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Counsel amidst Uncertainty

Conceptual Traditions of *Consilium* and Their Medieval Adaptations, c. 1150 – c. 1270

EMILIE LAVALLÉE

Cover image:
A miniature of Charlemagne taking counsel,
from *Les Grandes Chroniques de France*,
British Library, MS Royal 16 G VI, f. 158v.

COUNSEL AMIDST UNCERTAINTY:
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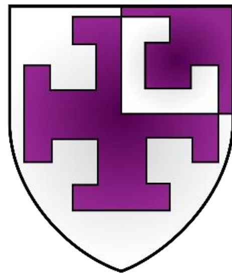

Emilie Lavallée
St Cross College
University of Oxford

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Abbreviations

Citation details are kept to a minimum in the footnotes –
see the bibliography for full details.

AFH	*Archivum Franciscanum Historicum*
AHR	*The American Historical Review*
Albertus Magnus, *In [I-IV] Sent.*	Albertus Magnus, *Commentarii in libri sententiarum*, ed. Étienne César Auguste Borgnet, *Opera omnia* 25-30 (Paris, 1893-4).
Aquinas, *In [I-IV] Sent.*	Aquinas, *Commentum super libros sententiarum Magistri Petri Lombardi*, ed. Stanislas Edouard Fretté and Paul Mare, Divi Thomae Aquinatis opera omnia 7-10 (Paris, 1873).
Aquinas, *SLE*	*Sententia libri Ethicorum*, Editio Leonina, 2 vols. (Rome, 1969); trans. C. I. Litzinger, *Commentary on the Nicomachean Ethics* (Chicago, 1964).
Aristotle, *Ethica*	*Ethica Nicomachea: translatio Roberti Grosseteste Lincolniensis, sive Liber Ethicorum (Recensio Pura*), ed. Renatus Antonius Gauthier, vol. XXVI/3 (Leiden, 1972).
Bernardi opera	S. Bernardi Opera, ed. J. Leclercq and H.M. Rochais (Rome, 1957- 98)
BL	London, British Library
BM	Bibliothèque municipale
BnF	Paris, Bibliothèque nationale de France
Bodleian	Oxford, Bodleian Library
Bonaventure, *In [I-IV] Sent.*	Bonaventure, *Commentaria in quatuor libros Sententiarum,* Opera omnia 1-4

Bonaventure, Opera omnia	Doctoris Seraphici S. Bonaventurae Opera Omnia, ed. Collegium S. Bonaventurae, 10 vols. (Quaracchi, 1882-1902).
CCCM	Corpus Christanorum Continuatio Mediaevalis
CCME	*The Cambridge Companion to Medieval Ethics*, ed. Thomas Williams (Cambridge, 2018).
CCSL	Corpus Christianorum Series Latina
CHMPT	*The Cambridge History of Medieval Political Thought c. 350-c. 1450*, ed. J. H. Burns (Cambridge, 1988).
CMj	Matthew Paris, *Chronica majora*, ed. Henry Richards Luard, Roll Series, 7 vols. (London, 1872).
CSEL	Corpus Scriptorum Ecclesiasticorum Latinorum
DBM	*Documents of the Baronial Rebellion*
DG&LA	Bernard of Clairvaux, *Liber de gratia et de libero arbitrio*, ed. J. Leclercq and H.M. Rochais, Bernardi opera 3, pp. 165-203.
DMLBS	*Dictionary of Medieval Latin from British Sources,* ed. Richard Ashdowne, D. R. Howlett and R. E. Latham, 3 vols. (Oxford, 2018).
DSA	Aelred of Rievaulx, *De spiritali amicitia,* II.59, ed. Anselm Hoste, *Opera omnia* (Turnhout, 1971).
Etymologiae	Isidore of Seville, *Etymologiarum sive originum libri XX*, VI.xvi.12-13, ed. W. M. Lindsay (Oxford, 1911); trans. Stephen A. Barney, *The Etymologies* (Cambridge, 2006).
Glossa	*Biblia latina cum Glossa ordinaria*, eds. Karlfried Froehlich and Margaret T. Gibson (Turnhout, 1992).

Humbert de Romans, *Sermones* I	Humbert de Romans, *De eruditione religiosorum praedicatorum*, liber II, tract. I (*De modo prompte cudendi sermones circa omne genus hominum*) ed. Joseph Catalan, vol. 2 (Rome, 1739), pp. 78-210.
Humbert de Romans, *Sermones* II	Humbert de Romans, *De eruditione religiosorum praedicatorum*, liber II, tract. II (*De modo prompte cudendi sermones circa omne negotiorum genus*), ed. Joseph Catalan, vol. 2 (Rome, 1739), pp. 210-364.
LC&C	Albertanus of Brescia, *Liber consolationis et consilii*, ed. Thor Sundby (London, 1873).
MDP	*Moralium dogma philosophorum*, ed. John Holmberg (Uppsala, 1929).
MG&R	Rita Copeland and Ineke Sluiter, *Medieval Grammar and Rhetoric: Language Arts and Literary Theory, AD 300-1475* (Oxford, 2009).
PG	*Patrologia Graeca,* ed. J.P. Migne (Paris, 1857-66)
PL	*Patrologia Latina,* ed. J.P. Migne (Paris, 1841-55)
RaH	*Rhetorica ad Herennium*
RHGF	*Receuil des historiens des Gaules et de la France*
RLS	Johannes Baptist Schneyer, *Repertorium der lateinischen Sermones des Mittelalters für die Zeit von 1150-1350*, 11 vols. (Münster, Westfalen, 1969-90).
RSB	Benedict of Nursia, *Rule of Saint Benedict: in Latin and English*, ed. Justin McCann (London, 1952).
[I-IV] *Sent.*	Peter Lombard, *Sententiae in IV libris distinctae* (Grottaferrata, 1971-81).
Somnium	Jean de Limoges, *Morale somnium Pharaonis*, ed. Konstantin Horváth (Veszprém, 1932).

SRSB	*Sermones in Regulam s. Benedicti: Ein Zisterziensischer Regelkommentar Aus Pontigny,* ed. Jörg Sonntag (Berlin, 2016).
ST	Aquinas, *Summa theologiae: Latin Text and English Translation*, ed. Thomas Gilby, 61 vols. (Cambridge, 1964-1981).
Treasure	Brunetto Latini, *The Book of the Treasure,* trans. Paul Barrette and Spurgeon W. Baldwin (New York, 2008).
Tresor	Brunetto Latini, *Li livres dou tresor*, ed. Spurgeon W. Baldwin and Paul Barrette (Tempe, AZ, 2003).

All canon law citations from the *Decretum* and *Liber Extra* (X) are cited from the *Corpus iuris canonici*, ed. E. A. Friedberg, 2 vols. (Leipzig, 1879-81).

Roman law citations from the *Digest* (*Dig.*) and *Codex* (*Cod.*) are cited from the *Corpus iuris civilis*, ed. Paul Krueger, Theodor Mommsen, and Rudolf Schoell, 3 vols. (Berlin, 1872-95).

For conventions of canon and Roman law citation, refer to James Brundage, *Medieval Canon Law* (London, 1995), pp. 190-205.

Classical Greek and Roman works, unless otherwise indicated, are cited from the Loeb Classical Library editions – see the bibliography for full details.

Introduction

Consilium est inquisitio de rebus dubiis.

Counsel is an inquiry concerning uncertain things.

Aquinas, *Summa theologiae,* I-II q.14 a.1 arg. 3.

The medieval period is often depicted as an age characterised by certainty of faith, yet the lives of those who inhabited it were equally and very consciously characterised by doubts and uncertainties, both spiritual and temporal.[1] Churchmen in particular often reflected on what they regarded as the perilous state of the world, in the face of which choosing the correct course of action for any given circumstance had become a fraught and uncertain business. The English Franciscan Adam Marsh († 1259) referenced such doubts and anxieties often as he wrote to friends and fellow churchmen, confessing in one letter to Robert Grosseteste, bishop of Lincoln, 'For some days past, more than usually, I know not what should be done about these things which affect the profession of both your holiness and my wretched self'.[2] Amidst the shadowy and dangerous uncertainties of their transitory age, Adam and his interlocutors therefore continually turned to the illumination of counsel (*consilium*), both divine and human, to provide the necessary mitigation to their doubts and to aid their decision-making.[3] Similarly, the prolific preacher Eudes de Châteauroux († 1273), when preaching before a council convoked to address the uncertain threat posed by the Mongols, chose his sermon's theme from Ecclesiasticus 37:20, 'Before

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[1] See Sabina Flanagan, *Doubt in an Age of Faith: Uncertainty in the Long Twelfth Century* (Turnhout, 2008).

[2] *The Letters of Adam Marsh*, no. 38 (undated, to Robert Grosseteste), ed. and trans. C. H. Lawrence (Oxford, 2006), vol. 1, pp. 110–11.

[3] Emilie Lavallée, 'Lights in the Darkness: Counsel, Deliberation, and Illumination in the Letters of Adam Marsh', in *Early Thirteenth-Century English Franciscan Thought*, ed. Lydia Schumacher (Berlin, 2021). On Adam Marsh, see also below, pp. 52–54 and pp. 206–208.

every action, stable counsel [*consilium stabile*]'.[4] 'If any action ever needed stable and discerning counsel,' he warned his audience, 'it is especially that action or business for which you have been summoned … on account of the danger which it brings, on account of its depth, on account of its immensity and gravity.'[5] The oft repeated request for 'counsel and aid' (*consilium et auxilium*) in medieval texts reflects the value which was placed upon the directive advice of counsel, alongside the assistance of more material aid: according to Gregory the Great, aid is more fitting when matters are already clear and ascertained (*aperta et cognita*), but it is counsel which is best when matters are doubtful and obscure (*ambigua et obscura*).[6]

Medieval conceptions of *consilium* are complex and multifaceted, but at its core its usage – whether taking the form of internal deliberation, interpersonal advice, or multilateral discussion – reflected an awareness of the world as an uncertain place and of the future (at least for finite humans) as dependent upon shifting and often unknowable contingencies. Indeed, so intrinsic was uncertainty to the practice of counsel that medieval theologians were required to go to particular lengths to explain how counsel, listed as one of the gifts of the Holy Spirit, could thereby have a place in heaven, where no doubt or uncertainty could exist.[7] On earth, meanwhile, it was counsel which could survey the uncertain field,

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[4] *RLS* 4,463, no. 844, rubricated *'In concilio pro negotio tartarorum'*. Arras BM, MS 137, ff. 60v–62v; edited (with errors) in Antti Ruotsala, *Europeans and Mongols in the Middle of the Thirteenth Century* (Helsinki, 2001), pp. 156–61. The sermon was likely preached during the latter half of 1241, shortly after the death of Gregory IX: Ruotsala gives a date of 1241/3, and Alexis Charonsonnet, 'L'université, l'église, l'état dans les sermons du Cardinal Eudes de Châteauroux (1190? – 1273)' (Thèse de doctorat, Université de Lyon, 2001), ch. 1, sec. 3(d), dates it from the end of August to the end of October 1241. However, Peter Jackson argues from internal evidence for a later date of 1261, after the death of Alexander IV: *The Mongols and the West, 1221–1410* (Harlow, 2005), p. 153n12.

