

*History of Universities*

VOLUME XXII/1

2007

OXFORD

*History of Universities*

VOLUME XXII/1

2007

*History of Universities is published bi-annually*

*Editor:*

*Mordechai Feingold (California Institute of Technology)*

*Managing Editor:*

*Jane Finucane (Trinity College, Dublin)*

*Editorial Board:*

*R. D. Anderson (University of Edinburgh)*

*L. W. Brockliss (Magdalen College, Oxford)*

*C. Toniolo Fascione (University of Rome, Tor Vergata)*

*W. Frihoff (Vrije Universiteit, Amsterdam)*

*N. Hammerstein (University of Frankfurt)*

*D. Julia (Institut Universitaire Européen, Florence)*

*M. Nelissen (Leuven)*

*H. de Ridder-Symoens (Ghent)*

*S. Rothblatt (University of California, Berkeley)*

*N. G. Siraisi (Hunter College, New York)*

*A leaflet 'Notes to OUP Authors' is available on request from the editor.*

*To set up a standing order for History of Universities contact Standing Orders,  
Oxford University Press, Saxon Way West, Corby, NN18 9ES;  
email: [StandingOrders.uk@oup.com](mailto:StandingOrders.uk@oup.com);  
tel: 01536 741017.*

*History of Universities*

---

VOLUME XXII/1

2007

**OXFORD**  
UNIVERSITY PRESS

# OXFORD

UNIVERSITY PRESS

Great Clarendon Street, Oxford OX2 6DP

Oxford University Press is a department of the University of Oxford.  
It furthers the University's objective of excellence in research, scholarship,  
and education by publishing worldwide in

Oxford New York

Auckland Cape Town Dar es Salaam Hong Kong Karachi

Kuala Lumpur Madrid Melbourne Mexico City Nairobi

New Delhi Shanghai Taipei Toronto

With offices in

Argentina Austria Brazil Chile Czech Republic France Greece

Guatemala Hungary Italy Japan Poland Portugal Singapore

South Korea Switzerland Thailand Turkey Ukraine Vietnam

Oxford is a registered trade mark of Oxford University Press  
in the UK and in certain other countries

Published in the United States

by Oxford University Press Inc., New York

© Oxford University Press 2007

The moral rights of the authors have been asserted  
Database right Oxford University Press (maker)

First published 2007

All rights reserved. No part of this publication may be reproduced,  
stored in a retrieval system, or transmitted, in any form or by any means,  
without the prior permission in writing of Oxford University Press,  
or as expressly permitted by law, or under terms agreed with the appropriate  
reprographics rights organization. Enquiries concerning reproduction  
outside the scope of the above should be sent to the Rights Department,  
Oxford University Press, at the address above

You must not circulate this book in any other binding or cover  
and you must impose the same condition on any acquirer

British Library Cataloguing in Publication Data

Data available

Library of Congress Cataloging in Publication Data

Data available

Typeset by Newgen Imaging Systems (P) Ltd., Chennai, India

Printed in Great Britain

on acid-free paper by

Biddles Ltd, King's Lynn, Norfolk

ISBN 978-0-19-922748-8

1 3 5 7 9 10 8 6 4 2

# Contents

---

## Articles

- ‘Consilio hominum nostrorum’: A Comparative Study of  
Royal Responses to Crisis at the University of Paris,  
1200–1231 1  
*Spencer E. Young*
- The Uses of Orthodoxy and Jacobean Erudition: Thomas  
James and the Bodleian Library 21  
*Paul Nelles*
- Paratus sum sententiam mutare*: The Influence of Cartesian  
Philosophy at Basle 71  
*Wolfgang Rother*
- Hoffmann and Stahl. Documents and Reflections on  
the Dispute 98  
*Francesco Paolo de Ceglia*
- The Eighteenth Century Confronts Job 141  
*Bertram Eugene Schwarzbach*

## Review Essays

- Academic Charisma and the Old Regime 199  
*Kristine Louise Haugen*
- Celebrating the quincentenary of the University of  
Wittenberg (1502)? 229  
*Helga Robinson-Hammerstein*
- Oxford and Cambridge College Histories: an  
endangered genre? 241  
*Robin Darwall-Smith*

