I. Introduction

The history of ideas and even of religion seem to decline. It would appear that they are no longer held in particularly high esteem. The fields that historians are destined to sow today are dominated by the long waves of social structure, that is social history, everyday history, history from below (whatever that may be), the cooperation and confrontation of the sexes and of civilisations, even the anthropological dimensions of historical change. It is the basic conditions of human existence that are to be examined, so that we ourselves can shape our future existence humanely.

Nevertheless in spite of this, it is the individuals in whom these structures are manifested, become incarnate and gain power, wake needs and articulate goals. It is in events, in “revolutionary” ideas, and religious sentiment that all change is gathered and compressed, and – like an earthquake – they reveal the short and long-term shifts of social or cultural tectonics, its faults and breaks, force ground-breaking renewal and demand reconstruction, while at the same time sending out their own far-reaching waves. Only through individuals, their voices and their behaviour, their actions and deeds, the articulation of their needs and fears, their ideas can such structures and dimensions be comprehended and recognised. One such revealing declaration, one that sent out its waves for centuries, is the focus of this study. It draws its name from Constantine the Great, the Roman emperor (306-337) who helped Christianity to gain acceptance and establish itself in the Roman Empire, and so in the world. At the time the document in question was both thought to be genuine and seen to be dangerous. Indeed, it is the most infamous forgery in the history of the world, yet it reveals the unforged truth about its time: the “Donation of Constantine”. Time and again this mysterious and widespread fiction is said to have transferred worldly and secular power over the whole West of the Roman Empire and, indeed, over all islands of the earth including America to the pope.

Priests and emperors sometimes used it as a weapon of aggression, sometimes as a shield of defence. No criticism of the papacy or accusation against it was possible without a reference to the “Donation”. Its direct material effects may have been limited, but it had great influence in the field of ideas and doctrine. Stood the pope above the emperor? Was the successor of St Peter and the Vicar of God the overlord of the supreme worldly sovereign? Was he himself the real emperor? Some events suggest a positive answer. During the conflict between emperor and pope in the 13th century for instance the “Donation” was a means of legitimating action. It was cast at Emperor Frederick II, as the papacy armed itself
for a final, deadly blow against his house (1236): “You see the necks of kings and princes prostrate at the feet of priests, and Christian emperors must subject their actions not only to the Roman Pontifex, but have to respect other priests just as highly.” Frederick may have remained silent at the time, but the world around him was not. It did not reject the words of the pope and the conscious expression of power, the words of the earthly representative of the Creator who guided events, and it knew the “Donation” as an old imperial call to duty against which more recent rulers could do nothing. Later the last emperor of the house of the Staufer vainly demanded the papacy’s thanks for the Donation. He could do nothing to stop it being applied, only cast doubts on its legality at most, and he and his house still fell. It was a deadly power that Pseudo-Constantine’s gift legitimated. But who had given it such power?

Fictions have their past history, they make sense and belong to a historical moment. According to the surviving textual evidence and indications in various sources, this fiction began its triumphal procession as an imperial rescript, the so-called “Constitutum Constantini”, only to become in the course of time an image of the past conjured up from memory, that is the “Donation of Constantine”. At first, from the mid-9th century, the rescript made modest progress, only for the “Donation” to storm irresistibly ahead, intoxicated by success, from the mid-11th century. Both elements of the story, the document itself and the common knowledge of it, can be clearly separated, as will be shown (ch. II-III). Although not at the same time, both of them were drawn into the whirlpool of the centuries-long, often bloody struggle for spiritual and secular power, the struggles for the papacy and kingship, sacerdotium and regnum, for Reformation and Counter-Reformation. Their history reflects events central to all of the Middle Ages and the entire history of Europe.

---

1 The imperial family is correctly called “Staufer”, not “Hohenstaufen”. The latter is the name of a mountain, meanwhile the family is named by her castle “der stouf”, which stood at the top of the mount Hohenstaufen; cf. Hansmartin Schwarzmaier, Die Heimat der Staufer. Bilder und Dokumente aus einhundert Jahren staufischer Geschichte in Südwestdeutschland, 2nd edition, Sigmaringen 1977. The wrong name is a misinterpretation of historians in the 19th century.