[5] '*Si aliquis actus unquam indiguit consilio stabili et discreto maxime actus iste vel negotium pro quo vocati estis … propter periculum quod affert secum, propter profunditatem, propter suam immensitatem et gravitatem.*' MS 137, f. 61vb.

[6] Gregory the Great, *Expositiones in primum librum Regum* (PL 79:373–4). While historians often consider '*consilium et auxilium*' as obligations owed by a vassal to his lord, the formulation is also ubiquitous in clerical texts: see Andrew Willard Jones, *Before Church and State: A Study of Social Order in the Sacramental Kingdom of St. Louis IX* (Steubenville, OH, 2017), pp. 249–59.

[7] See below, Chapter 1, pp. 39–41.

consider the circumstances, weigh priorities, count the cost, and form a plan of action with which to proceed – in all its forms, counsel was continually directed towards future action.

Understanding a concept like 'counsel' requires more than the definition of its terms – historical concepts also require an understanding of 'the range of things that can be done with [them]' and the issues and discourses to which they may be applied.[8] Few significant historical studies have directly explored *consilium* as an intellectual concept, particularly as it was framed prior to the fourteenth century. What scholarship does exist on the concept or practice of medieval counsel has often been confined to a single genre of texts, whether theological,[9] rhetorical,[10] literary,[11] legal,[12] or political.[13] In reality, of course, medieval intellectuals rarely respected such boundaries, either as writers or as thinkers.[14] The

[8] Quentin Skinner, 'A reply to my critics', in *Meaning and Context*, ed. James Tully (Princeton, 1988), pp. 283.

[9] e.g. Maria Luisa Picascia, 'La concezione teologica di *donum consilii*. Patristica latina e cultura monastica del XII secolo', and Barbara Faes de Mottoni, 'Profezia e *consilium*: «Deus mutat sententiam, non consilium»', in Carla Casagrande, Chiara Crisciani, and Silvana Vecchio (eds.), *Consilium: teorie e pratiche del consigliare nella cultura medievale* (Florence, 2004).

[10] e.g. Shawn Ramsey, '*Consilium*: A System to Address Deliberative Uncertainty in the Rhetoric of the Middle Ages', *Advances in the History of Rhetoric* 15:2 (2012).

[11] e.g. Geraldine Barnes, *Counsel and Strategy in Middle English Romance* (Cambridge, 1993); Judith Ferster, *Fictions of Advice: The Literature and Politics of Counsel in Late Medieval England* (Philadelphia, 1996); Rosemarie Deist, *Gender and Power: Counsellors and Their Masters in Antiquity and Medieval Courtly Romance* (Heidelberg, 2003); and Misty Schieberle, *Feminized Counsel and the Literature of Advice in England, 1380–1500* (Turnhout, 2014). Several unpublished literary studies have also examined the broader concept of medieval counsel, e.g. Matthew Christopher Giancarlo, '"Al Nys but Conseil": The Medieval Idea of Counsel and the Poetry of Geoffrey Chaucer', PhD diss. (Yale University, 1997).

[12] e.g. Corinne Leveleux-Teixeira, 'Opinion et conseil dans la doctrine juridique savante (XIIe–XIVe siècle)', in Martine Charageat and Corinne Leveleux-Teixeira (eds.), *Consulter, délibérer, décider: donner son avis au Moyen Âge* (Toulouse, 2010); Martine Charageat (ed.), *Conseiller les juges au Moyen Âge* (Toulouse, 2014); R. H. Helmholz, 'Counsel in the Medieval Canon Law', *Bulletin of Medieval Canon Law* 37:1 (2020).

[13] e.g. J.E.A. Jolliffe, *Angevin Kingship*, 2nd ed. (London, 1963), pp. 166–88; John Hudson, 'Henry I and Counsel', in *The Medieval State*, ed. J.R. Maddicott and D.M. Palliser (London, 2001); J.R. Maddicott, *The Origins of the English Parliament, 924–1327* (Oxford, 2010), pp. 86–96. More consideration has been given to political counsel in the later medieval and early modern period, e.g. John Watts, 'The Counsels of King Henry VI, c. 1435–1445', *English Historical Review* 106:419 (1991); John Guy, 'The Rhetoric of Counsel in Early Modern England', in Dale Hoak (ed.), *Tudor Political Culture* (Cambridge, 1995); Jacqueline Rose (ed.), *The Politics of Counsel in England and Scotland, 1286–1707* (Oxford, 2016); Joanne Paul, *Counsel and Command in Early Modern English Thought* (Cambridge, 2020).

[14] A brief but more nuanced discussion of *consilium* appears in Jeannine Quillet, 'Community, Counsel and Representation', in *CHMPT*, pp. 545–54; more wide-ranging considerations also appear in Casagrande et al. (eds.), *Consilium: teorie e pratiche* (Florence, 2004); Charageat and Leveleux-Teixeira (eds.), *Consulter, délibérer, décider:*

terminology of counsel in its various forms was derived from a wide spectrum of sources, from classical rhetoric to biblical *exempla,* all of which contributed to the contemporary definition and limits of counsel. By the twelfth and thirteenth centuries, the concept of *consilium* was associated with terminology and conceptions from multiple overlapping forms of discourse – what J.G.A. Pocock refers to as 'languages': shared idioms, rhetorics and paradigms employed by writers, often in a composite and multi-layered manner – both longstanding and inherited (such as the language of patristic exegesis), and more recently emerging (such as the languages of canon law and scholasticism). Historians only learn such 'languages' through the widespread and extensive reading of a variety of contemporary texts, taking in sources beyond the established corpus of 'major' works.[15] This thesis adopts such an approach, focusing upon readers and writers, and the wide range of texts with which they interacted, rather than upon a single genre. It is thereby able to elucidate more effectively the complicated paradigms within which counsel was situated and the linguistic toolbox of allusions, associations, and definitions which medieval writers had at their disposal. This thesis also joins recent historiographical discourse by historians such as Jacqueline Rose and Joanne Paul which shifts attention from assemblies and councils (i.e. formal institutional bodies) to counsel in the broader sense of advice provided through dialogue, debate and discussion.

Language may be inherited, but it is also employed, often very intentionally, and such intentions are necessarily influenced and shaped by the language contexts from which the employed terminology has been drawn. While many of the 'languages' in which counsel was discussed, such as canon law, were highly institutional, and therefore influenced by

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donner son avis au Moyen Âge (Toulouse, 2010); and Patricia Rochwert-Zuili and Hélène Thieulin-Pardio (eds.), *Conseil, conseillers et conseillères en péninsule Ibérique au Moyen Âge*, *e-Spania* 12 (2011).

[15] Pocock, 'The Concept of a Language and the *métier d'historien*', in *The Languages of Political Theory in Early-Modern Europe*, ed. Anthony Pagden (Cambridge, 1987), pp. 23. Early modernists have attempted some broad categorizations of 'languages of counsel'. Guy, for example, identifies two in the sixteenth-century, 'humanist-classical' and 'feudal-baronial', while Rose adds a third, 'ecclesiastical counsel': 'Rhetoric of Counsel', pp. 292–99; Jacqueline Rose, 'Kingship and Counsel in Early Modern England', *Historical Journal* 54:1 (2011), pp. 49–53.

changing institutional contexts, they also moved beyond the settings in which they were developed to influence (and be influenced by) thinking around counsel in wider society. Understanding how a concept such as counsel is used therefore requires a dynamic form of conceptual history (*Begriffsgeschichte*) in which the concept, rather than being conceived as a disembodied and relatively constant "Idea", is instead seen to both influence and respond to the social, political, and intellectual contexts to which it is applied.[16]

Specifically, this thesis focuses on conceptions of counsel within the intellectual milieu of England and France from c. 1150 to c. 1270, referencing, where necessary, the use of authorities from classical, patristic, and earlier medieval texts as well. With a topic as ubiquitous and pervasive as counsel, one cannot hope to be comprehensive; instead, the aim of this thesis is to provide an analytical survey of the underpinnings of intellectual conceptions of counsel during this period through an examination of both contemporary works and the authorities upon which they frequently relied. Investigating *consilium* on both sides of the Channel grounds the inquiry in the broader intellectual culture influencing both English and French schools and courts, while the period between c. 1150 and c. 1270 encompasses the important intellectual and cultural effects of the school of Peter the Chanter, the Fourth Lateran Council, and the rise of the universities and mendicant orders, ending just as the Latin translation of Aristotle's *Politics* began to usher in significant changes in political language and ideas and as the increasing institutionalisation of government further blurred the distinction between counsel and the bodies which provided it.[17] Nearly all of the twelfth- and thirteenth-century texts considered here were written by educated clerics, many of whom were educated in the schools and were students and/or masters at Paris or Oxford, or moved between the

[16] Melvin Richter, 'Reconstructing the History of Political Languages', *History and Theory* 29, no. 1 (1990), pp. 41–2.

[17] On this blurring, see Jacqueline Rose, 'The problem of political counsel in medieval and early modern England and Scotland', in *The Politics of Counsel,* p. 7.

two.[18] Some had occasion to find practical application for their ideas regarding counsel as they served as abbots, prelates, bishops, or in other positions of ecclesiastical authority. Many were also involved – to varying extents – with secular political affairs, including serving as counsellors to secular rulers.[19] While the focus of this thesis remains on ideas within this particular intellectual milieu, therefore, it will also consider how these ideas were transmitted into the 'real' world, passing from clerical intellectuals to lay people in positions of authority by means of letters, advisory treatises, and face-to-face conversations as the language and associations with which counsel was surrounded worked to shape the ways in which contemporaries viewed and presented their own reality.[20]

The Semantic Range of *Consilium* and its Cognates

Due to its rich and multidimensional complexity, the term *consilium* carries numerous valences. The twelfth-century theologian Alan of Lille listed eight different meanings for the term within a theological context alone, ranging from deliberation within one's own soul to various specific theological concepts, such as one of the seven gifts of the Holy Spirit.[21] More broadly, writers might use *consilium* to refer to an individual's personal intention or plan, or to personal qualities such as prudence and foresight which would enable one to make such plans; *consilium* could also refer to the practice of consultation and

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[18] The majority of English bishops, for example, possessed a university education by the mid-thirteenth century, creating bonds in both outlook and relationships: Sophie Ambler, *Bishops in the Political Community of England, 1213–1272* (Oxford, 2017), pp. 13–14.
[19] This remains an understudied group. On the general rise of clerical court service, see John W. Baldwin, *Masters, Princes, and Merchants: The Social Views of Peter the Chanter and His Circle* (Princeton, 1970), pp. 175–204; Hugh M. Thomas, *The Secular Clergy in England, 1066–1216* (Oxford, 2014), pp. 117–53.
[20] Excellent studies of this period demonstrating the value of exploring the intersection of intellectual theory with legal and political practice include Robert Bartlett, *Trial by Fire and Water: The Medieval Judicial Ordeal* (Oxford, 1986); John Sabapathy, *Officers and Accountability in Medieval England 1170–1300* (Oxford, 2014); and Philippa Byrne, *Justice and Mercy: Moral Theology and the Exercise of Law in Twelfth-Century England* (Manchester, 2019).
[21] Alan of Lille, *Regulae theologicae*, s.v. '*consilium*' (PL 210:750).

