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**POLITICS, SOCIETY, AND SOCIAL THOUGHT IN EUROPE I: 400-1300**

**A GUIDE TO READING**

This guide is designed to explain my choice of readings for this course and to lead you to further readings appropriate for you, depending on how much or how little you already know about European history in general and the history of European political thought in particular. It is divided into three parts. The first part deals with general works, background information, and introductory readings of various sorts. The second part is arranged, roughly speaking, according to the topics that will be addressed in the course. The third part is a reference section, in which I simply list the most important books and articles and offer a few comments on some of them.

I wrote this guide mostly for beginners. I have therefore placed special emphasis on introductory works and have tried to limit myself to works in English. But where it seemed useful or necessary I have not hesitated to mention works written in other languages. I have also made a special effort to single out books and articles that have struck me as especially telling or informative, never mind how difficult or advanced they may be. I hope that this procedure will make it easy for you to start reading where it will be most profitable for you, and to keep reading for a long time to come once your interest has been awakened.

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## PART ONE: GENERAL WORKS

If this is the first time that you are trying to learn anything about European political thought in olden times, your best bet is to attend all of the classes and do all of the assigned readings. I have deliberately designed the course in such a way that the combination of readings and lectures should give beginners all the help they need, without boring those who are ready for more advanced work. You will find the most basic information about medieval Europe in the assigned survey by H. G. Koenigsberger, Medieval Europe, 400-1500 (London: Longman, 1987), which is exceptionally insightful, lively, and clear, and a much better read than more detailed surveys. Equally useful for elementary pieces information are the introductory sections in Brian Tierney, The Crisis of Church and State, 1050-1300 (Englewood Cliffs, N. J.: Prentice Hall, 1964), in which Tierney offers historical commentary.

### A. Historical background

If you are a beginner, but would still like to do some further reading, the two best books on medieval Europe for you are probably Richard W. Southern, The Making of the Middle Ages (New Haven: Yale University Press, 1953) and Robert Bartlett, The Making of Europe: Conquest, Colonization, and Cultural Change, 950-1350 (Princeton, N.J.: Princeton University Press, 1993). Southern's book is now quite old, and definitely old-fashioned, but still unsurpassed for its ability to describe very briefly the most important social, political, and cultural features of high medieval Europe. Bartlett, who happens to be Southern's student, is much more contemporary and does an outstanding job of describing how Europe came to be Europe, but pays much less attention to high culture. Bartlett is especially good on the role of the Franks, law, social structure and change, and relations between Europe and the world around its borders. This is the book where you can begin to understand that no such thing as Europe existed until the tenth century (there was only something of a grab-bag of fragments of the Western Roman Empire and assorted tribal groups competing with each other for control over those fragments). And this is also where you can learn about the means by which the warriors and clerics inhabiting those fragments managed to unify the continent under their control.

The best general book about high medieval Europe that I know is John Hine Mundy, Europe in the High Middle Ages, 1150 - 1309 (New York: Basic Books, 1973), if I do say so myself (since Mundy was my teacher at Columbia University). Mundy's book is

marked by a strikingly deep understanding of medieval European society, full of the most wonderfully telling details, and acutely aware of our prejudices in favor of modernity. There is no other book like it in any language. But it is also a much harder read than the books by Southern and Bartlett and presupposes more knowledge of the basic aspects of medieval history. Try it if you feel like it. You will not be disappointed, especially if you dip in here and there and don't try to read it cover to cover. But if you find it heavy going, rely on Southern and Bartlett.

If you don't want to read a whole book, but prefer to read short essays, I recommend C. G. Crump and E. F. Jacob, eds. The Legacy of the Middle Ages (Oxford: Oxford University Press, 1926). Like many of the other pieces of literature I am going to recommend, this one is quite old. And just like those other pieces of literature it is still very good for introductory purposes, at least so long as you realize that much new information has been gathered in the last seventy years. It is good, not in spite of its age, but because of its age. Just because it was written quite some time ago, it does not yet presuppose as obvious and familiar so many of the basic pieces of information that have now been repeated so often that historians have tired of repeating them any longer, understandably so, but to the mystification of students who have not yet studied medieval history, and who cannot understand the point of more recent scholarship without knowing exactly what this recent scholarship is supposed to be improving on.

The Legacy of the Middle Ages is a collection of essays on most areas of medieval social, political, and cultural life, with obvious and important exceptions, such as the history of women and gender, for example, which barely existed in 1926. The articles on the various kinds of medieval law are especially important for this course. The essays by Paul Vinogradoff on customary law, Edouard Meynial on Roman law, and Gabriel Le Bras on canon law are among the best places to go even today in order to gain a first introduction to the role of law in medieval Europe. I will have to say more about law below, but for the time being you should remember this volume as a good introduction.

If you want a traditional survey of what used to be considered the basic facts of medieval history, your best bet is probably Brian Tierney and Sidney Painter, Western Europe in the Middle Ages, 300-1475, 5th ed. (New York: McGraw-Hill, 1992). This is a standard textbook of the sort that used to be required and is now falling out of fashion. I'm not assigning it, but you may find it useful because the narrative pattern that it follows has, for better or for worse, and in spite of all the progress that historians have made in recent decades, not been replaced by anything that can claim to be similarly plausible, coherent, and detailed.

For a similar narrative on a much more compressed scale, consider the medieval sections in William H. McNeill, History of Western Civilization: A Handbook, 6th ed. (Chicago: University of Chicago Press, 1986). I should add that I recommend these works only because I am familiar enough with them to be able to say that they will not mislead you in any except the usual ways. The information they contain is as reliable as information in textbooks can be expected to be. But there are many other textbooks on the market, and

though all of them are different, they are also all (more or less) alike. Which of them you prefer is, to some extent, simply a matter of taste.

For a still more compressed scale, look at H. Kinder and W. Hilgemann, eds. Anchor Atlas of World History, trans. by Ernest A. Menze with maps designed by Harald and Ruth Bukor (Garden City: Doubleday, 1974-78). This is not a textbook at all, but a chronology listing the main events of world history. But it has the great advantage that for each page of chronologically arranged data it also includes a historical map. And since lack of geographical knowledge is one of the greatest enemies of historical understanding, these maps come very highly recommended. If you like historical maps, you should also take a look at Geoffrey Barraclough and Norman Stone, eds. The Times Atlas of World History, 3rd ed. (Maplewood: Hammond, 1989) and H.-E. Stier and others, eds. Westermanns Grosser Atlas zur Weltgeschichte (Braunschweig: Westermann, 1956).

Finally, it is worth pointing out that there is an excellent and recent general reference work on the middle ages, namely Joseph R. Strayer, ed. Dictionary of the Middle Ages (New York: Charles Scribner's Sons, 1982-1989). This is a very well-done encyclopedia with detailed articles and bibliographies on all aspects of medieval history. By all accounts this is the best general place to look for introductory information on any particular aspect of medieval history, and in some cases it is simply the best place of all.

#### B. Surveys of medieval political thought

If you would like to have more background on the history of medieval political thought, I'm afraid I can't recommend anything nearly as successful as the books by Southern, Bartlett, or Mundy. The sad truth of the matter is that there is no good general book on the history of medieval political thought. All of the existing ones are deeply marred in one way or another: they treat the history of ideas as though it were enough to write a detailed analysis of the books in which those ideas were written down; they are deeply prejudiced in favor or against Catholics; they don't present a coherent picture; they rely on a misleading chronology; they presuppose a definition of "politics" that is inappropriate for medieval times; they have a high cultural axe to grind; they are founded on mistaken assumptions about "ancient Germanic liberty," and so on. The best you can do under the circumstances is to read several of the available books more or less at the same time, to remain very much on the alert for their particular weaknesses, and to hope that those weaknesses will, to some extent, cancel each other out.

That having been said, the single best introduction to the history of medieval political thought overall remain the six volumes of Robert Warrand Carlyle and Alexander James Carlyle, A History of Mediaeval Political Theory in the West (Edinburgh - London: Blackwood, 1903-36). Though they are officially authored by both R. W. and A. J. Carlyle, that's really an effect of A. J.'s devotion to his brother R. W., who predeceased him. Most of the writing, and most of the interpretation, is due to A. J. His volumes are now unfortunately out of print. They are obviously old, and they amount to a lot of reading. But the fact of the matter is that they are much easier to read than many of their more recent successors, and that no one else has covered the terrain more successfully.

What is especially good about them is the clarity of their approach: each volume deals with a particular period and uses the same topical approach to the subject matter (ideas about justice, sources of law, the role of the people in politics and so on). Once you have read one or two volumes, it is easy to skim the others and locate the points at which the authors will be dealing with any particular subject matter you may be interested in. Equally important, the quotations from the sources in the footnotes (in Latin) are so complete and thorough that these volumes do double-duty as a collection of the most important medieval pronouncements on matters of political thought. And finally it must be said that the brothers Carlyle were unusually clearly aware how impossible it is to deal with medieval political thought in separation from law. If there is any single thing that needs to be said about medieval political thought in order to distinguish it from modern thought, it is that medieval people believed law to exist on foundations that were quite independent from the state, so that law was not subject to politics (or legislation), but rather the other way round: politics was subject to law. The Carlyles recognized that point very well and gave pride of place to their treatment of law. If you have any opportunity to do so, you should read at least the first volume. It covers all of the early middle ages up to the Carolingians. It will give you a clear sense of Carlyle's periodization (from the Stoics to Rousseau), inform you about the revolutionary role played by the Stoics in the history of political thought, the main contributions of Christianity, and the stunning (and regularly overlooked) extent, to which Roman law is the source from which Europe learned the principle that all people are born free by nature.

There is an American equivalent to the Carlyles' six volumes, namely Charles Howard McIlwain, The Growth of Political Thought in the West: From the Greeks to the End of the Middle Ages (New York: Macmillan, 1932). This is much shorter and has the advantage of beginning with the Greeks. Almost half the book is concerned with Plato, Aristotle, and the Romans, before the second half turns to the early and then the late middle ages. Here you can get a much better sense of the continuities (and discontinuities) of political thought from the Greeks to the modern period than from the Carlyles, who focus far more on the medieval period. The book is also organized quite differently. It lacks the thematic approach the Carlyles practiced and is therefore more difficult to use for reference purposes. And finally there are some points of disagreement over interpretation. But from a distance of more than sixty years those seem relatively unimportant, especially since McIlwain drew a lot on the work of the Carlyles and placed an equal emphasis on principles of constitutionalism. As a consequence, you can think of his history as a one-volume version, with certain qualifications, of the information conveyed in the six volumes of the Carlyles' history, at least as far as the middle ages are concerned.

Next in order of importance, I would recommend J. H. Burns, ed. Cambridge History of Medieval Political Thought, c. 350 - c. 1450 (Cambridge: Cambridge University Press, 1988). This is a massive collection of essays by leading scholars in the field on most important aspects of political thought during the period indicated. The main strength of this volume is that it reflects the current state of scholarship; that it is easy to use, in part because the individual essays can be read in isolation from each other; and that it contains

handy guides to the subject matter. The most important is a collection of short "biographies" in alphabetical order at the end of the volume, where you will find thumbnail sketches of all of the major and many of the minor figures in the history of medieval political thought, along with references to their writings and writings about them. If you have questions about a particular figure in the history of medieval political thought, this is an excellent place for you to start looking for answers (like Strayer's Dictionary of the Middle Ages). Equally good and thorough are the bibliographies. But the weaknesses of the volume are also noteworthy. Some subjects are not treated well at all: theories of Empire, for example, including the Holy Roman Empire, feudalism, the crusades, heresy, and the inquisition. Some essays absolutely outstanding, for example, John Watt's piece on spiritual and temporal powers, perhaps the best short account of the relationship between state and church in medieval Europe to be had anywhere. But others are so compressed as to be very difficult for beginners, such as Peter Stein's essay on Roman law. And finally, there is a good bit of duplication and inconsistency, not so much on matters of "fact," but in approach and emphasis.

Joseph Canning, A History of Medieval Political Thought, 300-1450 (London - New York: Routledge, 1996), by contrast, has the tremendous virtue of being short, up-to-date, and of having been written by a single author with a consistent point of view. This is clearly the best short history of medieval political thought available now. It is especially good in the breadth of its chronological coverage (really all of medieval history!), the clarity of its structure, and the attention it pays to the history of Roman and Canon law. Its greatest disadvantage is an inevitable consequence of its brevity: it presupposes a great deal of familiarity with older views of medieval political thought. In one sense that's a strength. From this short book you can learn very quickly what scholars have done in the last fifty years or so to improve our understanding of medieval political thought. But it is also a weakness, because beginners will be confused by the extent to which Canning refers to older scholarship without being able to explain exactly what that older scholarship believed to be the case. The best way to deal with that problem is perhaps to read another, but older, short history of medieval political thought, such as John B. Morrall, Political Thought in Medieval Times (London: Hutchinson, 1958). Morrall proceeds quite differently from Canning and will give you quite a different picture of the main developments of medieval political thought. But his book is just as brief and the contrast is very illuminating.

For the later middle ages, there is another short, recent, and outstanding volume written by Antony Black, Political Thought in Europe, 1250-1450 (Cambridge: Cambridge University Press, 1992). Black does not proceed chronologically, like Canning, but thematically. He begins by dealing with the political community in general, then with state and church relations, conceptions of empire, city states, kingship, representative government, and finally the emergence of the state. This is a very well-done piece of work and highly recommended. It draws explicitly, and to very good effect, on the idea that the history of political thought cannot be treated well without distinguishing between the different "languages" (theological, native, legal, Ciceronian, Aristotelian) used by medieval folk to express that thought. It contains an especially useful annotated bibliography at the end that doesn't hesitate to recommend works in German or French if

no good ones are available in English. Its main weakness is that it deals only with the later middle ages, and that beginners would probably like to have more of a chronological framework in addition to the thematic approach.

Given the drawbacks of all of these volumes, it may be useful to recommend a completely different approach those who want to make a quick first-hand approach to the central issues in medieval political thought: read Francis Oakley, The Political Thought of Pierre d'Ailly: The Voluntarist Tradition (New Haven: Yale University Press, 1964). It is true that Oakley's book is focused on one particular late medieval thinker and the contribution that he made to the development of the so-called conciliar theory. You may therefore wonder why I would recommend it as an introduction to medieval political thought over all. But it is also true that Oakley tried very hard, and quite successfully, to give a quick, general introduction to all of the major issues that arose in d'Ailly's thought, and those happen to be the basic issues of medieval political thought in general: the nature of lordship, the distinction between rationalism and voluntarism, and the role of law. Each of the chapters in his book is devoted to a major theme, and in each chapter he begins by giving an overview of the general medieval approach to the theme before turning specifically to Pierre d'Ailly. If you just skip the sections on d'Ailly (and even if you don't), his book can thus serve as a handy introduction to medieval political thought overall.

### C. Essays and collections of essays

Along those lines of reasoning you might indeed do best to begin by turning to some of the large number of articles, essays, papers, lectures, and collections of essays that don't try to cover the whole length and breadth of medieval political thought, but rather seize on some of its most salient features, or some of the most important characters, and seek to describe those as clearly as possible. Such essays and essay collections are very good for beginners because they are short, easy to read, and don't presuppose a lot of knowledge.

A good example is Alexander Passerin d'Entrèves, The Medieval Contribution to Political Thought: Thomas Aquinas, Marsilius of Padua, Richard Hooker (Oxford: Oxford University Press, 1939). This looks like a book, but it is brief and it reproduces a set of lectures. This is once again old-fashioned, but also intelligently done and still quite readable. First of all, d'Entreves starts out by addressing directly, briefly, and lucidly one of the most important fundamental questions in the field: what is the relationship between the history of political thought (which tries to place thinkers in their historical context) and political philosophy (which aims to give rational answers to political questions). If you are at all familiar with recent methodological debates or the so-called Cambridge School and Quentin Skinner, you will know how much ink has been spilled on this question, but little of it more lucid than d'Entrèves's brief remarks. Next, d'Entrèves is really very good at capturing the four or five basic points that need to be made to talk about medieval political thought intelligently: the relationship between classical and Christian elements; the role of faith and reason; and the role of law. What follows are his lectures on Thomas Aquinas, Marsilius of Padua, and Richard Hooker, which is to say: on two medieval theorists who disagreed with each other profoundly, and one early modern theorist from whom you can learn how medieval ideas were carried over into



modern political discourse. Overall, a very successful introduction to the main outlines of medieval political thought, approached from a high intellectual angle.

Similar in its ambition to give quick access to the essence of medieval political thought is Beryl Smalley, ed. Trends in Medieval Political Thought (Oxford: B. Blackwell, 1965), except that it includes essays by a number of different scholars, so that it is not nearly as cohesive as d'Entrèves' work, that the several authors of these essays don't deal only with a few celebrated thinkers such as St. Augustine, Dante, and Marsilius of Padua (a selection notable for the absence of Thomas Aquinas), but also give brief overviews of the four or five main phases and developments in medieval political thought (the Carolingians, the Investiture Controversy, the recovery of Aristotle's Politics, the study of law, and the conciliar movement), and that they are far more sympathetic to history than to political philosophy strictly speaking. Coverage is necessarily brief and spotty, but if you read this, you will find it to be perhaps the most illuminating little collection of particular wisdom on medieval political thought that has been put together in recent years.

