

## Papal Elections on the Eve of Issuance of the Papal Decree *In nomine Domini* – Historical Analysis of the Election of Popes Stephen IX and Nicholas II<sup>1</sup>

*Drahomír Suchánek\**

---

---

In the context of the further history of papal elections, the importance of Nicholas II's electoral decree is fundamental. It is at the origin of the dominant position of the College of Cardinals in the selection of the new head of the Catholic Church in a form which was enforced as binding. This study considers the circumstances of the two papal elections – Stephen IX and Nicholas II. It is based on a conviction that an endeavour at defining the rules for the election of the head of the Catholic Church is closely linked to the specific situation at the end of the 1050s, and like many previous legislative amendments to the election process reflects major problems which the Roman Curia had to deal with. If we want to understand the significance and target of Nicholas II's electoral decree, it is essential to analyse the situation which preceded the issuance of the decree in detail. The study therefore deals not only with the circumstances around the election of Pope Nicholas II, with whom the electoral modification is primarily linked, but also the pro-reform Stephen IX and Antipope Benedict X. This is because each proves a different approach to the desired form of securing a new pope and demonstrates a distinct concept for determining electors and an appropriate method for their establishment at the Holy See.

[Gregorian Papacy; Papal Elections; Cardinal; Nicholas II; Stephen IX; *In nomine Domini*; Henry IV; Peter Damian]

---

---

The starting point for all considerations in regard to papal elections during the Investiture Controversy period, i.e. the period of the second half of the 11<sup>th</sup> century and first two decades of the 12<sup>th</sup> century, is the legislative modification of the election process adopted by a synod in

---

<sup>1</sup> This study was created at Charles University under PROGRES program Q09: History – The Key to Understanding the Globalized World.

\* Institute of World History, Faculty of Arts, Charles University, Prague, náměstí Jana Palacha 2, Praha 1, 116 38; drahomir.suchanek@ff.cuni.cz.

Rome in April 1059. The decree, named *In nomine Domini* confirmed the old principle supported by the reformist movement that the selection of Church leaders should be made by local clerics and people together, in liaison with the metropolitan bishop and provincial episcopate, which is meant to check and confirm selection. At the same time, it introduced two additional elements closely related to the specific nature of the choice of the head of the Roman Catholic Church. It affirmed the immutability of the Emperor's rights, and in particular it declared the special status of the group closest to the papacy – the cardinals. The electoral document further set apart the cardinal bishops from this authoritative group and assigned them the most important part of electoral negotiations – selecting an appropriate candidate, who should then be confirmed by the remainder of the electors.

In the context of the further history of papal elections, the importance of Nicholas II's electoral decree is fundamental. It is at the origin of the dominant position of the College of Cardinals in the selection of the new head of the Catholic Church in a form which was enforced as binding. It also led to restrictions in the reaches of German-Roman rulers and the immediate interventions of the Roman aristocracy. In many regards, it declared the ideal of the papal election as an internal Church matter. In this regard, there is no doubt that one can speak of it as one of the symbols of the Gregorian papacy. If, however, we want to grasp the meaning and objective of the new form of papal election, one needs to know the starting points and circumstances which shaped the form of the decree. There remain marked differences in interpreting the importance of different parts of the new legislation, in particular regarding the role of the College of Cardinals headed by the cardinal bishops and their relationship to the Emperor's rights.

In relation to the indicated issue of the papal elections after 1059, this study considers the circumstances of the two prior papal elections. It is based on a conviction that an endeavour at defining the rules for the election of the head of the Catholic Church is closely linked to the specific situation at the end of the 1050s, and like many previous legislative amendments to the election process reflects major problems which the Roman Curia had to deal with. If we want to understand the significance and target of Nicholas II's electoral decree, it is essential to analyse the situation which preceded the issuance of the decree in detail. It is important not just to consider the circumstances around the election of Pope Nicholas II, with whom the electoral modification is primarily

linked, but also the pro-reform Stephen IX and Antipope Benedict X. This is because each offers a different approach to the desired form of securing a new pope and demonstrates a distinct concept for determining electors and an appropriate method for their establishment at the Holy See.

### Election of Stephen IX

It is not far from the truth to describe the unexpected death of Holy-Roman Emperor Henry III in October 1056 as a key event impacting papal elections in the second half of the 11<sup>th</sup> century.<sup>2</sup> The partial power vacuum in both the transalpine part of the Empire and the Italian peninsula, problems in securing protection for pro-reform papal groups and in contrast the activation of Roman families and the Italian nobility all represented a complicated and confusing environment in which efforts at Church reform found themselves in an unenviable situation which was certainly further deepened by the death of Pope Victor II (July 1057). At this time, a group of reformist clerics focused at least since the pontificate of Leo IV (1049–1054) around the papal court, dispersed within the broader Italian church provinces, and through intensive discussions endeavoured to agree upon an acceptable *modus vivendi* to allow for the continuation, or at least stabilisation, of reform efforts. Two key Curia representatives, Roman Deacon Hildebrand, and representative of radical reformist visions, Cardinal Humbert of Silva Candida, were held up in Tuscany where they were accompanying Pope Victor to a synod held in Arezzo<sup>3</sup> where they made efforts to consolidate relations with the local episcopate. Other people around the Pope were operating in the south of Italy or remained close to the Royal court and its allies. Victor's death came entirely unexpectedly

<sup>2</sup> On the situation following Henry III's death, see E. BOSHOF, *Das Reich in der Krise. Überlegungen zum Regierungsausgang Heinrichs III.*, in: *Historische Zeitschrift*, 228, 1979, pp. 265–287; E. BOSHOF, *Die Salier*, Stuttgart 2008, pp. 153–172; S. WEINFURTER, *Das Jahrhundert der Salier: (1024–1125)*, Ostfildern 2004, pp. 115–132. With references to sources on this issue also G. MEYER VON KNONAU, *Jahrbücher des Deutschen Reiches unter Heinrich IV. und Heinrich V.*, Vol. 1, Leipzig 1890, pp. 5–8, 21–53.

<sup>3</sup> The Pope held this local synod, in order, to resolve territorial disputes between bishops Arnald of Arezzo and John of Siena. This was one reason why his sudden fever and rapid death came as a surprise to all; the Pope did not have time to give any instructions, and information on the event was only received by the main players very slowly. For more on the synod, see G. GRESSER, *Die Synoden und Konzilien in der Zeit des Reformpapsttums*, Paderborn 2006, pp. 32–33, events captured with the assistance of sources MEYER VON KNONAU, pp. 28–29.

and further strengthened general insecurity; there were very real fears that Roman noble families might take advantage of the situation and reverse the trend of increasing papal sovereignty. When Cardinal Bishop Boniface of Albano brought news of Victor's demise to Rome (arriving on 31 July), there was no strong ecclesiastic authority in the city which could take a clear position. There was evidently also uncertainty regarding how to proceed amongst Roman families – and certainly they were unable to “take advantage” of the situation and organise their own election. As a result, Frederick of Lorraine's momentary stay proved more important. This major reformist, who had shortly before again received an important position in the papal court, appeared to be a suitable candidate to take on the papacy. He could make use of his contacts with the Roman clergy and city nobility, which he had made as papal chancellor and librarian during the pontificate of Leo IX, who had named him Cardinal Deacon of Santa Maria in Domnica (1051).<sup>4</sup> His stay in Rome reflected great changes in the papal court, which occurred after Henry III's death. The weakened papacy needed the help and protection of Frederick's brother, Duke Godfrey of Lorraine, and Victor II awarded the until recently overlooked cleric high authority – at the synod in Arezzo he confirmed his selection as Abbot of the Montecassino Abbey and gave him benediction in person. At the same time, he was elevated within the College of Cardinals hierarchy to cardinal priest of the Church of San Crisogono – when Boniface of Albano