## Reviews

|   |     |
|---|-----|
| Elena Brambilla, <i>Geneologie del sapere: Università, professioni giuridiche e nobiltà togata in Italia (XIII–XVII secolo)</i><br>(Paul F. Grendler)                                   | 250 |
| Koen Goudriaan, Jaap van Moolenbroek, and Ad Tervoort (eds),<br><i>Education and Learning in the Netherlands, 1400–1600. Essays in Honour of Hilde de Ridder-Symoens</i> (Jason Harris) | 253 |
| Volker Remmert, <i>Widmung, Welterklärung und Wissenschaftslegitimierung, Titelbilder und ihre Funktionen in der Wissenschaftlichen Revolution</i> (Angelo De Bruycker)                 | 258 |
| Antonio Poppi, <i>Presenza dei Francescani Conventuali nel Collegio dei Teologi dell'Università di Padova. Appunti d'Archivio (1510–1806)</i> (Ginevra Crosignani)                      | 261 |
| Jan Schröder, <i>Recht als Wissenschaft. Geschichte der juristischen Methode vom Humanismus bis zur historischen Schule (1500–1850)</i> (Joseph S. Freedman)                            | 263 |
| Michael Kempe, <i>Wissenschaft, Theologie, Aufklärung. Johann Jakob Scheuchzer (1672–1733) und die Sintfluttheorie</i> (Monika Gisler)  | 268 |
| Bibliography  | 271 |

# ‘Consilio hominum nostrorum’: A Comparative Study of Royal Responses to Crisis at the University of Paris, 1200–1231

*Spencer E. Young*

---

The emergence of the University of Paris has attracted considerable scholarly attention and the lineaments of its development are widely known. Not least among the factors that encouraged the expansion of the schools into a *studium generale* was its benign location. Paris, according to Guillaume le Breton, offered an ‘admirable pleasantness of place, [a] superabundance of all goods, [and] freedom and special rights of defense’.<sup>1</sup> The singular excellence of the Parisian university, especially in arts and theology, also quickly became a symbol for advertising French royal ascendancy – the *translatio studii* – and became a source of prestige for the entire realm. By the latter half of the thirteenth century, the chronicler Guillaume de Nangis would claim that learning, along with chivalry and faith, constituted one of the three parts of the fleur-de-lis.<sup>2</sup>

While the rhetoric of royal support for the schools certainly flourished even in the earliest era of the medieval university, modern scholarship has shown that in the early thirteenth century, French royal support was still more rhetoric than reality, the king more suitably described as an image of illustrious patronage than a genuine bestower of such. Moreover, it was not until approximately the reign of Philip the Fair (1285–1314), that the expertise of the schoolmen began to be exploited expertly by the crown, providing the king with an important voice of possible support in political matters.<sup>3</sup> It was also during the fourteenth century that members of the university increasingly turned towards the French Parlement to defend their liberties and privileges, thereby establishing a stronger bond of mutual support between crown and school.<sup>4</sup> By contrast, the relationship between the king and the university in the early thirteenth century shows that the schoolmen had yet to find a significant place in French political society. While Guillaume le Breton could justly praise the positive effects on the schools of the

king's building projects – Philip having borne the cost of the new wall on the left bank which provided added security for scholars and encouraged the erection of new, more cost-efficient housing for foreign students – in terms of administrative appointments, the English crown's beneficence greatly outshone that given by Philip Augustus, though the latter did have at least a dozen masters in his service.<sup>5</sup> In terms of scholarly privileges and liberties, the papacy was the more influential source of support for the nascent University of Paris, providing scholars with assistance in acquiring benefices, appointing them as papal judges delegate, and actively supporting the masters' cause in their intermittent quarrels with local ecclesiastical authorities over the right to grant the licence to teach.<sup>6</sup> As a consequence of this last point, the relationship between the pope and the university has garnered much of the scholarly attention devoted to these early years.