deliberation amongst multiple people, to the advice itself given or received, or, by extension, to a group of people engaged in these practices.[22]

In addition to various synonyms, such as *suasio* and *deliberatio,* the term is also accompanied in Latin by a crowd of cognates: verbs (*consulere, consiliare/consiliari*) and verbal phrases (*capere/dare/habere/inire consilium*), nouns describing both the act (*consiliatio*) and the actor (*consiliarius, consiliator, consultor*), and numerous modifiers. Many of these modifiers translate poorly into modern English, which lacks sufficient cognates for 'counsel', requiring resort to related synonyms of 'deliberation' and 'advice' (e.g. *consulte,* 'deliberately, advisedly'; *consultus,* 'advisable'; *consiliabilis,* 'able to be deliberated upon').[23] Further connotations were added by *consilium*'s inclusion in many common medieval phrases, such as the ubiquitous pairing of *consilium et auxilium,* the expression of participatory consensus with *'commune consilio'* ('by common counsel'), or the admonitory epistolary greeting '*spiritum consilii sanioris*' (wishing its recipient 'a spirit of sounder counsel', thereby indicating the need for corrective direction).[24] At any point, *consilium* might occupy various positions along several spectra: between in-process deliberation and settled plan, between individual and multilateral involvement, and between divine and human insight.

Modern discussions of the term *consilium* often remark upon its close relationship with *concilium,* a term denoting a formal assembly or (often ecclesiastical) council.[25] It is worth

[22] The *DMLBS* defines *consilium* as (1a) consultation, discussion; (b) counsel, advice; (c) decision, judgement; (d) plan, course of action; (e) purpose, intention; and (f) practical wisdom, prudence – in addition to its more technical legal or conciliar meanings. See also Peter the Chanter, *Distinctiones Abel,* s.v. '*consilium*', ed. Stephen A. Barney (Turnhout, 2020), p. 133, which divides *consilium* into counsel given *to* the just (i.e. evangelical counsels), counsel given *by* the just (e.g. counsel of Solomon), and counsel undertaken *amongst* the just (i.e. in religious community).
[23] See *DMLBS*; Rose, 'Problem of Political Counsel', in *Politics of Counsel*, pp. 6–7.
[24] This latter phrase was recommended by the *dictamina* for addressing those to whom the conventional greeting of salvation ('*salutem*') would be inappropriate, such as to non-Christians, excommunicants, or those deemed to be in error, e.g. Guido Faba, *Summa dictaminis,* LXII, ed. A. Gaudenzi, *Il Propugnatore* 3 (1890), p. 327.
[25] e.g. Pierre Michaud-Quantin, *Universitas: expressions du mouvement communautaire dans le moyen-age latin* (Paris, 1970), pp. 135–41.

clarifying from the outset, therefore, that a clear distinction between these words, between 'counsel' and 'a council', goes back to classical and Vulgate usage: a verse in Isaiah, for example, reads, '*Ini consilium, coge concilium'* – 'Take counsel, gather a council'.[26] Medieval lexicographers were quite clear in their recognition of this distinction: where both *concilium* and *consilium* are considered in their works, they are listed as distinct words, with distinct definitions, although etymological explanations, following Isidore's *Etymologiae,* did often note a close relationship between the two terms.[27] According to Isidore, the word *concilium* is taken from Roman practice, for when issues were to be discussed, everyone gathered together to discuss them with common purpose; *concilium* therefore takes its name from this common purpose, as if it were '*com + cilium*', for *cilia* ('eyelids') pertain to the eyes – in other words, the word *concilium* reflects a kind of looking or seeing together. Isidore also noted the difference of a single letter between *considium* (literally, 'a sitting together', i.e. an assembly) and *consilium*.[28] These definitions were frequently repeated.[29] In the thirteenth century, for example, the Dominican Humbert de Romans references them (via the *Decretum*) in his model sermon on church councils, referring to the manner in which 'everyone aligns into one vision of mind [*intuitum mentis*]'; *concilium* is named from *con-* and *cilium* because 'everyone from the council ought to have a vision and purpose of mind fixed on one [goal], namely on those things which are of God.' He notes that the word *consilium* ultimately takes its name from the verb 'to sit together' (*consedere*), because the *maiores* sit together for counsel with maturity, according to the custom of discussions concerning any good.[30] Humbert also notes that *concilium* appropriately takes its name from *consilium*, since a *concilium* is antonomastically[31] called

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[26] Is. 16:3.

[27] Papias, *Elementarium doctrinae rudimentum* (Venice, 1496), s.v. '*concilium*', f. 37ra, and '*consilium*', f. 38rb; Giovanni Balbi, *Catholicon* (Paris, 1506), s.v. '*concilium*' and '*consilium*' [unpaginated].

[28] Isidore, *Etymologiae*, VI.xvi.12–13.

[29] e.g. Papias, *Elementarium,* f. 37ra*;* Hugh of St Victor, *Didascalicon*, IV.xii, ed. Charles Henry Buttimer (Washington, D.C, 1939), p. 87; *Decretum,* D.15 c.1(6).

[30] See also Aquinas, *ST*, I-II q.14 a.3 resp.

[31] *Antonomasia* is a rhetorical term for the use of a descriptive epithet in place of a precise name.

consilium, 'for the one who has to convene a council ought to diligently seek out counsel on those things which he intends to put forward in the council'.[32]

In a time when medieval institutions remained inchoate and flexible, the role and limits of counsel, its language and its setting, all stood to be affected by conceptual innovations shaping moral, rhetorical, and political expectations. While *consilium* was increasingly used metonymically in the thirteenth century to describe a body of advisors as well as the advice they gave (i.e. the *consilium regis*), such groups were not necessarily as institutionally defined as translations into English as 'the king's council' might imply.[33] Whereas *concilium* implied a formal public assembly convoked for a particular purpose – seeking consultation with its participants, often on matters pertaining to their interests, in the hope of achieving that 'one vision of mind' – the group making up a *consilium* acted, at least in theory, as an extension of the *consilium* which already existed within the mind of their superior or ruler and was therefore ostensibly acting to support his purposes.[34] Given the close relationship between *consilium* and *concilium* – and the sibilant pronunciation of 'c' after 'i' by the thirteenth century in Anglo-Norman and French regions which likely rendered them homonyms – it is not surprising that some blurring and confusion between the terms occasionally occurred.[35] However, this blurring has unfortunately been exaggerated in modern printed editions of thirteenth-century sources, as incautious medievalists of the nineteenth and twentieth centuries not infrequently mistranscribed *consilium* as *concilium*. While some mistranscriptions may be simply attributed to human error, others – as Gavin

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[32] Humbert de Romans, *Sermones* II, sermo I (*De conciliis*), pp. 210–11. Humbert takes *concilia* to refer specifically to ecclesiastical councils; his collection also provides models for preaching in synods, chapters, royal parliaments, and various other assemblies.

[33] Anglophone scholars face the difficulty of needing to choose between an institutional 'council' and the practice of 'counsel', one not encountered in romance languages which express both concepts with one word (e.g. French '*conseil*', Italian '*consiglio*'). Similarly, English speakers must choose between 'counsellor' and 'councillor'.

[34] The testing of this theory during the baronial rebellion of Henry III's reign is discussed further in the Conclusion below, pp. 270–278. See also Maddicott's discussion of 'familiar' versus 'assembly' counsel, *Origins of Parliament,* pp. 86–96.

[35] Andrew Collins, 'The English Pronunciation of Latin', *Cambridge Classical Journal* 58 (2012), p. 26.

Langmuir notes – were likely based on the flawed assumption that 'counsel must be reduced to a council, as if a function could not be performed without a recognized institutional body to perform it'.[36] As many of these editions (notably in the Rolls Series) are still in academic use, these mistranscriptions continue to muddy the waters.[37]

Consilium's verbal cognates, *consulere* and *consiliari*, also invited contemporary discussion. Medieval writers noted the dual nature of the verb *consulere*, which, combined with either the dative or accusative, could respectively indicate either the gift or the receipt of counsel. Huguccio of Pisa († 1210) summarises in his lexicographical *Derivationes*, 'And so one says: *Consulo te*, "I consult you", seeking your counsel; *tibi consulo*, "I counsel you", giving you counsel.'[38] This double valence could prove ambiguous, as Bonaventure († 1274) later found in his discussion on the proper action of Counsel as a gift of the Holy Spirit:[39]

> If you should say that counsel is not named from *consiliari* but rather from *consulere*, and the act of [the gift of] Counsel is *consulere* rather than *consiliari*, there is an objection to this, for *consulere* means two things: on the one hand, to seek [*quaerere*] counsel from another, and on the other, to give [*dare*] counsel.[40]

The gift of Counsel, according to Bonaventure, does not seek counsel (*consulere* + accusative), nor is its action primarily that of giving counsel to another (*consulere* + dative).

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[36] Gavin Langmuir, '*Per Commune Consilium Regni* in Magna Carta', *Studia Gratiana* XV (1972), p. 468. See also A.B. White, 'Was There a "Common Council" Before Parliament?', *AHR* 25:1 (1919), pp. 3–5.

[37] J. F. Baldwin responded to White's critique of his work with regard to the usage of *consilium* and *concilium* in the thirteenth century, citing numerous contemporary examples where *consilium/concilium* were used interchangeably. However, many of Baldwin's examples were taken from editions of the texts, at least several of which on further examination turn out to have been mistranscriptions of the original manuscript. Compare, for example, '*domino rege et concilio suo*' in the edition of *Annales de Burton* (*Annales Monastici,* ed. Luard, vol. 1, p. 253) with the *consilio* originally used in BL, Cotton MS Vespasian E III, f.25va. Baldwin, '*Concilium* and *Consilium*', *AHR* 20:2 (1915), p. 331.

[38] Huguccio, *Derivationes,* ed. Enzo Cecchini and Guido Arbizzoni (Florence, 2004), entry S129, p. 1095; derived from Osbern of Gloucester, *Panormia,* ed. Angelo Mai, *Thesaurus novus latinitatis* (Rome, 1836), p. 110. See also Albertanus of Brescia, *Liber consolationis et consilii* [hereafter *LC&C*], XI, p. 30.

[39] See below, Chapter 1, pp. 42–44. (Throughout this thesis, 'Counsel' capitalised refers specifically to the gift of the Holy Spirit.)

[40] Bonaventure, *In III Sent.* dist. 35 art. 1 q.4 arg. 4, vol. 3, p. 780.

