

Decoding The Statutes of Gregory IX for the University of Paris 1231

What had motivated Gregory IX's interest in the University of Paris?

The Statutes of Gregory IX¹ for the University of Paris 1231² define the new rights and privileges of the teachers and students and help stopping the exodus of the teachers and students from the University, particularly for Oxford. It serves to ratify with immediacy as per a perceived denial³ of justice, which had been sanctioned by Queen Blanche in 1229 and resulted in the teachers' 2-year suspension of their teaching for the courses in retaliation.⁴

Well-versed in the political situation of Europe⁵, Pope Gregory IX's⁶ worries seem well-founded an exodus of teachers and students from The University of Paris does happen before the enactment of The Statutes. The teacher-student exodus in Europe has always been a widespread phenomenon.⁷

Gregory XI's bestow on students' right and privileges may well be his being a past student of The University of Paris, but his strong stance in anti-hereticism might point to his intended control over the teachers and students⁸ carries much water. While no ulterior motive could justly be implied to Gregory IX, as a nephew of the

¹ Based on the translation from Dana C. Munro, trans., *University of Pennsylvania Translations and Reprints*, (Philadelphia: University of Pennsylvania Press, 1897), Vol. II: No. 3, pp. 7-11

² Hereafter called The Statutes.

³ The trouble originated in a quarrel in an inn in Paris which developed into a fight between the students and the citizens of Paris. The police interfered and killed some students.

⁴ "Paris", said Gregory IX, "mother of the sciences, is another Cariath-Sepher, city of letters". He compared it to a laboratory in which wisdom tested the metals which she found there, gold and silver to adorn the Spouse of Jesus Christ, iron to fashion the spiritual sword which should smite the inimical powers. He commissioned the Bishops of Le Mans and Senlis and the Archdeacon of Châlons to negotiate with the French Court for the restoration of the university. The year 1230 came to an end without any result, and Gregory IX took the matter directly in hand by a Bull of 1231 addressed to the masters and scholars of Paris. With The Statute, Queen Blanche punishes the interfering policemen at the 'request' of Gregory IX, who certainly hopes that the teachers and students, with the new liberties and rights reassured by an ordained personality like the Pope, could stay with The University of Paris.

⁵ Before appointed as a pope, Gregory IX was sent as papal legates to Germany to Mediate between Philip of Swabia and Otto of Brunswick, both claiming title to throne of the Henry VI. As a nephew of Innocent III, he was well-connected and had served in various posts as papal chaplain, Archpriest of St. Peter's, Cardinal-Deacon of Saint Estachio, Cardinal-Bishop of Ostia and Velletri. He was also entrusted with the preaching of the Crusades for a couple of times, and also mediated between Pisa and Genoa, Milan and Cremona, Bologna and Pistoria.

⁶ Hereafter called Gregory IX.

⁷ For example, in the year 1222, there had been a split in the University of Bologna. The discontented teachers, who were followed by their students, moved to Padua and their proud city thenceforward boasted of a university of its own. And so it went from Valladolid in Spain to Caracow in distant Poland and from Poitiers in France to Rostock in Germany. And in 1209, students and teachers left Oxford for Cambridge.

⁸ Through the corresponding responsibilities they will have to abide side by side with the students' acceptance of their new liberties

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most powerful Pope Innocent III⁹ in defending papal power, he may not have gotten the altitude uncle has reached, but the premise that he has sincerely tried is very defensible.

He consolidates the efforts in guarding against the growing tendency of subjecting theology to philosophy by making the truth of the mysteries of faith dependent on philosophical proofs.¹⁰ As a man of learning however, he does make Aristotelianism the basis of scholastic philosophy, albeit only after prohibiting the Physics of Aristotle 1210 and Metaphysics in 1215. Not to be overshadowed by Aristotelianism, Gregory IX also commissioned William of Auvergne and other learned men to purge the works of Aristotle of their 'errors' before making them accessible to students.

The Statutes may also be enacted in line with Gregory IX's anti-heretics policy.¹¹ Being very severe towards heretics, Gregory looks upon the heretics as traitors, who are to be punished. Therefore, we also see in the same year in 1231 a law stipulating that heretics condemned by an ecclesiastical court should be delivered to the secular power to receive their "due punishment" has also been enacted.