While the French crown certainly did not quite deserve such high praise as Guillaume le Breton seemed alacritous to give, it is nevertheless important not to underestimate the importance of royal patronage during this formative phase of the University of Paris. In fact, a closer look at the few documented instances of royal intervention at the university reveals points of interest pertaining to both the history of medieval universities and the history of medieval governance. The most effective way to illuminate this relationship is to track how the French crown dealt with the schools when problems did flare up, a not infrequent occurrence. Not surprisingly, given the rhetoric, the French crown, notwithstanding its limited actual favour, was still generally supportive of the nascent university against its local adversaries. Yet, the origins of this favourable approach have not received much detailed scrutiny. What prompted the crown to show favour to members of the university when they had a limited presence at the royal court, and were often a source of civil unrest? How might the incident of 1229, when Blanche de Castille broke with tradition and ordered the provost to retaliate against recalcitrant scholars, fit into the picture? A study of these questions can help scholars of both medieval universities and medieval government better understand the intersection of politics and education in this early period. The development of a pro-university royal policy touches upon both fields, giving us greater insight into the rise of the University of Paris and the growth of systematic royal governance in the thirteenth century.

While the schools at Paris had grown in importance throughout the twelfth century, one traditional dating for the beginning of the University

of Paris is 1200.<sup>7</sup> Although other compelling arguments may be made about what constituted an actual *universitas* in Paris and when the required privileges came into existence, 1200 is a significant moment for the development of the university because Philip's decree of that year represents the earliest extant formal royal acknowledgement of the students' clerical privileges.<sup>8</sup> The circumstances surrounding this declaration are not unfamiliar but are nevertheless worthy of some extended discussion. According to the chronicle of Roger of Hoveden, the troubles began when a German student of noble origin, and one of three individuals supported by various factions of the chapter of Liège for their vacant bishopric, sent one of his servants to buy some wine at a local tavern.<sup>9</sup> While there, the servant became involved in a *mêlée* and was severely beaten, causing several German students to band together and return to the tavern, exacting their revenge upon its owner. When a number of Parisian citizens appealed to Thomas, the provost of Paris, he responded by attacking the German scholars at their residence, killing the bishop-elect of Liège and several of his retinue. Furious at this turn of events, the students appealed directly to the king for redress.

Instead of backing his provost, however, Philip Augustus took up the scholars' cause by giving royal assent to their clerical privileges – the *privilegium canonis*, the right to be protected from physical violence, and the *privilegium fori*, the right to be subject to ecclesiastical rather than civil justice.<sup>10</sup> The church had affirmed the *privilegium fori* for scholars at Paris at least as early as the pontificate of Celestine III, when he had made clear the scholars' right to ecclesiastical jurisdiction in a letter written most likely to the bishop of Paris.<sup>11</sup> Defending this same privilege, Philip roundly condemned the provost's actions and placed Thomas, and as many of his men as he could capture, in perpetual custody. Since others had fled from Paris, and could not be found, Philip ordered that their property (homes and gardens) be destroyed.<sup>12</sup> As for those in custody, the king granted them the possibility of release only should they defend themselves successfully via public ordeal by water. Even in the event that this ordeal should vindicate Thomas, he was expressly forbidden from ever again holding another post as provost or bailiff, and would have to abjure the French realm. At any rate, according to Roger, Thomas died while trying to escape his imprisonment.<sup>13</sup>

A temporary resolution of the peace, however, was not Philip's principal objective. He understood that this was not merely an isolated or unusual incident, and that violence involving scholars was liable to happen from time to time. Only a few years earlier, in 1192, a group of

scholars had become involved in an especially vicious brawl with a group of monks from the nearby monastery of Saint-Germain-des-Prés. After one of the scholars had died from the fighting, the abbot of Saint-Germain had come under suspicion of wrongdoing, though he was eventually cleared of any responsibility for the fatality.<sup>14</sup> The king therefore wished to ensure that, should hostilities arise again between town and gown, the civil authority would not further exacerbate the situation by violating the scholars' right to ecclesiastical jurisdiction. To accomplish this aim, he set in place regulations that would govern how the civil authority could act in order to avoid any escalation of violence or infringement of privilege. For the part of the Parisian citizenry, Philip proclaimed that anyone witnessing any injury done to a scholar by a layperson was bound to report it to the authorities. If the scholar was attacked by weapons, any witnesses were obligated to seize the malefactor(s) and bring them to royal justice, which would then pursue the matter through legal inquiry.<sup>15</sup> If the person(s) in custody were to be found guilty, the royal authorities would immediately punish the accused according to the severity of the injury, notwithstanding any denial or request by the malefactor(s) to undergo trial by duel or by water.<sup>16</sup>

