected result to the ambitious Marsiglio, and in 1316 we find him in Avignon, the recipient of a benefice from the new pope, John XXII. Once again in 1318 he received an expectancy to an ecclesiastical post, but neither one of them ever actually was fulfilled. During those two years he studied with an egregius doctor who might well have been William of Brescia, papal physician and renowned medical scholar. Once more he tired of that life, however, so he rejoined the northern Italian Ghibellines to try for fame and fortune with them again. Apparently he had grown in their estimation over the years, for this time they entrusted him with a very delicate mission to the court of France. The mission failed, and so did Marsiglio's desire to remain

with the Ghibellines. The trend in politics was toward the north and Ludwig the Bavarian, and Marsiglio's gaze turned in that direction also. For the third and final time he returned to the life of scholarship. This time, however, he concentrated on theology, although his main interest remained politics. By 1326 he was ready to take his first degree in theology, at which time he announced that he would read a series of lectures on the Bible. Meanwhile, he had composed his unique theological-political treatise, the Defensor Pacis, and it had come to light together with his implication in it. This necessitated his flight to Germany, which he financed with money borrowed purportedly to pay the fees making him eligible to give a Bibel-kurs. Two years after his arrival in Germany, he was the emperor's chief adviser, and he accompanied his chief on the famous Römerzug, which he himself might well have instigated. Once in Rome, he was appointed vicarius in spiritualibus, but his occupancy of that distinguished post and his stay in the Eternal City were both out short by the turning of the fickle Roman populace against their popularly-elected and newly-crowned emperor and his henchmen. Back to Germany they went, and there Marsiglio continued his practice of medicine, which he had begun at the latest during his last stay in Paris. He dropped almost completely out of active politics, taking up his pen only

in the last years of his life to write a summary of his great work as well as a tractate for the emperor justifying a divorce which the latter effected on his own authority. Finally, probably in 1343, he died, having gained a reputation as one of the outstanding heretics of the age.

Character Sketch

It is almost as difficult to assemble a character sketch of our subject as it is to determine some of the details of his life. There was no Plutarch at Marsiglio's time to give us something more than mere facts concerning the activities of the man. Mussato gives us a few hints about his character in his semi-humorous metrical epistle, but the rest we must infer from his writings. Because of that fact, our conclusions are only tentative.

When Marsiglio first consulted his distinguished friend, Mussato, concerning his future, he was wavering between law and medicine. At that time he decided on medicine, but his wavering days were hardly over. Years later, when Mussato wrote him, the poet entitled his poem: "Ad magistrum Marsilium physicum Paduanum eius inconstantiam arguens."²⁸ Inconstantia had characterized the years between the time when he first accepted Mussato's advice and left home to study medicine and the time when

²⁸ J. Haller, op. cit., p. 195.

the latter wrote his poem, perhaps ten years later.²⁹ During that period he had twice devoted himself to scholarship and twice had left that life for the more exciting activities of the political wars. He apparently had difficulty in staying in one place and at one occupation for a very long time. He loved to wander, and wander he did. It was not until he was banned from Catholic lands because of his authorship of the Defensor Pacis that he more or less settled down, as far as we know. Even then, he made one last fling and thumbed his nose at the pope and his cohorts during the Römerzug, which he probably instigated. After the disastrous outcome of the Rome experiment, Marsiglio's wanderings were restricted to the lands of his fellow excommunicate, Ludwig the Bavarian. Even then, he was probably often on the go in Germany, where there was plenty of room in which to roam.

One cause of Marsiglio's Wanderlust was undoubtedly his ambition. His was not the type of ambition that could set a distant goal and then set out to reach it, even if it took many years. He wanted quick results, and if he did not soon get them, he would try something else. That is about the only way one can explain his rapid shift of occupation. He was a teacher, a doctor, a political

²⁹Ibid., p. 169.

adviser, and perhaps a soldier, a cleric, and a lawyer, Mussato advised him to study medicine because one could succeed more rapidly in that field, while law required years of patient waiting before it began to be really profitable. His ambition spurred him on, but it also led him to disaster. He saw the weakened state of the papacy, and he dreamed of overthrowing its temporal power. This led to his taking a bite larger than he could masticate: the Romerzug. As vicarius in spiritualibus he lorded it over the adherents of the pope and persecuted them freely. This showed a rather undesirable trait of his character, a merciless vindictiveness. His triumph was as short lived as that of many another conquering Caesar, and soon his days of lordship were over. He had not only ambition; he had daring. He was willing to gamble for high stakes, but he lost.