Gregory IX definitely does not want to see the decline of The University of Paris since thousands of young men have flocked to meet and learned from the great teachers¹² in Paris which is soon filled with a clamouring multitude of people. The premise that he

⁹ His Two-Sword Theory.

¹⁰ In the tradition of Bothius, his integrating the systems of Plato and Aristotle, Quadrivium and Trivium, universalism versus particularism; Anselm of Canterbury's Monologue, study on lay investiture, theory on perfection; Peter Abelard, Dialectics, Sic et Non; St. Albertus Magnus, Summa Theological; St. Bonaventure, totality teachings.

¹¹ Upon the request of King Louis IX of France, he sent Cardinal Romanus as legate to assist the king in his crusade against the Albigenses. At the synod which the papal legate convened at Toulouse in November, 1229, it was decreed that all heretics and their abettors should be delivered to the nobles and magistrates for their due punishment, which, in case of obstinacy, was usually death. When in 1224 Frederick II ordered that heretics in Lombardy should be burnt at the stake, Gregory IX, who was then papal legate for Lombardy, approved and published the imperial law. During his enforced absence from Rome (1228-1231) the heretics remained unmolested and became very numerous in the city.

¹² Abelard taught theology and logic, for example. And there was also John of Saintsbury and a also a number of distinguished names, in the eleventh century, Lambert, disciple of Filbert of Chartres; Drogo of Paris; Manegold of Germany; Anselm of Laon and Peter Lombard in the 11th Century. The University also attracted scholars from every country, produced many illustrious men, among whom were: St. Stanislaus, Bishop of Cracow; Gebbard, Archbishop of Salzburg; St. Stephen, third Abbot of Cîteaux; Hugh and Richard, Robert d'Arbrissel, founder of the Abbey of Fontevrault. The plan of studies expanded in the schools of Paris as it did elsewhere. The University of Paris was erected chairs of canon law, which except at Paris were usually also chairs of civil law. The capital of the kingdom might thus boast of this new professorate, that of the "Decretum Gratiani", to which before the end of the twelfth century were added the Decretals of Gerard (or Girard) La Pucelle, Mathieu d'Angers, and Anselm (or Anselme) of Paris, but civil law was not included. In the course of the twelfth century also medicine began to be publicly taught at Paris. A professor of medicine is mentioned in this city at this time, namely Hugo, "physicus excellens qui quadrivium docuit", and it is to be assumed that this science was included in his teaching.

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would like to see the flourishing of The University of Paris to become a factory for the production of God's servants is highly defensible.

Gregory IX's concept of a University

It has been well told that 'University' starts with a loose conglomerate of students who come together for the teaching one scholar, amateur or professional, who has something wise enough to tell. The chance is that other scholars having different stance and whose teaching are as wise will come also to that student crowd to offer alternative views on the subjects.¹³

The University of Paris of Gregory IX's time has been becoming very institutionalised in the sense that some three schools, namely of Notre-Dame, Ste-Geneviève, and St-Victor, regarded as the triple cradle of the *Universitas scholarium*, have already existed. Small wonder that Gregory IX, in eulogizing the University of in The Statue in the beginning sentences, exclaims, "the University of Paris, mother of the sciences, is another Cariath-Sepher, city of letters". He compares it to a laboratory in which wisdom tested the metals which she found there, gold and silver to adorn the Spouse of Jesus Christ, iron to fashion the spiritual sword which should smite the inimical powers.

The Missing Links: An Analysis on The Statutes of Gregory IX for the University of Paris 1231

The Statutes are well written and structured. They have been kept repetitive on important issues, re-iterating the importance of the contents in discussion.

They start with complementing the achievements of teachers and masters, flattering their ego and greeting them as brethren in 'apostolic benediction'. The purpose is to create a tone of brotherhood and maintain the superiority of piety over scholastic learning. With due diligence exercised for the benefit of the teachers and students, the Statutes acknowledges honestly Gregory IX's apparent inability to prevent this random occurrence of 1229, Gregory IX goes on attributing that event to 'the instigation of the devil'. However, Gregory IX maintains his fatherly-image with his exercise of authority in an enlightened spirit by pointing to his choice for 'precautionary measures' rather than 'judicial sentence' in handling the aftermath.