The decree of 1200 also outlined a series of procedures to follow should any scholar run afoul of civil justice. No scholar was to be arrested or tried by the civil authority. If the scholar had committed a serious crime, he could be apprehended but then had to be placed in ecclesiastical custody. If the hour was late, and ecclesiastical justice therefore unavailable, the provost was to put him in the temporary custody of a scholarly house until he could be handed over.<sup>17</sup> In all cases, the provost was not to lay a hand upon the offending scholar unless for purposes of self-defense. To enforce these responsibilities, every future provost was put under mandate to take a public oath on behalf of the citizenry – in a Parisian church and in the presence of the scholars – that he would respect these privileges.<sup>18</sup>

The concessions to the scholars were doubtless onerous to the crown and Philip's decision to support them is a source of some initial surprise. Throughout his reign, Philip had frequently been successful in extending royal authority in nearby lands, and had increased the number of provosts in order to accommodate these territorial expansions.<sup>19</sup> Moreover, Philip later saw fit, in 1210, to introduce some modifications to the procedures outlined in the decree of 1200, giving the civil authorities a little more latitude in cases where a scholar was caught in the act of committing a serious crime, such as murder or rape.<sup>20</sup> While it does

not appear that one single incident prompted the crown to make such a change, the decree indicates that the king was 'troubled' by continued student disturbances, and also implies that the local authorities had not been rigorously observing the command not to seize clerics for wrongdoing, perhaps due to the frequency of student crime.<sup>21</sup> At the very least, Philip's modifications do suggest that the incidence of scholarly crime was reasonably high and posed a legitimate threat to public security.

The conflict that precipitated the king's actions in 1200, however, had occurred during an inauspicious political climate for severity towards the local church, and this prevailing mood, as much as anything, may have conditioned Philip's decision to protect the scholars at the expense of his provost or the dictates of public order.<sup>22</sup> In a general sense, the Becket affair in England over ecclesiastical crime was still recent history, with Becket's position having been publicly advocated by several Parisian masters, including the highly influential Peter the Chanter.<sup>23</sup> On a more personal level, the controversy over Philip's marital issues had come to a head earlier that year. The king would not dismiss Agnès de Méran as his wife and restore Ingeborg, whom he had famously set aside in 1193 on a tenuous charge of consanguinity, as rightful queen.<sup>24</sup> As a consequence, Innocent III had directed the archbishop of Lyon to place France under interdict, which had gone into effect in January, lasting until September of that year. In order to counteract the consequences of the interdict, Philip had been reaching out to church authorities in his lands for support.<sup>25</sup> But in Paris, the bishop Eudes de Sully, Philip's own cousin, had taken the side of the pope. The Parisian scholars themselves were also very much beholden to the pope, and a coup against them could not have ameliorated Philip's standing with the local church. The circumstances, then, afforded the king a fortuitous opportunity to try to gain their support. By reinforcing the scholars' *privilegium fori*, Philip thought to gain a greater chance of currying local ecclesiastical favour.

For this paper, however, the process by which Philip arrived at this decision to affirm the scholars' liberties is of greater interest than the possible motives behind his actions. In the decree of protection that he issued in July of 1200, Philip revealed that his pronouncement on the matter came after, or perhaps from, the counsel of his advisors (*consilio hominum nostrorum*), whom he had consulted, presumably, 'for the future security of the scholars at Paris'.<sup>26</sup> This phrase, though small, was hardly a mere formality. Recourse to *consilium* was a notable trend in Philip's reign and had developed into an important feature of his governance.<sup>27</sup> Although the decree does not give us any information about

who specifically he may have consulted on this occasion, it is not implausible that he could have discussed the matter with some former scholars. As noted above, at least a dozen of the king's clerks bore the title of *magister* and many of these had probably received their education at Paris.<sup>28</sup> While at this time the English crown employed more Parisian-trained scholars in its administration than did the French crown, Philip's actions were clearly quite accommodating to the university, and hardly indiscriminate or impulsive, suggesting that he still provided some measure of favour to the schools.<sup>29</sup> The advice of former masters may have been instrumental for persuading the king to heed the demands of the *studium*.

