THE POPULUS IN JOHN OF PARIS' THEORY OF MONARCHY

by

THOMAS J. RENNA (University Center, Michigan)

John of Paris is a constant source of embarrassment to his modern critics. For while he is hailed as the most able defender of Philip the Fair in the latter’s confrontation with Boniface VIII, John of Paris is also lauded for his futuristic notion of a popularly based state. The Dominican theologian in his De potestate regia et papali (late 1302 or early 1303) is said to be the first medieval thinker to advance systematically the idea of popular sovereignty for the temporal power. John takes exception, according to the accepted view, with the ultranationalistic and decidedly royalist thrust of Nogaret, the “legists”, and the authors of the Antequam essent clerici, Disputatio inter clericum et militem*, and Rex pacificus. The unique John of Paris supposedly arrived at a democratic interpretation of monarchy as a result of his quest for objective truth. He was the only publicist who tried to establish an impartial and just relationship between the temporal and spiritual powers. His “modernist”, non-partisan solution required constitutional procedures within both powers, as well as a “balanced” reciprocity between the two.

F. V. Bezold¹ and R. Scholz² laid down the modern version of John of Paris’ populist theory of temporal government, a view which has since become quasi-official. While most twentieth-century historians are more concerned with John’s ecclesiology than with his state theories, those who do take up his state theories refer to his “mixed”, “constitutional”, or “popular” monarchy³. Only F. Bleienstein, in his excellent introduction to his 1969 critical edition of John of Paris’ De potestate regia et papali, has suggested that John’s theory of popular sovereignty is not self-consistent, and that it is, in any case,

* See my Kingship in the Disputatio inter clericum et militem, Speculum, 48 (1973), 675-93.
1. Die Lehre von der Volkssouveränität während des Mittelalters, Historische Zeitschrift, 36 (1876), 311-67 at 337.

The few historians who consider John of Paris to be as authoritarian as some other publicists ignore John’s allusions to the populus. See H. Kämpf, Pierre Dubois (Leipzig and Berlin 1935), 58–60; G. de Lagarde, La naissance de l’esprit laïque au déclin du moyen âge (3rd ed., Paris and Louvain 1958), II, 131–37. Lagarde exaggerates the “lay” nature of John’s state theory.

While the other historians who deal with John’s two power doctrine do not mention his alleged popular sovereignty, neither do they expressly attempt to refute this commonly held view.
peripheral to John's aim of excluding the pope and clergy from direct participation in temporal affairs. This essay will analyze John of Paris' use of the populus in his theory of kingship. John's conceptions of the relations between the two powers, and of the internal structure of the ecclesia, will enter the discussion only in so far as they illuminate some aspect of his monarchical thought. It will be shown that John of Paris was no exception to the tendency, in theory and in fact, towards royal authoritarianism in late thirteenth-century France.

It must be stated at the outset that John of Paris' principal concern in the De potestate is neither kingship as such, nor the autonomous status of the French realm in the whole ecclesia. John uses these considerations primarily to clarify his analysis of the origin and nature of ecclesiastical authority. John attempts to make the pope and the clergy more responsible to the collective church by emphasizing the elective function of the community and its right and duty to depose an erring pope. John's system revolves on a sequence of analogies between the temporal and spiritual powers. These powers are defined metaphysically, and also in terms of the tangible interworkings between popes and princes who are both the "reflections" of the two orders of reality, nature and grace. Since the pope derives his authority from the total church, the latter, represented by a general council or the college of cardinals, can withdraw its power when the head ceases to function properly. If the pope is "elected" by the faithful, the prince must also be "elected" by the inhabitants of the principality. This framework of analogous relationships is second nature to a disciple of Aquinas whose metaphysics rests on a philosophical notion of analogy.

In contrast to his ecclesiastical interests, John of Paris quickly passes over political questions per se. A full twenty-one of the twenty-five chapters in the tract are devoted to the general problem of papal or clerical jurisdiction in spiritual and temporal affairs, while only four deal with matters not touching directly on spiritual-temporal relations, e.g., why the existence of many lay governments is preferable to a world monarchy (Chapter III). A single chapter, the first, is restricted almost entirely to the nature of the secular


J. Watt prefaces his translation of the De potestate (On Royal and Papal Power [Toronto 1971]) with a fine discussion of the tract's sources and methodology.

5. While M. F. Griesbach correctly assesses the royalist substructure of John's polemic, he overestimates the extent to which John separates the temporal and spiritual powers (John of Paris as a Representative of Thomistic Political Philosophy, ed. C. J. O'Neil, An Etienne Gilson Tribute, Milwaukee 1959, pp. 33-50). Despite this qualification, Griesbach's important study demonstrates the manner in which John extracted markedly monarchist readings from texts of Aquinas. (Griesbach offers additional examples of John's exploitation of Aquinas in his unpublished Ph. D. diss., The Relationship Between the Temporal and Spiritual Powers in John of Paris and James of Viterbo, Toronto 1955). Two recent studies attempt to make John of Paris relevant to the modern church by stressing the Dominican's "theological" notions of the independent state, indirect power, and the spiritualized church. But this approach (strongly influenced by Riviere) distorts John's conciliarism and ignores the extensive power John granted to the king in spirituals: P. W. Seaver, John of Paris, St Thomas and the Modern State, Dominicana, 45 (1960), No. 2, 119-29, and No. 4, 305-27 (an unconvincing attempt to refute Griesbach); J. C. Murray, Contemporary Orientations of Catholic Thought in Church and State in the Light of History, Theological Studies, 10 (1949), 177-234. More specialized is N. F. Gaughan, Praetor Redivivus in John of Paris' On Royal and Papal Power? (Ph. D. diss. Pittsburgh 1963). See also A. P. Monahan (transl.), John of Paris on Royal and Papal Power, New York 1974.