<sup>4</sup> In 1054, he was part of the mission which was to discuss an alliance against the south Italian Normans in Constantinople (and which led to the renowned schism with the Greek Church). His star fell quickly subsequently, however. This was because of conflict between his family of Lorraine dukes and the Imperial court as a result of his brother Godfrey's marriage to future marchioness of Tuscany, Beatrice of Bar – the Emperor perceived this as a threat to his power, punishing the family severely. Furthermore, Leo IX died and his successor, Victor II fulfilled the Emperor's will faithfully – Frederick had to leave Rome and his offices to find refuge in the Benedictine Abbey at Montecassino. Joining the Benedictine community was supervised by Imperial emissaries and was meant to signify his marginalisation as a potentially dangerous cleric, see E. GOEZ, *Beatrix von Canossa und Tuszien. Eine Untersuchung zur Geschichte des 11. Jahrhunderts*, Sigmaringen 1995, pp. 20–29; BOSHOFF, *Die Salier*, pp. 141–152 or E. BOSHOFF, Lothringen, Frankreich und das Reich in der Regierungszeit Heinrichs III., in: *Rheinische Vierteljahresblätter*, 42, 1978, pp. 106–116. For more on Frederick of Lorraine, see M. PARISE, Stefano IX, in: M. BRAY (ed.), *Enciclopedia dei Papi*, Vol. 2, Roma 2000, pp. 166–168 or K. A. FRECH, Lothringer in Rom in der Zeit der „deutschen“ Päpste, in: K. HERBERS – H. MÜLLER (eds.), *Lotharingen und das Papsttum im Früh- und Hochmittelalter. Wechselwirkungen im Grenzraum zwischen Germania und Gallia*, Berlin 2017, pp. 80–86.

informed the Romans of the surprising news, Frederick was officially taking over his new church.<sup>5</sup>

The course of events leading to selection of a new pope was recorded in detail by Montecassino chronicler and later Cardinal Bishop of Ostia, Leo Marsicanus.<sup>6</sup> According to his report, Frederick began discussions with the leaders of the Roman clergy and influential families, and even directly proposed five ideal candidates for occupying the papacy – cardinal bishops Humbert of Silva Candida, Benedict of Velletri and Peter of Tusculum, Perugian Bishop Other and Subdeacon Hildebrand.<sup>7</sup> Mention of the Montecassino abbot's reluctance to accept the nomination could

<sup>5</sup> The situation is described in particular by D. HÄGERMANN, *Das Papsttum am Vorabend des Investiturstreits: Stephan IX. (1057–1058), Benedikt X. (1058) und Nikolaus II. (1058–1061)*, Stuttgart 2008, pp. 11–20, or M. STROLL, *Popes and Antipopes. The Politics of Eleventh Century Church Reform*, Boston 2012, pp. 59–60.

<sup>6</sup> Monk Leo Marsicanus of Monte Cassino, also known as Leo of Ostia or Leo the Librarian (†1115), wrote the first three books of the chronicle. For his close contacts with the Roman Curia, he is considered an exceptionally well-informed, if also clearly pro-papal author. He rapidly penetrated the highest Curial hierarchy, and first as cardinal-deacon then later reaching the position of cardinal-bishop of Ostia (1102/1107–1115) he helped form papal policy under the pontificate of Paschal II. This means that Roman events were an important component of the passages of the chronicle he wrote, providing us with many details including the papal elections (especially in 1046, 1054, 1057, 1058/1059, 1061). In this regard, one needs to take a critical approach to his “impartiality”, although on the other hand one should not disregard the fact that he wrote his passages of the chronicle prior to becoming part of “great papal policy”. For more on his acts in the Monte Cassino scriptorium, see W. D. McCREADY, *Leo of Ostia, the Montecassino Chronicle, and the “Dialogues” of abbot Desiderius*, in: *Mediaeval Studies*, 62, 2000, pp. 125–160 and A. M. FAGNONI, *Un cronista medievale al lavoro: Leone Ostiense e la prima riduzione della Cronaca Cassinense. Problemi di analisi*, in: *Scripta philologa*, 2, 1980, pp. 52–129.

<sup>7</sup> “...consultus tandem ab eis, quid facto opus esset vel quem eligere ad tantum pontificatum deberent, quinque illis personas quae digniores in istis partibus essent, ad, quem vellent, eligendum proposuit. Humbertum scilicet episcopum sancte Rufine, episcopum Veliternensem, episcopum Perosionum, episcopum Tusulanensem et Hildebrandum Romane ecclesie subdiaconum. Sed cum Romani nemine ibi de his ydoneum ad hoc videri conserent eique demum tantum se honorem largiri velle asserent, «De me» inquit ille «nil poteritis agere, nisi quod permiserit Deus, et absque illius nutu neque cecedere neque tollere michi officium istud potestis».” *Die Chronik von Montecassino/Chronica monasterii Casinensis* (MGH Scriptores in Folio, Vol. 34), H. HOFFMANN (ed.), Hannover 1980, Book 2, Chapter 94, pp. 352–353. According to Paul Schmid, the Romans' request to propose possible candidates shows respect to the Emperor's rights – here, Frederick was carrying out the office of patricia representing his brother Godfrey, i.e. nomination right. See P. SCHMID, *Der Begriff der kanonischen Wahl in den Anfängen des Investiturstreits*, Stuttgart 1926, p. 107.

be perceived in other circumstances as an expected topic of literature, but in this case it appears to be likely true. Frederick did not want to begin an independent act without consultation and the consent of Curial leaders, and even the proposition of the five most appropriate candidates can be perceived as his effort at postponing the election until the arrival of the other cardinals.

It is rather striking that no source proves the presence of the leaders of the reformist group. One would expect that they would arrive in the city as quickly as possible to take up the initiative and prevent the likely attempt by city elites to appoint a pope in accordance with their own priorities. Except for Boniface and Frederick, who was here merely by coincidence, they all remained outside Rome. One can only speculate that perhaps Boniface's task was to give information on Victor's death (which would anyway arrive in the city within a few days) while attempting to keep the situation under control until the rest of the cardinals arrived. It was the dynamic development of the situation which led to both cardinals – primarily Frederick, but undoubtedly alongside Boniface – taking an approach leading to Frederick's election as Pope in order to maintain the initiative.<sup>8</sup> At the very least, the author of the Montecassino Chronicle does not confirm any stalling. Rather he presents subsequent steps as extremely fast and consensual. By 2 August, Frederick is postulated as the only possible candidate and elected new pope with the name Stephen after the saint whose name day was celebrated that day.<sup>9</sup> Other aspects of the election are also of interest. One is the venue of the act, which the text's author places as the Church of Saint Peter in Chains (San Pietro in Vincoli); there is no doubt that this church with St Peter's patronage played an important role in the perception of the Roman Catholic Church (another two popes were also ordained pope here – Alexander II and Gregory VII).<sup>10</sup>

<sup>8</sup> This goes against the idea it could have been a deliberate targeted act of the Lorraine duke family to increase power. With Victor II's unexpected death, it is not even likely, nor is the idea that Frederick was carrying out the Emperor's orders, or was otherwise co-ordinating his approach with the Emperor, although of course nor could it involve any kind of setting himself apart from the Emperor. See H.-G. KRAUSE, *Das Papstwahldekret von 1059 und seine Rolle im Investiturstreit*, Roma 1960, pp. 58–60.

<sup>9</sup> According to the author of Leo's chronicle, this was a standard custom ("*Ibi eius vocationem de consuetudine facientes Stephanum eum, quoniam festum sancti Stephani pape eo die celebrator [...]*"), see *Chronica monasterii Casinensis*, 2, 94, p. 353).

<sup>10</sup> On the subject, see R. ZOEPFFEL, *Die Papstwahlen und die mit ihnen im nächsten Zusammenhange stehenden Ceremonien in ihrer Entwicklung vom 11. bis zum 14. Jahrhundert*, Göttingen 1871, pp. 259–260.

It also shows the effort to portray the election as a united act of all of Roman society. The entire city agreed on Frederick<sup>11</sup> and his ordination and inauguration took place according to the standard rules.<sup>12</sup> Here, the idea of election as a concept of agreement between clergy and people is postulated, now complemented by stressing the role of cardinals (as yet within division of competences of individual orders), which is what it is mostly about. In contrast there is a complete lack of mention of the Imperial administration being involved – whether in the form of direct negotiations or interventions, or reference to necessary additional steps.