Third, I'd like to mention three collections of essays that are focused on topics of particular significance for medieval political thought. One is Mary Erler and Maryanne Kowaleski, eds. Women and Power in the Middle Ages (Athens - London: University of Georgia Press, 1988). This shows clearly how much work still needs to be done before we will be able to give good answers to the basic question what medieval women thought about politics, what men thought about them, and what their place in medieval political structures was. Some of the essays in this collection are very good, others not so, and the whole lacks the kind of cohesion that is only possible once the many conflicting positions and interests that shape a nascent field have been worked out. But there are some excellent pieces of research in this collection, and some very suggestive interpretations, which make this the best work of its kind on the market.

Then there is Bennett D. Hill, ed. Church and State in the Middle Ages (New York - London: John Wiley & Sons, 1970). This reader includes some primary sources, but its main goal is to familiarize you with the different positions that have been taken on the issue of church and state by scholars coming from different camps. Did the church claim to rule over the state? Were clerics in favor of theocracy? What is the relationship between medieval dualism and medieval theocracy? Who supported the independence of the state from the church? And so on. It is a conventional piece of work, but since the relationship between church and state is one of the fundamental problems in medieval politics, and one with important consequences for modern politics, it deserves special attention.

Third is a recent collection of essays on the origins of liberty that has a much broader scope than the middle ages: R. W. Davis, The Origins of Modern Freedom in the West (Stanford: Stanford University Press, 1995). For those who have a special interest in liberalism and its medieval antecedents, such as they were, this is a good place to go. But it is also a good place to go for those who would like to understand how differently liberty was defined, understood, and protected at different times in history and in

different historical settings. It deals with liberty in the cities, with liberty as protected by medieval assemblies of estates, with parliaments, with the relationship between liberty and the church, and not least with personal liberty under medieval English common law.

Finally I would like to mention a recent, brief, and extremely illuminating exchange about medieval political thought between a leading political theorist at Harvard (Samuel Beer) and a leading historian of medieval political thought (Brian Tierney): Samuel Beer, "The Rule of the Wise and the Holy: Hierarchy in the Thomistic System," Political Theory, 14 (1986) 391-422, to be read together with the critical response by Brian Tierney, "Hierarchy, Consent, and the 'Western Tradition'," Political Theory, 15 (1987) 646-652. This is perhaps the best quick introduction anyone could wish to read today in order to find out what has changed the most about our understanding of medieval political thought in recent decades. It is such a good introduction because Samuel Beer (who really is no expert on the middle ages) does a perfect job of reproducing all the most obvious stereotypes that people learn about the middle ages in high school, in College, and from the media: the image of the middle ages that is dominated by St. Thomas Aquinas and hierarchy—whatever that means. Of course he reproduces the stereotypes very elegantly and intelligently. But they are stereotypes nonetheless, and deeply misleading. And Brian Tierney does a brilliant job of showing on a mere six pages how fundamentally misguided those stereotypes are. He is well qualified to do so, because no one has worked with greater determination to uncover the origins of individual rights, constitutional government, and representative assemblies in the tradition of the medieval catholic church. Precisely that catholic church of which almost everybody believes that it is by definition hierarchical, monarchist, and opposed to individual rights.

#### D. Walter Ullmann

No bibliography of medieval political thought is complete without mention of the works of Walter Ullmann. Ullmann was a prolific author, but for present purposes the most pertinent works are probably two works in which he aimed to portray the whole of medieval political thought as he saw it: A History of Political Thought: The Middle Ages, Revised ed. (Harmondsworth: Penguin, 1970) and Law and Politics in the Middle Ages: An Introduction to the Sources of Medieval Political Ideas (Cambridge: Cambridge University Press, 1975). Few scholars have done more in this century to bring the history of medieval political thought to the attention of today's readers than Walter Ullmann did. He was by all accounts a spell-binding teacher and a masterful interpreter of the subject. He also had a fascinating personal history that is deeply reflected in his scholarship: a devoted Catholic who was born in Austria, trained as a lawyer, emigrated to England under the Nazis, and eventually became one of the leading historical scholars at the University of Cambridge, where he taught a remarkably large number of the leading historians of medieval political thought active in the field today, for example, Joseph Canning, Antony Black, and Brian Tierney, all three of whom I have already mentioned. The study of medieval political thought today, in other words, is unimaginable without the impact that Ullmann had on it.

Yet at the same time it must be said that his work has been sharply and justly criticized for a lot of reasons, chief among them the dogmatism with which he forced history into a procrustean dichotomy between "ascending" and "descending" theories of government. That dichotomy is good at identifying different conceptions of the sources from which political authority may be said to be derived: from "the people" in the first case, and from "God" in the second. But it is notoriously bad at capturing different conceptions of the nature of political authority, regardless of where it comes from (for example, is it founded on reason or on will? is it governed by principles of morality, or is it opposed to them?), and equally bad at identifying the different purposes at which the exercise of political authority can or ought to be directed. In reading Ullmann, it sometimes seems as though the history of medieval Europe consisted of a battle waged by freedom-loving Germans against popes yearning for absolute control of the world. The former defended the "ascending" theory of government and ultimately bequeathed to us popular sovereignty and constitutional government. The latter inherited their preference for the "descending" theory of government from Roman Emperors and plotted the subjection of the world to papal control from the beginning of Christianity until they almost succeeded in the high middle ages.

This is obviously only a caricature. Ullmann was not as simple-minded as that. And if you want to read him at his best, read his inaugural lecture at Cambridge: Walter Ullmann, The Relevance of Medieval Ecclesiastical History: An Inaugural Lecture (Cambridge: Cambridge University Press, 1966), a relatively short piece that demonstrates all the brilliance of his style and the power of his interpretation with only very few of his weaknesses. Nonetheless it remains true that the dichotomy he so cherished led him to misrepresent the history of medieval political thought in fundamental ways that led not a small number of his students to break with him eventually, and quite forcefully, though never so tactlessly as to broadcast their differences with a teacher to whom they owed a lot to the guild of historians at large.

Probably the most solid and convincing criticism of Ullmann's work, therefore, was offered by someone who was not his student and less constrained by the respect students pay to their teachers, namely, Francis Oakley, "Celestial Hierarchies Revisited: Walter Ullmann's Vision of Medieval Politics," Past and Present, 60 (1973) 3-48. This is a justly famous article because, on the one hand, it gave Ullmann all the credit that was his due, but on the other also showed clearly and unflinchingly how unhistorical and anachronistic some of Ullmann's assumptions were, and how he almost systematically suppressed or misrepresented evidence that did not fit his picture—including evidence furnished by such major figures in the history of medieval political thought as St. Augustine and William of Ockham. Ullmann, unfortunately, never deigned to respond. Nonetheless the points of contention identified by Oakley make for an illuminating introduction to some of the most basic issues in the study of medieval political thought. If you are interested in this kind of debate, and in the controversy that Ullmann always provoked, you should also take a look at Walter Ullmann, Medieval Papalism: The Political Theories of the Medieval Canonists (London: Methuen, 1949), one of the earliest works in which Ullmann stated his general ideas, and the sharp criticism this received from Anton Maria Stickler, "Concerning the Political Theories of the Medieval Canonists," Traditio, 7

(1949-1951) 450-463, and Friedrich Kempf, "Die päpstliche Gewalt in der mittelalterlichen Welt: Eine Auseinandersetzung mit Walter Ullmann," Miscellanea historiae pontificiae, 21 (1959) 117-169.

#### E. Classics

That rounds out my review of the most obvious books and essays (in English) you could begin to read if you wanted to make yourself familiar with the history of medieval political thought. There are a few more that deserve special mention because they are classics. They are classics because they are difficult to categorize, but have at the same time had profound impact on our understanding of medieval political thought, and have reshaped the whole field even though they are only devoted to a certain aspect of the history, rather than trying to cover the whole of it, as the handbooks and surveys listed above try to do. Surveys are never classics, and the Carlyles' survey is a classic only because it is really not a survey at all, but a sustained argument. But books with sustained arguments such as the following can become classics.

One such classic is Otto Friedrich v. Gierke, Political Theories of the Middle Age, trans. F. W. Maitland (Cambridge: Cambridge University Press, 1900). This is really only an excerpt, translated into English by Frederic William Maitland, from Gierke's massive, and massively learned, four volumes of Das deutsche Genossenschaftsrecht (Berlin: Weidmann, 1868-1913), a work that goes far beyond the medieval period. Gierke was an enormously influential historian of German law who was active late in the nineteenth and early in the twentieth century. Like many other observers of society writing at the time, he was worried about what he perceived to be the disintegration of contemporary society under the onslaught of the changes wrought by the industrial revolution. In an attempt to banish the threat of social atomism, he turned to the middle ages, and especially to medieval German society, because like many of his contemporaries he believed that medieval Germans were inspired by a firm and righteous attachment to the community. Indeed, he believed that Germans understood better than anyone else that a community properly understood is something that exists apart from, and even prior to, all individuals (this reads much more pernicious in the aftermath of fascism and the Third Reich than it was at the time, but it is really not all that different from the principles you find in Aristotle's Politics). Yet, ironically, it is not so much Gierke's attempt to rescue medieval notions of community for which he is best remembered, but rather his pioneering investigations into the impact of medieval Roman and canon law on medieval politics. On the whole, Gierke was skeptical of Roman law, and canon law, because canon law ran in the wake of Roman law. He thought that both of them lacked the Germanic understanding of community that he so cherished. He charged them with being too individualistic, and he thought they led to the eventual subordination of the community to the absolute sovereignty of the modern state, and to its disintegration into the kind of selfish individualism that he so deplored. Yet, precisely because he thought Roman and canon law were dangerous, he analyzed them in great detail. In the process he showed for the first time how firmly European notions of representation and individual rights were founded on the analysis of Roman law by medieval thinkers. That was eye-opening at the time. It helps to explain why Maitland, the greatest English historian of all, and a historian of law in his own right, translated part of Gierke's work into English, why he is

still remembered as one of the seminal figures who promoted investigations into Roman law as one of the main sources of western ideas of representation, and why Maitland was not the only one to translate his writings into English. Another part of the same volumes from which Maitland took his selections was translated by Ernest Barker as Natural Law and the Theory of Society, 1500 to 1800: With a Lecture on the Ideas of Natural law and Humanity by Ernst Troeltsch (Cambridge: Cambridge University Press, 1934), and only quite recently there has been a new attempt to draw the attention of English-speaking readers to Gierke's work in Otto Friedrich v. Gierke, Community in Historical Perspective: A Translation of Selections from Das deutsche Genossenschaftsrecht (The German Law of Fellowship), ed. Antony Black, trans. Mary Fischer (Cambridge: Cambridge University Press, 1990).

Next comes Georges de Lagarde, La naissance de l'esprit laïque au déclin du Moyen Age, 5 vols., 3rd ed. (Louvain: E. Nauwelaerts, 1956-1970). This has unfortunately never been translated, and it is a difficult read. But it is also an extremely important work. You can almost think of it as an antithesis to Gierke. It is French, not German; it does not focus on law, but on political philosophy strictly speaking; and very much in opposition to Gierke, it is really very fond of individuals and individualism. It focuses on the high and late middle ages, especially on the thinking of the philosophers and theologians at the University of Paris and on the works of Marsilius of Padua and William of Ockham, probably the two most important political philosophers of the late middle ages, both of whom signal fundamental changes in medieval thinking about politics that clearly lead in a modern direction. The three volumes of de Lagarde's work that deal with these two authors (volumes 3-5) are still among the best treatments of either of them that you will find anywhere. De Lagarde's work is often treated as something of a survey of late medieval political thought, and to some extent it can be used for that purpose. But what is really crucial (and the reason why I list him here, rather than among the surveys) is something else, namely, the purpose to which he directed his detailed investigations. That purpose is clearly indicated by the title of his work: the birth of a lay spirit. De Lagarde was convinced that you cannot understand modern secular thinking as a simple antithesis to medieval clerical thinking. Quite the contrary, he believed that the secular thinking of the modern laity grew directly out of medieval clerical thinking and, in many ways, continues it with new emphases. This is an extremely important insight that few other historians have made with equal learning and conviction. Hence there is no way around dealing with de Lagarde at some point, at least not if you want to become serious about understanding the relationship between medieval and modern political thought.

There are two short articles by an important American historian of the medieval state that make points similar to de Lagarde's, but much more briefly, and not in the context of political thought so much as in the context of the history of the medieval state. I mean Joseph R. Strayer, "The Laicization of French and English Society in the Thirteenth Century," Speculum, 15 (1940) 76-86 and by the same author "France: The Holy Land, the Chosen People, and the Most Christian King," in: T. K. Rabb and J. E. Seigel, eds. Action and Conviction in Early Modern Europe: Essays in Memory of E. H. Harbison (Princeton: Princeton University Press, 1969) 3-16. Both of these articles were reprinted in Joseph R. Strayer, Medieval Statecraft and the Perspectives of History: Essays by

Joseph R. Strayer, eds. J. F. Benton and T. N. Bisson (Princeton: Princeton University Press, 1971). If you can't read French, but would like to learn something about the concept of "laicization" and the process by which initially clerical or ecclesiastical concepts came to be taken over and adopted for their own purposes by supposedly secular states in medieval times, this is a good place to start reading.

The third great classic I'd like to mention is Ernst Kantorowicz, The King's Two Bodies: A Study in Mediaeval Political Theology (Princeton: Princeton University Press, 1957). Kantorowicz was a German scholar who became famous with a provocative biography of Emperor Frederick II that had no footnotes (until, provoked by critics, he published a second volume to identify the sources on which he had relied), emigrated to the United States, and was eventually given a position at the Institute for Advanced Study in Princeton. His King's Two Bodies took a long time to gain the recognition it deserves, but it is now widely recognized as one of the most suggestive books on medieval political thought written this century. It was originally meant to do nothing more than simply to trace the history of one tiny aspect of medieval political thought, namely the doctrine according to which a king had two bodies, just as the title of the book says: a personal and physical body (which could die) and an impersonal, abstract, institutional body (which could never die). But this abstract body of the king is one of the roots from which we have derived our concept of the state, and as Kantorowicz began to dwell on this connection, his work grew into an extended study of the subject indicated by the subtitle: mediaeval political theology. It shows how deeply medieval Christian religion was linked to medieval political thinking, and it shows how deeply the modern state is tinged with principles rooted in medieval theology. It concludes that the modern state is unthinkable without the "mystical body" as which the medieval church conceived itself (and the Catholic church does even today). It is a difficult book, but very much worth the effort. It is quite similar to de Lagarde's work in that it, too, emphasizes the links between medieval theology and modern secular thinking. But its emphasis is almost the direct opposite. If de Lagarde was really interested in uncovering the lay element in clerical thought, Kantorowicz was interested in uncovering the religious element in secular thought. De Lagarde was a hard-nosed realist. Kantorowicz was a mystic. And both are great historians.

Finally I'd like to mention two books that don't directly deal with political thought, and are almost diametrically opposed to each other, yet both of which are extremely useful for helping to gain perspective on the subject. The first is Arthur O. Lovejoy, The Great Chain of Being: A Study of the History of an Idea (Cambridge, Mass.: Harvard University Press, 1936). Lovejoy is nowadays often chastized for having pioneered the history of ideas, as if the history of ideas could not but lead to a mistaken understanding of "real" history. But if you read the book, you will understand why it became a classic. Lovejoy was very well aware of the difficulty of working in that middle ground between philosophy and history (not unlike d'Entrèves, mentioned above) where philosophical claims on eternal truths are treated just as carefully as historical change over time. Because Lovejoy was so clearly aware of the difficulty, he wrote what remains to this day the single best example of how good a history of ideas can be. The reason why his book matters specially in this course is that "the great chain of being" captures perhaps the

single most important assumption about the order of the world on which most medieval political thinkers agreed, but that most modern people happen to reject: the idea that everything in the world is arranged in a single, harmonious, hierarchical order, and that this is a good thing. Perhaps modern people also believe that the world is governed by a single order, and that this order is somehow harmonious. But they certainly do not feel comfortable with the notion that it is hierarchical. Modern people tend to rebel against all forms of inequality and they very much doubt that "everything" in the world can be arranged in a single order. At the very least they believe that the world must be divided into mind and matter, and that it does not make sense to think of material and mental phenomena as related in a hierarchical relationship, where matter is at the bottom from which, by gradual stages, you can raise yourself to ever less material levels until you reach the level of mind and, ultimately, God at the very top. That makes it difficult for modern people to understand medieval thinking. They often don't even make it as far as first base. Lovejoy's book is one of the few places where they can go for an intelligent account of what that "first base" looked like to a medieval observer: what "hierarchy" really amounts to (the belief that the world, with all the inequalities and differences that exist in it, is good and rational), and what it is fundamentally opposed to (the belief that there is a fundamental division between mind and body, spirit and matter, this world and the next).