A possible explanation for some of his characteristics is his stature. Apparently Marsiglio was quite short. At least, Haller thinks so.³⁰ He believes that Mussato is referring to that in the line: "Quidam aiunt quod tu germano accingeris ensi."³¹ If he were short, he possibly compensated for that fact by asserting himself so boldly and projecting himself to the forefront wherever he was. However that may be, he undoubtedly was a leader of men, to which the effect he had upon other men with ideas of

³⁰Ibid., p. 195, l. 10.

³¹M. J. Tooley, op. cit., p. 105.

their own attests. Included in that group are Ludwig, Holy Roman Emperor; Jean de Jandun, one of the outstanding philosophical scholars of the age; William of Ockham, one of the great religious minds of the later Middle Ages; and others. Whether he influenced his friends because of his personal magnetism or solely because of his original and audacious mind cannot be determined. However, when his personality no longer could influence others, his great work lived on and continued to affect the lives of individuals and nations.

Marian Tooley has a rather dim view of the character of Marsiglio, especially since it helps her case. She thinks that it is natural that the colorful and dramatic Marsiglio should be remembered and credited with the authorship of the Defensor Pacis long after the quiet, unobtrusive Jean was forgotten.³² "His career suggests that he was ambitious, assertive, and unscrupulous," she says, and he would not have been loath to accept credit for the sole authorship of the work even though he did not deserve it. After all, she points out, he stole the work of an earlier writer almost literally for his De Jurisdictione Imperii et Autoritate summi Pontificis.³³

³² Ibid., p. 88.

³³ That was not at all unusual in the Middle Ages, however.

It is not difficult to believe that Marsiglio was everything she says he was, but the case does not end there. The warmth with which Mussato addresses him, the large number of friends he had, his election to the rectorship of the University of Paris, these attest that he had also some very endearing characteristics. What they were, I shall not venture to say.

It is very easy to conclude that Marsiglio was an opportunist. The manner in which he wandered from one place to the next and from one occupation to another indicates that. The strongest proof of this fact is his service under the Ghibelline chiefs, who were the bitterest enemies of his native city and who won glory in fighting her. No one has yet produced a satisfactory reason for that switch. Marsiglio was proud of his native city and he had the blood of a true patriot in his veins. In the first chapter of his masterpiece, he proudly states, "Antenorides ego", referring to the founder of his city as Virgil describes him.³⁴ Despite his defection, Padua

³⁴Virgil, *Aeneid* (Cambridge: Harvard University Press, 1940), I, 258, ll. 242 ff.

Antenor potuit, mediis elapsus Achivis,
 Illyricos penetrare sinus atque intima tutus
 regna Liburnorum et fontem superare Timavi,
 unde per ora novem vasto cum murmure montis
 it mare proruptum et pelage premit arva
 sonanti.

hic tamen ille urbem Patavi sedesque locavit
 Teucrorum et genti nomen dedit armaque fixit
 Troia; nunc placida compostus pace quiescit:

remembered him, and the city erected a tablet in St. Leonard's Church which recounts his activities and his influence on German thought.³⁵ One might say that love for his fatherland made him overlook his devotion to his mother city, but that would be speaking in terms slightly in advance of Marsiglio's time. It seems that his opportunism and ambition for personal gain ruled him more than his soften emotions.

Marsiglio was a man of violent passions. He hated the papacy passionately, and he attacked it with vigor. He had the hot blood of the South in his veins, even though he lived in the more temperate north of Italy. Were there any women in his life? One would certainly expect that there would be, but nowhere is there a word mentioned on the subject. Perhaps he was a cleric after all, or perhaps he satisfied himself with the temporary liaisons which were so common in those days that they did not even deserve mention, with the result that we would not hear about them.