Rather, the act of this spiritual gift falls between these two: it is to directly counsel or deliberate within oneself (*directe ipsum consiliari*). The verb *consiliari* can also bear multiple senses, however. Bonaventure responds to an objection that, according to John of Damascus, to deliberate or take counsel (*consiliari*) belongs to the ignorant: 'this is true, if it is *consiliari* which seeks counsel, but not if it is *consiliari* which directs [*dirigere*] the choosing of arduous things.'[41] These definitions reflect the internal deliberative and directive aspects of *consiliari,* which are lacking from the modern English connotations of 'counsel' – Papias (*fl.* 1050) defined the verb as 'to turn over within oneself, to judge, to learn by inquiry'.[42] Significantly, *consiliari* was also the term used by translators like Boethius and later Robert Grosseteste to render the word βούλεσθαι (*boulesthai*), 'deliberation', in Latin translations of Aristotle.[43]

The complexity of defining *consilium* and its cognates is reflective of its multifaceted nature. The very unity of its terminology, however, enabled the influence of one type of counsel to be readily felt upon the others: divine counsel had implications for human counsel, private deliberation for public debates. This thesis will accordingly explore *consilium* through four key contemporary conceptions: counsel as divine and spiritual direction (Chapter 1), counsel as deliberative choice and supererogatory action (Chapter 2), counsel as an intellectual and relational virtue (Chapter 3), and counsel as deliberative and persuasive discourse (Chapter 4). While this separation is necessary in order to explore counsel's various dimensions adequately, it will quickly become apparent that these perspectives and ideas often bled into one another, together forming different aspects of a holistic yet complex picture of medieval *consilium*. The primary sources which deal with each of these conceptions of counsel are taken from a diverse range of genres, including theology, philosophy, law, rhetoric, and historiography, recognizing that medieval intellectuals interacted with various combinations of such texts and that their ideas around counsel were shaped by multiple, interacting influences and traditions. Those people whose education allowed them to consider counsel deeply, from a number of different

[41] Bonaventure, *In III Sent.* dist. 35 art. 1, q.4 ad 2, p. 782.
[42] '*Consiliari: secum volvere, iudicare, exquirere.*' Papias, *Elementarium,* f. 38ra.
[43] See Chapter 2, p. 87.

vantage points, were also often provided with opportunities to convey these ideas to those in positions of power in acting as counsellors themselves. Concepts from each of these chapters therefore return in the final chapter of the thesis (Chapter 5), which examines the theory, ideals, and tensions of political counsel through the texts of contemporary advisory literature addressed towards those in positions of religious and secular authority.

Of course, what is visible in surviving manuscripts is but a glimpse of the role that counsel played in the lives of clerics and political actors alike during this period. Much of the practice of counsel was inevitably borne out in private deliberations and informal discussions. To return to the friar Adam Marsh, himself a man renowned as a spiritual counsellor, it is clear that his letters are only lingering threads of a rich fabric of deliberation and counsel, both given and received. Adam repeatedly chafes against the constraints of pen and parchment, longing to speak face-to-face and to benefit not from the 'dead letter' but from the 'living voice'.[44] In the absence of such voices, the historian must make do with letters – remaining nonetheless mindful of the deeper world of unrecorded counsel which lies hidden underneath.

[44] Adam Marsh, *Letters,* no. 142 (1250, to Simon de Montfort), p. 350 (see below, p. 207n183); see also no. 6 (to Eudes Rigaud), p. 16, and no. 39 (Jan 1250, to Grosseteste), p. 112. (Few of Adam's letters have sufficient internal evidence for precise dating; unless otherwise specified, any suggested dates are Lawrence's.) On Adam's views of interpersonal discussion, see Chapter 4, pp. 206–208.

Chapter 1

Divine and Spiritual Counsel

[B]onum est ut consilium dei sequantur hominum consilia, quia dei consilium certum semper: nostra autem plerumque incerta consilia ex rerum probantur eventu.

It is good that the counsels of humans should follow the counsel of God, because the counsel of God is always sure, whereas our frequently uncertain counsels are only proven by the outcome of things.

Ambrose, *Expositio in psalmum David CXVIII*, III.47.[1]

Medieval conceptions of human counsel – both in the sense of plan and purpose, and of deliberation and advice – must be considered against an ever-present backdrop of divine counsel, in which the uncertainty of earthly counsel stands in stark contrast to the certain and purposeful *consilium* of God. Such divine counsel comprises two distinct, though interrelated, aspects in medieval texts. The first is the *consilium* which belongs to God – that is, God's plan and intention as it is carried out both in heaven and on earth. Such counsel is described by medieval writers as eternal, inexorable, and immutable. God invites counsel and uses the language of deliberation, not because he requires it or seeks to be moved from his original intent, but in order to bestow weight on the matter at hand and to involve his own angelic ministers in an undertaking. The second aspect is the *consilium* which is given by God – that is, counsel which he communicates to humans as their direction and guide, either directly by his Spirit, through Scripture, or indirectly through other spiritually-discerning individuals.

This chapter examines these two aspects of divine counsel in turn. The first section, on the counsel belonging to God, begins with a discussion of the 'counsel of the Lord' in Scripture

[1] ed. M. Petschenig (Vienna, 1913), p. 68.

and biblical commentaries, before turning to patristic and medieval depictions of scenes of deliberation and consultation in heaven and their implications for both divine and human deliberation. The second section, on counsel given by God, then examines the gift of Counsel[2] as a means by which humans may be made internally receptive to the will of God, before finally considering the involvement of other individuals in delivering divine and spiritual counsel, particularly through pastoral relationships and spiritual ministry.

Counsel Belonging to God

The Old Testament of the Vulgate makes repeated reference, particularly in the sapiential and prophetic books, to *consilium Domini*, 'the counsel of the Lord', often with an emphasis on its permanence and immutability in contrast to human counsel. *Consilium* here has a primary meaning of 'plan', or 'intention', but, as we shall see, the sense of 'deliberative advice' remains present. These scriptural passages on divine counsel formed a central part of the conceptual understanding of *consilium* of the educated men in the Latin West who quoted and glossed them throughout the medieval period. Together, these texts anchored the ideal of unassailable counsel in heaven, contrasting the permanence of divine counsel with the weakness and susceptibility of human counsels. Regular reading through the Psalms, for example, would repeatedly bring to the eyes and ears such passages as,

> Come and see the works of God, who is terrible in his counsels [*terribilis in consiliis*] over the sons of men. (Psalm 65:6)

and,

> The Lord brings to naught the counsels of nations [consilia gentium]; he rejects the devices of people and casts away the counsels of princes. But the counsel of the Lord [*consilium Domini*] stands forever, the thoughts of his heart to all generations. (Psalm 32:10-11)

The might and eternity of the Lord's counsel are emphasized. By contrast, no earthly power or status is deemed sufficient to protect human counsels; even the counsels of princes are easily cast aside.

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[2] Demarcated throughout with a capital letter.

A similar emphasis on the inexorability of divine counsel is found in the prophets, as in this ringing declaration from Isaiah:

> Remember the former age, for I am God, and there is no other God, neither is there the like to me, who shows from the beginning the things that shall be at last, and from ancient times the things that as yet are not done, saying: My counsel shall stand [*consilium meum stabit*], and all my will shall be done … I have spoken, and will bring it to pass: I have created, and I will do it. (Is. 46:9-11)

This stability and power, as well as the universality, of the Lord's counsel became a continuous theme running through such patristic works as Gregory the Great's *Moralia in Job*: 'Of all the things that happen to humans in this world, none come to pass without the secret counsel [*occulto consilio*] of the Almighty God.'[3] In contrast, Scripture stresses the inevitable failure of the counsels of the wicked: the first page of every Psalter blesses the man who 'does not walk in the counsel of the ungodly [*in consilio impiorum*]' (Ps. 1:1); God 'catches the wise in their craftiness, and scatters the counsel of the wicked [*consilium pravorum*]' (Job 5:13).

Medieval commentators were highly attentive to this contrast between divine and human counsel, as is made evident in a thirteenth-century sermon on Isaiah's *Consilium meum stabit* attributed to Richard Fishacre, a Dominican master at Oxford in the 1240s.[4] In this sermon, Richard identifies four spiritual sources of counsel, the first three of which are each represented by an image from Ecclesiasticus 25.[5] The counsel of our outer selves is represented by a proud pauper and seeks the desires of the flesh: 'Let us eat and drink, for tomorrow we die' (Isaiah 22:13). The counsel of the world, represented by a wealthy liar, seeks after earthly riches and honours, which are deceitful and transitory. The counsel of the devil, represented by an old fool, urges us to forsake God and show him contempt,

[3] Gregory the Great, *Moralia in Job*, ed. Marcus Adriaen (Turnhout, 1979), XII.ii.2. See also Barbara Faes de Mottoni, 'Profezia e *consilium*', pp. 59–61.
[4] Cambridge MS Trinity 15.38, f. 29r (*RLS* 5,148, no. 11). See also the Paris university sermon, Madrid, Biblioteca Nacional, MS 72 (s. XIII), ff. 224r–225v (*RLS* 6,92 no. 113, '*Abeuntes pharisaei*') which contrasts the counsel of sin (*consilium peccati*) and deceit (*consilium dolositatis*) with the counsel of the Lord Saviour (*consilium Domini salvatoris*).
[5] Ecclus. 25:3–4.

leading us to a bitter future. All of these counsels are necessarily earthly and ephemeral. Then Richard addresses the fourth type of counsel, the counsel of the Lord.

Richard links this final, divine counsel to a thirst of the soul, to contempt for the world, to self-abnegation and the bearing of one's cross, and to 'the investigation of those things which are above [*que sursum sunt querere*]'. It is, in other words, the seeking of the things of heaven and of God. Richard also describes the counsel of the Lord as being represented by 'the counsel of Chusai which is better than that of Ahithophel'. The reference is to the events of II Samuel 15 and 17, in which King David's son Absalom had rebelled against his father under the counsels of Ahithophel, David's former counsellor; the loyal Chusai was then sent by David to join Absalom's camp in order to frustrate the counsels of Ahithophel, who was urging a swift attack. And so, according to Scripture, 'by the will of the Lord the advantageous (*utile*) counsel of Ahithophel was defeated, that the Lord might bring evil upon Absalom.'[6] The counsel of the Lord, as symbolised by the counsel of Chusai, is therefore not counsel which is worldly or strategic, or even necessarily beneficial to the one who receives it, but rather that which is able to accomplish the will of the Lord – a distinction with potential implications for any context of competing counsels. Richard's four-fold explication here also demonstrates something of the complexity of the medieval concept of spiritual counsel, which includes humans' own inner desires, the influence of the outside world, the spiritual temptation of the devil, and the intention of God, itself demonstrated by Old Testament examples of positive and negative human counsel to the powerful.

While the inexorable plan and purpose of an omnipotent and omniscient God might seem an obvious point, the use of the word *consilium* for both divine and human purposes meant that human counsels were necessarily – and in the Vulgate, often explicitly – brought into contrast with the stability, eternity, and immutability of God's own counsel. Any theologically informed view of medieval counsel therefore had to acknowledge that the very human counsels given to mitigate doubt and uncertainty were themselves subject to

[6] II Sam. 17:14.

the same ephemeral uncertainty unless they were in harmony with the overarching counsels of God.