Due to the difficulties in verifying Leo's text<sup>13</sup> one cannot discount the possibility that the author was presenting his own idea of the desirable form of election and establishment of the new pope, or that he was expressing the ideal reflecting the position of the Curia at the end of the

<sup>11</sup> The author does not specify individual components of the electors, including regarding the clergy: "[...] *congruas iudicantes uno omnes consilio ac voluntate concordi summo mane sabbati conveniunt [...] ad electionem faciendam ad beati Petri [...] basilicam illum perducunt.*" *Chronica monasterii Casinensis* 2, 94, p. 353.

<sup>12</sup> "*Die vero altera illucescente cardinalibus universis simul cum clero populoque Romano ad eum convenientibus apud beati Petri basilicam ingenti cunctorum letitia summus et universis pontifex consecratur.*" *Ibid.*

<sup>13</sup> Apart from the text written by Leo Marsicanus, we have no similarly detailed description of the event. *The Pontifical Book (Liber pontificalis)* includes just a few lines on Stephen's character without mentioning the election itself. *The Roman Annals*, although limiting itself just to emphasizing the role of Romans in Stephen's election, includes a little more information ("*Qui dictus Stephanus reversus a Constantinopolim ubi legatus fuerat cum magno thesaro, invenit dictum Victorem mortuum, et Romani elegerunt eum papam.*" *Liber Pontificalis. Texte, introduction et commentaire*, Vol. 2, L. DUCHESNE (ed.), Paris 1892, a. 1044–1073, p. 334). The chronicles author also links the division between the new pope and Roman society to the treasure which Frederick was to bring back from his Greek mission ("*Sed totum thesaurum quod ipse a Constantinopolim conduxit per vim Romani illum abstulerunt; unde in ira commotus de Roma egressus est [...]*". *Ibid.*). From Roman sources, the key role of Romans is confirmed by Lambert of Hersfeld [*"Tum vero universi, quicquid principum, quicquid plebis Romanae erat, uno animo, pari voluntate, in electionem consenserunt Friderici, fratris Gotefridi ducis, extractumque de monasterio Casino, ubi lucerna Dei ardens et lucens sub lecto monasticae quietis delitescebat, super candelabrum extulerunt sedis apostolicae.*" *Lamperti Annales*, a. 1057, in: *Lamperti monachi Hersfeldensis opera* (MGH *Scriptores in usum scholarum*, Vol. 38), O. HOLDER-EGGER (ed.), Hannover 1894, p. 70], while other sources restrict themselves merely to information on the succession of the new pope (*Annales Hildesheimenses*, *Annales Altahenses*, *Chronicle of Berthold of Reichenau* etc.).

1060s and early 1070s.<sup>14</sup> In any case, one can justifiably assume he was aware of Nicholas II's electoral decree, also this may not be reflected directly in the wording.<sup>15</sup> The change is also obvious looking at the previous election, when Henry III's determining influence could not be hidden;<sup>16</sup> thus to some degree the election of Frederick of Lorraine as Stephen IX appears to be the beginning of a new era of papal elections, although we cannot here overlook the dependence on the specific Church and political circumstances in Rome and Italy. The speed of Stephen's election probably reflected the Roman clerics' fears of possible intervention by the Roman nobility and was based on restored relations between Frederick and the reformist group of cardinals headed by Hildebrand. He was responsible for further negotiation with the Royal court, at this time weakened by young King Henry IV's young age.

Despite the absence of Imperial emissaries at Stephen's election, his election cannot yet be presented as an election deliberately acting against intervention from the royal court, although the idea of an election by clerics and the people was demonstrably supported by even Stephen himself.<sup>17</sup> At the time of the election, Empress-Regent Agnes of Poitou could not be informed even of the death of previous pope, Victor II;<sup>18</sup>

<sup>14</sup> Historians agree that Leo completed his work in the mid-1070s. The chronicle's final editing, however, took place several years later, during the 1130s, when the work was taken on by Peter the Deacon. Comparing the passages written by Leo Marsicanus and Peter the Deacon, with Leo focused on details and well-acquainted with curial matters and Peter more focused on the history of the monastery and Italian politics, however, we do not anticipate major interventions in Leo's text. Basic commentary and an introduction to the Monte Cassino Chronicle is provided in the introduction to Hartmut Hoffmann's work (*Chronica monasterii Casinensis*, pp. VII–XXX).

<sup>15</sup> See HÄGERMANN, pp. 27–28.

<sup>16</sup> Henry III's influence on papal elections, and on the papacy, is looked at, including other bibliographic references, e.g. by G. MARTIN, *Der salische Herrscher als Patricius Romanorum. Zur Einflußnahme Heinrichs III. und Heinrichs IV. auf die Besetzung der Cathedra Petri*, in: *Frühmittelalterliche Studien*, 28, 1994, pp. 257–295, a detailed look at elections determined by Henry III is also given by SCHMID, pp. 57–94.

<sup>17</sup> He expressed it succinctly in his privileges for the Montecassino abbey, describing his election to papal office as an expression of God's will through the choice of the clergy and the people; there is no mention of the Emperor (*“Ad culmen sancte Romane et apostolice sedis nullo meo merito, sed Domino vocante cleri et populi electione vocatus.”* Privilegium No. 8, in: P. F. KEHR, *Papsturkunden in Italien*, Vol. 2, Città del Vaticano 1977, p. 168).

<sup>18</sup> Bishop Anselm of Lucca brought the news to the Empire at the end of August. This can be ascertained from information in the *Book of Bishops of Eichstätt (Liber Pontificalis Eichstettensis)*, which indicates him in Tribur on 20 August for the consecration of Eichstätt's Bishop Gundekar (see *Liber Pontificalis Eichstettensis*, in: *MGH Scriptores (in Folio)*, Vol. 7:



thus the election taking place without consultation with the royal court was more a reflection of the necessity of acting quickly rather than a deliberate act against royal overview. Stephen could not allow himself to begin his pontificate in confrontation with the royal court, and this was clearly not his ambition. In contrast, he immediately send a deputation to the Empire led by the trusted Hildebrand and Bishop Anselm of Lucca, which was to agree on further co-operation between the Empire and the papacy.<sup>19</sup> It can be assumed that the envoys were to ask for recognition or approval of the election, as legal customs from the previous period attested to, and perhaps also to agree on the future form of involvement of court representatives in subsequent elections.<sup>20</sup> The question remains, however, to what extent individual actors in the event were satisfied with the prevailing situation. As German historian Dieter Hägermann correctly notes, both the royal court and influential groups in Rome had to respect the new pope's position of power, supported by his brother, Duke Godfrey of Lorraine and his family which was also in control of Tuscany.<sup>21</sup>

---

*Chronica et gesta aevi Salici*, G. H. PERTZ (ed.), Hannover 1846, p. 245). In this regard, it should be noted that Pope Victor II remained Eichstatt Bishop until his death, justifying the importance of this event, as well as Anselm's involvement in it alongside German primate Liutpold of Mainz, Archbishop of Milan Wido and (former?) Chancellor Günter for the Empire's Italian section, who became Bishop of Bamberg in March that year.

- <sup>19</sup> The question is whether this was in response to objection or complaint from the Regent as assumed, e.g. by Krause (KRAUSE, p. 61), or whether the impulse came from the Curia.
- <sup>20</sup> This would be evidenced by the statements of the well-informed Annals of Niederaltaich, according to which the Romans undertook the election without the King's knowledge, but there was redress and approval of the election later ["[...] *papa Victor moritur [...] Fridericus, cognomine Stephanus, a Romanis subrogatus, rege ignorante, postea tamen electionem eius comprobante.*" *Annales Altahenses maiores* (MGH *Scriptores in usum scholarum*), Vol. 4, W. v. GIESEBRECHT – E. L. B. OEFELE (eds.), Hannover 1890, a. 1057, p. 54]. Hildebrand and Anselm set out for the Alps in October 1057 at the earliest (Anselm was interventionist at Stephen's privileges for the Church in Lucca on 18 October) and they were still there at the moment Stephen died, see MEYER VON KNONAU, pp. 52–53.
- <sup>21</sup> HÄGERMANN, pp. 31–32. Godfrey of Lorraine's influence on the Italian peninsula is undisputed at this point, but the question is how much he used his true power to promote his own, or his family's, interests, and how much he acted in accordance with or even following previous approvals from the Regent's court. It is more than likely that the influential duke was skilful in manoeuvring between the main parties and chose his steps according to the changing situation. Also important in this matter is KRAUSE, pp. 58–62, who in his analysis, however, primarily looks at the effect at securing lasting influence of the Empire.