¹³ Students of those 'alternative teachers' will also come to the other 'universitas' in support of their own teachers in anticipating that they can learn something new as well. That yearning for knowledge among teachers and students is one of the basic premises in explaining for the 'compound' growth cumulated to the requirement of instituting the 'universitas'.

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With a view to uphold the orthodox teaching of Church and to include the decision of both the bishop and teachers to select the colleagues and to maintain its appointment of the services within the vicinity of these trusted men, the power of the secular Chancellor is much curtailed. The Statutes also define the right to teach. Two things namely, knowledge and appointment, are defined rigidly for the purpose. The 'Knowledge' is to be proved by examination, the appointment which previously came from the secular examiner, the "chancellor", has to be appointed by the bishop at Paris, which will be ratified by two teachers, i.e., the Masters.¹⁴

Gregory points also to the requirement for the teacher, in the appointment of fellow teachers of the Nation too.¹⁵ Gregory IX in so doing is handling international politics as well as some of them are the offspring of the royalties or people of influence from other states who come together for common culture.¹⁶

The licence to teach had to be granted gratuitously. Without it no one could teach; on the other hand, it could not be refused when the applicant deserved it. The teachers' recommendation will, under no circumstances, not to be reviewed to the other people by the Chancellor, thereby keeping the authority of appointment within the handpicked circle.¹⁷

The guarantees of the liberties of the students are self-explanatory,¹⁸ which obviously are good enough for the teachers and students. Gregory IX can thus allow himself the chance of remedying the situation so that similar events such as that of the 1229 event will not happen again. And Gregory IX is strengthening ecclesiastical

¹⁴ All these people will swear to the effect that all they will accept only the worthy teacher of Theology and Canon Law, the 2 pillars of Church knowledge, and they will reject the unworthy with utmost due diligence.

¹⁵ Masters will, Gregory IX wrote, reject all who are unworthy without respect to... nations.'

¹⁶ French, English, Normans, Picards, and later Germans, after the 100-years War.

¹⁷ When Gregory says that that liberty of the teachers shall be 'maintained in their full vigour for the canons at Paris, as they wearer in the beginning', he is pointing to the apparent degradation of the quality of 'appointment'.

¹⁸ Gregory IX writes, 'we grant to you the right of making constitutions and ordinances regulating the manner and time of lectures and disputations, the costume to be worn, the burial of the dead; and also concerning the bachelors, who are to lecture and at what hours and on what they are to lecture; and concerning the prices of the lodging or the interdiction of the same; and concerning a fit punishment for those who violate your constitutions or ordinances, by exclusion from your society.... (sic, and) or an injury or outrageous damage, such as death or the mutilation of a limb, is inflicted on one of you; unless through a suitable admonition satisfaction is rendered within fifteen days; you may suspend your lectures until you have received full satisfaction. And if it happens that any one of you is unlawfully imprisoned, unless the injury ceases on remonstrance from you, you may, if you judge it expedient, suspend your lectures immediately'.

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jurisdiction¹⁹ by limiting the jurisdiction of teachers and the students of The University of Paris within the Church. Through The Statutes, Gregory IX, then, is also handles the practicalities of the teachers and students in areas of accommodation and in extending he control beyond Theology and Canon Laws and to go to areas like Medicine and Arts,²⁰ and he extending his control over the delivery and substance of the secular knowledge's.

Gregory IX dictates the students shall read Priscian 'grammar' and 'one book after the other in regular course'. He, once again, minimizes the chance of the growing tendency of subjecting theology to philosophy by making the truth of the mysteries of faith dependent on philosophical proofs. He encourages professionalism in the knowledge the teachers are good and to 'exercise themselves laudable in the branch which they profess'. The teaching of Theology and Canon Law is still in the hands of the Church and his servants, as the Masters 'shall not show themselves philosophers'²¹ but strive to become 'God's learned'. These teachers are to dispute the questions that they can teach what the theological books say, and no more.