Deliberative Counsel in Heaven

The certainty of the Lord's purposed counsel, however, did not obviate a medieval notion of some form of deliberative counsel also occurring in the heavenly sphere, considerations invited by the multiform nature of *consilium.* Such discussions of heavenly counsel, while not as ubiquitous as more general discussions of divine counsel and purpose, were sufficiently prevalent to shape contemporary ideas concerning the fundamental role of counsel in the celestial courts.

A particularly revealing discussion on counsel in heaven was instigated by the account of the creation of humanity in the first chapter of Genesis: 'Let us make man [*faciamus hominem*] in our image and likeness' (Gen. 1:26). Patristic commentaries – including those incorporated into the medieval *Glossa ordinaria* – were quick to comment upon the verse's unusual use of the first-person plural.[7] Augustine, for example, saw it as an indication of the 'plurality of persons' within the Trinity: humanity was made, not in the image of one of the persons of the Trinity, but in the image of the Trinity itself. He suggested that the use of the phrase 'Let us make' (*faciamus*), as opposed to the command 'Let it be made' (*fiat*) which was used for all the previous works of creation, was an intentional indication of the superiority of human nature.[8] Gregory the Great, however, touching briefly on the same verse in his *Moralia in Job*, saw something inherently deliberative in its language: the word *faciamus* was used 'so that, as it was a creature endowed with reason that was being made, it might seem as if he were made with counsel [*quasi cum consilio facta*]'.[9]

It is possible that Gregory's understanding here of the verse was influenced, either directly or indirectly, by earlier Greek theologians' explications of the passage. Certainly, the fourth-century theologian Gregory of Nyssa had already noted the use of *fiat* for the rest

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[7] *Biblia latina cum Glossa ordinaria* [hereafter *Glossa*], ad Gen. 1:26.
[8] Augustine, *De Genesi ad litteram libri duodecim,* III.xix.29 (PL 34:291); idem, *De Genesi ad litteram imperfectus liber,* XVI.55–6 (PL 34:241–2).
[9] *Moralia in Job,* IX.xlix.75.

of Creation and yet *faciamus* for humanity, and was even more explicit – even lyrical – about the latter reflecting language of counsel:

> It is fitting that … the construction of the world, great as it is, and its parts, which comprises the universe in its elements, should be accomplished by divine power, existing together all at once on his command. However, the formation of man is preceded by the counsel[10] of a great Craftsman [*artificis tanti consilium*] …
>
> O what a marvellous thing! A sun is made, and no counsel at all precedes; a heaven likewise, to which nothing similar is found amongst visible creatures. By word alone was such a marvellous work accomplished, and it is not told whence or how. And thus it was for each of the creations: the æther, the stars, the air which occupies the middle place, the sea, the earth, the animals, and all living things – all are brought into being by means of words. But only to the making of man does the Maker of the universe draw near, in a certain manner, with counsel,[11] and prepare the material which would be necessary for his construction and fit his likeness to the form of original and primary beauty.[12]

Whether or not this is what Gregory the Great himself had in mind when he spoke of humanity's creation *quasi cum consilio*, Gregory of Nyssa's treatise 'On the Making of Man' (c. 379) soon developed its own currency in the Latin West. It was first translated into Latin in the sixth century by Dionysius Exiguus, and again by John Scotus Eriugena in the ninth, and it continued to be copied alongside Latin patristic commentaries on Genesis by the likes of Ambrose and Augustine throughout the medieval period.[13] For Gregory of Nyssa, the intentional wording of the Genesis account gives insight both into God's intention in creating humanity, and humanity's own identity. The care and purpose

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[10] Gregory of Nyssa here uses the Greek term βουλή (*boulē*), translated into Latin by both Dionysius Exiguus and John Scotus Eriugena as *consilium*.

[11] Dionysius Exiguus translates this '*cum consilio quodammodo*', while John Scotus Eriugena is perhaps closer to the sense of the original περιεσκεμμένως (*perieskemménōs*) with '*circumspecte*'.

[12] Gregory of Nyssa, *On the Making of Man*, III (PG 44:134–35). The quoted text is my translation of Dionysius Exiguus' translation, *De creatione hominis* (PL 67:351–2); for Eriugena's translation, see Maïeul Cappuyns, 'Le *De Imagine* de Grégoire de Nysse traduit par Jean Scot Érigène', *Recherches de théologie ancienne et médiévale* 32 (1965).

[13] The Bodleian Library, for example, holds three copies of Dionysius Exiguus' Latin translation, from the twelfth (MS Laud misc. 123, f. 98rb), thirteenth (MS Bodl. 136, f. 103ra) and fourteenth centuries (MS Bodl. 238, f. 186vb). See also Philip Levine, 'Two Early Latin Versions of St. Gregory of Nyssa's περὶ κατασκευης ἀνθρώπου', *Harvard Studies in Classical Philology* 63 (1958).

inherent in the counsel, circumspection, and deliberative language which precedes the making of humans highlights humanity's position of honour and dominion over the rest of creation.[14]

While medieval commentators on Genesis 1:26, following their patristic predecessors, tended to be most preoccupied with the verse's introduction of the complicated concept of being made in the *imago Dei*, this idea that deliberation was involved in humanity's creation continued to be passed down throughout the medieval period.[15] Isidore, writing in the seventh century, noted that because humanity surpassed all other creatures in *dignitas virtutis*, God wanted to create man with a deliberation of eternal counsel (*quadam aeterni consilii deliberatione*).[16] In the eighth century, Bede followed Gregory the Great in seeing humans' rationality reflected in the fact that they were made '*quasi cum consilio*', in a passage later incorporated into the *Glossa ordinaria*.[17] Alcuin followed the same line in his *Quaestiones in Genesin*: in response to the question of why 'Let us make' was used for the creation of humanity, while for the rest of creation it only says that 'God said', he succinctly answers, 'Clearly, so that as a rational creature was being made, he would seem to be made with counsel, and so that his *nobilitas* would be demonstrated.'[18]

Early in the twelfth century, the Benedictine Rupert of Deutz († 1129) noted that while the counsel of 'these small little words' (*his paucis dictiunculis*) of the Trinity might seem unimportant, they are in fact very significant: 'Clearly great counsel [*magnum consilium*] is held concerning us sinners in that council [*concilium*] of wisdom, in that [council] of such persons as the Father, Son, and Holy Spirit – not so much by a senate as by a soliloquy

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[14] A similar line of argument was used by John Chrysostom, although his text does not appear to have been transmitted to the Latin West: *Sermones IX in Genesim*, II.1 (PG 54:587–88), translated in Andrew Louth (ed.), *Genesis 1–11* (Downers Grove, IL, 2001), p. 28.

[15] For a survey of twelfth-century commentaries, see G. Dahan, 'L'exégèse de *Genèse* 1,26 dans les commentaires du XIIe siècle', *Revue d'études augustiniennes et patristiques* 38 (1992).

[16] Isidore, *Sententiae*, ed. Pierre Cazier (Turnhout, 1998), I.11.

[17] Bede, *Hexaemeron* I (PL 91:28); *Glossa* ad Gen. 1:26.

[18] Alcuin, *Interrogationes et responsiones in Genesin*, q. 36 (PL 100:520B).

worthy of reverence [*non tam senatu quam soliloquio venerando*].'[19] Nothing was lacking from this Trinitarian exercise of deliberation:

> Our future death or perdition was carefully examined [*perspecta est*], and thence the whole counsel was formed [*totum consilium habitum*] so that each Person should receive his part in the work, so that namely … the Father should create, afterwards in the fullness of time the Son should redeem what was lost, the Holy Spirit should accomplish the remission of sins and the resurrection of the body, and then by the common counsel of the Trinity [*communi trinitatis consilio*] there should be rebuilt in man what was deserted for ages, and there should be raised up the foundations of generation upon generation.[20]

This initial counsel at Creation is therefore also seen to encompass the Trinitarian counsel involved in the rest of the salvific plan.

These discussions of divine counsel were made particularly relevant to considerations of human counsel by moral interpretations on the passage which developed in the twelfth century. Hugh of St Victor († 1141) agreed with previous commentaries that the deliberative language of *Faciamus hominem* accorded dignity to humanity, but he was also one of the few Christian exegetes to put forward the Jewish interpretation of this consultation as taking place not within the Trinity, but with the angels.[21] He writes that this language of counsel was also used to 'render us cautious, lest we disdain to accept counsel [*consilium accipere*] from our equals and lessers,' since even God spoke thus to the angels 'by whose service perhaps the body of man was formed.'[22] Stephen Langton (†

[19] Rupert of Deutz, *De sancta trinitate et operibus eius*, II.1, ed. R. Haacke (Turnhout, 1971), vol. 1, pp. 185. All but one of the MSS consulted for Haacke's edition preserve this clear distinction between *consilium* and *concilium*, with the former term used more broadly, and the latter used to refer to a particular meeting or gathering. On Rupert's discussion of counsel, see Picascia, 'La concezione teologica di *donum consilii*', pp. 19–25.
[20] *De sancta trinitate*, II.1, pp. 185–6.
[21] See, for example, eleventh-century Jewish exegete Rashi's commentary on Genesis, trans. M. Rosenbaum and A.M. Silbermann in *Pentateuch with Rashi's Commentary*, vol. 1 (London, 1929). On the relationship between medieval Christian and Jewish exegesis, see Devorah Schoenfeld, *Isaac on Jewish and Christian Altars: Polemic and Exegesis in Rashi and the Glossa Ordinaria* (New York, 2013).
[22] Hugh of St Victor, *Adnotationes elucidatoriae in Pentateuchon*, VII (PL 175:37). Hugh seems to be following Rashi, who writes that Genesis 1:26 teaches proper conduct and the virtue of humility, demonstrating that the greater should consult with the lesser: Rashi, *Commentary on Genesis,* p. 5. Hugh does, however, end with a more orthodox

1228), perhaps following Hugh , similarly explains in his Genesis commentary that, since all Scripture is written for our instruction (II Timothy 3:16),

> through this – that [God] made man with deliberation [*cum deliberatione*] – it is indicated to us that deliberation ought to come first in all our works, and so in the Book of Wisdom it says, *I, Wisdom, dwell in counsels*,[23] since where there is counsel, there is deliberation, and in Ecclesiasticus, *My son, do nothing without counsel, and you will not repent of it*.[24] Whence *the valiant woman has sought wool and flax and has wrought by the counsel of her hands*,[25] that is, has deliberated [*deliberavit*] in her works. Hence it is also that when the gifts of the Holy Spirit are enumerated, Wisdom and Understanding are placed first and Counsel after, in order to signify that no one has these gifts unless they first have counsel.[26]

These divine actions and counsels therefore not only tell us about God himself, but they also provide models for human actions and counsels, particularly for those in positions of authority and power who are likely to be given counsel by those below them. If counsel and deliberation are used by the very Creator in his creative works, they are even more necessary for human operations.