## Nicholas II's Election in Source Testimonies

The subsequent change in papacy was a turning point. Stephen IX died after a short eight-month pontificate at a moment when he found himself in the middle of negotiations with his brother Godfrey and other partners in Florence (29 March 1058). Before leaving the Eternal City, the pope was to call a gathering of the city clergy and representatives of the aristocratic families and demand a promise from them under threat of curse that in the event of his death they would not attempt a separate election but would wait for the next steps until Subdeacon Hildebrand returned, who was on his way to the royal court.<sup>22</sup> Leo Marsicanus's claim lines up with letters from Cardinal Bishop of Ostia, Peter Damian, who later linked the non-observance of this promise with his fight against Antipope Benedict X.<sup>23</sup> Whether the claim of a promise made to Pope Stephen is based on truth or not, every indication is that this time the Roman nobility were determined to act quickly. Under the command of the Tusculum family, which controlled the papacy for much of the first half of the 11<sup>th</sup> century and still enjoyed a certain influence within the Roman Curia, Tusculum family member Giovanni, who ran the bishopric in Velletri, was nominated.<sup>24</sup> In co-ordination with other patrician leaders

<sup>22</sup> *"Post hec congregatis intra ecclesiam episcopis et clero populoque Romano sub districta nimis interdictione constituit, ut, si antequam Hildebrandus Romane tunc ecclesie subdiaconus ab imperatrice, ad quam pro quibusdam rei publice negotiis communi consilio mittebatur, rediret, se obire contingeret, nullus omnino eligere papam presumeret, sed usque ad illius reditum apostolica sedes intacta vacaret eius demum consilio ordinanda."* *Chronica monasterii Casinensis*, 2, 98, p. 356.

<sup>23</sup> In particular letter 58 addressed to Archbishop Henry of Ravenna, in: *Die Briefe des Petrus Damiani* (MGH *Die Briefe der deutschen Kaiserzeit*, Vol. 4/2: *Letters*, No. 41–90), München 1988, p. 193: *"Huc accedit, quia piae memoriae Stephanus papa congregatis intra ecclesiam episcopis civibusque Romanis, clero et populo, hoc sub districti anathematis excommunicatione statuerat, ut, si eum de hoc saeculo migrare contingeret, antequam Hildebrandus, Romanae ecclesie subdiaconus, qui cum communi omnium consilio mittebatur, ab imperatrice rediret, papam nulls eligeret, sed apostolica usque ad illius reditum intacta vacaret."* The almost identical form of both texts imply that Leo based his chronicle on Damian's letter, somewhat weakening the reliability of the description. Peter Damian was a loyal supporter of Stephen, who made him Cardinal Bishop of Ostia, and his successor, Nicholas II whose legitimacy he defended strongly. The essence of Damian's battle against Antipope Benedict is looked at in detail by Friedrich Kempf in his study (F. KEMPF, *Pier Damiani und das Papstwahldekret von 1059*, in: *Archivum Historiae Pontificiae*, 2, 1964, pp. 73–89).

<sup>24</sup> Some sources, such as Lambert of Hersfeld and even the Roman Annals confused him with his predecessor at the head of the Velletri bishopric, Benedict; Giovanni appears to have become bishop here at the turn of 1057/1058. See HÄGERMANN, pp. 58–59.

(Gerardo di Galeria, Ottaviano Crescenzo di Monticelli) they enforced the Tusculum family's will,<sup>25</sup> and if we are to believe Peter Damian's claims, they managed to get this not-particularly-intelligent man elected pope including through the use of bribes.<sup>26</sup>

Unfortunately we do not have any extant more exact description of Benedict X's election.<sup>27</sup> Undoubtedly, however, the Romans endeavoured to maintain a formally correct approach, as evidenced in mention of securing a cleric from the diocese of Ostia, who was to install the new pope to the papacy in place of Peter Damian.<sup>28</sup> Damian condemned the engagement of the Roman nobility and the force used to convince the Roman population and clergy as typical manifestations of simony, which

---

For more on Benedict X, see O. CAPITANI, Benedetto X, antipapa, in: M. BRAY (ed.), *Enciclopedia dei Papi*, Vol. 2, Roma 2000, pp. 168–171.

- <sup>25</sup> "Tunc fideles imperatoris hoc audito in ira commoti sunt; elegerunt Benedictum Bilitrensem episcopum pontificem, de regione sanctae Marie Maioris. Ille vero rennuebat, sed volens nolensque inivitus ordinaverunt eum Romanum pontificem, et data pecunia maxima pars de Romanorum populo ei fidelitatem fecerunt, simul comites qui circa Urbem erant, scilicet Girardo Raynerii filio, comes Galerie, et Albericus comes Tusculanense et filii Crecentii de Monticelly." *Liber pontificalis, Annales Romani*, a. 1044–1073, p. 334. Benedict's election would then be the result of the action of pro-Imperial forces. Author of the Montecassino chronicle, Leo Marsicanus, who gives essentially the same description including personalities, however, does not mention this aspect – in his telling, based on the testimony of Peter Damian, the Regent and her son were on the side of the reformist group of cardinals and co-operated with them, as evidenced by the mention of Hildebrand's stay in the Empire, see above.
- <sup>26</sup> "O scelus et ferale prodigium! Petrus cogitur nundinas Symonis ex sua quantitate persolvere, qui Symonem cum omni suo commercio cognoscitur perpetua maledictione damnasse [...] Ita quippe est homo stolidus, deses ac nullius ingenii, ut credi possit nescisse per se talia machinari." Peter Damian's letter No. 58 addressed to Archbishop Henry of Ravenna, in: *Die Briefe des Petrus Damiani*, 2, p. 193.
- <sup>27</sup> Leo Marsicanus says only that they made him Pope ("[...] in Romana sede papam constituunt Benedicti nomine illi imposito." *Chronica monasterii Casinensis*, 2, 98, p. 356).
- <sup>28</sup> This should correctly have been done by Cardinal Bishop of Ostia, but this could not be done due to the opposition of holder of this title, Peter Damian. Damian considered his circumvention to be scandalous and did not neglect to mention this in his writings, see letter No. 58, in: *Die Briefe des Petrus Damiani*, 2, p. 193 ("[...] presbyter Ostiensis ecclesiae, qui utinam syllabatim nosset vel unam paginam rite percurrere, ut eum ad apostolatus culmen proveheret"), while the Montecassino chronicle speaks similarly, including adding it was done at night with the use of force. Commentary on this KEMPF, pp. 79–81. The bishops of Ostia had claimed the right to consecrate and coronate new Bishops of Rome from the 4<sup>th</sup> century. See H. W. KLEWITZ, *Reformpapsttum und Kardinalkolleg*, Darmstadt 1957, p. 29 and R. HÜLS, *Kardinäle, Klerus und Kirchen Roms: 1049–1130*, Tübingen 1977, p. 3.

he claimed made the election entirely invalid; although there is the logical thought here that the Romans may have seen nothing wrong or illegitimate in their acts. With the death of Henry III, there was no longer any necessity to respect the will of the Emperor, and there in principle the return of electoral rights back into the hands of the Roman people and clergy could be perceived as the optimum approach, and even a reformist one. It is perhaps because of this possible complaint that the Ostian Cardinal Bishop referred mainly to bribes and force and went even further in his considerations. In his letter, he rejects recognising the legitimacy of Benedict's election in addition because the will of the collected cardinal bishops was not respected, having not agreed to the procedure,<sup>29</sup> which can be interpreted as the first sign of this order of cardinals' special status in papal elections. This refers to the approach of that group of cardinals who collected around him and decided to elect a different candidate. When Hildebrand returned from the Empire, the cardinals and other not further specified opponents to Benedict X met in Siena where they elected Bishop Gerhard, Archbishop of Florence the new Pope with support from Duke Godfrey.<sup>30</sup> Subsequently, with support from Godfrey's troops they moved to Rome, Benedict escaped and the new pope was inaugurated as Nicholas II with support from the Roman clergy and people.<sup>31</sup>

As brief as the information on Nicholas's election is,<sup>32</sup> considering the future decree on the new form of papal election, one can draw several important features from it. Combined with Damian's letter in which he refers to the dissent of a group of cardinal bishops and their departure

<sup>29</sup> "Ille nimirum, in quantum mihi videtur, absque ulla excusatione Simoniacus est, quia nobis omnibus eiusdem urbis cardinalibus episcopis reclamantibus, obsistentibus et terribiliter anathematizantibus [...]" Letter No. 58, in: *Die Briefe des Petrus Damiani*, 2, p. 193.