3 The definitive edition: Das Constitutum Constantini (Konstantinische Schenkung). Text, ed. by Horst Fuhrmann (MGH Fontes iuris 10), Hanover 1968. The extensive introduction is quoted as Fuhrmann, Introduction, the text according to his numbering of the lines.

4 On this, see below pp. 5 and 11-49.
Scholars were involved. Fired on, first in the 15th century by the heated discussions at the time of the Councils, above all by John Wycliffe and Johannes Hus, and then in the 16th century by confessional disagreements, hefty discussions about the authenticity of the “Constitutum Constantini” dominated the arguments of theologians and canonists, jurists, publicists, authors of histories and critical historians, well into the 19th century. Although in the Middle Ages doubts had been cast on whether the document discussed so often at synods and Councils was genuine, and it had even been recognised as a forgery, in particular by Cardinal Nicholas of Kues, the great humanist Lorenzo Valla, and the “Anti-Lollard” Reginald Peacock, the Reformation, which used the forged document as propaganda against the Roman pontiff, saw the papal side reassert its authority. This was proclaimed by a long series of canonistic authors; significantly, the commentary on Gratian by John of Torquemada, the learned canonist and formerly ‘anti-conciliarist’ cardinal, with its thoroughly unoriginal defence of the “Donation”, indeed of papal rule generally, was now printed (1553). It was promoted in an elaborate sequence of frescoes commissioned (from Giulio Romano and Gianfrancesco Penni) by Clement VII (1523-34) in the “Sala di Costantino” of the Vatican Palace, adapting those that Raffael had painted for Leo X (1513-1521), and at the end of the century in the Lateran Basilica by Clement VIII in 1597. Finally, at the beginning of the next century, even the great historian Cardinal Caesar Baronius insisted that the “Donation” was a historical fact, notwithstanding that the “Constitutum Constantini” was to be rejected as apocryphal. The effects were to be long-lasting. Even in the 19th century the discussion still raged, influenced by the Risorgimento and Bismarck’s Kulturkampf. Only then did the fire finally fade, and nobody seriously defends the pseudo-Constantinian fabrication any more. Only the forgery has remained.

Instead discussion now focused on the origins of the “Constitutum Constantini”, its date and context. Clues were recognised in the resurrection of the cult of St Sylvester at Rome under Pope Stephen II (752-757) and his brother and successor Paul (757-767); but above all in the text of the counterfeit document, which appeared to contain phrases which could apparently be localised in Rome.

---


6 One of the main opponents of its authenticity was: Ignaz von Döllinger, Die Papstfabeln des Mittelalters, Munich 1863 (New edition by Georg Landmann, Kettwig 1991).
and dated in the pontificate of Paul I. The separat manuscript tradition of the document is sparse, but can be traced back to the late 9th century, while the oldest manuscript of the forgery is part of the notorious pseudo-Isidorian decretals, which are not what they seem to be either.

The wording of the false constitution revealed linguistic similarities with genuine products of the papal chancellery of the 8th century, and in particular with the letters of Paul I to the Frankish King Pepin and his sons. This pointed the finger at the early phase of the establishment of the “States of the Church”7, which made the document and its date particularly explosive; in other words at the beginnings of papal secular authority, which in the Middle Ages and later unleashed conflict upon conflict, a chapter in the history of the world which still stirs up emotions today. Was greed for power the motive behind the forgery? This was an interpretation that matched the demise of the Staufer, the Confessional Wars, and a supposed thirst for world power. Yet, can the language of an anonymous forger provide definite answers? This we shall see.

Pseudo-Isidore’s mighty forgery exists in a long and a short redaction, and was certainly already known in the Frankish Empire just before the mid-9th century. It in turn contained the “Constitutum Constantini” either in full length, or in an abridged version that did not contain the passages that dealt with the actual Donations8. The widespread dissemination of Pseudo-Isidore then ensured that from the mid-11th century the “Constitutum Constantini” and the “Donation” were to have a significant effect on the course of history.