Finally, was Marsiglio a very good Christian? Many scholars conclude that he was not. True enough, the second Dictio of the Defensor Pacis especially is based

nos, tua progenies, caeli quibus aduis arcem,
navibus (infandum!) amissis unius ob iram
prodimur atque Italis longe disingimur oris.

³⁵ C. K. Brampton, op. cit., p. 501.

almost entirely on the Bible and the Fathers, and Marsiglio certainly studied theology and was perhaps even a practicing priest, but that is not entirely convincing. Some think that he was perhaps drawn to theology merely because of the political use to which he could put it.³⁶ Since he was an Averroist, he could easily have been tainted with the religious skepticism which characterized so many of that class. His actions certainly were not always motivated by Christian love, but that is not conclusive either, as we all know. In this matter, Scholz strongly maintains that Marsiglio was a good Christian, in the following words:

Weit entfernt davon irreligiöse oder atheistische Ansichten zu äuszern, zeigt sich Marsilius vielmehr hier gerade als gutgläubiger Christ, der an den Kirchenlehren festhält, und nur die Gebiete der Vernunft und der Offenbarung, des Glaubens und des Erkennens scharf voneinander zu sondern sucht.³⁷

Conclusion

We are not sure whether or not the dead Marsiglio was blessed, but his works certainly lived after him. Although for many years at a time he would pass into complete obscurity, he always came back into the limelight again, so that today he is more honored and respected than

³⁶J. Haller, op. cit., p. 189.

³⁷R. Scholz, "Marsilius von Padua und die Idee der Demokratie," Zeitschrift für Politik, I (1907), 65.

ever. He was the product of a unique time and unique circumstances, which combined with his unique gifts of mind and personality to produce the man and his works. There is much speculation concerning the factors which influenced Marsiglio. Certainly he was influenced by the conditions of his native Padua and the situation in northern Italy in general. Some consider this the major influence in his life.³⁸ Others point to France and the battle of Philip the Fair with the pope, with its brilliant tractarians, as the major influence upon Marsiglio and his ideas.³⁹ He was also influenced by his training. Although there are only two citations from the ancient medical authorities in the Defensor Pacis,⁴⁰ it is filled with medical expressions and comparisons. The empirical knowledge and experience that medicine provided influenced him considerably,⁴¹ and that is one of the factors that relates him to the Renaissance. There were many influences upon Marsiglio, and he absorbed them all into his thinking. However, we cannot reduce him to a mere product of his time and influences. Scholz states that fact as follows: "Aus ihrer Zeit heraus sind auch seine Ideale geboren, und doch sind sie seine persönliche

³⁸J. Haller, op. cit., pp. 190 f.

³⁹R. Scholz, op. cit., p. 64.

⁴⁰Marsilius de Padua, op. cit., ed. R. Scholz, p. xlviii.

⁴¹R. Scholz, op. cit., p. 64.

Schöpfung; denn er allein hat sie zu formulieren verstanden."⁴²

One can examine each of the influences upon him, the Italian city-state, Gallicanism, the universities, Averroism, nominalism, William of Ockham, Jean de Jandun, and all the rest, and he surpasses each by far in his own field, politics. His hatred for the papacy began in Padua, where the clergy was hated as nowhere else. It continued in the atmosphere of Paris University, the supporter of Philip the Fair. It found support in the depravity of the curia at Avignon. It deepened into personal affront when he received two promises of positions and probably received neither one of them. As long as the papacy was an Italian institution, it probably did not seem so bad to Marsiglio, especially since his home town was more or less allied with it in their opposition to the Ghibellines. But when the papacy transferred to France, that was the final blow. It now was not only an affront to his personal honor but also to his national honor. Jacob Burckhardt has much to say about the honor of an Italian at the time of the Renaissance.⁴³ No doubt a great part of that peculiar veneration of one's "honor" and the steps which must be taken to avenge it once it is injured existed

⁴²Ibid., p. 66.