<sup>30</sup> Gerhard of Florence/Nicholas II is presented with references to relevant sources and academic literature by A. AMBROSIONI, Niccolo II, in: M. BRAY (ed.), *Enciclopedia dei Papi*, Vol. 2, Roma 2000, pp. 172–178, respectively HÄGERMANN, pp. 65–73.

<sup>31</sup> "[...] Hildebrandus reversus ab imperatrice contra eiusdem apostolici interdictum invasam a pessimis hominibus ecclesiam comperisset, Florentie substitit suisque litteris super hoc Romanorum meliores conveniens eorumque ad omnia, que vellet, consensum recipiens mox annitente Gotfrido duce Girardum Florentinum episcopum in Romanum papam elegit simulque cum ipso et duce Romam mense iam Ianuario venit, ubi prefatus electus a Romano clero et populo in apostolica sede inthronizatus et Nycolai nomen indeptus est." *Chronica monasterii Casinensis*, 3, 11, p. 373.

<sup>32</sup> For a summary of relevant sources and commentary, see MEYER VON KNONAU, pp. 674–677.

from Rome (to Florence, or Siena),<sup>33</sup> we are confronted with a course of the election outside the Roman centre and with just a narrow group of cardinals, probably bishops, without involvement of the Roman clergy and people and resulting in the election of a foreigner. Only afterwards is there a move to Rome and papal coronation, now according to the author of the *Montecassino Chronicle*, accompanied by the Roman clergy and people, thus evoking the acquisition of their (post-act) consent to Nicholas's election.<sup>34</sup> Taken strictly overall, the legitimacy of the new Pope Nicholas was similarly problematic to that of Benedict X, and in a certain sense based on even shakier foundations. Hildebrand and the cardinals around him essentially undertook a coup rejecting the ideal of an election through the Roman clergy and people, and only afterwards did they legalise the procedure with a new electoral decree.<sup>35</sup> It was not easy to defend such an approach. This is likely why Peter Damian and Leo Marsicanus both emphasised the involvement of the cardinal bishops as guarantors of legitimacy. Similarly, they could not ignore the significance of royal support, which in the end played an important, and perhaps even crucial<sup>36</sup> role. All these features of the group around Hildebrand and Damian were incorporated into "new" rules for a legitimate papal election, i.e. beginning with the role of the cardinal bishops and conceding to the option of electing a non-Roman and holding it outside the Eternal City, to the immutability of royal rights.

There can be no dispute over the fact that Peter Damian, whom the author of the *Montecassino Chronicles* bases his telling of the events on, is an authentic witness to the course of Nicholas's election and his description

<sup>33</sup> Most historical research agrees on Siena as the venue of the election, with arguments for Florence mainly represented by HÄGERMANN, pp. 80–84.

<sup>34</sup> Further details are given in the *Roman Annals*, according to which Archdeacon Hildebrand was a key player in promoting Nicholas, making use both of his allies (such as the Pierleoni family) and funds: "Tunc Ildebrandus [...] misit pecuniam a Leoni de Benedicto Christiano ac ceteri qui erant de eius coniuratione; et divisus est Romanum populum, et ceperunt inter se acriter pugnare [...] comites viviserunt se, alteri ex una parte, alteri vero ex alia. [...] Tunc dictus Ildebrandus archidiaconum cum suo electo pontifice perrexerunt ad patriarchium Lateranensem et ordinarunt eum Romanum pontificem, cui posuerunt nomen Nicolaus, et dederunt pecuniam. Plures de populo Romano ei fidelitatem fecerunt; etiam ipse pontifex Nicolaus per se ibat per urbem, faciebat se invitit fideles pontifici Benedicti fidelitatem facere." *Liber pontificalis, Annales Romani*, a. 1044–1073, pp. 334–335.

<sup>35</sup> See the considerations of STROLL, pp. 69–70.

<sup>36</sup> Of which Krause in particular is convinced (KRAUSE, pp. 64–69).

of events should be taken extremely seriously. But one should not overlook the fact that other sources which present the papal schism of 1058/1059 place much greater stress on the role of the Imperial court. While Damian sees the main players as being centred around the former pope and he also attributes to them the initiative in rejecting Benedict and electing Nicholas, other texts reflect the overriding importance of royal rights. These are not only sources of Imperial provenance. One example would be the *Roman Annals*, at the time extremely critical of the character and actions of Cardinal Hildebrand/Gregory VII.<sup>37</sup> According to their version, Hildebrand arbitrarily breached applicable norms and customs. Originally, the Romans, still loyal to the Empire, charged him with negotiating with the Royal court on the succession of the new pope, but instead he “underhandedly” ensured the election of Bishop Gerhard of Florence. Only afterwards did the Romans proceed to appointing Benedict X, in order to prevent the actions of the devious Hildebrand.<sup>38</sup> In this description of events, there is no mention of any right of the Roman clergy and people to approve elections, nor even of their involvement in the election of a new pope. The *Roman Annals* merely states that Hildebrand succeeded in getting a section of Romans on Nicholas’s side, and they promised him loyalty.<sup>39</sup> We would be justified in anticipating the absence of the Roman people’s involvement in the papal election in this source, in contrast it characterises an “Emperor” variant of the electoral decree, and this is something we cannot dismiss in comparing the emphases in individual sources.

<sup>37</sup> On the critical view of Hildebrand in the *Roman Annals* and other sources of the time, see T. FÖRSTER, *Bonizo von Sutri als gregorianischer Geschichtsschreiber*, Hannover 2011, pp. 1–26 and 89–108. Here we need to note the fact that the set of records in the *Roman Annals* are not uniform in nature, and the period covering the years 1044 to 1073 show an obvious pro-Emperor tendency. D. WHITTON (The *Annales Romani* and Codex Vaticanus Latinus 1984, in: *Bullettino dell’Istituto storico italiano per il medio evo* 84, 1972–1973, pp. 125–143) provides a content and codicological analysis of the source.

<sup>38</sup> “*Post mortem vero dicti pontificis, tunc fideles imperatoris, clerici hac laici, miserunt Hildebrandum archidiaconum ad imperatorem H., ut sanctae Romanae ecclesiae pium rectorem hac benignum pontificem tribueret. Ille vero cepto itinere pervenit Florentiae, ubi antedictus Stephanus pontifex obiit. Quid multa? Postquam locutus est cum episcopo dicte civitatis, promisit ei ut si ipse vellet cum eo Romam pergere, ordinaret eum Romanum antistitem. Ille vero hoc audiens acquievit hac censens dictis vel voluntate illius. Tunc cum quingentis equitibus et cum magna pecunia ceperunt Romanum iter.*” *Liber pontificalis, Annales Romani*, a. 1044–1073, p. 334.

<sup>39</sup> “*Plures de populo Romano ei fidelitatem facere.*” *Ibid*, p. 335.