The thirteenth century, therefore, had access to a range of earlier texts and perspectives elaborating the deliberative nature of *Faciamus hominem.* Robert Grosseteste's *Hexaemeron* (c. 1230) cites the above passages from both Gregory of Nyssa and Gregory the Great, as well as the pseudo-Augustinian treatise *De spiritu et anima*, in order to underline the dignity of human creation. This *consilium*, writes Grosseteste, 'which is the name used by the expositors on this passage, is not *consilium* in the strict sense,' since, as John of Damascus says, God does not take counsel, because God knows all things, while taking counsel

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view, noting that there is a 'better' (*melius*) interpretation which sees the plural verb as an indication of Trinitarian counsel.

[23] Prov. 8:12.

[24] Ecclus. 32:24.

[25] Prov. 31:13.

[26] Stephen Langton, *Glossa in Heptateuchum*, BnF lat. 355, f. 5r; Dahan, 'L'exégèse de *Genèse* 1,26', pp. 132, 151.

(*consiliari*) belongs to the ignorant.[27] The word *consilium* and this 'consultative way of speaking' (*modus loquendi consiliativus*) instead point to three things: the dignity of human creation and the Creator's special care and providence in making such a perfect work; the special care which God has for humanity more generally; and 'the high and incomprehensible secret of God's providence' with regard to the reparation of the human race through the Incarnation.[28] The Dominican Hugh of St Cher († 1263), in his magisterial biblical gloss, also notes that God's speech in this passage demonstrates the *dignitas* of humanity in several ways, including that man was made with deliberation (*cum deliberatione*), as noted by the word '*faciamus*'. Hugh explicates this deliberative angle further in his exposition of the moral meaning of the passage:

> Three things are noted by '*faciamus*': help, counsel, and deliberation [*adiutorium, consilium, deliberatio*]. The decree and proposal for action is also noted in opposition to long-winded deliberators, for he does not say, 'Whether we should', but simply, 'Let us make'.[29]

Again, in treating the text morally, Hugh of St Cher does not enter into the more complicated discussion regarding in what sense an omniscient and omnipotent God could be considered to deliberate or to hold counsel. Instead, he focuses on using this foundational passage about the creation of humanity as an *exemplum* for human counsel and deliberation, which, as he goes on to indicate, should be to the purpose, aided by the counsel of others, characterised by careful forethought, and directed towards action.

These discussions around *Faciamus hominem* have important implications for patristic and medieval conceptions not only of divine counsel, but also of human counsel. Firstly, they emphasize that human rationality is rooted in a deliberative creation, with the implication that the intellect and reason that sets humans apart from the creation which is their dominion may be particularly demonstrated in acts of counsel and deliberation. Secondly, they demonstrate that counsel and deliberation can operate as a means of bestowing

[27] cf. John of Damascus, *De fide orthodoxa: versions of Burgundio and Cerbanus,* ed. E. M. Buytaert (New York, 1955), XXXVI.13, pp. 138–9. See below, n. 93.
[28] Grosseteste, *Hexaëmeron*, ed. Richard Dales and Servus Gieben (London, 1982), VIII.11, pp. 233–4; trans. C.F.J. Martin, *On the Six Days of Creation* (London, 1996), pp. 238–9.
[29] Hugh of St Cher, *In universum vetus et novum testamentum* (Venice, 1600), vol. 1, f. 3.

honour and weight to the matter at hand, just as in the creation of humanity such language of counsel demonstrated humanity's superiority, dignity, and nobility. Thirdly, the process of using deliberation to bestow such honour upon the matter under discussion carries no necessary implication that the one initiating the deliberation stands in actual need of counsel and advice, let alone is bound to follow the counsel and advice given. According to the commentators on this passage, conferring deliberatively and with purpose can be a rhetorical rather than an operational act, a conclusion which might then apply equally well to human counsels.

Nor was Genesis 1 the only biblical text identified by patristic and medieval commentators as indicating divine or celestial deliberation. Humbert de Romans († 1277), in his model sermon on various types of *concilia*, says that the Church has examples of convening councils from God, who in Scripture seems as if he is taking counsel with the gathered angels (*quasi habuisse cum angelis consilium*), as in Isaiah 6:8: 'I heard the voice of the Lord saying, "Whom shall I send, and who will go for us?"'.[30] Angels were also considered to consult God: according to Augustine, God keeps these messengers (*nuntii*) not to be kept informed, but rather for humanity's sake and for their own, because it is good for the angels to wait obediently upon him, consult with him about 'things below' (*eum de inferioribus consulant*), and carry out his commands.[31] Aquinas, commenting on Augustine's text, makes a distinction between the earthly and the heavenly need for divine counsel. While those on earth 'are moved by God in matters of action through having an anxiety of uncertainty [*anxietas dubitationis*] seated in them beforehand', the blessed in heaven have no doubts but only a simple lack of knowledge. There is no inquiry born of uncertainty in heaven, but rather a simple turning (*conversio*) towards God. This turning, according to

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[30] Humbert de Romans, *Sermones* II, sermo I (*De conciliis*), p. 212. Other similar passages include Job 1:6–12, 2:1–7 and I Kings 22:19–20.
[31] Augustine, *Genesis ad litteram,* V.18.37.

Aquinas, 'is what it is to consult God [*Deum consulere*]', and so the instructions which the angels receive from God are called *consilium*.[32]

One of the more exceptional discussions of heavenly counsels from the thirteenth century can be found in a cycle of sermons on the Rule of St Benedict from the Cistercian Abbey of Pontigny, a unique series surviving in a single manuscript.[33] Whether these *sermones* were preached aloud to the monks is uncertain: there are references in the text to the *lector* as well as to *auditores*. The collection may also, as Nicole Bériou suggests, have served as a repository of material for other preachers.[34] Regardless of the method of transmission, the collection conveys an exploration of theological matters far beyond the everyday use of the Rule through its use of primarily allegorical interpretations of its precepts, including of the use of counsel in the monastery.

Throughout, the writer of these *sermones* is relatively unconcerned with any practical implications of the Rule, and instead focuses entirely upon providing a mystical interpretation for each chapter, conflating the inhabitants of the earthly abbey with their heavenly counterparts. The sermon on the Rule's third chapter, entitled *De adhibendis ad consilium fratribus* ('On seeking counsel from the brothers'), therefore launches immediately into wider considerations of counsel:[35]

> My brothers, for every work to be completed there is great human ignorance, much weakness, indeed a great insufficiency. … What wonder is it, then, if all human things – in which there is, as I have said, this ignorance – ought to be done by counsel? Certainly in the sharing out of the graces [*in divisionibus gratiarum*], their distributor the Spirit does not omit the gift of Counsel [*consilii donum*], without

[32] *ST,* II-II q.52 a.3. See also *ST,* II-II q.52 a.3 ad 2: '… *dubitatio pertinet ad consilium secundum statum vitae praesentis, non autem pertinet secundum quod est consilium in patria.*'
[33] See introduction of the recent edition, *Sermones in Regulam s. Benedicti* [hereafter *SRSB*], ed. Jörg Sonntag (Berlin, 2016), which dates Auxerre BM, MS 50 to the early part of the thirteenth century. See also C. H. Talbot, 'A Cistercian Commentary on the Benedictine Rule', *Studia Anselmiana* 5 (1958) and idem, 'The Commentary on the Rule from Pontigny', *Studia Monastica* 3 (1961). (My thanks to Jacob Currie for his assistance translating this text.)
[34] *SRSB*, p. xviii.
[35] *SRSB*, III, pp. 93–100; Auxerre MS 50, ff. 16rb–17vb.

> which [these graces] would either be confounded or else had entirely without advantage.
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> For it says 'the spirit of Counsel',[36] and thence we see the works of the Lord continue up to today and into eternity, since they were preceded by counsel, nothing flowing forth by fate or chance occurrence. Certainly … [the Lord] has carried out all his actions with counsel. And yet? Many of his deeds he afterwards repented, namely that he had made humankind,[37] and that he had made Saul king,[38] and other similar things.[39]

The sermon does not shy away from citing some of the more difficult passages of divine will and action in the Old Testament, namely those that describe God expressing regret for his actions. It thereby presents a more complicated view of counsel, which is evidently not always sufficient to ward off such regrets.

These complexities, however, are largely left unresolved. Instead, the sermon quickly proceeds to a discussion entirely centred around divine counsel, using the scenario discussed in the Rule – of an abbot summoning the brothers together to seek their counsel for important decisions – as a detailed allegory for counsel in heaven. While the subject matter of these counsels clearly necessitates a celestial setting, the interlocutors are only referred to as 'abbot' (*abbas*, i.e. God the Father) and 'brothers' (*fratres,* i.e. Christ and the angels), and the same monastic language is used of gathering together the community (*convocare congregationem*). Having clarified that God uses as well as possesses counsel, his heavenly counsels are then described through the deliberations around three particular instances from the history of salvation,

> for all his works are outstanding, but three in particular: of Creation, of Restoration, and of the Glorification of humanity, and as often as he carried these out, I think that he called others for counsel [*adhibuisse ad consilium aliquos*].[40]

The sermon starts with the first work, the creation of humanity, citing the *Faciamus hominem* text: when God made humans on the sixth day, he gathered his whole community

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[36] Is. 11:2.
[37] Gen. 6:7.
[38] I Sam. 15:11.
[39] *SRSB,* p. 93.
[40] *SRSB,* p. 93.

(*omnem suam congregationem*) to his counsel, a community of the Trinity. Using the text of the Rule, 'calling the brothers for counsel', the sermon also speculates as to whether the angels (who are 'brothers' in that they share the same Father) were also gathered for counsel in making humanity. It is also careful to note the presence of 'our firstborn brother' (i.e. Christ) among this gathering, even prior to his incarnation. The sermon concludes the section on creation by saying, 'The *abbas* [i.e. God the Father] gathered his community of each of his three Persons. He spoke, and so it was done. All agreed to the making of man, and man was made.'[41]

Having rooted the discussion of divine counsel within the community of the Trinity, the sermon then turns to a more involved discussion of the deliberations around the restoration of humanity. This fits into its commentary of the Rule text, which says that the whole community should be summoned for 'special matters' (*aliqua praecipua*). 'Without doubt,' the sermon says, 'I believe that [the *abbas* summoned the whole community] for this second particular matter, that is, of human reformation, since indeed he was in need of greater counsel [*maiore consilio indigebat*]. … Therefore he again gathered the community of the blessed Trinity.'[42] Noting that the Rule says that all the brothers should be called, because the Lord sometimes reveals to a younger or lesser (*iunior*) brother what is best, the sermon proceeds to identify this *frater iunior* with God the Son, in light of his humbling himself in the Incarnation and being born as a human after many others had been born. God the Father revealed his counsel to the Son, although the Son himself is the counsel of the Father, as well as a coequal Being; he is the Father's revelation and wisdom, with allusions to personified Wisdom's speech in Proverbs 8, dwelling in counsels and aiding the Father with both creation and restoration.