Alternatively, Philip's communications may have been with his trusted inner circle of advisors, who helped him with many important matters, though they were not publicly recognized as such until 1213 by an anonymous chronicler.<sup>30</sup> In any case, the king's recourse to counsel for making this decision demonstrates that Philip's response to the events of 1200 was the result of a deliberate defence of the scholars' privileges against the encroachment of secular jurisdiction. While a more extensive educational policy designed to assist royal aims may not have been implemented until almost a century later, Philip's actions ought to be regarded as an incipient form of a conscious policy towards the schools. The decree also stands as a further witness to the rising importance of counsellors for royal governance. The most recognizable fruit of this course of action was the crown's relatively supportive stance towards the university throughout Philip Augustus's reign. And, although the king did not figure prominently in many of the university's administrative disputes in the ensuing years,<sup>31</sup> it is possible that he at least offered support for their cause when the masters suspended lectures as a protest against the Parisian episcopal election of 1220.<sup>32</sup> In turn, the king's decree of 1200 offered some precedence for the more involved relationship that was to develop in later years.<sup>33</sup> Guillaume le Breton's claims, then, cannot be entirely dismissed as merely royalist rhetoric. The crown did indeed endeavour to offer the scholars a secure place to study and live. The scholars, in turn, reciprocated the favour by giving the French realm the added prestige of being the heir to the intellectual excellence of Athens and Rome.<sup>34</sup>

Not long after Philip Augustus's death, however, relations between the University and the crown experienced a sour interlude. One incident occurred in 1225, when the papal legate Romano Frangipani destroyed the university's seal, and subsequently threatened anathema to anyone

who tried to make a new one for the university. The legate's actions provoked an immediate response by the university.<sup>35</sup> According to one chronicler, members of the university followed Romano to the episcopal palace and attempted to injure him.<sup>36</sup> Louis VIII dispatched royal authorities to protect the legate from harm and defuse the hostilities. While the authorities were successful in this aim, one member of the legate's retinue eventually died from the fighting, prompting Romano to excommunicate all scholars who had participated in the attack. While the matter was later settled by the legate himself, and there seems to have been no student complaint about the royal intervention, a much greater conflict was forthcoming, after the death of Louis VIII, and after Romano Frangipani's influence on the French crown had continued to grow.

The Great Dispersion of the University of Paris, a well-publicized event among contemporaries and familiar to medieval historians, represents the most notable instance of any strain on the relationship between university and crown. The event also offers a helpful point of comparison between successful and unsuccessful educational policy in the early thirteenth century, and for discerning what was most important for ensuring the enduring existence of a flourishing school. The circumstances leading up to the strike began shortly before Ash Wednesday of 1229, when a number of Parisian students took advantage of the holiday to go to the nearby Faubourg of Saint-Marcel.<sup>37</sup> According to the account given by Matthew Paris, they became involved in an argument with a local tavern proprietor over the price of wine.<sup>38</sup> The dispute soon escalated into a brawl between the scholars and several townsmen, only ending with the clerics' retreat back to Paris. This initial confrontation, however, would beget greater violence on the following day when the scholars returned to Saint-Marcel, armed with swords and with several more among their number. Once there, they incited a skirmish that ended in a fierce display of violence as the students proceeded 'through the streets... bitterly attacking anyone they came upon, whether man or woman, and abandoning the wounded half-dead'.<sup>39</sup>

Outraged by the attack (perhaps not the first time a similar incident had occurred there), the prior of Saint-Marcel lodged a complaint directly to the papal legate and the bishop of Paris, both of whom subsequently deferred the matter to the crown.<sup>40</sup> The French queen, Blanche de Castille, heard the complaint with sympathy and, as a result, only aggravated the situation when, 'with womanly insolence and... a violent inclination of mind', she approved, 'on that very spot', a counterattack upon the scholars responsible for the disturbance. Under the queen's mandate that

'they punish the authors of this violence, sparing none',<sup>41</sup> the townsmen gathered and retaliated by attacking a number of scholars who, on top of being unarmed, had not even been involved in the prior altercations. Two scholars, one of Flemish origin and the other of Norman origin, died from this assault, prompting the masters of the university to lodge a protest against the queen and the papal legate. When their protest went unheeded, the masters decided to leave the city. Livid that 'the transgression of certain contemptible clerics had spilled over into a prejudice against the entire university . . . , and that justice had been denied to them by the queen and the legate, as well as by the bishop, the universal departure of masters and scholars was made, ceasing the teaching of teachers and the learning of learners, with not a single famous man among them remaining in the city'.<sup>42</sup> The departing scholars even accused the queen of having engaged in an infamous sexual liason (*infamem concordiam*) with the papal legate, Romano Frangipani.<sup>43</sup>