All those explain why he takes great pains to revive the teaching of the University of Paris, and takes the matter in hand addressing through The Statutes to the masters and scholars of Paris after the failure of his commissioning of Bishops of Le Mans and Senlis and the Archdeacon of Châlons to negotiate with the French Court for the restoration of the university.²²

19 Gregory IX wrote, ' We command, moreover, that the bishop of Paris shall so chastise the excesses of the guilty, that the honour of the students shall be preserved and evil deeds shall not remain unpunished. But in no way shall the innocent be seized on account of the guilty; nay, rather if a probable suspicion arises against anyone, he shall be detained honourably and, on giving suitable bail he shall be freed, without any exactions from the jailers. But if, perchance, such a crime has been committed that imprisonment is necessary, the bishop shall detain the criminal in his prison. The chancellor is forbidden to keep him in his prison. We also forbid holding a student for a debt contracted by another, sine this is interdicted by canonical and legitimate sanctions. Neither the bishop nor his official, nor the chancellor shall exact a pecuniary penalty for removing penalty for removing an excommunication or any other censures of any kind. Nor shall the chancellor demand from the masters who are licensed an oath, or obedience, or any pledge nor shall he receive any emolument or promise for granting a license, but be content with the above mentioned oath.'

20 Moreover, the chancellor shall promise to examine in good faith the masters in medicine and arts and in the other branches, to admit only the worthy and to reject the unworthy.

21 In the tradition of Aristotle.

22 Not contented with settling the dispute and giving guarantees for the future, he sanctions and develops the concessions of Robert de Cour on by empowering the university to frame statutes concerning the discipline of the schools, the method of instruction, the defence of theses, the costume of the teachers, and the obsequies of teachers and students. What is chiefly important is that Gregory IX recognizes in the university or granted it the right, in case justice are denied it, to suspend its courses until it should receive full satisfaction. In essence, Gregory IX is seceding to what the teachers and students are asking.

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Amending the earlier statutes of Robert de Courçon²³, he directs to share the taxes among the citizens of Paris, which proves to be easier for every party. He is handling the practical issues head on and could have curtailed the potential development of the lodging issue into a sort of civil war if a remedy had not been found. He is also usurping the power of the secular government by addressing the problem of law and order.

The scattered condition of the scholars has improved because of the new taxes; students are now offered a shelter where they would fear neither annoyance from the owners; they are not the dangers of the world any more. While it could have been unintended for its indirect result in the foundation of the colleges,²⁴ this measure also furthered the progress of studies by a better employment of time, under the guidance sometimes of resident masters and out of the way of dissipation. As these colleges were not usually centres of instruction, but simple boarding-houses for the students, who went from them to the schools, the unity of the University of Paris as a centre of learning is retained despite the challenges towards structural diversity of the colleges of having a distinctive nature of the Ecclesiastical dignities as a group, local or foreign, within a college. Both diversity is kept within a unified²⁵ whole, which helps in turning eventually a right, that of eligibility to benefices, and is an important for the maintaining and furthering of papal authority.

It must be borne in mind that in the schools of Paris not only is the granting of licence gratuitous but instruction also is free.²⁶ With The Statutes, Pierre Le Mangeur is authorized by the pope to levy a moderate fee for the conferring of the licence. Similar fees are exacted for the first degree in arts and letters, and the scholars are taxed two *sous* weekly, to be deposited in the common fund. Therefore, The Statutes really paves the way for a system of salaried teachers²⁷ and mark a significant stage in the University's rise.

²³ Targeted towards the University to help financing the lodging of the teachers and students

²⁴ . It was composed of seven groups, the four nations of the faculty of arts, and the three superior faculties of theology, law, and medicine

²⁵ Such was the origin and early organization of the University of Paris which might even then, in virtue of their protection, call itself the daughter of kings, but which was in reality the daughter of the Church. St. Louis, in the diploma which he granted to the Carthusians for their establishment near Paris, speaks of this city, where "flow the most abundant waters of wholesome doctrine, so that they become a great river which after refreshing the city itself irrigates the Universal Church". Clement IV uses a no less charming comparison: "the noble and renowned city, the city which is the source of learning and sheds over the world a light which seems an image of the celestial splendour; those who are taught there shine brilliantly, and those who teach there will shine with the stars for all eternity"

²⁶ . This is the general rule; however, it is often necessary to depart from it eventually if the universities are to be financially independent eventually for obvious reasons.