While one can sense the attempt at clearing the Roman elite from accusations of betrayal in the *Roman Annals*, attributing all the guilt to Hildebrand, for the other two sources a unity is demonstrated between the reformist papal group and the court of the Regent, or young King Henry IV. Neither text could be described as siding with the Empire; quite the opposite. They were produced in the second half of the 1070s during the first spike of conflict between the Gregorian papacy and Roman-German King Henry IV, and they are critical of the rule of the Salian monarch. Regarding Nicholas II's election, however, they do not doubt that without the Royal will, he would not have attained his office. They both term Benedict X's election as illegitimate and contrary to previous practice, but they differ in how they see the extent or conduct of the Salian court. The first of them, the *Annals of Niederaltaich*, claims that at Whitsun 1058, i.e. in the first half of June, a deputation arrived at the Diet in Augsburg and asked the King to confirm the Bishop of Florence. If we take the wording of the source literally, this was not an attempt at first finding a candidate for the papacy in the Empire, but rather at acquiring confirmation for the already selected Bishop of Florence.<sup>40</sup>

The second source of information, Lambert of Hersfeld, is more detailed and he has no doubts over the Royal nomination. According to him the deputation of "Roman leaders" arrived in the Empire aware of the Royal entitlement and the selection of Gerhard of Florence took place amongst a circle of Royal advisors. Subsequently, Duke Godfrey of Lorraine was mandated to assert the monarch's will in Rome, and this is what happened.<sup>41</sup> Both sources make no reference at all to the actions of the

<sup>40</sup> "Sacrum autem pentecoste apud Augustam rex peregit, ubi et generale colloquium totius regni principum habuit. Defuncto igitur papa Stephano pia memoriae, alius substitutus est et consecratus occulte. Quod cum principibus non placeret, deposito illo Augustam ad regem misere legatum, petentes, apostolicae sedi praeferrere episcopum Florentinum. Qua eorum petitione approbata aliisque regni negotiis ordinatis, singuli regressi sunt ad propria." See *Annales Altahenses maiores*, a. 1058, p. 54.

<sup>41</sup> "Romani principes satisfactionem ad Regem mittunt, se scilicet fidem, quam patri dixissent, filio, quoad possent, servaturos, eoque animo vacanti Romanae ecclesiae pontificem usque ad id tempus non subrogasse; eius magis super hoc expectare sententiam; orantque sedulo, ut quem ipse velit, transmittat; nihil eius ordinationi obstare. si quis non per legitimae electionis ostium, sed aliunde ascendisset in ovile ovium. Rex habita cum primoribus deliberatione, Gerhardum Florentinum episcopum, in quem et Romanorum et Teutonicorum studia consenserant, pontificem designat, Romamque per Godefridum marchionem transmittit. Ita Benedicto, qui iniussu regis et principum sacerdotium usurpaverat, reprobato, Gerardus, qui et Nicolaus, pontificatum optinuit." *Lamperti Annales*, a. 1059, p. 74.

reformist group around the cardinal bishops, which is understandable – due to their “German” priorities, they reflect mainly on the actions of the court and the role of the Duke of Lorraine.<sup>42</sup> We should nevertheless take note of their mention of the deputation which Gerhard’s appointment or confirmation initiated. Lambert calls them Roman leaders (*Romani principes*), which is somewhat vague. One could speculate they might be some of the Roman elite who (under Hildebrand’s influence?) opposed the rest of Roman society and demanded Royal support.<sup>43</sup> But one cannot preclude the other possibility that they were envoys representing the College of Cardinals.<sup>44</sup>

Besides these two groups of sources, i.e. emphasising either the role of the cardinals and Curia, or else the Royal court, one should also note another set of texts taking account of both factors. Besides a clear defence of royal rights, this set also notes the interests of the reformist papal group, and the authors also reflect a previously overlooked element – the status and level of engagement of individual cardinal orders (bishops – priests – deacons). We can find this in the description of papal lives written by Cardinal Boso in the *Pontifical Book* (*Liber pontificalis*),<sup>45</sup> and in particular in the model Boso drew from, i.e. in the work of one of the most important witnesses of the Investiture Controversy, Bonizo

<sup>42</sup> Both sources are very valuable examples of German tradition of the time, which even under the influence of the outbreak of conflicts between Gregory VII and Henry IV, look back at the spirit of co-operation between secular and Church powers under the reign of Henry III with a certain nostalgia. Lambert of Hersfeld was more critical towards the Empire than the author of the *Annals of Niederaltaich*, although both perceived that the interim period of Empress Agnes’s regency was one of the causes of the collapse of the previous harmony. For more on this issue, see H.-W. GOETZ, *Der Investiturstreit in der deutschen Geschichtsschreibung von Lampert von Hersfeld bis Otto von Freising*, in: Ch. STIEGEMANN – M. WEMHOFF (eds.), *Canossa 1077 – Erschütterung der Welt: Geschichte, Kunst und Kultur am Aufgang der Romanik*, Vol. 1, München 2006, pp. 47–60 and R. SCHIEFFER, *Geschichtsschreibung im mittelalterlichen Kloster Niederaltaich*, in: *Studien und Mitteilungen zur Geschichte des Benediktinerordens*, 128, 2017, pp. 1–15.

<sup>43</sup> This possibility was accepted by Albert Hauck in his church histories (*Kirchengeschichte Deutschlands*, Vol. 3, p. 680).

<sup>44</sup> Schmid leaned towards the Church deputation, directly cardinals (SCHMID, p. 121, note 68), as did Borino (G. B. BORINO, *L’arcidiaconato di Ildebrando*, in: *Studi gregoriani*, 3, 1948, pp. 463–516, esp. p. 495) and others later. Krause looks partially at the question (KRAUSE, pp. 64–65). One certainly cannot entirely exclude the idea of the involvement of some of the Roman elite.

<sup>45</sup> For Boso’s text see *Liber pontificalis – Boso*, Chapter 157–158, p. 357.



of Sutri, in his *Book to a Friend (Liber ad amicum)*.<sup>46</sup> Both texts differ from each other only minimally, mainly in Cardinal Boso's adjustment of the nomenclature. The election of Nicholas II is introduced in the prophetic vision of the dying Pope Stephen, who in a spirit imitating the New Testament predicts betrayal by some cardinals and disruption of the election by the laymen. Here both authors differentiate between three cardinal orders (Bonizo – bishops, cardinals and levites; Boso – cardinal bishops, priests, and deacons).<sup>47</sup> This is followed by a description of the election of Benedict X through the Roman noble families (without involvement of the College of Cardinals)<sup>48</sup> with the use of force. Bonizo precedes the response of the reformists to this step with a mention of the state of the Empire (the Empress-Regent and the young King) and reference to the person of Imperial Chancellor for Italian territory, Wibert of Parma.<sup>49</sup> Only after this is there a description of Nicholas II's election,<sup>50</sup> his taking

<sup>46</sup> For Bonizo's text, see Bonizonis episcopi Sutriani *Liber ad amicum*, Book 6, in: *MGH Libelli de lite imperatorum et pontificum*. Vol. 1, E. DÜMMLER (ed.), Hannover 1891, pp. 592–593. We should note here that Bonizo's text represents one of the leading works of pro-papal polemical literature of the 1080s. His attention is primarily focused on Gregory VII's pontificate, while those passages conveying the events of the 1060s should be perceived more as an example of the continuous and negative interference of rulers in Church freedoms. Thus, we must see the factual value of the work critically: Bonizo has somewhat different objectives than a mere technical description of events and he places individual acts into a broader interpretational context. The problems in using his text are clear, especially where he modifies the appearance of individual actors' behaviour. At the same time, one cannot ignore the fact that Cardinal Boso faithfully reproduced Bonizo's perspective of the events at the Papal court into his work almost without criticism, making Boso's claims also problematic. For commentary on the book, mainly its English translation, see I. S. ROBINSON, *The Papal Reform of the Eleventh Century. Lives of Pope Leo IX and Pope Gregory VII*, Manchester 2004, pp. 158–260, here 200–202.

<sup>47</sup> “[...] *episcopos et cardinales et levitas* [...].” Bonizo, *Liber ad amicum*, Book 6, p. 592; “[...] *episcopos, presbyteros ac diacones cardinales* [...].” *Liber pontificalis – Boso*, 157, p. 357.

There is no doubt that despite different nomenclature, Bonizo in referring to *cardinales* also meant cardinal priests, and that *levitas* referred to cardinal deacons.

<sup>48</sup> “[...] *invitis episcopis et cardinalibus* [...].” *Liber pontificalis – Boso*, 158, p. 357.

<sup>49</sup> Bonizo implies difficulties in a woman administering the Empire, and refers more to the role of Wibert, his engagement in the election in this sense a surrogate one due to the King's young age (“[...] *Heinrici imperatoris coniunx cum filio parvulo* [...] *regni tenebat gubernacula. Que multa contra ius feminea faciebat audacia. Hec in primordio regni sui omnes eiusdem Italici regni curas cuidam Guiberto commisit Parmensi, nobili orto genere, eumque cancellarium appellavit.*”).