The official declaration that the scholars themselves issued on March 27, 1229 confirms the general sense of aggrievement that precipitated their departure. They expected a complete satisfaction for the 'most atrocious injuries' that they had suffered and threatened to cease lectures for six years, or even longer, if their demands were not met within a month of Easter of that year.<sup>44</sup> No successful overture was made towards the scholars, however, and they followed through on their threat to leave Paris. Moreover, despite the reaffirmation in August of 1229 of Philip Augustus's decree of protection, the scholars were either unwilling to accept the crown's gesture, or simply not confident that royal authority would respect their privileges.<sup>45</sup> It is also possible that the nascent *universitas*, sensing an opportunity to assert its corporate will, was unwilling to renege on the initial threat to leave the city for six years. As a result, the scholars did not agree to return to Paris until over two years later, after Gregory IX had intervened on their behalf, confirming their privileges with the bull *Parens scientiarum*, and further promising to enforce their liberties at the local level.<sup>46</sup>

Although Matthew's account of the events leading up to the dispersion ought to be read with considerable discernment, especially considering his generally unsympathetic attitude towards Blanche de Castille (against whom he claimed, among other things, that she dominated her husband Louis VIII) a focus on several aspects of this case is important for understanding what may have prompted such an anomalous response by the crown, and one that could have irreparably damaged crown-university relations. Even though records only remain for a few severe

cases, we know that student violence was a consistent source of aggravation for the crown. Yet, this is the sole extant instance of intervention by the French crown that openly opposed the university's privileges of protection.<sup>47</sup> What might account for Blanche de Castille's disregard for the legal procedures for dealing with scholarly malfeasance instituted by her father-in-law, Philip Augustus? While any attempt to answer this question must rely on some measure of speculation, several details do help describe Blanche's signal departure from precedent and the law. Elements of her biography can inform us of her prior experience with the schools and close scrutiny of all available documentation can help us make some fruitful comparisons with Philip Augustus.

Blanche de Castille had come to France in 1200, during the time of the interdict, and shortly after the fracas which precipitated Philip Augustus's decree of protection. She married Louis VIII on May 23 of that year, one day after, and as part of, the conclusion of a peace treaty between France and England.<sup>48</sup> Her maternal grandmother was the famed Eleanor of Aquitaine and her father was Alphonso VIII, king of Castile. Coming of age in Paris, she certainly had had considerable exposure to scholars and schools before the incidents of 1229. While she and her husband matured at Paris, they were familiar with a number of Parisian scholars who frequently served as their tutors. Indeed, their most notable tutor was Amaury de Bène, whose alleged pantheism earned him a formal censure in 1206, a posthumous excommunication in 1210 by the university, and another condemnation at the Fourth Lateran Council in 1215.<sup>49</sup>

Blanche's Spanish provenance is also of considerable interest. The most famous legislation affecting Spanish universities – the *Siete Partidas* – exempted university students and masters from trial by civil courts, but also included an exception made for 'serious offences'.<sup>50</sup> Although the *Siete Partidas* were not promulgated until the middle of the century and therefore postdate the great dispersion of Paris, they were almost certainly consistent with attitudes that existed in Spain beforehand. More directly relevant to Blanche's experience before 1229 was the university her father founded at Palencia, where she spent the first twelve years of her life. Although the beginning of the University of Palencia is traditionally dated to 1208/9, after Blanche had left for France, it was established from an existing episcopal school of considerable importance.<sup>51</sup> Blanche undoubtedly had some knowledge of its operation, both as an episcopal school and, later, as a university. Unfortunately, while the University of Palencia was intended as a *studium generale*, we have no

evidence of any formal extension of privileges to scholars until a council that took place at Valladolid in 1228, where the cardinal bishop of Sabine, Jean d'Abbeville, a former secular master of theology at Paris, was in attendance.<sup>52</sup> Judging by the council's decrees, Jean d'Abbeville's experience with the *studium* at Paris clearly influenced its proceedings. Among other things, the council granted a five-year dispensation from residence for clerics studying at the school, a privilege already granted to Parisian theologians by Honorius III.<sup>53</sup> Of greater significance, the council promoted a method of dealing with criminous clerics similar to that instituted at Paris. The legislation declared any officer of secular justice to be guilty if he seized a cleric for wrongdoing, without the mandate of an ecclesiastical judge.<sup>54</sup>