There is a little recent book that figures as something of a companion volume to Lovejoy's Great Chain of Being and is very much worth mentioning here. I mean Francis Oakley, Omnipotence, Covenant and Order: An Excursion in the History of Ideas from Abelard to Leibniz (Ithaca, N.Y.: Cornell University Press, 1984). It is a companion volume for two reasons. One is that it begins with an overview of recent trends in intellectual history and mounts an impassioned and eloquent defense of the history of ideas in general and of Lovejoy's book in particular. But it is also a companion volume in that Oakley is one of the most fertile historians of medieval political thought alive who goes on, in the rest of the book, to explore the history of one particular idea that is almost the direct opposite of "the great chain of being," namely, the idea that God has two distinct powers by which he governs the universe: one that is rationally comprehensible (the power according to which the same cause always has the same effect) and one that transcends reason (by which God can do anything he likes, including miracles and undoing past events). This distinction between God's "ordained" and "absolute" powers happens to be extremely important in the history of late medieval and early modern political thought.

The last classic I'd like to mention is Norbert Elias, The Civilizing Process (Oxford: Blackwell, 1994). This book was originally written in German and published in 1936. But for a long time it did not receive the attention it deserved. It was only when it was translated into English in the late 1960s that its author finally was able to make his mark. Elias was a perfect combination of historian and sociologist, which means, that he satisfied neither of the two disciplines. Historians thought him too sociological and sociologists too historical. His work is impossible to characterize in a few lines. Suffice it to say that no one has ever shown more clearly how intimately historical events on the macro-level of politics and state formation are linked to (and reflected in) changes in

individual psychology. No one has shown more convincingly that what we believe to be natural features of our psychological structure are in fact historically conditioned and often of very recent invention. Elias demonstrated that early modern people had a fundamentally different attitude to their bodies and bodily functions, so much so that we cannot even study it without encountering feelings of shame that even the most civilized early modern people (Erasmus, for example) evidently did not feel. No one has offered a more interesting or more suggestive theory about the logic governing the general development of European civilization from combat between medieval knights to modern mass democracies, and the socio-psychological transformation required by that development.

#### F. Source readers

Another way of approaching medieval political thought is, of course, to go straight to the sources. It is definitely best to read the works of individual authors in their entirety. That's the principle I have tried to follow in this course. But it is also true that time is short and that it is useful to begin by dipping in here and there in an effort to gain a preliminary degree of familiarity with the characteristic doctrines of this or that author, this or that period in history, and this or that tradition of thought. That is why I have mostly assigned selections. That is also why there is a respectable number of collections of sources devoted specifically to the history of medieval political thought. These invariably include not only selections from medieval writings in translations, but also introductory sections and commentary designed to furnish whatever specific information is required to start reading a particular author or a particular text. In that way they complement the surveys listed above.

The best among these is probably Ewart Lewis, Medieval Political Ideas (New York: Alfred A. Knopf, 1954), a two-volume work in which the author systematically assembled bits and pieces from a large variety of different medieval writings in an effort to give a comprehensive overview of medieval thinking on all significant aspects of political thought. Hence this volume has the usual advantages and disadvantages of a topical approach. If you would like to find out what medieval people might have thought about law, justice, power, government, or freedom, for example, this is an excellent place to go. You will find a whole lot of different statements, all properly excerpted, compiled and annotated by Lewis. But if you want to understand thoroughly what any of these really means, you will be disappointed, because the excerpts are too brief to give a good sense of each author's basic views, and you must always suspect that the very act of compilation has somehow skewed the evidence.

Ralph Lerner and Muhsin Mahdi, eds. Medieval Political Philosophy: A Sourcebook (New York: Collier-Macmillan, 1963) take a completely different approach. Here you will find substantial selections from the works of a very small group of medieval authors. But what makes this collection unique is that it is serious about including Jews and Muslims side by side with Christians. Here you can read not only Thomas Aquinas, but also Ibn Sina and Maimonides. It is the only book about medieval political thought of which I am aware that gives equal time to the three great religions that succeeded to Roman polytheism: Christianity, Judaism, and Islam. It is therefore a great pity that it



gives you virtually no historical context at all. You get selections from the sources, and nothing but selections from the sources. It is difficult to work with unless you already know about the history of medieval Islam and medieval Judaism, not to mention medieval Christianity. But it is an extremely valuable source of carefully chosen treatises in translation that you will have a hard time finding elsewhere.

Brian Tierney, *The Crisis of Church and State, 1050-1300* (Englewood Cliffs, N. J.: Prentice Hall, 1964), by contrast, gives you only Christian authors, and focuses relatively sharply on a particular subject. But Tierney has the great virtue of giving you a lot of historical context. His introductory comments to each of the sections into which his book is divided can almost claim to amount to a short history of medieval political thought in general. That is in part because, contrary to the title, Tierney actually begins with St. Augustine and the ancient church and pays a good bit of attention to the Carolingian period, too. But the greatest strength of his volume consists of the excellent choices he made from the writings of lawyers, theologians, philosophers, kings, emperors, and popes to illuminate the conflicting positions that were taken on the relationship between church and state during the high middle ages, and how these positions developed over time. That is the reason why it keeps being reprinted, and why I have chosen to use it as a basic reader for this course.

One collection of primary sources is particularly worth mentioning because it is very recent and characterized by an untraditional emphasis: Cary J. Nederman and Forhan Langdon, eds. *Medieval Political Theory: A Reader. The Quest for the Body Politic, 1100-1400* (London - New York: Routledge, 1993). Cary Nederman is one of the leading historians of medieval political thought today. He has published prolifically, and he has made a name for himself by combining the perspective of a political scientist with that of a historian. He has argued perhaps more forcefully, and to more far-reaching effect, than anyone else in recent years that it is impossible to understand modern political thought without paying attention to medieval political thought. Moreover, he has pointed out again and again that the conventional view of medieval Europe as purely "ecclesiastical" or "hierarchical" is profoundly misleading. On the contrary he has insisted that, in spite of all the differences between medieval and modern politics, republican and proto-democratic impulses were powerfully present in medieval thinking, especially as communicated by Cicero, and long before the so-called Aristotelian revival that took place in the thirteenth century. In this reader you will therefore find much less about the church than about the "secular" world (insofar as one existed in the middle ages), not so much on monarchy as on medieval republicanism, and far more on the importance of Cicero for medieval republicanism, starting in the twelfth century, than on Aristotle. That is a useful corrective to the more conventional emphasis.

In addition to collections of sources devoted to political thought, there are many source readers devoted to medieval Europe more generally. These invariably include some texts that are important for the history of political thought and will be covered in our course; Pope Gregory VII's *Dictatus Papae*, for example. Probably the most successful single volume of that kind is Patrick J. Geary, *Readings in Medieval History*, 2nd ed. (Peterborough, Ont.: Broadview Press, 1997). More useful for present purposes are two

volumes that make up volumes three and four in the University of Chicago Readings in Western Civilization: Karl F. Morrison, ed. The Church in the Roman Empire (Chicago: University of Chicago Press, 1986), and Julius Kirshner and Karl F. Morrison, eds. Medieval Europe (Chicago: University of Chicago Press, 1986). I have used these volumes a lot in the past, and even contributed to one of them. So I am very familiar with them and will draw on some of their selections in my recommendations for further reading below.

#### G. Political thought outside of western Europe

If you want to learn more about political thought in the immediate vicinity of Europe, the pickings are much leaner. I am aware of very few works that are specifically addressed to the history of political thought in Byzantium or Islam. Of course there are many studies that deal with issues related to political thought in one way or another, and there are many surveys of Byzantine and Islamic history in which you can find attention paid to political thought on one or another occasion. For examples of the latter take such well-known general histories as Philip K. Hitti, History of the Arabs from the Earliest Times to the Present, revised ed. (New York: St. Martin's Press, 1970) and Georg Ostrogorsky, History of the Byzantine State, revised ed. (New Brunswick: Rutgers University Press, 1969). For examples of the former consider such equally well known studies as Bernard Lewis, The Arabs in History, 6th ed. (Oxford - New York: Oxford University Press, 1993), Patricia Crone and Martin Hinds, God's Caliph: Religious Authority in the First Centuries of Islam (Cambridge - New York: Cambridge University Press, 1986), and Michael McCormick, Eternal Victory: Triumphal Rulership in Late Antiquity, Byzantium and the Early Medieval West (Cambridge: Cambridge University Press, 1990). All of these are excellent in their way, but all of them also serve purposes quite different from introducing students to the political thought of Byzantium or the Muslim world.

Nonetheless I have a few suggestions: on Byzantium, the best place to begin is probably N. H. Baynes and M. St. L. B. Moss, eds. Byzantium: An Introduction to East Roman Civilization (Oxford: Oxford University Press, 1948). This is a collection of essays, some of which are directed specifically at the themes that distinguish Byzantine political thought from its Latin European equivalent and the whole of which still qualifies as one of the best first books to read for anyone who wants to escape the images of decline and sterility owed so largely to the imagination of Edward Gibbon's classic Decline and Fall of the Roman Empire, ed. J. B. Bury (London, 1896-1900). More specifically directed at political thought is Ernest Barker, Social and Political Thought in Byzantium: From Justinian I to the Last Palaeologus (Oxford: Clarendon Press, 1957). This is mostly a collection of excerpts from primary sources with brief commentaries, but it is better than anything else that I know of, including the essay by Donald M. Nicol on "Byzantine Political Thought" in J. H. Burns, ed. The Cambridge History of Medieval Political Thought, c. 350-c. 1450 (Cambridge: Cambridge University Press, 1988) 51-79. Much better than Barker, by the way, but unfortunately in French, is H el ene Ahrweiler, L'id eologie politique de l'Empire byzantin (Paris: Presses universitaires de France, 1975). For those who read French, this is probably the best place to start because it goes a long way towards freeing the mind of stereotypical assumptions about Byzantine hierarchy, not to mention Caesaropapism. And finally I must mention Francis Dvornik, Early

Christian and Byzantine Political Philosophy: Origins and Background (Washington: Dumbarton Oaks Center for Byzantine Studies, 1966). This book deals mostly with ideas from the ancient Near East, Hellenism, and early Christianity well antedating Byzantine history properly speaking. None of this falls directly into the limits of "medieval political thought." But it is nonetheless worth very serious attention, because it is an outstanding account of ideas that had a distinguished history both in Byzantium and in the West, but whose Hellenistic and near eastern beginnings are only very rarely taken into view. You will have to search for a long time before you find a similarly sound and pertinent book in this area of research.

For Islam, I know only of a survey by Erwin I. J. Rosenthal, Political Thought in Medieval Islam: An Introductory Outline (Cambridge: Cambridge University Press, 1958). Antony Black is working on a comparative study of European and Islamic political thought and has just published a brief overview of what he has found so far in "Islamic and European Political Thought: A Comparative Overview, 700-1650," in: Joseph Canning and Otto Gerhard Oexle, eds. Political Thought and the Realities of Power in the Middle Ages. Politisches Denken und die Wirklichkeit der Macht im Mittelalter (Göttingen: Vandenhoeck & Ruprecht, 1998) 269-276. And finally there is a collection of papers, again unfortunately in French, that deals comparatively with notions of authority in Byzantium, Islam, and Western Europe: George Makdisi, Dominique Sourdel and Janine Sourdel-Thomine, eds. La notion d'autorité au Moyen Age: Islam, Byzance, Occident, 2nd ed. (Paris: Presses universitaires de France, 1982).

#### PART TWO: TOPICS COVERED IN THE COURSE

Once you feel the need to delve more deeply into the study of the subject (or just as soon as you get bored with general surveys, most of which are, almost by definition, boring), the best thing you can do is to turn to some of the most imaginative scholarship that has shaped our understanding of the subject matter. I am going to give you my suggestions below. These are obviously idiosyncratic. They reflect nothing more and nothing less than the books that, over the course of the years, I have found to be most telling and that have done the most to shape my own understanding of the subject matter. Any other historian in the field could give you similar lists that might repeat some of my suggestions, but would almost certainly make a substantial number of different ones. My list has really only one advantage for you (other than that I happen to like them) of which I can confidently claim that it is real, but it is an important one: it reflects the design of this course and will therefore make it easier for you to follow the points that I am trying to make.

#### H. Medieval society

The best thing to have happened to medieval history in recent decades is that historians have begun to shift their attention from reading the sources, especially sources dealing with ideas, to using those sources in an attempt to create a convincing picture of medieval society as a whole. They have been particularly inspired by the methods of anthropologists (though it must be added that the anthropologists in turn have been much influenced by nineteenth-century historians) and by the so-called Annales school of

historians, named after the famous journal Annales in which they pursued their agenda since the 1920s. Two famous works to mention in this connection are Marc Bloch, Feudal Society, trans. L. A. Manyon (Chicago: University of Chicago Press, 1961) and Emmanuel Le Roy Ladurie, Montaillou: The Promised Land of Error, trans. Barbara Bray (New York: Vintage Books, 1979). The former still gives the best general picture of the society of medieval Europe in the centuries from about 900 to 1200, and the latter is a marvelously vivid account of life in a mountain village in Southern France, told to a considerable extent in the words of the villagers themselves (which were recorded because they were suspected of heresy and therefore interrogated in great detail about the goings-on in their village). Think of these as books to read immediately after (or even before) you have read the general introductions to medieval Europe by Southern and Bartlett that I have mentioned above. You will see the difference of approach, and will also see that Bartlett, the younger of the two, has benefited considerably from the work of the Annales.

Works like these have had a huge impact on the study of medieval history, and have found many more imitators and followers than would be profitable to mention here. For present purposes it will be more useful to single out the works that have most directly shaped the approach I am taking to link social realities to intellectual phenomena in the course for which this essay was written.

First among these is Ernest Gellner, Nations and Nationalism, New Perspectives on the Past, ed. R. I. Moore (Ithaca: Cornell University Press, 1983). This is an absolutely brilliantly schematic book, with a highly original (and extremely influential) thesis about the nature of nationalism that explains better than anything else I know the fundamental differences between traditional agricultural and modern industrial society, as they manifest themselves in political structures and the relationship between politics and culture. Gellner was an anthropologist who made his name with studies of Northern Africa. But he was also a philosopher deeply influenced by the works of Kant. The result is highly original and entertaining. His book has one great weakness: it strikes too dogmatic a link between the industrial revolution and the conflict between hierarchical and egalitarian political structures. Much of what he writes about modern nation states could just as well (or almost as well) be said about Greek city states and the medieval church—a thought that Gellner would have considered anathema. But though that is a big historical point, it is a small conceptual one and easily discounted in following Gellner's brilliant explanation of the basic structures of two fundamentally different modes of operating politics that were already competing with each other in medieval times, and without which the emergence of the modern political order is impossible to grasp.

That's why I have chosen his book to introduce the course. It is the best way I know to begin to approach what makes medieval politics different from modern ones. Its main disadvantage is that it is highly schematic and does not explicitly deal with medieval Europe at all. But that disadvantage is easily corrected by reading books that do deal with medieval Europe, and that are written from a similar perspective as Gellner's.

Here I need to mention another book that I have assigned: Robert Ian Moore, The Formation of a Persecuting Society: Power and Deviance in Western Europe, 950-1250 (Oxford: Blackwell, 1987). (Not coincidentally, Moore was the editor of the series in which Gellner's book was first published.) I am asking you to read Moore's book late in the course. You may want to read it earlier than I have assigned it, because it opens up such a powerful perspective on the history of medieval Europe. It makes two main points. First, that Europe, as an organized society, came into existence around 1000. This is not original with Moore. There are many other historians who agree with him in this regard (for example, Southern and Bartlett, but also Karl Leyser, Harold Berman, and earlier on Eugen Rostenstock-Huessy), though there are many others, too, who disagree. What Moore added, very much on the basis of anthropological work (especially by Mary Douglas' book on Purity and Danger) was, second, the thesis that the creation of Europe was inseparably associated with the persecution of outsiders (heretics, Jews, lepers, homosexuals, prostitutes) by the leading clerical and secular elites of Europe, not so much because they invented these outsiders (obviously these had existed before), but because deep anxieties about the legitimacy of their own role led them to create a coherent, stereotypical image of outsiders as "the enemy" and to develop powerful regulatory mechanisms designed to define, prosecute, and punish these outsiders in a manner that has proved to be enduringly alluring in European politics, from the great persecutions of heresy in the middle ages via the witch-craze of early modern Europe to McCarthy's attacks on real and imagined "communists."

In addition to Gellner and Moore, I recommend three books each of which does, in its own way, an outstanding job of demonstrating the deep links between social change and changing ideas, including ideas about political order. The first of these, Alexander Murray, Reason and Society in the Middle Ages (Oxford: Oxford University Press, 1978), deals most explicitly with the relationship between ideas and society. It pays special attention to the sudden appearance of money in European society and economy in the tenth and eleventh centuries, and the changes money wrought in society and thinking about society. It is a difficult book, but it is very much worth the effort. There are few other places in the literature where you can get an equally clear understanding of the extent to which early medieval Europe was nothing but a colonial backwater to the vastly superior and richer civilizations in the Islamic South and the Byzantine East, both of which treated Europe as little more than a convenient place where to purchase timber, fur, and slaves—especially slaves captured by Frankish slave traders from among the Slavs (hence the word "slave") with whom the Franks were constantly at war, and whom they sold for profit to Byzantine and Muslim slave holders. Nor is there a better place to find out how the introduction of a money economy led to an entirely new and highly problematic place for ambition in the ethical and political universe of the medieval world that was now so dominantly populated by a new class of literate clerics very conscious of their status.