<sup>50</sup> “*Interea Deo amabilis Ildebrandus cum cardinalibus episcopis et levitis et sacerdotibus Senam conveniens, elegit sibi Gerardum Florentine civitatis episcopum, quem alio nomine appellavit*

of the See of Rome (with Chancellor Wibert again playing a central role here, supported by Duke Godfrey) and his acceptance by the Roman clergy and people.<sup>51</sup>

If we compare Bonizo's, or Boso's, view of Nicholas II's election with previous texts, we can see a clear effort at presenting the election procedure as the result of co-operation between the College of Cardinals and the Imperial court. Both authors do not differentiate between cardinals in any major way, who in their telling act jointly without prioritising any particular order. Similarly, respect to the Emperor's rights is maintained, which due to the King's youth is represented in the story of Chancellor Wibert of Parma – Bonizo mentions him both regarding Nicholas's election and as intervening against Benedict X. A no less important aspect is the mention of the election's approval by the Roman people and clergy, who assist the pope in the coronation ceremony.

### Nicholas II's Election – Attempt at Reconstruction

The differing testimonies of sources which describe events and emphasise different aspects of the election depending on the backgrounds and priorities of the time, make a reconstruction of the circumstances around Nicholas II's election much more difficult. One can nevertheless at least give a broad outline of his promotion to the papacy. First of all, we need not doubt that the Roman nobility and likely a significant section of the clergy in Rome really did attempt to return the selection of the Bishop of Rome to the hands of Roman society following Stephen IX's death. The *Roman Annals'* claim regarding the pro-Emperor motives of the electors do not appear to be realistic and rather reflect the thoughts of the author

---

*Nicholaum.*" Bonizo, Liber ad amicum, 6, p. 593. Boso has a similar narrative, although he presents the electoral college in a somewhat broader manner: although the core group comprises cardinals of all orders alongside Hildebrand, other bishops and Church prelates subsequently join discussions and they elect the new pope together ("[...] *Ildebrandus archidiaconus cum episcopis et cardinalibus [...] convocatis circumpositis episcopis et aliis ecclesiarum prelatibus [...] Romanum pontificem (sibi) unanimiter elegerunt [...]. Liber pontificalis – Boso, 158, p. 357.*)

<sup>51</sup> Godfrey is here more an executor of the King's will rather than an ally of the reformists, although according to Bonizo all groups proceed in perfect harmony: "*Hic idem prefatum Guibertum Italici regni cancellarium ex parte beati Petri et per veram obedientiam invitavit ad synodum et cum eo magnificum virum Gotefridum et non solum Tuscie, sed et Longobardie episcopos, ut venientes Sutrium de periuro et invasore tractarent consilium [...]. venerabilis Nicholaus sine aliqua congressione victor Romam intravit et ab omni clero et populo honorifice susceptus est sede.*" Bonizo, Liber ad amicum, 6, p. 593.

or authors of the Annals at the time they were put together. The response of the reformists, at the time likely led by cardinal bishops, was a rejection of the chosen candidate and they sought out a way to secure a cleric who would better represent their interests and priorities. A more difficult question is the circumstances and level of involvement of individual actors which led to the election of Bishop Gerhard of Florence. The testimony of all sources concur such that there is no doubt over the Royal court's active role, but it is not clear whether the Regent "merely" blessed the cardinals' initiative, or whether rather the key actions came about by Royal will.

It can be demonstrated that at least until the end of 1057, the deputation led by Anselm of Lucca and Subdeacon Hildebrand was in negotiations with the Empire. We do not know what the discussion agenda was; we only assume that the post-appointment approval of Stephen IX's election must have been an important point. I would dispute the idea, however, that this was the only and main goal of the papal envoys' trip to the Empire. It appears that an agreement around a joint approach in the south of Italy was just as important;<sup>52</sup> a focus on electoral matters is favoured under the impression given by the issuance of Nicholas's decree of spring 1059, which is more of an historical construction than a necessary fact. After dealing with the necessary affairs, the emissaries returned to Italy and only here, or during the course of their journey, were they confronted with the fact that the Pope had died and the Romans had appointed their own Pope. The possibility that the envoys had remained on the other side of the Alps at the moment of Stephen's demise and held discussions on the new Pope after receiving reports from Italy is unlikely. First of all, we can demonstrate Hildebrand's presence on Italian soil in mid-May,<sup>53</sup> and furthermore mentions of the arrival of the Roman deputation at the Diet in Augsburg in June 1058 would not make sense in this scenario. As such, the search for Benedict's rival candidate must have taken place following Hildebrand's return.

The trickiest question remains determining who, where and when the decision to elect Bishop Gerhard of Florence new Pope was made. Peter Damian insists that the election was run by the cardinal bishops and other

<sup>52</sup> The activity of the reformist papacy in the south of the Italian peninsula was investigated by KLEWITZ, pp. 137–156, and Herde in more recent publications (P. HERDE, *Das Papsttum und die griechische Kirche in Süditalien vom 11. bis zum 13. Jahrhundert*, in: *Deutsches Archiv für Erforschung des Mittelalters*, 26, 1970, pp. 1–46; HÄGERMANN, pp. 89–93, 145–164 etc).

<sup>53</sup> See P. F. KEHR, *Papsturkunden in Italien*, Vol. 3, Città del Vaticano 1977, No. 1, p. 166.

Roman refugees on their own initiative. If this had not been the case, and all the important aspects took place at the Regent's court as Lambert of Hersfeld claims, then the clear diction of Nicholas II's electoral decree of spring 1059 somewhat loses its importance. According to him, the papal selection was primarily to be an affair of the cardinal bishops who subsequently co-operated with the rest of the cardinals, clergy and the people in order to reach agreement on the suitable candidate.<sup>54</sup> It isn't easy to reconcile these two approaches. There is the possibility that before leaving for Augsburg, the cardinals undertook a kind of "pre-selection" and the nomination of the candidate was subsequently submitted by the envoys for appraisal or approval of the King. At first appearance, such an approach would correspond to Nicholas's electoral decree and the concept of the *Annals of Niederaltaich* and would essentially not conflict with most other sources (*Montecassino Chronicle*, Bonizo of Sutri).

Lambert remains alone in his claim that Gerhard's nomination was suggested in Augsburg. Certain discrepancies, however, might testify in his favour. The first relates to the character of the Bishop of Florence himself, who had not previously been one of the major reformists. The question therefore logically arises as to how the cardinals could have found agreement on him. We cannot rule out the possibility that he had previously maintained relations with the papal and curial environments and had supporters there. This is not particularly likely, however. Sources do show, however, that the cardinals co-operated closely with the ruler of Lorraine and Tuscany, Duke Godfrey, at this complicated and uncertain time. It is more than likely that it was he who came up with the proposal of making the bishop of a city under his influence Pope, with whom he could have closer relations. At the moment of the death of Godfrey's brother Frederick (Stephen IX), the Duke found himself in Florence with the papal escort and undoubtedly, he wanted to maintain his influence in royal and papal politics. It was thus undoubtedly, he who sided with the cardinals, providing them with the necessary support and in

<sup>54</sup> In his thoughts on Nicholas's decree, H-G Krause did not see any major conflict in the diction of the text (KRAUSE, pp. 64–69, respectively 85–105), i.e. he only looks at the method of election through the clergy and people, although this does not affect the Emperor's rights. As such, a selection of a candidate may have taken place at the Imperial court, and this could then have been (canonically) chosen in the above detailed way. In this case, the entire benefit of Nicholas's decree would have been in the declaration of the primary status of the cardinal bishops, who would, however, only be fulfilling the previously declared Emperor's will.

subsequent discussions on finding the optimum candidate for the Papacy proposed, or even directly imposed, Gerard, Bishop of Florence. Of no less importance was his usefulness in gaining consent to nominations at the Royal Court. Negotiators in Augsburg could rely on his influence and intercession, as well as on his subsequent military and diplomatic support in Italy.