Blanche's only other significant dealing with the University of Paris occurred in 1251, during her regency while Louis IX was on crusade.<sup>55</sup> Here we find another protection to the scholars in an oath sworn to the crown by university members.<sup>56</sup> This oath obligated both citizens and Parisian scholars to work to maintain the peace in the city, and was prompted by the outbreak of violence inflicted upon the city by the Pastoreaux.<sup>57</sup> Indeed, the oath was sufficiently binding that any scholar who refused to take it was to lose his membership in the university. Scholars agreed that they would report any violators of the peace to the bishop of Paris, his official, or the chancellor of the university. They were allowed to make such a report in secret and were promised that their identity would not be divulged. Scholars also promised that they would not seek the liberation of any scholar who was guilty of serious crimes unless they believed he was worthy of release. Furthermore, the oath outlined procedures for the release of scholars who had been arrested. The slight concession offered by the university in this case, however, is clearly attributable to the immediate threat that the Pastoreaux posed to them. For, only two years later, the university ordered another strike to protest the violation of their privileges by local authorities.<sup>58</sup> Significantly, Louis IX's brother, Alphonse de Poitiers, acting on the king's behalf, pursued the scholars' cause and punished the malefactors severely.<sup>59</sup>

There is little, then, in what we know about Blanche's biography or prior experience with scholars that can provide a legislative precedent for her actions. Although she was relatively new to such administrative responsibilities, having become queen in 1223 and only assuming pre-eminence upon the untimely death of her husband in 1226, she had had considerable interaction with the schools and scholars by the time of

the incident of 1229, and was therefore not ignorant of the scholars' privileges. Moreover, her familiarity with Amaury de Bène had probably given her some experience with the political world of the university, and her maturation at Paris had certainly exposed her to some of the threats posed by the large number of scholars in Paris and their outbreaks of violence, thereby engendering a low level of tolerance for the university's criminal elements.<sup>60</sup> As a result, she had perhaps already considered dealing with the university harshly should such a problem arise. This antipathy was probably only further compounded by the type of counsel she may have consulted, when compared with that which directed Philip Augustus to act in favour of the scholars when faced with a similar threat. A direct comparison of the two events is therefore helpful for discerning the difference between their respective actions towards the scholars.

As noted above, Philip attributed his reinforcement of the scholars' privileges to the advice he had received from counsel. The decision to protect the scholars' clerical privilege was a considered one and, due to the relative frequency of violence caused by scholars, probably not made without some reservation. Yet the counsel he received influenced his decision to affirm the scholars' right to ecclesiastical jurisdiction. This also implies that several important figures connected to Philip possessed considerable esteem for the potential aid the schools could give to the realm, especially during a time of tumult between king and pope. By contrast, Blanche's actions indicate a lack of similar recourse to formal counsel, and certainly to counsel that was favourable towards the university. When hostilities arose between the scholars and the townsmen of Saint-Marcel, initial efforts at resolving the dispute followed the procedures that Philip Augustus had instituted. The pursuit of justice was immediately placed in ecclesiastical hands, first to the local prior and then to the bishop and papal legate. This indicates that the students' privileges were customarily respected. Only when the bishop and the legate failed to intervene did the matter come, as a consequence of their deferral, to the crown.

Matthew Paris's charges that Blanche acted while 'agitated by a violent inclination of mind', and that she made the decision 'on that very spot' also carry considerable meaning.<sup>61</sup> Whereas Philip appealed to his advisors before proceeding, Matthew portrays Blanche as not having solicited any counsel for direction as to how she should proceed. Since the principal source for Matthew's account was students who had left Paris as part of the dispersion, the emphasis upon the abrupt nature of

the queen's decision may reflect an awareness on their part that Blanche had neglected to seek counsel before she acted, and that her decision made 'on that very spot' was a source of bitterness and, perhaps, surprise. Indeed, the queen's only consultation in the matter seems to have come from the papal legate Romano, whose acute hostility to the university was well known. Moreover, her son Louis IX was still too young at this point to intercede, though he would do so effectively just a short time later. When the bishop of Paris, the former master Guillaume d'Auvergne, did not intervene, the university lost its only possible advocate. Apparently without soliciting any advice from a countervailing voice in support of the university, Blanche proceeded to disregard the established procedure for regulating student violence. According to the foregoing, then, the most important difference between the two incidents was the role that the monarch ascribed to counsel. With counsel, the monarch could strike an effective balance between competing jurisdictions. Without it, the crown was more prone to short-sighted actions.