²⁷ The University of Paris becomes a deviation from the Italian version in which the students employed the teachers; and it also distinguishes itself from the Northern European model in which the teachers

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What really are The Statutes about and are The Statutes enforceable: A Conclusion

Gregory IX writes 'it is not lawful' to infringe contents of The Statutes. Really whose law he is referring to? Law requires enforcement mechanism which needs to be sanctioned. The ultimate idea behind is still the mobilization of force and coercion, or the fear of them. His intention to elicit the thought that one who 'dares attempt' to refute his teaching will 'incur the wrath of almighty God and the blessed Peter and Paul' is very much a wooden lie. But unfortunately, later history points to incidents of the University's alienation from the Statutes: its struggle against the mendicant orders and later on against the Jesuits who claim by word and action a share in its teaching. The University does in some instances openly endorse the censures of the faculties, including that of Theology and in its own name but not in that of the later popes, to pronounce condemnations.

Perhaps there is nothing like a single document telling the mind of Gregory IX and his exact reasons for enacting The Statutes. By 'Statutes', in the plural form, Gregory IX could have implied them as a continuation of the earlier statutes²⁸ of Philip Augustus and those of Robert de Courçon, or some loosely constructed documents that he has access to for handling the practical problems he has to face. The idealistic

dominated. The University of Paris, after The Statutes, was the focus much intellectual activity from its initial evolution from loosely organized collections of teachers and students.

²⁸ King Philip earlier statutes in 1200 was given "for the security of the scholars of Paris" and as a result the students were subject only to ecclesiastical jurisdiction. Hence the provost and other officers were forbidden to arrest a student for any offence, and if in exceptional cases this was done it was only to hand over the culprit to ecclesiastical authority, for in the event of grave crime royal justice was limited to taking cognizance of the procedure and the verdict. In no case could the king's officers lay hands on the head of the schools or even on a simple regent, this being allowed only in virtue of a mandate proceeding from ecclesiastical authority. The statutes of the Apostolic legate are later by some years, bearing the date 1215. They had for their object the moral or intellectual part of the instruction. They dealt with three principal points, the conditions of the professorate, the matter to be treated, and the granting of the licence. To teach the arts it was necessary to have reached the age of twenty-one, after having studied these arts at least six years, and to take an engagement as professor for at least two years. For a chair in theology the candidate had to be thirty years of age with eight years of theological studies, of which the last three years were at the same time devoted to special courses of lectures in preparation for the mastership. These studies had to be made in the local schools and under the direction of a master, for at Paris one was not regarded as a scholar unless he had a particular master. Lastly, purity of morals was not less requisite than learning. Priscian's "Grammar", Aristotle's "Dialectics", mathematics, astronomy, music, certain books of rhetoric and philosophy were the subjects taught in the arts course; to these might be added the Ethics of the Stagyrte and the fourth book of the Topics. But it was forbidden to read the books of Aristotle on Metaphysics and Physics, or abbreviations of them. The licence was granted, according to custom, gratuitously, without oath or condition. Masters and students were permitted to unite, even by oath, in defence of their rights, when they could not otherwise obtain justice in serious matters. No mention is made either of law or of medicine, probably because these sciences were less prominent.

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and realistic elements in the Gregory IX as a Christian makes life itself full of struggles for himself. History seems to have its logic.

Students of history need a very sharp mind because they constantly work with absence and omissions. Past events recreated by history writers naturally reflect only what they understand. As a student of History, the writer of this paper could only reach back to most past events through his understanding of past events. Eventually, the writer of this paper will have to decide how much we want to accept that "all history is history of thought"²⁹, a limitation and a challenge that one as many a serious students of History will have to live with.

²⁹ RG Collingwood.