The other two books are devoted to the role of writing and literacy. This is a special subject, but it is so intimately related to the transition from traditional to modern societies that it is one of the very best points from which to approach that transition as a whole. Gellner, for example, certainly believes that education, especially compulsory school

education in reading, writing, and counting, is a crucial factor distinguishing modern societies from traditional ones. Literacy is certainly crucial for understanding medieval society, whose history is largely that of the gradual acquisition of literacy, and everything that literacy entails, by the illiterate barbarians who had once torn down the Roman Empire in the West and then began to learn from the literate clerics whatever ancient writings and methods of government they had preserved for posterity. The two books are Michael T. Clanchy, From Memory to Written Record: England 1066-1307, 2nd ed. (Oxford - Cambridge, Mass.: Blackwell, 1993) and Brian Stock, The Implications of Literacy: Written Language and Models of Interpretation in the Eleventh and Twelfth Centuries (Princeton: Princeton University Press, 1983). Stock focuses on the creation of what he calls textual communities: groups of people held together by their attachment to a particular kind or group of texts. Clanchy focuses on the manner in which the advent of writing, record keeping, and archives transformed the functioning of England in the period covered. Both are excellent, but I have a preference for Clanchy, in part because Clanchy has also made especially interesting contributions to the study of medieval law that I shall mention below.

#### I. Politics without a state

The second part of the course will seek to portray the most salient features of politics in a world in which there is neither a centralized state nor the literacy that makes it possible for such a state to function. This obviously creates a huge methodological problem: precisely because literacy was absent from it, we have no written sources for it, or only sources written by (clerical) outsiders or later historians, all of whom have their outsider's axes to grind. It is extremely difficult to get a good sense of what society was like before the advent of literacy and the state without falling into one of many stereotypical assumptions about that kind of society, assumptions that say much more about our own prejudices against or in favor of it than about what that world was really like.

I have tried to solve that problem by assigning a famously controversial book of modern scholarship and the oldest complete Germanic epic that has happened to have been preserved from early medieval times. The controversial book is Otto Brunner, Land and Lordship: Structures of Governance in Medieval Austria, trans. with an introduction by Howard Kaminsky and James Van Horn Melton (Philadelphia: University of Pennsylvania Press, 1992), first published in German in the 1930s. It is controversial because Brunner was very much in sympathy with the fascism of the Third Reich (though, apparently, not with its anti-semitism) and because his book is clearly inspired by deep prejudices against liberal democracy and in favor of a sort of organic, popular, kind of fascism that gives all power to "the people" under the leadership of their "lords." It is also controversial for purely methodological reasons: Brunner investigated sources that were written in late medieval Austria and drew conclusions about the medieval world in general. Obviously that is problematic. But given the dearth of sources from early medieval times, it is not an unintelligent approach to take, especially if it is taken for the first time and taken with such a clear awareness of its dangers as Brunner showed.

In spite of all doubts about its ideological affiliation (carefully chronicled in the introduction to the English translation, which is very much worth reading), Brunner's

work has been extremely influential and illuminating. It was certainly timely. Though in a specifically German context, and with definite differences of emphasis, it aims nonetheless precisely at the same kind of integrative understanding of ideas and society as that pursued by the Annales school and anthropologists. Brunner was the first scholar to do so in Germany, and he remained one of the leading spokesmen of that approach to history in the 1950s and 1960s. If his work is politically questionable, it is also true that no one to the best of my knowledge has done a better job than Brunner of showing how people familiar with centralized states and democratic institutions can fail, and fail deeply, to make sense of societies in which no such things existed. His attack on nineteenth-century traditions of legal and constitutional history is as riveting as when it was first written, and so is the clarity with which he shows that medieval feuds (or their modern equivalents) are nothing like the instances of mere perversion and anarchy as which they were characterized by legal and constitutional historians with no real grasp of the differences dividing their world from the early middle ages. Feuds, quite to the contrary, were very useful, effective, and carefully regulated means of maintaining and restoring political order in a world in which there was no centralized state.

For that lesson alone it is very much worth reading Brunner. In addition, Brunner goes a long way towards explaining how differently fundamental concepts of political order in the early medieval world worked from similar concepts in our world. This is still the best place where you can begin to understand that the distinction between "private" and "public" matters did not have the same status as it does today, that the "house" was not a private institution, but a political one, and that the "family" was not a personal affair, but a political organization. Here, too, you are well introduced to fundamental ideas about "custom" and the right order of the world, about property and lordship, about the relationship between lords and "their" peasants, and so on, all of which are absolutely crucial in order to gain a grasp of traditional European society.

Second, I have assigned Beowulf. Beowulf seems to have been written in the eighth century, but refers to events in the fifth or early sixth centuries. It bears some traces of a Christian influence. But for all practical purposes it is the richest source of information about the earliest times of those warriors who gained power over the world that Brunner tried to evoke. It is an epic, which is to say, a piece of poetry written for the entertainment of those warriors. That makes it very difficult to use as a piece of evidence. But the difficulties are worth struggling with. For here you can get a firsthand sense of the way in which what Marc Bloch called the bonds between men operated, how those bonds were confirmed by gifts, how they were broken in feuds and restored in peace.

Since the recreation of early medieval society in our historical imagination is such a deeply vexed question, some further recommendations will be useful. Let me begin with a few contemporary attempts to bring anthropological approaches to bear on the study of the medieval world. Simon Roberts, Order and Dispute: An Introduction to Legal Anthropology (New York: St. Martin's Press, 1979) is the single best book attempting to describe, from an anthropological perspective, how order is maintained in a world where there are no centralized states. It has been extremely influential and helped to inspire two deservedly famous collections of essays that seek to apply anthropological methods to

medieval society's attempts to maintain order. One that deals with the early middle ages by Wendy Davies and Paul Fouracre, eds. The Settlement of Disputes in Early Medieval Europe (Cambridge: Cambridge University Press, 1986), and one that deals mostly with late medieval and early modern Europe by John Bossy, ed. Disputes and Settlements: Law and Human Relations in the West (Cambridge: Cambridge University Press, 1983). In this latter collection there is a particularly telling essay by Michael Clanchy, "Law and Love in the Middle Ages," that shows how the advent of a centralized state does by no means necessarily amount to a reduction in violence and the more effective maintenance of peace. Quite the contrary (in a manner similar to Moore's Persecuting Society), it can be shown that a centralized state rules out certain kinds of violence, but also introduces new ones and magnifies them to a point previously impossible to imagine.

Francis Harry Hinsley, Sovereignty, 2nd ed. (Cambridge - New York: Cambridge University Press, 1986) is a book by a political scientist designed to describe how the single most important characteristic of modern states (their sovereignty) came into existence. It is a very informative survey that is written from a broad chronological perspective and pays explicit attention to anthropological work, above and beyond the usual sources in the history of European ideas. Here you can learn about the difference between stateless, segmentary, and state-governed societies. The former are not unlike that described by Beowulf. Segmentary societies are those in which there is already something like a state, but a state that has not yet managed to monopolize power over competing religious and tribal units. That is probably the category most appropriate to high medieval Europe. And finally there are societies like our own in which the state has in fact managed to impose itself on every competing source of power and authority.

Gerd Althoff, Spielregeln der Politik im Mittelalter: Kommunikation in Frieden und Fehde (Darmstadt: Wissenschaftliche Buchgesellschaft, 1997) is written in German, but is worth special mention because it is one of the best examples in recent scholarship in which the insights of people like Brunner and Roberts have born fruit. Though this is not the synthesis one would like to have, but merely a collection of essays, it does flesh out in some detail our picture of those "rules of the game" about making war and keeping peace that governed politics in early medieval times, as opposed to the principles of sovereignty and law that supposedly governed them thereafter.

Two special studies are worth mention because they represent good recent scholarship on two of the most fascinating particular methods with which medieval societies aimed to maintain order in the absence of a centralized authority. One, of course, is the feud and the book is by William Ian Miller, Bloodtaking and Peacemaking: Feud, Law, and Society in Saga Iceland (Chicago: University of Chicago Press, 1990). This is one of the most colorful accounts of the subject available in English, and it goes a long way towards giving substance from a very different region of Europe to the ideas that Brunner developed in the context of late medieval Austria. The problem with this book is twofold: one is that Icelandic Sagas, like Beowulf, are literary sources and therefore difficult to use in any reconstruction of historical reality. And secondly, as far as anybody can tell, medieval Iceland (perhaps modern Iceland, too) was so radically different from any other place known to woman or man that it is very difficult to use for comparative purposes.



The other is another book by Robert Bartlett, Trial by Fire and Water: The Medieval Judicial Ordeal (Oxford: Clarendon Press, 1986). This is an excellent investigation of the extent to which modern prejudices tend to sweep the logic of traditional societies under the rug. Obviously we do not want to go back to using trial by fire and water in order to determine the guilt or innocence of the accused. We like our trials by jury, even if some people would like to reform the procedure. Nonetheless, it is very much worth pointing out, as Bartlett does, that early medieval people often liked their trial by ordeal, and could be very suspicious of a form of justice that relied on pieces of writing (who can trust a piece of paper?) and witnesses (who can trust their neighbors?). If you believe that God will actually manifest your guilt or innocence in an ordeal, you may be much better off with ordeals than with juries—especially if you think that the community to which you belong considers you to be an upstanding and god-fearing person. It took a concerted effort by the medieval clergy, culminating in the fourth Lateran council of 1215, until it succeeded in banishing ordeals and forcing more or less all medieval people to base the verdicts of their courts on witnesses and evidence. And even then it did not completely succeed. Duels persisted, at least in certain sectors of society, until very recent times.

#### J. The myth of Germanic liberty

Before I leave the subject of "politics without a state," I'd like to comment on two special issues. One is the notion of "Germanic freedom." It used to be thought, especially by German historians of the nineteenth century and their successors (among whom the English Bishop Stubbs and his constitutional history of England is one of the most notable), that early medieval Germanic tribes shared a similar code of ethics in which individual freedom figured very prominently. The picture that resulted from these assumption was that of freedom loving Germanic men (and their loyal women) electing their chiefs and generally settling all important affairs in meetings that looked suspiciously like the parliamentary assemblies familiar to nineteenth-century historians.

This picture still lingers in the literature, for example, in the work of Walter Ullmann. Yet there is no doubt that it is fundamentally false, and on at least two counts. The first count is that there never was anything like a Germanic code of conduct, because there was no Germanic world. Or, more accurately, there were very many different Germanic worlds, corresponding to different circumstances, different times, different places, and different places. Franks were not like Goths, Visigoths were not like Ostrogoths, Burgundians differed from Vandals, and all of them differed from Lombards and Saxons. Nowadays, historians are far more keenly aware of the infinite variability among Germanic tribes than they used to be, and far more suspicious of any assumptions (usually resulting from a combination of ignorance and projection, enhanced by the extreme scarcity of any written evidence) about the values these Germanic tribes supposedly shared. Whenever you read anything about "Germanic liberty" without qualifications, your antennae should immediately go up: there's a misleading stereotype at work.

This does of course not mean that those Germanic tribes shared nothing at all. For one thing, they did share a common linguistic legacy. Their languages are all related to each other. All Germanic tribes spoke some form of a Germanic language, and even though

there is a good bit of dispute about how intelligible these languages were to each other, it seems certain that they were a lot more intelligible to each other than to speakers of non-Germanic languages. If "Germanic" is justified at all, it is justified as a descriptor of a particular group of languages. The Germanic tribes were also alike in something they did not have: they did not have what the Romans called civilization. They had no cities, they had no bureaucracy, they had no Roman law, they had no Colosseum, and at least at first they also had no Christianity. But it is important to remember that, even though they were all alike in these regards, these are negative regards. They are about things that the Germanic tribes were not, rather than about things that they actually were. And what the Germanic tribes were not is hardly something that united them—or if it did, then it united them not only with each other, but also with everybody else who lacked cities, Roman law, and the Colosseum, such as the Inuit on the North American Continent and the Bushmen in the Kalahari desert. And something quite similar can be said about the positive traits that they almost certainly did share, for example, the importance they attributed to kingship, gift-giving, to adult male warriors, and to bonds of loyalty between warriors. Those were similarities that were hardly unique to early Germanic tribes. They can be observed in stateless societies all over the world, wherever they had not yet fallen under the sway of those large scale agro-literate societies of which the ancient Roman empire represents the most important example for European history.

So the picture of the freedom-loving ancient Germans is false, first and foremost, in that it presupposes similarities among early medieval Germanic tribes that either did not exist at all or were not specific to them. But there is another important aspect in which it is false, and that is the extent to which it suppresses the existence of social and political inequalities among the ancient Germans. There seems now little doubt that the world of those Germanic tribes was as far from democratic equality as one can imagine, and rife with social distinctions even among warriors, not to mention serfdom and other forms of personal subjection, or gender relations.

I mention these matters because the prejudices behind them are so ancient, so deeply rooted, and so damaging to a reasonable appreciation of what happened in medieval history. They must be directly confronted. If you read German, the best way to confront them is to read Johannes Fried, Der Weg in die Geschichte: Die Ursprünge Deutschlands bis 1024 (Berlin: Propyläen Verlag, 1994). This is a recent and genuinely outstanding history of early medieval Germany, written for an educated, but nonetheless general audience, in which the author directly and explicitly addresses all of the prejudices I have just mentioned. It is a great piece of work that deservedly earned its author the highest prize awarded by the German historical guild. If you don't read German, you won't find an equivalent in English. But a good beginning would be to read P. D. King, "The Barbarian Kingdoms," in: J. H. Burns, ed. The Cambridge History of Medieval Political Thought, c. 350-c. 1450 (Cambridge: Cambridge University Press, 1988) 123-53.

#### K. The myth of feudalism

Similar points need to be made about the second special issue I'd like to mention in conjunction with the theme of "politics without a state," and that is feudalism. I'm sure you have all heard of it. What you may not have heard is that, in the words of Frederic

Maitland, the feudal system was introduced into England by Henry Spelman. Henry Spelman happens to have been a student of English law who was active in the seventeenth century, and what Maitland meant to suggest by that quip was that the feudal system was a figment of the historical imagination, not a historical reality.

Maitland was right. There never was a feudal system. It was invented in the early modern period, by people like Spelman and, more importantly, Montesquieu. Yet it seems even harder to rid the historical imagination of the feudal system than it is to rid it of Germanic liberty. There are excellent studies of the feudal system that you can trust to introduce you to its essential features, and references to feudalism abound in the secondary literature. Among the most important and influential books on the feudal system I must especially mention the recently reprinted book by François Louis Ganshof, Feudalism, trans. Philip Grierson (Toronto - Buffalo: University of Toronto Press, 1996), and Carl Stephenson, Mediaeval Feudalism (Ithaca, N.Y.: Cornell University Press, 1942), from both of whom countless generations of undergraduate students have learned very clear lessons about something that never existed as such. And for an even starker attempt to treat the feudal system as though it had furnished a basic constitutional law of medieval Europe, more or less directly analogous to modern constitutions, read Heinrich Mitteis, The State in the Middle Ages: A Comparative Constitutional History of Feudal Europe, trans. H. F. Orton (Amsterdam: North-Holland, 1975). Mitteis was without a doubt a brilliant and imaginative scholar who knew the legalities involved in the feudal world better than perhaps anyone else. But even so his book is profoundly misleading in creating an image of a stable legal hierarchical system in a world in which nothing was stable, but everything fluid, and in which nothing was systematic except the ideas in the minds of some thinkers.

Well, of course I am exaggerating. But only slightly. The reason why the "feudal system" has proved so hard to uproot from historians' minds is that it does, in fact, correspond to something in medieval reality, namely, its fundamentally hierarchical nature, and the emphasis it placed on the relationships between people for the purpose of maintaining social order. The feudal system supposedly was the principle by which the king gave a big fief to a duke and got the duke's loyalty and service in return. The duke then gave parts of his fief as subfiefs to counts, and they gave him their loyalty and service. And the counts gave parts of their fiefs to barons, and the barons to knights, and so on. All very neat, and easy to remember and, well, very systematic. And also, to some extent, true. Medieval military service turned very much on reciprocity between those who were able to hand out pieces of land and those who accepted such pieces of land in return for offering their services to the landholder.

That's the bright side. The dark side of the feudal system is that it never became a system and that it is almost invariably used to lump two very different aspects of social structure together. It never became a system because the neat and tidy hierarchies that it offers kept disintegrating from the moment anybody tried to form them. There simply was too much conflict in the medieval world, and knights owed their loyalties to far too many different lords for far too many different pieces of lands to be able to serve only one of them. Moreover, there were considerable areas of social and political life that were never

included in feudal relationships properly speaking. And the two different aspects of the social structure? Well, one was the relationship between knights and their lords, and the other one was the relationship between serfs and their lords. Both are part of the feudal system, if you like, because both represent hierarchically structured bonds of dependency. But the former exists in the high culture of a warrior aristocracy with its own rules of conduct, and the latter concerns the means by which the mass of the rural population was forced to live in bondage on the estates owned by members of the aristocracy. If you are going to talk about feudalism at all, don't use it for this second aspect of hierarchical bonds. Speak of "manorialism" maybe (because the serfs lived on manors owned by lords), or of "seigneurialism" (a term of French coinage, after the seigneur, i.e., the lord who ruled the manor), but not of feudalism. And if you can avoid it, don't speak of feudalism at all.