8 On discussions on authenticity and tradition, cf. Horst Fuhrmann, Konstantinische Schenkung und abendländisches Kaisertum. Ein Beitrag zur Überlieferungsgeschichte des Constitutum Constantini. In: DA 22 (1966), pp. 63-178; idem, Introduction (as above, note 3); Schafer Williams, The oldest Text of the Constitutum Constantini. In: Tr 20 (1964), pp. 448-61 (this is the Constitutum of the oldest known manuscript of the long version of Pseudo-Isidore, including the variants of a further manuscript from the mid-9th century, and the two oldest manuscripts of the abridged version).
I. Introduction

It was only Pseudo-Isidore who brought the “Donation of Constantine” to a wider public, as the first expert on the subject, Horst Fuhrmann, put it. But when had Pseudo-Isidore taken up his pen? Where did this happen? Who was the man who hid himself behind the nom de plume Isidore Mercator? Why did he include the “Constitutum Constantini” in his own work? How did he get hold of it? Finally, who was the latter’s author? The questions are never-ending, and have been the subject of a long and heated debate.

Yet any interpretation of the “Constitutum Constantini” is directly affected by the answers. There is rarely any agreement about the forger’s intentions, about how his readers reacted to the text, even today about what scholars believe they can see. At the same time, the most recent author on the subject stands “on the shoulders of giants” who have studied such questions before him, and is grateful for the view that he has from such lofty heights, even if he then travels off in a different direction to that the giants had taken. For it seems to me that insufficient attention has been paid to the exact wording of the text. It provides hints of a meaning that is very different to the “Donation of Constantine” as constituted by the Middle Ages since the late 11th and the 12th centuries, and scholars since then. Hopefully it will bring us closer to the author and his intention.

Thus the study presented here requires us to make a clear distinction between the “Constitutum” and the “Donation”. Whoever wishes to investigate the latter must take up the story in the 11th and 12th centuries and has to immerse himself in the bloody struggle that led to the decline of the Staufer. But whoever wants to learn about the former must, in my opinion, turn his attention to harmless matters involving the history of terms and concepts in the Early Middle Ages, to the 8th and 9th centuries, must investigate the past history of the papal palace, the Lateran and look at the history of the Patriarchates in the High Middle Ages; for these are matters that play an important part in the “Constitutum”. The results should be worthwhile. Whether or not struggles, even bloody wars contributed to its production and intentions will then be revealed.

9 Fuhrmann, Das frühmittelalterliche Papsttum und die Konstantinische Schenkung (as above, note 7), 259: „Erst Pseudoisidor brachte die Konstantinische Schenkung unter die Leute“.
10 For a summary of opinions regarding the time and place of origin, cf. Wolfgang Gericke, Wann entstand die Konstantinische Schenkung?. In: ZRG Kan. Abt. 43 (1957), pp. 1-88; Domenico Maffei, La donazione di Costantino nei giuristi medievali, Milano 1964, pp. 3-10; on the state of discussion about Pseudo-Isidore, cf. the contributions in: Fortschritt durch Fälschungen? Ursprung, Gestalt und Wirkungen der pseudoisidorischen Fälschungen. Beiträge zum gleichnamigen Symposium an der Universität Tübingen vom 27. und 28. Juli 2001, ed. by Wilfried Hartmann and Gerhard Schmitz (MGH Studien und Texte 31), Hanover 2002, pp. 1-28; further, cf. below p. 70 et seqq. The most recent summary of the history of the origin and the impact of the “Constitutum Constantini” is offered, albeit not without mistakes (e.g. on pp. 54-60 the two versions of the “Actus b. Silvestri” are not separated; on p. 66 Paris BN lat. 2777 is transposed to the beginning, as opposed to the end, of the 9th century; pp. 66-7 ignores the most recent research on Pseudo-Isidore) by Giovanni Maria Vian, La donazione di Costantino (L’identità italiana 35), Bologna 2004.