In the context of the early thirteenth century, it is clear just how important the privileges of protection were for students. Many medieval students travelled long distances to attend the best schools and sought such terms as would ensure their safety while abroad. When the mechanisms for that protection broke down, students were quick to vacate their host town in protest. By 1229, the cessation of lectures was an entrenched student tactic, having been employed at Bologna,<sup>62</sup> Oxford,<sup>63</sup> and even Paris when, as noted above, the university had shut down in 1221 for several months as a result of the masters' protest against the installation of Guillaume de Seignelay as Bishop of Paris.<sup>64</sup> If a particular city would not protect the students, others were eager to take its place, as the reactions of Henry III and the University of Toulouse to the dispersion of 1229 attest.<sup>65</sup> While it is probable that the scholars only expected to vacate Paris for a short time, and had no desire to leave the city permanently (the majority of them had not left the royal demesne, but had departed to Reims, Beauvais, and Angers, all of which were regalian bishoprics), it is clear that within such a context, Blanche's actions could have had various negative long-term consequences for the university there.<sup>66</sup> Had she received counsel from someone more favourable to the university's interests, perhaps the entire disruption could have been avoided. In this case, counsel could have helped to remind Blanche of her manifold responsibilities, particularly towards the university. For this reason, it is no surprise that when Gregory IX successfully resolved the conflict he also addressed the young king

Louis IX separately, urging him to follow the example set by his grandfather Philip Augustus, showing favour and kindness to the scholars, ensuring that their privileges would be observed, and even soliciting their assistance on the important matter of rent costs.<sup>67</sup> By purposefully invoking the memory of Philip Augustus, the pope thus appealed to the young king to renew the conditions that had existed previously, perhaps even when he had been a student there himself, and to govern in a manner established at least decades before Blanche had acceded to the throne. Louis IX was to restore the time when Paris offered scholars an ‘admirable pleasantness of place, [a] superabundance of all goods, [and] freedom and special rights of defense’,<sup>68</sup> and a time when, by virtue of *consilium*, the king saw fit to provide for ‘the future security of scholars’.<sup>69</sup>

*University of Wisconsin-Madison*  
*Department of History*  
 3211 Mosse Humanities Building  
 455 N Park St  
 Madison, Wisconsin 53706

## REFERENCES

1. *Oeuvres de Rigord et de Guillaume le Breton, historiens de Philippe-Auguste*, ed. Henri François Delaborde (2 vols, Paris, 1882–85), i. 230. Cited in John W. Baldwin, ‘Masters at Paris from 1179 to 1215: A Social Perspective’, in Robert L. Benson and Giles Constable with Carol D. Lanham (eds), *Renaissance and Renewal in the Twelfth Century* (Cambridge, Mass., 1982), 140. Guillaume le Breton attributes this excellence to the support that Philip Augustus and Louis VII had given to the schools and scholars at Paris.
2. Guillaume de Nangis, *Gestae sanctae memoriae Ludovici regis Franciae*, ed. M. Daunou, in *Recueil des historiens des Gaules et de la France* (hereafter referred to as *RHGF*) (24 vols, Paris, 1738–1904), xx. 320–1. Discussed in Baldwin, ‘Masters at Paris’, 162–3.
3. The most significant examples of this are his feuds with Boniface VIII and subsequently with the Templars. See William J. Courtenay, ‘Learned Opinion and Royal Justice: The Role of Paris Masters of Theology during the Reign of Philip the Fair’, forthcoming in Joel Kaye, E. Ann Matter and Ruth Mazo Karras (eds) *Law and the Illicit in Medieval Society* (Philadelphia, 2007).
4. See Serge Lusignan, ‘Vérité Garde le Roy’: *La construction d’une identité universitaire en France (XIIIe – XVe siècle)*, (Paris, 1999).
5. On Philip Augustus’s building projects, see *Oeuvres de Rigord et de Guillaume le Breton*, i. 240–1. Noted in Baldwin ‘Masters at Paris’, 140–1. On the king’s administrative appointments for scholars, see Baldwin,