As far as the literature is concerned, all I need to do is to refer you to a single brilliant essay by Elizabeth A. R. Brown, "The Tyranny of a Construct: Feudalism and Historians of Medieval Europe," American Historical Review, 79 (1974) 1063-1088. In those twenty-five pages Elizabeth Brown exploded the uses of the term "feudalism" once and for all. It didn't do much good, unfortunately. Tradition proved more powerful than reason, as it so often does. Which is why I am battling tradition here once again. But it is still the best single place to go if you want to understand what's wrong with "the feudal system." If you want to go into some more detail about the historical realities lumped together under this misleading abstraction, return to the books I mentioned above, especially Marc Bloch's Feudal Society, and take a good look at the essay by R. C. van Caenegem, "Government, Law and Society," in: J. H. Burns, ed. The Cambridge History of Medieval Political Thought, c. 350-c. 1450 (Cambridge: Cambridge University Press, 1988) 174-210 (and note that it is not devoted to the "feudal system").

#### L. The legacy of antiquity

This is a subject on which it is easy to find a lot of very good literature, for the simple reason that this is what happens to be best documented in the sources. The sources, after all, are mostly written (or at least were mostly written, until historians of medieval Europe began to turn to archaeology), and a tremendous amount of what was written was copied from ancient writings, not to mention the fact that most of it was written in an ancient language: Latin, the language of the Roman Empire. We don't have many Latin manuscripts that were written in the times of Caesar or Augustus. But we have a lot that were written in the times of Charlemagne or later. That's how we still happen to know about Cicero and Plato. And that's the kind of material that has been studied over and over. If you want a good overview of what we mean by "the legacy of antiquity," try the following two works: R. R. Bolgar, The Classical Heritage and its Beneficiaries (Cambridge: Cambridge University Press, 1954), and M. Laistner, Thought and Letters in Western Europe, A.D. 500-900, Revised ed. (Ithaca, N. Y.: Cornell University Press, 1957).

I do want to make a few special points about this issue. First, the legacy of antiquity ran in two large and very different streams. One was the Bible and everything that was associated with the Bible: Judaism, Christianity, and the many different shapes they took

over the century. The other was classical: Aristotle, Plato, Cicero, Virgil, Seneca, and so on. Both were crucial, but most commonly one is slanted in favor of the other. The so-called "Judeo-Christian tradition," by which the West is said to have been governed makes no mention of the classical tradition. Conversely, there is a great deal of humanist scholarship that pays far too little attention to the tremendous influence the Bible and its expositors had on the Western imagination.

Second, some parts of the legacy from classical antiquity are neglected even by people who profess to value it. And that's most true of the Roman law. Roman law constitutes one of the most important channels by which ancient conceptions of politics, government, and justice were communicated to the west, and they were amazingly pervasive in their influence. Yet, Roman law usually receives far less attention than the ideas of, say, Cicero or Aristotle. If you want to understand the history of medieval political thought, therefore, you need to keep in mind that most of its historians have a very large blind spot where Roman law is concerned. They shouldn't be blamed for that. Usually they leave Roman law alone because the territory has for so long and so successfully been claimed by the jurists. But they shouldn't let themselves be scared off by jurists, because jurists think dogmatically, rather than historically. That's one reason why the small investment made in reading the first volume of the Carlyles' History of Mediaeval Political Theory in the West pays off so handsomely; for the Carlyles did pay attention to Roman law, and did so brilliantly.

Third, St. Augustine figures prominently in all accounts of the legacy of antiquity, and deservedly so. He figures prominently in this course, too. He was without a doubt one of the most influential thinkers who ever lived, for better or for worse, and he managed to remain appealing even beyond the great confessional split that divided early modern Europeans into Catholics and Protestants, for both of them pay almost equal reverence to St. Augustine. His City of God laid down some fundamental ideas about politics from a Christian perspective that were both entirely original and so convincing that they remained authoritative for at least a millennium. Yet, having said all of that, it must be stressed that St. Augustine is so important largely because he was unique. Everybody admired his views, but nobody shared them exactly. Or more precisely, they shared what they thought Augustine had taught, but had in fact not taught at all. Hence it is important to distinguish between St. Augustine's own ideas and "Augustinianism," that is, the use to which St. Augustine's ideas were put by his supposed followers, often in ways that Augustine would have had difficulty recognizing as his own.

In order for you to make that distinction, I will recommend a few pieces of literature. One is the highly condensed but excellent article by R. A. Markus, "The Latin Fathers," in: Burns, ed. Cambridge History of Medieval Political Thought, 92-122. Another is the brilliant biography by Peter Brown, Augustine of Hippo: A Biography (Berkeley - Los Angeles: University of California Press, 1967), a piece of history that has found admiration far beyond the circles of people interested in Augustine or antiquity. It will certainly help you to get rid of whatever mythical image of St. Augustine you may have. A third is H.-X. Arquillière, L'Augustinisme politique: Essai sur la formation des théories politiques du Moyen Age, 2nd ed. (Paris: Librairie Philosophique J. Vrin, 1955). This is

the best single book from which you can learn about the fundamental differences between St. Augustine's conception of the city of God and the uses to which that conception was put by the papacy when it began to claim the right to exercise supreme political power in the high middle ages. And finally you should take a look at Herbert A. Deane, The Political and Social Ideas of St. Augustine (New York: Columbia University Press, 1963), which is a completely solid account of those aspects of St. Augustine's thinking that matter most for this course.

Fourth, and finally, if you want to know about those aspects of the legacy of antiquity that really were typical, rather than idiosyncratic, and that really did influence a huge number of people, you should pay close attention to two subjects that I will address directly in the course. One is monasticism and the other is hierarchy. Monasticism and hierarchy need to be contrasted. They are not the same (even though many monks became members of the clerical hierarchy, and even though the clerical hierarchy embraced monasticism). They are rather two fundamentally different and even opposed forms in which Christianity found institutional expression. Hierarchy emphasized power and subordination. Monasticism emphasized equality and community. Hierarchy found its greatest representatives among the papacy and the members of the so-called secular clergy (i.e., clerics such as priests and bishops, who were responsible for the care of souls). Clerics are by definition members of a hierarchy: they are ordained to a particular place in the hierarchical order of the church. Not so monks. Monks are by definition "religious." And monasticism found its greatest representatives among Christians who spurned the exercise of power, turned their backs on the world as best they could, and devoted themselves exclusively to the worship of God, either in solitude, or in communities of equals. Nor were monks clerics, much less ordained clerics. Monks were "converts," because, far from having been ordained by someone else, they converted to what they considered to be the highest form of worshipping Christ. It was only after a long time had elapsed that the distinction between monks and clerics came to be lost, that most monks became priests as well, and that monasticism was transformed from the best way of life to follow for serious Christians into a branch of the organized church hierarchy.

On hierarchy not much has been written that is good, largely because people who are interested in hierarchy are by definition interested in power, and the thing about power is that it is more fun to exercise than to write about. Hence it may be that the most influential writings about hierarchy in the middle ages, and the invention of the term itself, were owed to a monk, the so-called Pseudo-Dionysius, of whose writings you will read a few excerpts. Yet it is important to keep in mind that hierarchy was the main organizational principle of the Christian church, and that the church had borrowed this principle, not from the Gospel, but from the Roman Empire. Hierarchy is not Christian. It is Roman. And it is one of the main legacies of classical antiquity, or at least its late ancient variant, to the modern world.

On monasticism, by contrast, a huge amount has been written, and much of it very good (although very often written for other purposes than that of historical understanding). Monasticism, in fact, is to some extent coextensive with writing: think of the Rule of St.

Benedict, which you are also going to read, and which amounts to something like the first real constitution in European history. A written document, laying down the principles according to which a community of equal members is supposed to govern its own affairs under the rulership of an elected chief representative (the abbot).

#### M. Law

The history of law is one of the most important aspects of the "legacy of antiquity." But it deserves separate treatment because it is so hopelessly confounded by the various levels on which law was mixed up with custom and tradition. In order to straighten out the resulting confusions, it will be crucial for you to keep a few things in mind.

First of all, it will be crucial to realize that the social basis on which law existed in the middle ages has nothing to do with the legacy of antiquity. It has to do with the customs of the various peoples who inhabited medieval Europe. Those people happen to have been largely illiterate, and their customs largely unwritten. Each region, each tribe, each land, each country had a reasonably clear set of practices to which they subscribed for the purpose of maintaining social order. They did not exactly know where these practices came from, and therefore often attributed them to some deity or simply declared that "it had always been like that." But they did know what these practices were. Or at least they believed they knew, and if there was any dispute about them, they had methods of defining them. These methods rested on the assumption that the people were the best judges of what the law was, or what it should be. And for expert advice they relied on those members of the community who were most likely to remember old customs because they were old themselves, or had for some reason particular knowledge of custom. They applied their customs willingly, and when they did not like them, they changed them, though usually without saying so. We, unfortunately, do not know what these practices were, precisely because they were unwritten. But with a little bit of effort, and a lot of anthropological sympathy, some headway can be made in figuring out what they must have been like. I have already pointed you to some of the literature that deals with this approach to medieval law in the section on "politics without a state" above.

This kind of law was truly fundamental in medieval European society. And the concepts appropriate to this kind of law remained basic until the beginning of the early modern period and beyond. Such concepts are, for example, the conviction that the older the law is, the better; the conviction that there is no difference between "law" and "custom"; that everybody, no matter of how high or low social status, is subject to the rule of this law; that the people are best qualified to declare what that law is; that the law reflects an objectively existing order of right and wrong, in which there is no distinction between "politics," "ethics," "religion," and "morals," because all of these are simply names for different aspects of one single structure of right.

In all of these ways medieval conceptions of law differ from modern conceptions. We moderns tend to distinguish very sharply between (written) law and (unwritten) custom. We do not believe that the oldest laws are the best. Quite the contrary. We believe that old laws need to be abolished and superseded by new ones. We agree that everybody ought to be subject to the rule of law. But we also believe that laws are made by a

sovereign people and we believe that the people ought to be free to change the law as they please, because we do not believe that the law reflects some objectively existing order of right and wrong. We believe it reflects the will of the people, as represented by its elected deputies in the legislature. We believe that there are fundamental differences between questions of law, questions of politics, questions of ethics, and questions of religion. In all of these ways we conflict with some of the most deeply held convictions of medieval times. Indeed, we ourselves don't exactly seem able to make up our mind about what we believe the law to be. We are heirs to a conceptual conflict that developed in the middle ages.

That conflict developed over time, and it developed largely around writing. Virtually everything that needs to be said to distinguish the medieval conception of law from the modern one turns on the fact that medieval law was, fundamentally and originally, unwritten. As writing spread, and as medieval laws came to be written down, codified, legislated, and studied by experts, the conception of law came to change until it became recognizably modern in the early modern period.

In this process, ancient law played a crucial role. For ancient law, quite unlike medieval law (or custom) was very much written law. In fact, the body of Roman law, Corpus iuris civilis or simply Corpus iuris, as it was known in medieval Europe, amounts to one of the most stunning compilations of systematic legal knowledge in all of the world, unsurpassed until the modern period, if then. This kind of law is obviously totally different from medieval, unwritten, customary law. Yet it is also medieval. Copies of ancient Roman law were preserved in the medieval west, began to be assiduously studied in the eleventh century, and played a pivotal role in setting an example to medieval intellectuals of what law ought to be like. Those intellectuals immediately began to reshape unwritten law in the image of Roman law.

This is obviously only the most rough-and-ready characterization of more complicated issues. But perhaps it is enough to show how important it is to distinguish the law that actually governed early medieval society and continued to govern it for a long time in many places, especially on the local level, as custom, from the written law that medieval Europe inherited from antiquity, and the kind of law that emerged when medieval customs were written down, codified, and reinterpreted in the image of ancient Roman law. And it is important to grasp that here we are not simply dealing with the distinction between unwritten custom and written law. We are dealing with two altogether different legal systems, with fundamentally different assumptions about the nature, sources, and procedures of law. And to call one of them, namely the system that relies on unwritten law, mere "custom" is, in a sense, already to prejudice the issue in favor of written law by assuming that "unwritten law" is not really law strictly speaking (since "real" law must obviously be written) but that it is merely "custom," which may be venerable and old, but doesn't really deserve the same respect as "true" law.

I have already given you some references to works seeking to capture the (unwritten) rules by which early medieval societies operated. I have not yet mentioned a classic article by Fritz Kern, "Recht und Verfassung im Mittelalter," Historische Zeitschrift, 120



(1919) 1-79, which is still one of the best introductory accounts of the way in which early medieval conceptions of unwritten law differed from ecclesiastical and modern ones. I might add a reference to English law, for the simple reason that the English have a legal tradition that is unique in all of Europe. They were the first to write down their customs in the vernacular, already in the early middle ages, whereas virtually everybody else used Latin. And they were also the only European country that developed a group of professional lawyers who were trained and practiced in customary English law, whereas everywhere else in Europe professional lawyers were trained in Universities in Roman and canon law. Hence the deep difference between English common law and continental European law. Hence also the fact that English law is such a supremely rewarding subject of study for anyone interested in medieval custom. There is no other body of written law in existence today in which medieval conceptions of law are still similarly alive.

The best history of early medieval English law is one of the monuments of medieval historiography: the two volumes of Frederick Pollock and Frederic William Maitland, The History of English Law Before the Time of Edward I, 2d ed. (Cambridge: Cambridge University Press, 1899). This is a great and very richly documented place to go for information about medieval legal practices because it focuses directly on the early middle ages. For a more recent, more technical, and very reliable account of all of English legal history, go to John Hamilton Baker, An Introduction to English Legal History, 3rd ed. (London: Butterworths, 1990).

The written law that Europe inherited from antiquity consisted of two main branches: the body of Roman law and the laws of the Christian church. Hence the study of medieval written law is common divided into two main branches: Roman law and Canon law. Experts in Roman law are often called "civilians" or "legists" (because they studied "civil" law or "leges") and experts in Canon law were called "canonists," "decretists," and "decretalists" (because they studied ecclesiastical canons, decrees, and decretal letters).

This division has persisted into the twentieth century. It means that you can find a lot of books by "Germanists" dealing with medieval customs; a lot of book by "Romanists" on ancient, medieval, and modern Roman law; and a lot of book by "Canonists" on canon law. One of the most famous journals in legal history, the Zeitschrift der Savigny-Stiftung für Rechtsgeschichte, published since 1880 and named after the nineteenth-century founder of Roman legal history, Friedrich Karl von Savigny, is itself divided into three separate branches, devoted to these three separate kinds of law. But this is a great pity, because these branches, though they may differ from each other in the legal doctrines they represent, are deeply related to each other in history and society. Yet there are hardly any historians who deal with that interrelationship as such, in an attempt to write the whole of European legal history, as opposed to one of its parts.

There are two notable exceptions, one of them in English, one in German. The English one is O. F. Robinson, T. D. Fergus and William M. Gordon, An Introduction to European Legal History (Abingdon, Oxon.: Professional Books, 1985). This is not easy to come by, and it is not very well published. But it is far and away the best general introduction in English to all aspects of European legal history. It is especially good

because it makes a great effort to explain all of the little technical devices that legally minded historians are so fond of using, especially in referring to their sources, and that make the study of law seem so alien and forbidding to everybody else. The German exception is Hans Hattenhauer, Europäische Rechtsgeschichte (Heidelberg: Juristischer Verlag C. F. Müller, 1992).

On Roman law properly speaking, that is to say, ancient Roman law itself, there is an excellent brief introduction by Barry Nicholas, An Introduction to Roman Law (Oxford: Clarendon Press, 1962). On the history of Roman law in medieval Europe, the best short introduction was written a long time ago by Paul Vinogradoff, Roman Law in Medieval Europe, 2nd ed., ed. F. de Zulueta (Oxford: Clarendon Press, 1929). And for the way in which Roman law contributed to the formation of European political thought, from the later middle ages to the early modern period, there is an excellent and very clear little study by Myron P. Gilmore, Argument from Roman Law in Political Thought, 1200-1600 (Cambridge, Mass.: Harvard University Press, 1941). Some of the very best writings on medieval Roman law, however, and even on all of European legal history, are written in Italian. For an excellent example, see Francesco Calasso, Medio Evo del diritto (Milano: Giuffrè, 1954) and especially Francesco Calasso, I glossatori e la teoria della sovranità, 3rd ed. (Milan: Giuffrè, 1957), a book in which you can see the relationship between medieval law and political ideas especially well. One of those Italian works has recently been translated into English: Manlio Bellomo, The Common Legal Past of Europe, 1000-1800, trans. Lydia G. Cochrane (Washington, D.C.: Catholic University of America Press, 1995), which has the virtue of dealing with both the medieval and the modern period.

