CHAPTER 4

THE ENFORCEMENT OF CONCILIAR RULINGS

The year was 599, and the pope was getting impatient. For four years, Pope Gregory the Great had been sending letter after letter to the bishops and monarchs of the Frankish kingdoms, exhorting them to stamp out ecclesiastical abuses he had been informed were rampant throughout the Gallic church, in particular simony.\(^1\) In comparison with the majority of his predecessors, Gregory was relatively well informed about events in Gaul. And he maintained a steady correspondence with prominent ecclesiastical and royal personages there, including his personal agent, the presbyter Candidus, who managed the papacy's estates in Provence.\(^2\) Candidus was Gregory's most important source of information on ecclesiastical conditions in Francia, and most likely the source of the accusations that reached the ears of the pope back in Rome. Candidus' allegations were grounded in fact. As far back as the Council of Orléans (533), the Gallic prelates themselves had attempted to get the problem of simony under control.\(^3\) Three additional synods condemned this same offense in the decades between the First Council of Orléans and Gregory's correspondence in the 590s, and at least an additional four councils would condemn it in the years that followed.\(^4\) Gregory, who may never have even succeeded in getting his own council convoked, is an important witness to the difficulties faced by the Frankish church in attempting to enforce its own rules.\(^5\)

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\(^1\) Gregory I Registrum Epistularum V.58–60, VIII.4, IX.214, IX.216, IX.219–20, IX.223.


\(^3\) Clermont (535), c. 2; Orléans (549), c. 10; Tours (567), c. 28; Paris (614), c. 2; Unknown (c. 614), c. 11; Chalon (647/53), c. 16; Ver (755), c. 24.

\(^4\) Hefele and Leclercq, Histoire des conciles d'après les documents originaux, III.1.245–6, suggest that Gregory's council may be identical with the Council of Sens (594/614), about which we know next to nothing. For the Council of Sens, see Vita Betharii Episcopi Carnoteni, ch. 11. Duchesne, L'Eglise au VI siècle, 539, argues that
this dilemma also in the two letters Gregory posted to the Frankish monarchs in July 599, in which he inadvertently divulges that the numerous attempts by Gallic synods to put an end to the Jewish ownership of Christian slaves have been unsuccessful.\(^6\)

*The Promulgation of Conciliar Decisions*

Historians have been rightly skeptical of the ability of the Frankish synods to implement their own rulings.\(^7\) The repetition of conciliar pronouncements is often cited as evidence for this view. However, as argued in the previous chapter, this repetition was not due merely to a lack of success in enforcing canonical standards, but also to an effort to make the canons correspond more closely to changing conditions. Skeptics also have noted that we can rarely identify instances where efforts were made to enforce a specific canon. One rare example can be found in the written judgment of the Council of Paris (552) against Bishop Saffaracus of Paris, in which the episcopal attendees state that they have rendered judgment according to the precedent of the Council of Orléans (549):

> Following the canonical sentence that the Council of Orleans recently decreed in regards to this same type of transgression (c. 12), this written decision is to be maintained and prosecuted by the metropolitan in the aforementioned urbs, with whom lies the power of overseeing and ordaining the conprovincials of his church.\(^8\)

However, as the correspondence of Pope Gregory the Great attests, there were many cases when canonical principles were blatantly rejected or ignored, despite the fact that they addressed real concerns. For example, despite several canonical pronouncements that churchmen should not own dogs, some ignored these decrees in order to use these animals as guards or for hunting.\(^9\) We are told in the *Passio*

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\(^6\) Gregory I *Registrum Epistularum* IX.214 and IX.216.


\(^8\) Paris (552), Conciliar Record (re c. 12). Similarly, the relevant *sanctiones canonum* were recited at the trial of Bishop Egidius of Rheims at Metz in 590: Gregory of Tours *Decem Libri Historiarum* X.19.

\(^9\) Epaone (517), c. 4; Mâcon (585), c. 13; Germania (742), c. 2.