⁴³His book, The Civilization of the Renaissance in Italy, is still considered a classic in its field.

already at Marsiglio's time. Vengeance must be had, and Marsiglio tried his best with his pen and his tongue and his entire being, and he succeeded admirably, at least in the first category. That is indeed the important category, for it carried his ideas beyond his own time and the limited area of western Europe.

Influence is a very nebulous thing, and there are many influences that are not at all apparent as well as others that are very apparent but are not really influences. One can easily confuse the influence of Marsiglio with that of other things and people that influenced him. Similar conclusions may be reached completely independently of each other. However, one way of gauging the influence of a work is to discover how often it was printed. The Defensor Pacis was often cited during the conciliar movement, but it was not until the time of the Reformation that it really came into its own. The first edition came out in 1522, and between then and 1692 it went through numerous editions in many of the Western European countries.⁴⁴ One of the most interesting editions is the English translation which William Marshall made himself or had made in 1535. This appealed to the intellectuals gathered at Henry's court, but it never became very popular among

⁴⁴J. Sullivan, op. cit., pp. 602 ff.

the people.⁴⁵ Marshall wrote to Cromwell that although it was the best book in England against the pope, it had never sold well.⁴⁶ It had a similar problem elsewhere, and Marsiglio never became a real force among the people. His realm was the intelligentsia. Among those his influence is traced in many places, with varying degrees of justification. These include the conciliar movement, Wyclif, the Hussites,⁴⁷ the Brethren of the Common Life, Martin Luther, the court of Henry VIII, especially Archbishop Cranmer,⁴⁸ Macchiavelli, Rousseau, and many others.⁴⁹ After 1692, many years went by without another edition of the work. Then in our own century there was a spurt of renewed interest, and two excellent critical editions came out within less than five years.⁵⁰ These should serve for years to come, enabling scholars of the present and of the future to study this unique work.

This, then, has been a brief overview of the life of the author of the Defensor Pacis. His book has been

⁴⁵F. L. Baumer, "Thomas Starkey and Marsilius of Padua," Politica, II (1936), 191-2.

⁴⁶Ibid., p. 192.

⁴⁷Marsilius de Padua, op. cit., ed. R. Scholz, p. xlix.

⁴⁸F. L. Baumer, op. cit., p. 192.

⁴⁹A. Gewirth, Marsilius of Padua, the Defender of the Peace (New York: Columbia University Press, 1951), I, 4-5. There is a fairly complete list of those supposedly influenced by Marsiglio on these pages.

⁵⁰Those of C. W. Previté-Orton (Cambridge: University

called many things, including the first practical book of political theory (1),⁵¹ "the most remarkable literary product of the Middle Ages,"⁵² "die selbständigste und kühnste kirchenpolitische Schrift des Mittelalters,"⁵³ and the like. It was unique because of its combination of typically medieval form with matter that was more characteristic of the Renaissance and the Reformation. Practical or not, it never became truly effective, since its value was limited to the learned intellectuals. Despite its extensive use of Scriptures and the Fathers, it remained essentially a political work. The power of the pope was too great to be broken by politics and political arguments. Its roots lay much deeper. It remained for a later age and another man and the power of the Gospel to accomplish to some degree that which Marsiglio had hoped to achieve. Haller aptly puts it: "Gebrochen konnte die Macht des Irrtums erst werden, als ihm die religiöse Kraft eines neuen Glaubens entgegentrat."⁵⁴

Press, 1928) and R. Scholz (Hanover: Hahnsche Buchhandlung, 1932). D. Bigongiari, in his "Notes on the Text of the Defensor Pacis," Speculum, VII (1932), 36-49, points out a number of errors in the edition of Previte-Orton. Without having seen Prof. Bigongiari's article, Scholz agrees with some, but not nearly all, of the suggested corrections in his edition.

⁵¹J. Haller, op. cit., pp. 192 f.

⁵²E. Emerton, The Defensor Pacis of Marsiglio of Padua (Cambridge, Mass.: Harvard University Press, 1920), p. 1.

⁵³J. Haller, op. cit., p. 166. ⁵⁴ibid., p. 194.

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