At first sight, another problematic point would appear to be the more than half a year time period which went by from the moment of Gerhard's selection and his approval in Augsburg (June 1058) to his final confirmation at the synod in Sutri in January 1059 when the process reach its culmination.<sup>55</sup> If Duke Gerhard and the cardinals had a clear interest in promoting "their" pope, this half-year delay would seem to be unnecessarily risky. The incumbent pope, Pope Benedict, would have been able to acquire more supporters in the meantime, boosting his influence in Central Italy, and we cannot discount the possibility he may have attempted to acquire recognition from the Royal court. On the other hand, we need not look at the half-year length of preparations as being overly long. The Duke had to collect the necessary military forces and his Church allies certainly weren't idle either – a list of the subsequent participants in the synod in Sutri and in Rome confirms the significant number of Church prelates from Tuscany, Lombardy, and from Central and Southern Italy. If some sources gloss over Hildebrand's activities amongst Roman society positively or critically, this may reflect how his acts were perceived at that time. We cannot, however, ignore one important aspect, specifically Agnes as Regent attempting to restore the Emperor's position on the Italian peninsula. Although Duke Godfrey of Lorraine co-ordinated his policies with the Imperial court, he also defended his own interests within Italian territory. As such, it was in the Regent's interests to secure the Emperor's immediate influence in Italy. At the Diet in Augsburg, she installed Wibert of Parma in the important post of Italian Chancellor following the dismissal of the previous holder, Günther.<sup>56</sup> It is likely, then, that during this interim period the new chancellor was building up his position and a few month's delay was not significant – with the blessing of the Imperial court Wibert could have the mandate to undertake the final

---

<sup>55</sup> Several Lombardy and Tuscan bishops came together at the synod with the clear objective of confirming Gerhard's papal legitimacy, see GRESSER, p. 42.

<sup>56</sup> J. ZIESE, *Wibert von Ravenna. Der Gegenpapst Clemens III. (1084–1100)*, Stuttgart 1982, pp. 17–18.

confirmatory steps prior to Gerhard's imposition as Pope, and the new Chancellor may have done so once he was sure of his status.

In contrast to most previous research, I do not think that any other formal votes were held during this interim period, regardless of whether these confirmed the previous pre-selection or implemented the mandate acquired in Augsburg. German historian Hans-Georg Krause, who strongly defended his position on designation at the Imperial court and cardinal elections in Siena, rejected any other alternatives with the conviction that sources confirm that the Regent had the final word, and the cardinals subsequently fulfilled her will. In his key monograph, not only does he negate any kind of "pre-selection" by the cardinals prior to the envoys' departure for Augsburg, but he also rejects any other attempts by his colleagues<sup>57</sup> to situate Gerhard's election anywhere other than at the end of 1058, ideally on 6 December on St Nicholas's feast day.<sup>58</sup> His arguments are based, amongst other matters, on the impossibility of two elections (all sources speak of only one election on Italian soil and negotiations at the Imperial court) and logical reasons for the December date. I am not going to go back to the above detailed argumentation, in which I have attempted to demonstrate the admissibility, or even likelihood, of the negotiations of the cardinal bishops and their supporters prior to their deputation's departure for the Imperial court. I want to focus attention more on the argument made that a formal election must have taken place after the consent to, or confirmation of, Gerhard of Florence at the Augsburg Diet. One must point out that no such act needs to be assumed.

All sources analysed above either mention the cardinal election and subsequent approval by the Emperor, or direct discussions at the Imperial court. An assumption postulating electoral activity after the Augsburg Diet is only a construction which does not necessarily follow from the wording of the texts. Krause bases it on his conviction of the Imperial designation in Augsburg after which the Church election testified in other sources naturally had to come. For other researchers who assume the cardinals negotiated period to the Augsburg Diet, however, this is merely

---

<sup>57</sup> He focused his criticism in particular on A. Michel and both his studies (*Papstwahl und Königsrecht oder das Papstwahlkonkordat von 1059* and *Das Papstwahlpactum von 1059*, in: *Historisches Jahrbuch*, 59, 1939, pp. 291–351), and the first part of Augustin Fliche's classic work, *La réforme grégorienne* (Louvain 1924), which looks at the ideological roots and first acts of the reformist movement.

<sup>58</sup> KRAUSE, p. 65–68.

unjustified speculation – no additional formal procedures needed to take place. If Gerhard's nomination was agreed to in Augsburg, his legitimacy was assured and one can assume merely a declaration of the state, as evidenced by the synod in Sutri in early 1059. The relevancy of this thesis can be based on two arguments. First of all, none of the sources include data on the date the election took place, which is unique compared to previous and subsequent elections.<sup>59</sup> Sources simply do not know of any date for Nicholas II's election, and neither can they know because his selection occurred both at the meeting in Siena after the refugees from Rome met up with Hildebrand returning from the Imperial mission (probably in May 1058), and also at the Augsburg Diet where the cardinal nomination was confirmed. No other election process in the formal sense needed to take place, nor likely did take place.<sup>60</sup>

Nor does the attempt at inferring Gerhard's election to December 1058 from his name stand up to scrutiny. There is no dispute, of course, that it was a common custom to accept a papal name according to the saint upon whose feast day the papal election took place. This is evidenced, for example, in Nicholas's predecessor, Stephen IX. But this was not a fixed rule and I consider basing the date and very existence of an election on this possibility to be pure speculation. We cannot at all preclude the option, for example, that Gerhard adopted his new name as an expression of the expectations of the reformists in a strong papacy along the line of Nicholas I's, which would correspond to the increasing self-confidence of the Curial group. Similarly, another real possibility links Nicholas to the south of the Italian peninsula and the necessity for intensive resolution of relations with the Christian East and South of the Italian peninsula during the pontificate. And as in many other cases, the papal name may have referred to the elected cleric's relationship to the particular saint, whether it be a personal or family one, or one linked to his birthplace, etc.<sup>61</sup>

---

<sup>59</sup> For all previous and subsequent elections, the same sources I used in analysing Nicholas's election give a clear date for the Pope's election. For Victor II this is March 1055, for Stephen IX 2 August 1057, for Alexander II 30 September 1061, Honorius II 28 October 1061, and Gregory VII 22 April 1073.

<sup>60</sup> Dieter Hägermann favoured the same conclusion in his research, see HÄGERMANN, pp. 74–80.

<sup>61</sup> Hergemöller looks at various options for choosing a papal name in the reformist period, see B.-U. HERGEMÖLLER, *Die Namen der Reformpäpste (1046–1145)*, in: *Archivum Historiae Pontificiae*, 24, 1986, pp. 14–15.

## Conclusion

Like other important documents which influenced the direction of the mediaeval Church in a fundamental way, Nicholas II's electoral decree *In nomine Domini* came about within specific social and ecclesiastical-political circumstances. It was determined not just by the noble ideals and considerations of Church reformists regarding the optimal nature of the Church, but also by an immediate response to prevailing problems and an attempt at achieving purely practical goals. The submitted analysis of the elections of Stephen IX, Benedict X and Nicholas II is therefore a necessary supplement to the theological and legal analyses which endeavour to clarify the questions which are linked to Nicholas II's electoral decree. The complicated and inconsistent view of events at the end of the 1050s also confirms how misleading our ideas of the deliberate and targeted shaping of Gregorian reforms may be.<sup>62</sup>

A perception of the new electoral order as a fixed and binding rule determining the behaviour of actors in electoral negotiations is entirely misleading upon a closer inspection of the individual elections which were held both prior to its issuance and after it. Instead, a marked variability and flexibility in applying the rules to specific situations is shown, as well as the ability of electors to adjust their actions to prevailing needs. Ultimately, one thus needs to interpret the elections prior to the change in electoral rules with great care and grasp the testimony of individual sources in close connection to the motivations of their authors at the time they were written. Similarly, we cannot exclude the idea that some or even most of these past texts are actually reflecting the thoughts of their time on the desirable reinterpretation of Nicholas's decree in the 1070s and 1080s.

---

<sup>62</sup> For the context of the ideological and legal formation of the Gregorian reform, see V. VLADÁR, Gregoriánská reforma a rímské právo, in: V. KNOLL (ed.), *Acta historico-iuridica Pilsnensia*, 2, 2017 (*Římské právo a křesťanství*), Plzeň 2018, pp. 143-193.