On canon law, I recommend above all a recent survey by one of the leading contemporary experts on the subject: James A. Brundage, Medieval Canon Law (London - New York: Longman, 1995), as well as Stephan Kuttner, Harmony from Dissonance: An Interpretation of Medieval Canon Law (Latrobe, 1960). Kuttner was a great pioneer in the history of medieval canon law and he published voluminously. He never wrote a synthesis of the history of canon law, because he did not believe that enough research had been done to permit such a synthesis. But his work, assembled in various collections and reprints of his articles, is the most reliable, though often technical, guide to medieval canon law available. For a good example of a less technical piece, focused on a crucial turning point, see his "The Revival of Jurisprudence," in: Robert L. Benson and Giles Constable, eds. Renaissance and Renewal in the Twelfth Century (Cambridge/Mass.: Harvard University Press, 1982) 299-323. For an attempt to show how important the papacy and the church in general were in promoting that legal revolution in the eleventh century by which the written law inherited from antiquity and centrally administered came to supersede customary practices, you should take a look at Harold J. Berman, Law and Revolution: The Formation of the Western Legal Tradition (Cambridge/Mass.: Harvard University Press, 1983), another book that tries as much as possible to grasp the whole of the European legal tradition, including both canon and Roman law.

Because the place of law in the history of Europe is both so important and so difficult to deal with, I have devoted a separate section to works about law in the reference

bibliography below. There you will find not only the works I have just listed, but also editions of Roman and canon law, along with a few other important medieval legal sources and some introductory writings about them.

#### N. Kingship and empire

I am not going to spend much time on notions of kingship. But it must be pointed out that kingship, like the feud and the ordeal, was a popular institution in the early medieval world. And not only the early medieval world. Kingship was, by all accounts, the most popular form of government all across the world for almost all of recorded history. If you want to learn more about what medieval kingship was like, and to what it owed the veneration it enjoyed, I would recommend several books. First, an old classic by Fritz Kern, Kingship and Law in the Middle Ages, trans. with an introduction by S. B. Chrimes (Oxford: B. Blackwell, 1939). This book has the added virtue of focusing on the contrast between Germanic and ecclesiastical conceptions of order. It thus makes a good companion piece to Brunner's Land and Lordship.

Next, I would recommend Marc Bloch, The Royal Touch: Sacred Monarchy and Scrofula in England and France, trans. J. E. Anderson (London: Routledge and Kegan Paul, 1973). Bloch was one of the founders of the Annales school, and this book was for a long time its greatest contribution to the history of ideas as seen from an Annales point of view (i.e., the history of "mentalities"). It focuses on one particular little problem: the belief that kings were able to heal their subject from scrofula and other diseases by their mere touch, and the history of that belief from its origins in about the eleventh century (precisely the time of the formation of Europe) in England and France until its demise in the Enlightenment of the eighteenth century. It is a wonderful window on the world of magic and religion before the advent of modernity, and it is no accident that its periodization coincides so well with that of this course. It is also one of the best sources of answers to the question what kingship meant to medieval people and why it has proved to be such an enduring form of government.

Then there are two books by English scholars. J. M. Wallace-Hadrill, Early Germanic Kingship in England and on the Continent (Oxford: Clarendon Press, 1971), is probably the most solid scholarly study of the subject by a single author in recent decades. Wallace-Hadrill focuses more on England than the Continent, but here you can at least be sure that the author will reflect the most recent and most respectable work. If it is in his book, you can be reasonably confident that it is not outdated (as it might be in Fritz Kern) or that it is ideologically tainted (as it might be in Brunner). P. H. Sawyer and I. N. Wood, eds. Early Medieval Kingship (Leeds: School of History, University of Leeds, 1977) is an excellent and influential collection of essays that covers much the same ground as Wallace-Hadrill, but from different perspectives.

Empire, like kingship, is another subject to which I am not going to devote a great deal of attention, largely because I am concerned to correct the wide-spread, but entirely unjustified belief that kingship and empire more or less exhaust the realm of medieval political conceptions. Nonetheless it was of course important. If you want to read an old classic on empire, pick up James Bryce, The Holy Roman Empire, Revised ed. (New

York: Schocken Books, 1961). This was first published in 1864, and it shows. Like so many other books on medieval history that were written during the flowering of medieval studies in the nineteenth century, it reflects the romantic infatuation with everything that seemed exotic and mystic about the middle ages. If you would rather read a more recent study that focuses specifically on the concept of empire as it was transmitted through the centuries, there is a good book by a French author that has been translated into English: Robert Folz, The Concept of Empire in Western Europe from the Fifth to the Fourteenth Century, trans. Sheila Ann Ogilvie (London: Edward Arnold, 1969). For still more recent approaches written from a much broader point of view than interest merely in medieval European political thought, I recommend highly M. Duverger, ed. Le concept d'empire (Paris: Presses universitaires de France, 1980). For a classic study of the ideas of empire that gained currency in Germany around the year 1000, Percy Ernst Schramm, Kaiser, Rom und Renovatio: Studien zur Geschichte des römischen Erneuerungsgedankens vom Ende des karolingischen Reiches bis zum Investiturstreit (Leipzig, 1929) remains important as illustrating the imperial counterpoint to the Gregorian Revolution. And for the best single book in English about the Empire, understood as the body politic of the various German lands, one must still turn to Geoffrey Barraclough, The Origins of Modern Germany, Revised ed. (Oxford: Blackwell, 1947).

#### O. The Gregorian Revolution

This is the first topic to be covered under the general heading of "the state of the church." It is best introduced by some attention to its traditional name: Investiture Controversy. It is traditionally known as the Investiture Controversy because historians used to believe that a great conflict erupted in about the middle of the eleventh century between the Holy Roman Emperors and the Papacy over the question whether lay rulers could "invest" clerics with their spiritual offices. But even though this was indeed a question over which they clashed, it is a mistake to name the conflict after it. More was at stake. What was at stake was the right order of the world, to use a phrase used by a historian who wrote what remains to this day the single best introduction to, and interpretation of, the events in question: Gerd Tellenbach, Church, State and Christian Society at the Time of the Investiture Controversy, trans. R. F. Bennett (London: Basil Blackwell & Mott, 1959). This is the book you should read first if you want to understand why it is better to call these events the Gregorian revolution than the "Investiture Controversy." And this is still one of the best books to gain an initial understanding of the meaning of hierarchy in medieval thought, of the nature of politics in a society that believed in "the great chain of being," of the place it allotted to "liberty" and of its relationship to "privileges" and "service." It is, in fact, worth pointing out, that from Tellenbach's perspective the Gregorian Revolution was above all else about liberty, and especially the liberty of the church, which is why the original German version, published in Stuttgart in 1936, was called Libertas: Kirche und Weltordnung im Zeitalter des Investiturstreites.

It was a revolution; it was about the right order of the world; it was about who was to have ultimate control over society, and on what grounds; and it was provoked, at bottom, by a fundamental conflict between different conceptions of political and social order. These conceptions came partially from the ancient Christian church, partially from the ancient Roman Empire, and partially from the Germanic tribes who had taken over the

western part of the empire in the early middle ages. They had more or less peacefully co-existed throughout the early middle ages and even been amalgamated with each other. But in the revolution of the eleventh century, the conflicts between them re-emerged and served as a focal point for a reorganization of Europe on principles that may have looked old, and were always justified by an appeal to antiquity, but were in fact new.

In order to understand what the conflict was really about, I would recommend two classic articles in addition to Tellenbach's book. One is by Ulrich Stutz, "The Proprietary Church as an Element of Mediaeval German Ecclesiastical Law," in: Geoffrey Barraclough, Mediaeval Germany, 911-1250: Essays by German Historians, 2: Essays, trans. with an introduction by Geoffrey Barraclough (Oxford: Basil Blackwell, 1938) 35-70. This is a classic description of the ways in which, and the reasons why, early medieval custom clashed with Pope Gregory VII's understanding of ecclesiastical office and his attempt to purify the church. The other is Gerhart B. Ladner, "The Concepts of 'Ecclesia' and 'Christianitas' and their Relation to the Idea of Papal 'Plenitudo Potestatis' from Gregory VII to Boniface VIII," in: Sacerdozio e regno da Gregorio VII a Bonifacio VIII (Rome, 1954) 49-77. This is not easy to come by and parts of it are technical. But it shows very clearly a fundamental shift in the meaning of the term "the church" from "all Christians" to "members of the clergy"—a shift, that is to say, from popular Christianity to hierarchical Christianity that has undergirded the history of the Catholic church ever since.

If you want to know more historical detail about the actual events of the Gregorian Revolution and the actual consequences that it produced in the government of the church and the extent to which the church managed to impose its governance on the rest of Europe under the leadership of the papacy, I would first recommend a short book on the medieval papacy overall, written by one of the most interesting and wide-ranging historians to have worked in the twentieth century: Geoffrey Barraclough, The Medieval Papacy (London: Thames and Hudson, 1968). If you want still more detail, I recommend three more books. One is focused on the conflict itself, namely Uta-Renate Blumenthal, The Investiture Controversy: Church and Monarchy from the Ninth to the Twelfth Century (Philadelphia: University of Pennsylvania Press, 1988). The other two are highly complementary attempts to describe the history of the papacy and the church both during the conflict and during the next hundred two two hundred years: I. S. Robinson, The Papacy 1073-1198: Continuity and Innovation (New York: Cambridge University Press, 1990) and Colin Morris, The Papal Monarchy: The Western Church from 1050 to 1250 (Oxford: Clarendon Press, 1989). The former has a shorter chronological range, focuses more sharply on the papacy, and adopts a strictly topical approach. The latter covers a longer period, deals with the institutional church as a whole, and takes a chronological approach. But both are very good and detailed indeed.

#### P. The Twelfth-Century Renaissance

The cultural consequences of the Gregorian Revolution deserve special mention because of the significance of writing and education for the meaning and success of the changes in question. I have already referred you to R. I. Moore's book on the Formation of a Persecuting Society for an extremely important interpretative perspective on the darker

aspects of these consequences. The happier traditional picture usually centers on the twelfth-century renaissance, so-called after a famous book by the first great American medieval historian who was taken seriously in Europe, too: Charles Homer Haskins, The Renaissance of the Twelfth Century (Cambridge, Mass.: Harvard University Press, 1927). Haskins' book is still by far the best single introduction to the great cultural revival of the times, and Haskins also wrote what remains one of the best introductory treatments of the single most important institution by which this revival was carried forth and that constitutes one of the greatest inventions in all of European history. I mean, of course, the universities: Charles Homer Haskins, The Rise of Universities (New York: H. Holt, 1923).

Obviously a lot has been added to our knowledge since Haskins wrote, but in this case we are in the fortunate situation of having an outstanding and relatively recent volume of essays by a great number of some of the best historians of the period alive attempting explicitly to take stock of what we now know better than Haskins did, and how our understanding has been reshaped since his time: Robert L. Benson and Giles Constable, eds. Renaissance and Renewal in the Twelfth Century (Cambridge, Mass.: Harvard University Press, 1982). The essays in this volume are uniformly outstanding. You cannot ask for a better guide to knowledge about social changes, the universities, the role of translations from Arabic and Greek, the concept of reform, the revival of law, and so on in the twelfth century. If you find this volume too large and too forbidding, I recommend a single relatively short essay that is particularly valuable for our purposes because it is meant mostly to highlight the extent to which the twelfth-century renaissance reshaped medieval thinking about politics: David E. Luscombe and G. R. Evans, "The Twelfth-Century Renaissance," in: J. H. Burns, ed. The Cambridge History of Medieval Political Thought, c. 350-c. 1450 (Cambridge: Cambridge University Press, 1988) 306-38.

#### Q. Relations between state and church

The most obvious consequence of the Gregorian Revolution for political thought beyond the twelfth-century Renaissance is, of course, a profound shift in the relationship between state and church. In fact, it is probably fair to say that it is only with the Gregorian Revolution, and perhaps not even then, that we can begin to speak about the distinction between state and church. But this is a topic on which I don't need to give you much guidance because it has been so thoroughly covered in the literature. Of course there still are many open issues. But Tierney's volume on the Crisis of Church and State will go a very long way to familiarizing you with those issues and the most plausible ways of dealing with them. And the essay by John A. Watt, "Spiritual and Temporal Powers," in: J. H. Burns, ed. The Cambridge History of Medieval Political Thought, c. 350-c. 1450 (Cambridge: Cambridge University Press, 1988) 367-423, will in a remarkably compressed space give you just about as clear, complete, and brilliantly interpretive an account of our understanding of the subject as you could hope for, and will not be able to improve without reading a great many more books and articles than is necessary for this course. If you read Watt carefully, and refer to him whenever your memory flags, you will have more solid information about the subject than most experts could have had at their disposal two generations ago.

If you want to know where I got the idea for the term "state of the church," by the way, you should read an article by J. H. Hackett, "State of the Church: A Concept of the Medieval Canonists," The Jurist, 23 (1963) 259-290, where you will learn that it was a perfectly commonplace concept in medieval canon law.

Since this first semester of the course runs only until the beginning of the decline of the "state of the church" in about 1300, I will postpone treatment of the rise of the "real" state until later. But since the foundations for that state were laid in medieval times, and since they were so deeply affected by the example set by the church, I would like to give you a few references here that are especially pertinent to medieval times. The best short book on the state in the middle ages was written by Joseph R. Strayer, On the Medieval Origins of the Modern State (Princeton: Princeton University Press, 1970). This is the most obvious first place to go for anyone who wants to know what we mean by a "state" and what states were like in medieval times, insofar as they existed at all. If you want to read something that is less schematic and that will show you how powerful some states actually were in medieval Europe, you can't do any better than to read another book by Joseph Strayer, namely his The Reign of Philip the Fair (Princeton: P. University Press, 1980). Strayer may be called something of a fan of the state, and this book represents the culmination of a lifetime of scholarship. It deals with France from the 1280s to the 1310s, and it is a masterpiece of historical writing. I know no better place where to learn about what powers medieval states actually did have, how their administration actually did function, how they were financed, what problems they had to face, how they solved them, who staffed their institutions, and so on.

For medieval ideas about the state, and especially for the role of Roman law in allowing such ideas to take shape, there is Gaines Post, Studies in Medieval Legal Thought: Public Law and the State, 1100-1322 (Princeton: Princeton University Press, 1964). This is really a collection of enormously learned and wonderfully instructive essays by one of the very few historians who have attempted to bridge the gap between the technical study of Roman law and the history of medieval political order. It is a unique book, because there is really no other historian who tried to do what Post did. It is also an extremely important book, because it helps to counterbalance two biases: one is the great influence of experts in canon law on the writing of the history of medieval political thought, which tends to exaggerate the role of the church; the other is the stereotype according to which Roman law is by definition monarchical and absolutist. We know since Gierke that it is not always so, and Post shows conclusively how much Roman law contributed to the development of representative institutions.

#### R. Monarchy in the church

Papal monarchy is such a familiar concept that I really don't want to spend any more time on it than is absolutely necessary, because I think I may spend my time more usefully in ridding you of the belief, which you surely hold, that all medieval Christians believed in papal infallibility and the right of the papacy to govern the church absolutely. The simple fact of the matter is that they did not. Papal infallibility and absolute papal monarchy have dominated the Catholic Church only since the first Vatican Council in 1870. Of

course this is not to say that the papacy did not matter any earlier, or that it was considered to be just as fallible as any other normal human being. Far from it. But it is to say that the ideas most people nowadays have about papal monarchy did not hold sway until the nineteenth century, and were sharply contested wherever they were maintained in earlier times.

Nonetheless papal monarchy does have ancient roots, and those deserve to be acknowledged. For a typically tendentious account that covers all of medieval history I need to refer you to yet another work by Walter Ullmann, The Growth of Papal Government in the Middle Ages: A Study in the Ideological Relation of Clerical to Lay Power, 3rd ed. (London: Methuen, 1970). For the best treatment of papal monarchy in the later middle ages I need to refer you to a work by one of his students: Michael Wilks, The Problem of Sovereignty in the Later Middle Ages: The Papal Monarchy with Augustinus Triumphus and the Publicists (Cambridge: Cambridge University Press, 1963). This has all the virtues and the vices of Ullmann's approach. Brilliant, and yet deeply misleading. Wilks covers the period after about 1300, when the papacy began to make claims that look very much like those defended at the first Vatican Council. For the time preceding 1300, and a more balanced view than that presented by Ullmann, you should take a look at John A. Watt, The Theory of Papal Monarchy in the Thirteenth Century (New York: Fordham University Press, 1965).

#### S. Republicanism in the church

Far more interesting than papal monarchy, because much more surprising to the average modern reader, is the extent to which medieval society in general and the medieval church in particular valued the participation of the community in politics, what one might call ecclesiastical republicanism. Here by far the most important work was done by Brian Tierney, Foundations of the Conciliar Theory: The Contribution of the Medieval Canonists from Gratian to the Great Schism (Cambridge: Cambridge University Press, 1955). The conciliar theory, roughly speaking, is the theory according to which the pope is subject to the authority of general or ecumenical councils. That theory gained prominence in the later middle ages and became an official part of canon law at the Council of Constance (1414-18). But since it conflicted so deeply with ideas about papal monarchy, much of the literature that has been written about it since the nineteenth century claimed that the conciliar theory was founded on heretical doctrines of Marsilius of Padua and William of Ockham, and therefore was heretical itself. Tierney showed conclusively that this was plain wrong. The conciliar theory was founded on the canon law itself and so, in large part, were the supposedly heretical doctrines of Marsilius and William of Ockham.