Again, the sermon's author is only speculative regarding the presence of angels, declaring himself to be more comfortable relying on another's judgement on the matter and preferring to say that which edifies rather than that which only furnishes further questions.

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[41] *SRSB*, p. 94.
[42] *SRSB*, p. 94. See also Bernard of Clairvaux, *Sermones in adventu Domini*, sermo 1.2, ed. J. Leclercq and H.M. Rochais (Rome, 1966), p. 162: 'It was not without the deepest counsel of the Trinity [*sine altissimo Trinitatis consilio*], that it was decided that the Son should come.'

However, he notes that Gabriel, at least, as the messenger to the Virgin, must have been present, and proceeds to imagine a possible angelic involvement in the divine deliberations, based on the text from the Rule, 'Let the brothers give counsel with every submission of humility':

> What then? The Father [*abbas*] said what he wished to do, namely that he wished to assume Abraham's seed to restore man but not to restore any of [the angels], for [he wished to do] nothing concerning the apostate angels ... This they were scarcely able to bear.[43]

The angels, in this imagined scene, proceed to counsel God to restore, not fallen humanity, but rather one of their own fallen brothers, i.e. Lucifer. They cite at length the difficulties and humiliations which would be involved in redeeming a disobedient humanity, with the painful and humiliating necessity of the incarnation and crucifixion, against the ease of restoring a spirit, which could be accomplished 'by a summons, with only a nod [*revocatione nutu solo*]'. The sermon notes that the angels would have been obliged to voice their contrary opinions (*haberent dicere*), were they convened for the purpose of counsel, but also that they would have carefully attended to the word of God which required their every submission in humility, as required in the Rule. They do not presume to assert their own opinion – they had come to a different view than had been 'foreseen by Him who had called them, and so it depended rather on his own judgements, and they all obeyed Him together in that which he judged to be more beneficial [*salubrius*]', precisely as monks were required to submit to the judgement of the abbot according to the Rule.[44]

This ideal of counsel within either the heavenly or the religious community therefore encourages the expression of opinions, even divergent opinions, but it explicitly has no binding force on the one who has requested counsel.[45] The sermon urges its audience to give thanks both for the pious judgement of the divine counsel and for the obedient counsel of the summoned 'brothers', although it fails to address what purpose such angelic deliberations served, given that God cannot stand in need of their counsel. The emphasis

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[43] *SRSB,* p. 96.
[44] *SRSB*, p. 97.
[45] For a discussion of this section of the Rule from a more literal standpoint, see Chapter 2, pp. 76–77.

remains on obedience, that the angels in counsel with God did not seek to contend recklessly with him as their 'fallen brother' had.

The brief final portion of the sermon is used to explicate the last section of Chapter 3 of the Rule: 'If any lesser matters need to be dealt with, let [the abbot] use only the counsel of the elders [*seniores*].' This final type of deliberation is linked to the glorification of humanity at the Day of Judgement, when God will come to judgement with the elders of his people, but until then, God 'deals with us concerning lesser matters, such as the correction of morals, and he does nothing without the counsel of the elders – I say moreover, of the prophets and of the apostles and finally of our prelates.'[46] Again, the implications of 'our prelates' giving counsel to God, or at least participating in his counsels, are not fleshed out further. As with the angels, the emphasis is on participatory, communal deliberation, followed by humble submission and obedience.

The lengths to which this Cistercian commentary sermon goes in imagining scenes of divine counsel at key moments of salvation history is unusual. For the most part, however, it is drawing upon very familiar themes of divine counsel, the involvement of the Trinity in salvation history, and – particularly in the context of the Rule – the seeking of non-binding counsel by a hierarchical superior. The commentary cycle is able to transpose monastic scenes from the Rule to parallel scenes in heaven precisely because the monastery itself is explicitly meant to reflect heavenly structures, with a father abbot whose role symbolises the authority of God the Father. As in many of these scenes of divine counsel, God takes counsel, not to be told things he does not know, nor to be persuaded on things which he otherwise did not intend, but in order to involve first his own community of the Trinity, then the angels, and finally 'the counsel of the just' in his purposed works.

This participatory nature of divine counsels, explored in various ways within a celestial context, were also seen to be modelled in an earthly context by the incarnated Christ. Multiple medieval commentaries, for example, noted that before the Lord fed the four thousand, he first 'called together [*convocare*] his disciples' and shared his plan (*consilium*)

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[46] *SRSB*, p. 99.

with them, telling them that he had compassion on the hungry crowd and would not send them away without food (Matthew 15:32). As with other texts of divine counsel, this act was seen to have a broader didactic purpose. According to the *Glossa ordinaria*, one of the reasons that Christ shared his counsel was 'so that he might teach masters to share their counsels with their subordinates [*doceat magistros communicare consilia cum minoribus*]'.[47] As Peter the Chanter's († 1197) commentary adds, 'therefore by the Lord's example, *maiores* should consult concerning what is to be done with *minores*, gathered together as one, so that if something is revealed to a *minor* which has not been revealed to a *maior*, the superior should be silent [cf. I Cor. 14:30].'[48] Such a model was all the more significant for being easily translatable to the counsels of human rulers, both ecclesiastical and secular.[49]

The conceptions of divine counsels examined thus far have highlighted the steadfast immutability of divine counsel in contrast to the uncertainty of human counsel; the use of divine deliberation to emphasise reason and to give weight and honour to the matter at hand; and finally, the deliberative yet obedient involvement of God's servants, apostles, and prelates in the unfolding of his works and plans. Having examined some of the implications of these characteristics of divine counsels and deliberations for human counsel, we now turn to the means by which God was seen to convey his counsel to those on earth.

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[47] *Glossa* ad Matt. 15:32; cf. Paschasius Radbertus, *Expositio in Matthaeum*, VII.xv (PL 120:544–5).

[48] *Super unum ex quatuor,* BnF lat. 15585 (s. XIII), f. 114rb; see Philippe Buc, *L'ambiguïté du livre: prince, pouvoir, et peuple dans les commentaires de la Bible au Moyen Âge* (Paris, 1994), p. 351n110. Peter adds that in this he is speaking with regard to 'greater affairs' (*in maioribus causis*).

[49] e.g. below, Conclusion, p. 275.

Counsel Given by God

The Gift of Counsel

In his *vita* of Marie d'Oignies († 1213), a mystic and beguine whose saintly reputation reportedly led many to seek her counsel, Jacques de Vitry gave his discussion of her many virtues a very intentional structure, declaring that

> since we are incapable of counting ... all the different kinds of virtues she possessed, we will therefore limit ourselves to the original causes from which all her good deeds flowed – that is to say, to the seven gifts of the Holy Spirit. [50]

This framework of seven gifts was derived from a prophetic passage found in Isaiah 11:

> And there shall come forth a rod out of the root of Jesse, and a flower shall rise up out of his root. And the spirit of the Lord shall rest upon him: the spirit of Wisdom, and of Understanding, the spirit of Counsel [*spiritus consilii*], and of Fortitude, the spirit of Knowledge, and of Godliness. And he shall be filled with the spirit of the Fear of the Lord.[51]

In combination with New Testament doctrine on the Holy Spirit, this passage from Isaiah had quickly come to be viewed by the early Church both as a messianic prophecy and, as in this *vita*, a description of spiritual gifts distributed directly to Christians by the Holy Spirit. We have already seen examples of the key role of the spirit of Counsel in Stephen Langton's commentary on Genesis 1:26, in which the spirit of Counsel is deemed a necessary precursor to those of Wisdom and Understanding, and in the Pontigny commentary on the Rule, where without the spirit of Counsel, the other graces distributed by the Holy Spirit are either confounded or useless. Here, Jacques de Vitry's *vita* demonstrates how each of these gifts were externally manifest in Marie's life and actions. While the spirit of Knowledge made her discerning and the spirit of Understanding turned her contemplation to higher things, the spirit of Counsel made her capable of deliberative foresight, as evident in her own deliberations:[52]

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[50] Jacques de Vitry, *Vita Marie de Oegnies*, II.1, ed. R.B.C. Huygens (Turnhout, 2012); trans. Margot King, *The Life of Marie D'Oignies*, (Toronto, 1993), II.42, p. 74.
[51] Isaiah 11:1–3.
[52] *Vita,* II.1, p. 94; *Life,* II.42, p. 74.

> She did nothing precipitately [*precipitanter*] nor in a disorderly manner [*inordinate*] but did everything diligently with foresight and with deliberation [*provide et cum deliberatione*] in everything she did or did not do. She never omitted to do something through faintheartedness and never did anything with a turbulent, unconsidered, or impetuous mind. In all her ways *her eyelids preceded her steps* [Prov. 4:25], and she *did everything with counsel,* lest she should repent even a little after the deed [Ecclus. 32:24]. … He who said of himself, '*I, Wisdom, dwell in counsels and am among learned thoughts*' [Prov. 8:12] filled her mind and lived in her soul.

While she received these divine counsels, however, Marie was careful not to remove herself from human counsel, for

> although she inwardly experienced the intimate counsel of the Holy Spirit [*familiari Spiritus sancti consilio interius uteretur*], and although she was sufficiently instructed in the Holy Scriptures, yet from the extreme abundance of her humility, she did not disdain to subject herself willingly and devoutly to the counsels of others by renouncing her own will, lest she should appear to be wise in her own eyes.

In addition to Scripture, Marie used prayer as an important means of accessing divine counsel. Through the spirit of Counsel she had a 'divine prudence' (*divina prudentia*), and many of her intimate friends would do nothing of importance without first seeking her counsel, 'for what she could not know through human reason, divinely inspired, she knew by the prayers she sent forth.' Divine counsel provided answers where human reason could not. Jacques also recounts several stories of her friends, including himself, seeking Marie's counsel and being answered in the form of her related visions 'after she had returned from the bridal bed of divine counsels'.[53]

This hagiographical source – which by the mid-thirteenth century had been incorporated into Vincent de Beauvais' encyclopaedic *Speculum historiale* – is particularly useful in our investigation of the gift of Counsel as it necessarily dwells on the external implications of being filled with the spirit of Counsel along with the other gifts.[54] It describes a spiritually bestowed gift, strengthened and accessed through prayer, which is manifest both in deliberate, untroubled actions undertaken with forethought and wisdom, and in prudent

[53] *Vita,* II.6, pp. 127–8; *Life,* II.76–77, pp. 102–3. On the counsel of laywomen, see below, Chapter 3, pp. 147–154, and Chapter 5, pp. 252–257.

[54] Vincent de Beauvais, *Speculum historiale,* XXX.10–51, in *Speculum quadruplex* (Douai, 1624), vol. 4, pp. 1240–52.

and divinely inspired counsels given to others. While Counsel is considered a gift particularly apparent when human reason proves insufficient, the text also praises the humility of one who is counselled by the spirit of God yet continues to consider and submit to the counsels and plans of others.