The Foundations of the Conciliar Theory is still the best book by Tierney to read, even though he has written many others and published a shorter and more broad-ranging version of his main arguments that grew out of a series of lectures he gave at Cambridge: Brian Tierney, Religion, Law, and the Growth of Constitutional Thought, 1150-1650 (Cambridge: Cambridge University Press, 1982). Tierney made what is almost certainly the single most important contribution to the study of medieval political thought in the last fifty years and more. His work was not completely unprecedented. Earlier historians



had made similar points. Especially worth mentioning in this context is a precocious and quite brilliant essay by Otto Hintze, "The Preconditions of Representative Government in the Context of World History," in: Felix Gilbert, ed. The Historical Essays of Otto Hintze (New York: Oxford University Press, 1975) 302-53, that was first published in 1930 and argued equally clearly and convincingly that modern representative government could never have come about without the contribution of the medieval canon law. Yet it was only Tierney who really established as a matter of incontrovertible historical record what some sympathetic historians had previously maintained, and managed to impress it so firmly upon the minds of his readers that eventually most sceptics came to be persuaded and those who did not found themselves maneuvered into a corner.

The other historian most important to mention in this context is Francis Oakley, whom you already encountered as one of the most outspoken critics of Walter Ullmann's vision of medieval history. If Tierney has concentrated on the period until about 1300, Oakley has concentrated on the period after, which is to say, the heyday of the conciliar movement in the later middle ages. Perhaps his most interesting book on the subject of conciliarism properly speaking is Council over Pope? Towards a Provisional Ecclesiology (New York: Herder and Herder, 1969), interesting especially because it combines a strictly historical account with a strong contemporary ecclesiological engagement and serious reflection on the relationship between history and dogma. But Oakley has also produced a number of wide-ranging articles on subjects going beyond the question of conciliarism in the church to the role of consent in politics generally and to the great shift from medieval to modern forms of politics. Many of the most important articles are collected in Francis Oakley, Natural Law, Conciliarism, and Consent in the Late Middle Ages: Studies in Ecclesiastical and Intellectual History (London: Variorum Reprints, 1984). But one of the most important is not: Francis Oakley, "Legitimation by Consent: The Medieval Roots," Viator, 14 (1983) 303-335. If you read nothing else by Oakley, read this article. It gives an excellent and wide-ranging review of the issues, and it explains very clearly why and how medieval republicanism differs from modern democracy.

#### T. The individual and individual rights

The place of the individual in the body politic and the rights such individuals may or may not have is one of the most famous (and most deeply vexed) issues in the history of medieval political thought. Oakley is convinced that the main characteristic distinguishing consent in modern democracies from medieval republics (ecclesiastical or otherwise) is that it is thought of as a concatenation of individual acts of willing, rather than an expression of the will of the community as a whole, or by the leading sectors of the community, as was so typical in medieval times. Hence much of his work has focused on conceptions of will.

Tierney, on the other hand, believes that individual rights, just like constitutional government itself, are really rooted in the traditions of the medieval canon law. Over the last fifteen years or so, he has published a series of articles to substantiate this belief, and has recently published them as a book under the title The Idea of Natural Rights: Studies

on Natural Rights, Natural Law, and Church Law, 1150-1625 (Atlanta, Georgia: Scholars Press, 1997).

The historian who first raised the issue was Michel Villey, "Les origines de la notion de droit subjectif," Archives de philosophie du droit, 2 (1953-54) 163-87, an article that has become a classic because it argued dramatically against the conventional idea that a concept of individual rights emerged only during the early modern period, along with the development of modern natural law doctrines. Villey was convinced that the concept of individual rights first took shape in the mind of William of Ockham, a Franciscan philosopher and theologian active in the first half of the fourteenth century. And Villey has tirelessly repeated his argument in ever new formulations and ever new books.

Thus you have at least three or four different conceptions competing with each other: the traditional view, according to which the concept of individual rights is modern. Oakley's view, according to which it is only partially modern. Villey's according to which it originated in the mind of Ockham. And Tierney's, according to which it originated in the legal thinking of the eleventh and twelfth centuries. For a good survey of the whole issue by an early modern historian, see Richard Tuck, Natural Rights Theories: Their Origin and Development (Cambridge - New York: Cambridge University Press, 1979), a book that is too systematic and too brief to do justice to late medieval developments, and that was directly attacked by Tierney, but that can still serve as a good introduction to the subject overall—even though in the meantime Tuck himself has distanced himself a little from the views he expressed in that book.

This is one of the most interesting issues to be debated currently, and there is very little doubt that much more ink will have to be spilled before it can be clarified. For it seems clear that the disagreements among historians turn on a confusion of several complicated issues with each other. Moreover, this particular issue will be difficult to disentangle without a real rethinking of the general relationship between medieval and modern history. Rather than to focus on the question of individual rights per se, it may therefore be more fruitful for you to look in another direction, namely, the general literature on the individual and the community in the middle ages. For the individual, other than the great book by Norbert Elias on The Civilizing Process that I mentioned above, there is a more narrowly focused standard work by Colin Morris, The Discovery of the Individual, 1050-1200 (New York, 1972), that focuses specifically on the twelfth century and should be supplemented by an early article by Caroline Bynum, "Did the Twelfth Century Discover the Individual?," Journal of Ecclesiastical History, 31 (1980) 1-17. For the role of the community in medieval political thought, there is an excellent work in French by Pierre Michaud-Quantin, Universitas: Expressions du mouvement communautaire dans le Moyen Age latin (Paris: J.Vrin, 1970). Michaud-Quantin mines a very wide-ranging body of sources for evidence about ideas concerning the nature and function of the community. His book is one of the very best introductions to the whole range of medieval thinking about communities of all sorts, not merely political ones, but also social, urban, rural, scholarly, and so on. For an essay that deals more specifically with the role of the community in political thought, you should take a look at Jeannine Quillet, "Community, Counsel and Representation," in: J. H. Burns, ed. The Cambridge History of Medieval

Political Thought, c. 350-c. 1450 (Cambridge: Cambridge University Press, 1988) 520-72. And finally, there are the writings of Antony Black, who has focused especially sharply on this aspect of the history of political thought. For a brief version of Black's ideas, see his essay on "The Individual and Society," in: J. H. Burns, ed. The Cambridge History of Medieval Political Thought, c. 350-c. 1450 (Cambridge: Cambridge University Press, 1988) 588-606. But you should not neglect his stimulating and wide-ranging book on Guilds and Civil Society in European Political Thought from the Twelfth century to the Present (Ithaca, N.Y.: Cornell University Press, 1984). And finally it is worth mentioning a special study by Alan MacFarlane, The Origins of English Individualism: The Family, Property, and Social Transition (Oxford: Blackwell, 1978) that attracted a lot of attention because it sought to offer an explanation of individualism in terms of underlying social developments in the late middle ages.

U. John of Salisbury, Thomas Aquinas, and Marsiglio of Padua

These are the three individuals on whose writings I have chosen to focus in order to illustrate the thinking of educated elites in high medieval Europe about the proper ways to organize a community. They represent three rather different approaches. John of Salisbury may be considered one of the outstanding figures of the twelfth-century renaissance. That means that he stands very much on the side of learning and education. He believes in law, and he also believes in the clerical leadership of political society. He made the famous quip that a king who could not read or write was nothing but a crowned ass, and he was deeply suspicious of what he considered to be the corruption typical of life at the courts of kings. For him, it was the common good that mattered above all else, and he was convinced that the common good could not possibly flourish in a society in which the soul was not equally well taken care of as the body. His view of politics amounts to a unique blend of clerical with lay elements. Of course he knew about Aristotle, but Aristotle's Politics had not yet been translated into Latin when he was active. Hence his writing is much more oriented towards Cicero and what has come to be called "classical republicanism" than the form of Aristotelianism that predominated in the high-medieval universities. And instead of presenting his views in the highly technical ("scholastic") manner that came to be standard for people who had gone to university, he chose to write an extended essay that is closer to the literary genres of classical antiquity than the scholastic "questions" in which his successors specialized.

Thomas Aquinas is justly famous as one of the greatest systematic philosophers and theologians of all time. And yet it is important to keep in mind that his theology and philosophy represent only one particular position among the many that were in fact taken up in medieval times. In order to characterize his position on political thought and to distinguish it from that of John of Salisbury as briefly as possible, it may be best to emphasize four basic points. First, he did have Aristotle's Politics at his disposal in Latin and drew on it heavily. That helped to give him a far more positive attitude towards politics as a perfectly natural and good aspect of human life. Second, he was a professional university theologian. Hence his writings abound with all the technical devices developed by his craft: subdividing the subject matter in a systematic way, relying on authoritative sources for guidance, distinguishing conflicting interpretations, listing reasons for and against those interpretations, resolving the conflict in a logical

fashion, and trying to combine the whole into a systematic doctrine. Third, he believed that reason did not conflict with faith any more than nature conflicted with grace. To quote a famous formulation, he believed that "grace does not abolish nature, but perfects it." Thus he hoped to reconcile reason with faith by correlating them to each other as two separate realms of which one was superior to the other, but did not contradict it, sort of in the same way in which you might say that listening to music is superior to digesting hamburgers: clearly two very different forms of activity, but activities that don't exactly contradict each other at all and could even be conducted simultaneously. And fourth, he used that principle to find a place for secular politics within a hierarchy governed by the Christian church.

Marsiglio of Padua, finally, was very similar to Thomas Aquinas in his deep familiarity with, and appreciation of, Aristotle's writings on politics. But quite unlike Thomas Aquinas he did not believe that the realms of faith and reason could be related to each other in a single hierarchy. He rather thought that they were divorced from each other by a fundamental split, in the same way in which words are different from actions and the mind is different from the body. Hence he arrived at a completely different conception of law and politics that denied any leading function to the church, at least as far as this world was concerned. Where Thomas Aquinas was a rationalist, a monarchist, and a hierarchical thinker, Marsiglio of Padua was a voluntarist, a republican, and a dualist.

John of Salisbury, Thomas Aquinas, and Marsiglio of Padua far from exhaust the range of what highly educated theorists of the high middle ages believed to be true about political and social life. But their writings do give a good idea of the extent of that range. All of them agree on the importance of literacy, law, and learning. To that extent all of them stand on the modern side of the great divide that separates "politics without a state" from the kind of politics that have governed Europe since the Gregorian revolution. At the same time they differ fundamentally from each other in their understanding of law, the function they attribute to the political community, and their ideas about the church.

For further guidance to the literature about these three thinkers, you can't do any better than to begin with the introductions and the bibliographies in the readings from them that I have assigned. You will find a few further recommendations below, in the reference section of this guide, under the headings "Studies of individual medieval thinkers" and "Translated writings of individual medieval thinkers," where you will also find references to a number of other thinkers.

## PART THREE: REFERENCE

This bibliography is divided into four main sections: books specifically required or recommended for this course; further reading on the historical background to social and political thought; further reading on political thought itself; and further reading on law. With a few minor exceptions it includes all of the titles referred to above, but it also includes a number of additional works and it includes bibliographies and other reference works that will lead you further.

If you are looking for literature on any particular aspect of the subjects covered in this course, you should begin by following the recommendations I have given you above. If these turn out to be too vague or general for your purposes, use the guides to the secondary literature and the guides to the sources that I have listed below.

### V. Required and recommended readings on reserve

#### 1. Required books

- Augustine. Political Writings. Eds. Ernest L. Fortin, Douglas Kries and Roland Gunn. Trans. Michael W. Tkacz and Douglas Kries. (Indianapolis: Hackett, 1994).
- The Bible. Samuel Sandmel, Jack Suggs and Arnold J. Tkacik, eds. The New English Bible, with the Apocrypha. Oxford Study Edition. (New York: Oxford University Press, 1976).
- Brunner, Otto. Land and Lordship: Structures of Governance in Medieval Austria. Trans. with an introduction by Howard Kaminsky and James Van Horn Melton. Middle Ages series. (Philadelphia: University of Pennsylvania Press, 1992).
- Donaldson, E. Talbot. Beowulf: A New Prose Translation. (New York: Norton, 1966).
- Gellner, Ernest. Nations and Nationalism. New Perspectives on the Past. Ed. R. I. Moore. (Ithaca: Cornell University Press, 1983).
- John of Salisbury. Policraticus: Of the Frivolities of Courtiers and the Footprints of Philosophers. Ed. Cary J. Nederman. Trans. Cary J. Nederman. Cambridge texts in the history of political thought. (Cambridge: Cambridge University Press, 1990).
- Koenigsberger, H. G. Medieval Europe, 400-1500. A History of Europe. Eds. H. G. Koenigsberger and Asa Briggs. (London: Longman, 1987).
- Marsiglio of Padua. Writings on the Empire: "Defensor minor" and "De translatione Imperii". Ed. Cary J. Nederman. Trans. Cary J. Nederman. Cambridge Texts in the History of Political Thought. (Cambridge: Cambridge University Press, 1993).
- Moore, Robert Ian. The Formation of a Persecuting Society: Power and Deviance in Western Europe, 950-1250. (Oxford: Blackwell, 1987).
- The Rule of St. Benedict in English. Ed. Timothy Fry. Vintage spiritual classics. (New York: Vintage Books, 1998).
- Thomas Aquinas. On Politics and Ethics: A New Translation, Backgrounds, Interpretations. Ed. Paul E. Sigmund. Trans. Paul E. Sigmund. Norton

Critical Editions. (New York: Norton, 1988).  
Tierney, Brian. The Crisis of Church and State, 1050-1300. (Buffalo: University of Toronto Press, 1988).

## 2. Recommended books

- Ahrweiler, Hélène. L'idéologie politique de l'Empire byzantin. *L'historien*, 20. (Paris: Presses universitaires de France, 1975).
- Black, Antony. Political Thought in Europe, 1250-1450. Cambridge medieval textbooks. (Cambridge: Cambridge University Press, 1992).
- Bloch, Marc. The Royal Touch: Sacred Monarchy and Scrofula in England and France. Trans. J. E. Anderson. (London: Routledge and Kegan Paul, 1973).
- Burns, J. H., ed. Cambridge History of Medieval Political Thought, c. 350 - c. 1450. (Cambridge: Cambridge University Press, 1988).
- Canning, Joseph. A History of Medieval Political Thought, 300-1450. (London - New York: Routledge, 1996).
- Carlyle, Robert Warrand and Alexander James Carlyle. A History of Mediaeval Political Theory in the West. 6 vols. (Edinburgh - London: Blackwood, 1903-36).
- Davis, R. W. The Origins of Modern Freedom in the West. (Stanford: Stanford University Press, 1995).
- d'Entrèves, Alexander Passerin. The Medieval Contribution to Political Thought: Thomas Aquinas, Marsilius of Padua, Richard Hooker. (Oxford: Oxford University Press, 1939).
- Ehler, S. Z. and J. B. Morrall, eds. Church and State through the Centuries. (London: Burns and Oates, 1954).
- Elias, Norbert. The Civilizing Process. (Oxford: Blackwell, 1994).
- Gierke, Otto Friedrich v. Political Theories of the Middle Age. Trans. F. W. Maitland. (Cambridge: Cambridge University Press, 1900).
- Hill, Bennett D., ed. Church and State in the Middle Ages. Major Issues in History. Ed. C. Warren Hollister. (New York - London: John Wiley & Sons, 1970).
- Kantorowicz, Ernst. The King's Two Bodies: A Study in Mediaeval Political Theology. (Princeton: Princeton University Press, 1957).
- Kern, Fritz. Kingship and Law in the Middle Ages. 2 vols. Trans. with an introduction by S. B. Chrimes. *Studies in Mediaeval History*, 4. Ed. Geoffrey Barraclough. (Oxford: B. Blackwell, 1939).
- Lewis, Ewart. Medieval Political Ideas. 2 vols. (New York: Alfred A. Knopf, 1954).
- Lovejoy, Arthur O. The Great Chain of Being: A Study of the History of an Idea. (Cambridge, Mass.: Harvard University Press, 1936).
- Miller, William Ian. Bloodtaking and Peacemaking: Feud, Law, and Society in Saga Iceland. (Chicago: University of Chicago Press, 1990).
- Morrall, John B. Political Thought in Medieval Times. (London, 1958).
- Morris, Colin. The Discovery of the Individual, 1050-1200. 1st ed. (New York, 1972).
- Oakley, Francis. The Political Thought of Pierre d'Ailly: The Voluntarist Tradition. (New Haven: Yale University Press, 1964).
- Rosenthal, Erwin I. J. Political Thought in Medieval Islam: An Introductory Outline. (Cambridge: Cambridge University Press, 1958).

- Smalley, Beryl, ed. Trends in Medieval Political Thought. (Oxford: B. Blackwell, 1965).
- Strayer, Joseph R. Medieval Statecraft and the Perspectives of History: Essays by Joseph R. Strayer. Eds. J. F. Benton and T. N. Bisson. (Princeton: Princeton University Press, 1971).
- Tellenbach, Gerd. Church, State and Christian Society at the Time of the Investiture Controversy. Trans. R. F. Bennett. (London: Basil Blackwell & Mott, 1959; rpt. Buffalo : University-of-Toronto-Press, 1991).
- Tierney, Brian. Foundations of the Conciliar Theory: The Contribution of the Medieval Canonists from Gratian to the Great Schism. Cambridge studies in medieval life and thought, n. s. 4. Ed. M. D. Knowles. (Cambridge: Cambridge University Press, 1955).
- Ullmann, Walter. A History of Political Thought: The Middle Ages. Revised ed. (Harmondsworth: Penguin, 1970).
- Ullmann, Walter. Law and Politics in the Middle Ages: An Introduction to the Sources of Medieval Political Ideas. The Sources of history: Studies in the uses of historical evidence. (Cambridge: Cambridge University Press, 1975).

### 3. Recommended articles

- Beer, Samuel. "The Rule of the Wise and the Holy: Hierarchy in the Thomistic System." Political Theory, 14 (1986) 391-422, to be read together with the critical response by Brian Tierney, "Hierarchy, Consent, and the 'Western Tradition'," Political Theory, 15 (1987) 646-652.
- Brown, Elizabeth A. R. "The Tyranny of a Construct: Feudalism and Historians of Medieval Europe." American Historical Review, 79 (1974) 1063-1088.
- Bynum, C. "Did the Twelfth Century Discover the Individual?" Journal of Ecclesiastical History, 31 (1980) 1-17.
- Canning, Joseph P. "Ideas of the State in Thirteenth and Fourteenth-Century Commentators on the Roman Law." Transactions of the Royal Historical Society, 5th series, 33 (1983) 1-27.
- Figgis, John Neville. "Respublica christiana." Transactions of the Royal Historical Society, ser. 3, 5 (1911) 63-88.
- Harding, A. "Political Liberty in the Middle Ages." Speculum, 55 (1980) 423-43.
- Hintze, Otto. "The Preconditions of Representative Government in the Context of World History." In: Felix Gilbert, ed. The Historical Essays of Otto Hintze. (New York: Oxford University Press, 1975), 302-53.
- Kern, Fritz. "Recht und Verfassung im Mittelalter." Historische Zeitschrift, 120 (1919) 1-79.
- Ladner, Gerhart B. "The Concepts of 'Ecclesia' and 'Christianitas' and their Relation to the Idea of Papal 'Plenitudo Potestatis' from Gregory VII to Boniface VIII." In: Sacerdozio e regno da Gregorio VII a Bonifacio VIII. Miscellanea Historiae Pontificiae, 18. (Rome, 1954), 49-77.
- Ladner, Gerhart B. "Two Gregorian Letters: On the Sources and Nature of Gregory VII's Reform Ideology." Studi Gregoriani, 5 (1956) 221-242.
- Mundy, John Hine. "In Praise of Italy: The Italian Republics." Speculum, 64 (1989) 815-34.
- Mundy, John Hine. "Medieval Urban Liberty." In: R. W. Davis, ed. The Origins of

- Modern Freedom in the West. (Stanford: Stanford University Press, 1995), 101-34.
- Nederman, Cary. "Nature, Sin and the Origins of Society: The Ciceronian Tradition in Medieval Political Thought." Journal of the History of Ideas, 49 (1988) 3-26.
- Oakley, Francis. "Celestial Hierarchies Revisited: Walter Ullmann's Vision of Medieval Politics." Past and Present, 60 (1973) 3-48.
- Oakley, Francis. "Legitimation by Consent: The Medieval Roots." Viator, 14 (1983) 303-335.
- Stickler, Anton Maria. "Concerning the Political Theories of the Medieval Canonists." Traditio, 7 (1949-1951) 450-463.
- Strayer, Joseph R. "The Laicization of French and English Society in the Thirteenth Century." Speculum, 15 (1940) 76-86.
- Strayer, Joseph R. "France: The Holy Land, the Chosen People, and the Most Christian King." In: T. K. Rabb and J. E. Seigel, eds. Action and Conviction in Early Modern Europe: Essays in Memory of E. H. Harbison. (Princeton: Princeton University Press, 1969), 3-16.
- Stutz, Ulrich. "The Proprietary Church as an Element of Mediaeval German Ecclesiastical Law." In: Geoffrey Barraclough, Mediaeval Germany, 911-1250: Essays by German Historians, 2: Essays. Trans. with an introduction by Geoffrey Barraclough. (Oxford: Basil Blackwell, 1938), 35-70.
- Tierney, Brian. "Hierarchy, Consent, and the 'Western Tradition'." Political Theory, 15 (1987) 646-652.
- Ullmann, Walter. "The Development of the Medieval Idea of Sovereignty." English Historical Review, 64 (1949) 1-33.
- Vinogradoff, Paul. "Customary Law." In: C. G. Crump and E. F. Jacob, eds. The Legacy of the Middle Ages. (Oxford: Oxford University Press, 1926), 287-320.

#### W. Further reading: background

##### 4. Historical background

- Abu-Lughod, Janet L. Before European Hegemony: The World System A.D. 1250-1350. (New York: Oxford University Press, 1989).
- Bartlett, Robert. The Making of Europe: Conquest, Colonization, and Cultural Change, 950-1350. (Princeton, N.J.: Princeton University Press, 1993).
- Barraclough, Geoffrey. The Origins of Modern Germany. Revised ed. (Oxford, 1947).
- Barraclough, Geoffrey. The Medieval Papacy. (London: Thames and Hudson, 1968).
- Baynes, N. H. and M. St. L. B. Moss, eds. Byzantium: An Introduction to East Roman Civilization. (Oxford, 1948).
- Benson, R. L. and G. Constable, eds. Renaissance and Renewal in the Twelfth Century. (Cambridge, Mass., 1982).
- Bloch, Marc. Feudal Society. Trans. L. A. Manyon. (Chicago: University of Chicago Press, 1961).
- Blumenthal, Uta-Renate. The Investiture Controversy: Church and Monarchy from the Ninth to the Twelfth Century. (Philadelphia: University of Pennsylvania



- Press, 1988).
- Bolgar, R. R. The Classical Heritage and its Beneficiaries. (Cambridge: Cambridge University Press, 1954).
- Brown, Peter. The World of Late Antiquity, A.D. 150-750. History of European civilization library. (New York: Harcourt Brace Jovanovich, 1971).
- Clanchy, Michael T. From Memory to Written Record: England 1066-1307. 2nd ed. (Oxford - Cambridge, Mass.: Blackwell, 1993).
- Crump, C. G. and E. F. Jacob, eds. The Legacy of the Middle Ages. (Oxford: Oxford University Press, 1926).
- Duby, Georges. The Three Orders: Feudal Society Imagined. Trans. Arthur Goldhammer. (Chicago: University of Chicago Press, 1980).
- Elias, Norbert. The Civilizing Process. (Oxford: Blackwell, 1994).
- Fried, Johannes. Der Weg in die Geschichte: Die Ursprünge Deutschlands bis 1024. Propyläen Geschichte Deutschlands, 1. (Berlin: Propyläen Verlag, 1994).
- Haskins, Charles Homer. The Rise of Universities. (New York: H. Holt, 1923).
- Haskins, Charles Homer. The Renaissance of the Twelfth Century. (Cambridge, Mass.: Harvard University Press, 1927).
- Hitti, P. K. History of the Arabs from the Earliest Times to the Present. Revised ed. (New York: St. Martin's Press, 1970).
- Koenigsberger, H. G. Medieval Europe, 400-1500. A History of Europe. Eds. H. G. Koenigsberger and Asa Briggs. (London: Longman, 1987).
- Laistner, M. Thought and Letters in Western Europe, A.D. 500-900. Revised ed. (Ithaca, N. Y.: Cornell University Press, 1957).
- Le Roy Ladurie, Emmanuel. Montaillou: The Promised Land of Error. Trans. Barbara Bray. (New York: Vintage Books, 1979).
- Lewis, Bernard. The Arabs in History. 6th ed. (Oxford - New York: Oxford University Press, 1993).
- Morris, Colin. The Papal Monarchy: The Western Church from 1050 to 1250. Oxford History of the Christian Church. (Oxford: Clarendon Press, 1989).
- Mundy, John Hine. Europe in the High Middle Ages, 1150 - 1309. (New York, 1973).
- Ostrogorsky, Georg. History of the Byzantine State. Revised ed. (New Brunswick: Rutgers University Press, 1969).
- Robinson, I. S. (Ian Stuart). The Papacy 1073-1198: Continuity and Innovation. Cambridge medieval textbooks. (New York: Cambridge University Press, 1990).
- Smalley, Beryl. The Study of the Bible in the Middle Ages. 3rd ed. (Oxford: Blackwell, 1983).
- Southern, Richard W. The Making of the Middle Ages. (New Haven: Yale University Press, 1953). D117.S721 Gen Harp
- Southern, Richard W. Western Views of Islam in the Middle Ages. (Cambridge, Mass.: Harvard University Press, 1962).
- Stock, Brian. The Implications of Literacy: Written Language and Models of Interpretation in the Eleventh and Twelfth Centuries. (Princeton: Princeton University Press, 1983).
- Strayer, Joseph R. The Reign of Philip the Fair. (Princeton: P. University Press, 1980).
- Tellenbach, Gerd. The Church in Western Europe from the Tenth to the Early

Twelfth Century. Trans. Timothy Reuter. Cambridge medieval textbooks. (Cambridge - New York: Cambridge University Press, 1993).

## 5. Historical Atlases

- Barracough, Geoffrey and Norman Stone, eds. The Times Atlas of World History. 3rd ed. (Maplewood: Hammond, 1989).
- Kinder, H. and W. Hilgemann, eds. Anchor Atlas of World History. 2 vols. Trans. by Ernest A. Menze with maps designed by Harald and Ruth Bukor. (Garden City: Doubleday, 1974-78).
- Stier, H.-E. and others, eds. Westermanns Grosser Atlas zur Weltgeschichte. (Braunschweig: Westermann, 1956).

## 6. Guides to the secondary literature

- Alford, John A. and Dennis P. Seniff, eds. Literature and Law in the Middle Ages: A Bibliography of Scholarship. Garland Reference Library of the Humanities, 378. (New York - London: Garland, 1984). This is a bibliography of scholarly writings devoted to law, literature, and the relationship between them in medieval Europe.
- Boyce, Gray Cowan, ed. Literature of Medieval History, 1930-1975: A Supplement to Louis John Paetow's A Guide to the Study of Medieval History. 5 vols. (Millwood, N. Y.: Kraus International Publication, 1981). This is a very complete list of all important books and articles published on any aspect of medieval European history in any major language during the period from 1930-1975. It is equipped with indexes that work, as usual, more effectively if you look for information about particular individuals than if you are interested in a particular topic, but are unusually good for both purposes. Obviously it is out of date for anything published since 1975. But it is still a crucial reference tool for tracking down literature on special subjects and extremely valuable for getting an overall sense on the development of scholarship in those roughly five decades. Compare this with Paetow's guide below, in this section.
- Crosby, Everett U., C. Julian Bishkoc and Robert L. Kellogg, eds. Medieval Studies: A Bibliographical Guide. Garland Reference Library of the Humanities, 427. (New York - London: Garland, 1983). This is a more recent and much less ambitious general bibliographical introduction to medieval studies.
- Gentry, Francis G. and Christopher Kleinhenz, eds. Medieval Studies in North America: Past, Present and Future. (Kalamazoo, 1982). This is not a bibliography, but an attempt by a group of historians to assess the condition of medieval studies in the United States today. Compare it with Van Engen's book below, in this section.
- Norton, Mary Beth and Pamela Gerardi, eds. The American Historical Association's Guide to Historical Literature. 2 vols. 3rd ed. (New York: Oxford University Press, 1995). This is a general historical bibliography, produced under the auspices of the American Historical Association, for the purpose of listing in systematic fashion the best historical writing available today (in 1995) on any aspect of the history of the world. Obviously much too general for this course, but an extremely useful reference tool for general purposes and

interesting, even in the present context, because there you can find out which books are considered to be important enough to have "made it" onto the list, and which were not included.

- Paetow, Louis John. A Guide to the Study of Medieval History. Rev. ed. (New York: F.S. Crofts & Co., 1931). This is the predecessor to Boyce's five volumes, listed above. It covers the literature that was published before 1930, and uses a rather different approach from Boyce's.
- Van Engen, John, ed. The Past and Future of Medieval Studies. Notre Dame Conferences in Medieval Studies, 4. (Notre Dame, Ind.: University of Notre Dame Press, 1994). This is a more recent attempt to accomplish the same overview of the condition of medieval studies in the United States (and elsewhere) today than the one by Gentry, Kleinhenz and others listed above, in this section.

## 7. Guides to the sources

- Bak, János M., ed. Medieval Narrative Sources: A Chronological Guide. Garland reference library of the humanities, 734. (New York: London, 1987). Just as the title says. Listed here because narrative sources may be useful to you when looking for primary evidence about particular aspects of medieval political thought.
- Caenegem, R. C. van. Guide to the Sources of Medieval History. Europe in the Middle Ages, 2. (Amsterdam - New York: North-Holland Pub. Co., 1978). This is a standard and quite detailed introduction to the many different kinds of writings that were produced in the middle ages and are still preserved today in the libraries of Europe and elsewhere. This is the place to go if you want to learn about what annals, chronicles, histories, charters, letters, bulls, diplomas, necrologies, cartularies and so on are, what the differences between them are, what one can learn from them if one uses them properly, and what the most famous examples of each are.
- Chevalier, Ulysse. Répertoire des sources historiques du Moyen Age: Topo-Bibliographie. 2 vols. (Montbéliard: Société anonyme d'imprimerie Montbéliardaise, 1894-99). This is an old reference work, but it is still useful because it is basically an alphabetical list of places with the most important sources and secondary literature about those places. Since the sources have not changed since 1894 (except that we have discovered some new ones), and since much basic historical work on particular places (especially churches and monasteries) had already been done by 1894, this is still a good place to go if you happen to look for historical literature about a particular place.
- Chevalier, Ulysse, Répertoire des sources historiques du Moyen Age: Bio-Bibliographie. 2 vols. 2nd ed. (Paris, 1905-7). This is the equivalent of the volume just mentioned, except that it is devoted to individual personages (listed alphabetically) instead of places.
- Farrar, Clarissa P. and Austin P. Evans. Bibliography of English Translations from Medieval Sources. Records of Civilization, 39. (New York: Columbia University Press, 1946). As the title says: a bibliography of medieval sources that had been translated into English. It was published in 1946, but it does not include translations that were published any later than about 1942. If you

take a look at this, you will be surprised to find how many different kinds of sources are actually available in English.

- Ferguson, Mary Anne. Bibliography of English Translations from Medieval Sources, 1943-1967. Records of Civilization, 88. (New York: Columbia University Press, 1974). A companion volume to the one I just mentioned in which the bibliography is brought up to date to 1967. I am not aware of any bibliography that lists the translations that have been published since then.
- Genicot, L., ed. Typologie des sources du moyen âge occidental. (Turnhout: Brepols, 1972-). This is the general title of a huge collection of mostly relatively short pamphlets (now more than a hundred, each usually ranging somewhere from fifty to a hundred pages) that are devoted to particular kinds of medieval sources. This is a much more scholarly and detailed attempt to do the same thing that van Caenegem did in his Guide, listed above in this section.
- Powell, James, ed. Medieval Studies: An Introduction. 2nd ed. (Syracuse: Syracuse University Press, 1992). This is the single best book available in English to introduce you to the technical knowledge that is necessary if you want to deal with medieval sources. I mean knowledge about medieval ways of keeping time (chronology), medieval ways of writing (paleography), coins (numismatics), medieval charters (diplomats), and several other subjects like those.

## X. Further reading: political thought

### 8. Surveys and essays on medieval political thought

- Ahrweiler, Hélène. L'idéologie politique de l'Empire byzantin. L'historien, 20. (Paris: Presses universitaires de France, 1975).
- Black, Antony. Political Thought in Europe, 1250-1450. Cambridge medieval textbooks. (Cambridge: Cambridge University Press, 1992).
- Burns, J. H., ed. Cambridge History of Medieval Political Thought, c. 350 - c. 1450. (Cambridge: Cambridge University Press, 1988).
- Canning, Joseph. A History of Medieval Political Thought, 300-1450. (London - New York: Routledge, 1996).
- Carlyle, Robert Warrand and Alexander James Carlyle. A History of Mediaeval Political Theory in the West. 6 vols. (Edinburgh - London: Blackwood, 1903-36).
- d'Entrèves, Alexander Passerin. The Medieval Contribution to Political Thought: Thomas Aquinas, Marsilius of Padua, Richard Hooker. (Oxford: Oxford University Press, 1939).
- Gierke, Otto Friedrich v. Political Theories of the Middle Age. Trans. F. W. Maitland. (Cambridge: Cambridge University Press, 1900).
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