Conceptions of the gifts of the Holy Spirit were far from set and monolithic in the twelfth and thirteenth centuries, due in part to the fact that the only patristic discussions of any length on the gifts were from Augustine and Gregory – and even these were relatively short with an indefinite vocabulary.[55] Earlier writers generally referred to the seven elements mentioned in Isaiah 11 as 'spirits' (*spiritus*) or 'virtues' (*virtutes*); the term 'gifts' (*dona*) only came into regular use with Carolingian writers. By the thirteenth century, however, 'gifts' had become the technical term: Bonaventure notes in his doctrinal handbook, the *Breviloquium* (c. 1257), that although all divinely infused habits could be called gifts of God in a general sense, in a particular sense, the term 'gift' refers to those gifts of the Holy Spirit enumerated by Isaiah.[56] Even in the thirteenth century, however, the precise nature and operations of the gifts, as well as their relationships with the seven virtues and other doctrinal schemata, were still under debate. In its essence, the gift of Counsel was seen not so much as the bestowal of particular words of counsel from God, but as a preparation of the heart to heed, and to desire to heed, the counsels of God and to imitate Christ. The most common metaphor used is that of divine light or illumination, with connotations of providing clarity and certainty of sight.

Twelfth-century discussions of the spirit of Counsel relied heavily on characteristics of the *consilium Domini* discussed above and were often rooted in the gifts' relation to the essential divine nature. The *Speculum virginum,* an influential twelfth-century text for religious

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[55] Jacques de Blic, 'Pour l'histoire de la théologie des dons avant Saint Thomas', *Revue d'ascétique et de mystique* 22 (1946), pp. 117–8.

[56] Bonaventure, *Breviloquium*, V.5, Opera omnia 5, p. 257. For clarity, I will continue to refer to them as 'gifts' below, irrespective of the terminology of the respective source.

women, notes how frequently Scripture tells us to seek divine counsel, for everything should be done by the counsel of the divine spirit.[57] It uses two particular adjectives to describe the spirit of Counsel – 'unitary' (*unicus*) and 'far foreseeing' (*longe prospiciens*) – both of which refer to characteristics rooted in the divine nature.[58] This counsel is 'unitary', almost in the sense of 'single-minded', because, unlike amongst multiple human counsellors, who may give many different counsels, in God there is no potential for contradiction and confusion, for whatever is in his mind, he pronounces. His counsel to humans aims at a single purpose: it 'commends one thing, advises [*persuadet*] seeking one necessary thing – and this one thing is himself.' This one thing, the *Speculum virginum* says, is what Mary received from the counsel of the Holy Spirit; this is what David sought when he said, 'One thing I have asked of the Lord … that I may see the delight of the Lord' (Ps. 26:4).[59] No distinction can even be made between God and his counsel, for his counsel is his will (*voluntas eius*), which is God himself, for he is eternal and unchanging. While God may often change his work and his decision (*opus et sententia*), he never changes his counsel.[60] Therefore, those who do not welcome this counsel of unity in their hearts aim towards nothing.[61] Hugh of St Victor similarly spoke of the gifts as the works of one unified Spirit and indistinguishable from the Spirit himself: 'The one Spirit bestows himself in seven ways.'[62] At least in some sense, therefore, the gifts are seen not only as originating in the Spirit but as outpourings and manifestations of the Holy Spirit himself.

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[57] *Speculum virginum*, XI, ed. Jutta Seyfarth (Turnhout, 1990), p. 320. On the treatise itself, see Arthur Watson, 'The *Speculum Virginum* with Special Reference to the Tree of Jesse', *Speculum* 3:4 (1928); Constant J. Mews (ed.), *Listen Daughter: The* Speculum Virginum *and the Formation of Religious Women in the Middle Ages* (New York, 2001).
[58] cf. Wisd. 7:22–23.
[59] *Speculum virginum*, XI, p. 321.
[60] ibid., p. 320; cf. Gregory, *Moralia in Job,* XX.xxxii.63.
[61] *Speculum virginum*, XI, p. 322.
[62] Hugh of St Victor, *De septem donis Spiritus Sancti,* II, in *Six opuscules spirituels*, ed. Roger Baron (Paris, 1969), pp. 122–4; trans. Joshua C. Benson, *On the Seven Gifts of the Holy Spirit*, in *Writings on the Spiritual Life,* ed. Christopher P Evans (Turnhout, 2013), p. 376. See also III *Sent.* dist. 34 c.2.

As for the spirit of Counsel being 'far foreseeing', the *Speculum virginum* draws on conceptions of the eternal nature of divine counsel, noting that the timeless Spirit foresaw from eternity the making of the world until its end, while Christ himself is the Beginning and the End (Rev. 22:13); therefore, 'what is called "far foreseeing" could equally well be called "all foreknowing" [*omnia presciens*], since it is aware of everything.' These and similar discussions used the framework of the seven gifts to explore the nature of God and his works and rooted the nature of the spirit of Counsel in the unified and eternal nature of the counsel and will of God and in the providential foresight of salvific history.[63]

Discussions of the gifts also drew upon the messianic nature of Isaiah's prophecy, to focus on the manner in which these gifts were bestowed upon Christ himself. By emphasising the incarnation of the gifts in Christ, they also thereby provided a model of the gifts in action in a perfect human being, while still emphasising the fullness and perfection of these divine qualities. Bernard of Clairvaux, for example, associated each gift with an action: Christ is said to have triumphed over the Enemy by the spirit of Fortitude, having chosen this most powerful form of victory by the spirit of Counsel.[64] The *Speculum virginum* likewise presents the seven gifts in their incarnate form in Christ: Christ is 'wise and Wisdom, he understands and is Understanding, he counsels and is Counsel [*consulens et consilium*]', and so on.[65] Christ needs neither counsel nor help (*consilium vel auxilium*) from anyone else and is called both Wonderful Counsellor (*admirabilis consiliarius*) and the Angel of Great Counsel (*magni consilii angelus*).[66]

The 'Angel' of the latter title, used in the sense of messenger or *nuntius*, refers not to one of God's heavenly attendants but to Christ himself, and originally appeared in Vetus Latina translations of Isaiah 9 as a literal translation of the Septuagint's 'μεγάλης βουλῆς ἄγγελος'

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[63] Rupert of Deutz, *De operibus Spiritus Sancti,* esp. book V (= *De sancta Trinitate* XXXVIII, vol. 4, pp. 1977–2007).
[64] Bernard of Clairvaux, '*Sermo de septem donis Spiritus Sancti',* I.2, in *Sermons variés*, ed. Françoise Callerot et al. (Paris, 2010), p. 240.
[65] See also Hugh of St Victor, *De septem donis*, II, pp. 124.
[66] *Speculum virginum*, XI, p. 319–21.

(*megalēs boulēs angelos*).[67] Transmitted in the medieval period through patristic and liturgical texts, it was a natural title to use when calling upon divine counsel, and was frequently paired, as here, with the Vulgate's translation of the same title as *admirabilis consiliarius*. Generally, its use in commentaries and theological texts focused on Christ's evangelical mission and his office as messenger, or on his *consilium* as the salvific counsel of the Trinity, 'not as concerning matters of uncertainty, but that which is foreknown and established'.[68] In other texts, however, the title of *magni consilii angelus* might also be invoked alongside the gift of Counsel as a source of spiritual insight and aid for one's current circumstances. John of Salisbury, for example, ends the prologue to his *Policraticus* with a prayer that 'the Angel of Great Counsel might deign to illuminate our minds by his spirit so that we might not be carried off by the errors of vices.'[69] Letters frequently referenced the title: those of Ivo of Chartres († 1115) often urge his recipient to 'consult the Angel of Great Counsel so that, receiving the spirit of Counsel, he may avoid what is unworthy and useless [*inhonestum et inutilia*] and accomplish what is worthy and useful [*honestum et utilia*]'; in another letter, Ivo declares that, unsure of his recipients' fortitude, he cannot offer further aid and counsel, 'unless the Angel of Great Counsel intervenes to direct your counsels and actions'.[70] Similarly, Anselm of Bec († 1109), having failed to receive anything but worldly counsel from the lords and bishops of England regarding his conflict with William Rufus, reportedly declared that he would 'run to the Angel of Great Counsel … and obtain from him the counsel that I am to follow'.[71] As in Richard Fishacre's sermon above, Christ's counsel is naturally opposed to the counsel of the world and is superior to every other counsel: as Bernard of Clairvaux reportedly said, 'The Angel of Great Counsel calls – what outside counsels [*aliena consilia*] are you waiting for?'[72]

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[67] *Esaias*, ad Is. 9:6, ed. R. Gryson, *Vetus Latina*, vol. 12 (Freiburg, 1989), pp. 288–93.
[68] '*Consilium non de rebus incertis aliquibus, sed praecognitis et statutis*.' Ambrose, *De Spiritu sancto* (PL 16:747B). See also Bernard of Clairvaux, *Sermones super Cantica Canticorum*, sermo 54.1, Bernardi opera 2, pp. 98–100.
[69] John of Salisbury, *Policraticus*, I, prol., ed. K.S.B. Keats-Rohan (Turnhout, 1993), p. 26.
[70] Ivo of Chartres, *Epistolae*, no. 15 [writing to Philip I regarding his intended second marriage] (PL 162:28), and no. 137 (PL 162:146). See also letters 32, 35, 98, etc.
[71] Eadmer, *Historia novorum in Anglia,* I, ed. Martin Rule (London, 1884), p. 57.
[72] Geoffrey of Clairvaux, *Declamationes de colloquio Simonis cum Iesu ex sermonibus Bernardi* (PL 184:456A).

As well as being closely identified with the works of the Trinity, the gifts of the Holy Spirit were also increasingly incorporated, over the course of the twelfth and thirteenth centuries, into various theological and ethical schemata, a concept originally introduced by Gregory the Great and Augustine. In the *Moralia in Job*, Gregory saw the seven gifts as allegorically represented by Job's seven sons: they each give a feast in their own day, which represents the shining forth of the gifts in turn, each possessing something the other six do not. Counsel, accordingly, 'gives a feast in its day, in that while it stays us from acting precipitately, it makes the mind to be full of reason' – a definition frequently cited in the *Sentence* commentaries discussed below.[73] In turn, each gift also 'feeds' the others, for each gift is destitute unless helped by another. Counsel is accordingly paired with Fortitude, since Counsel without Fortitude cannot carry out what it has discovered, and Fortitude without Counsel rushes headlong into ruin without the governance of reason.[74] Each gift is associated with a particular pitfall: those who possess it should beware lest 'Counsel, while it multiplies itself, should grow into confusion'.[75] Gregory also presented the gifts as antidotes to particular vices: the spirit of Counsel is specifically bestowed to temper the mind against fear.[76] This theme is later picked up in the twelfth century by Hugh of St Victor, although his list of vices is slightly different; he sets Counsel against avarice, which remains the most common pairing in thirteenth-century texts.[77] Meanwhile, Augustine, who had provided the only other substantial patristic contribution to the doctrine of the gifts, connected them with the beatitudes and the petitions of the Lord's Prayer, linking Counsel to the beatitude of mercy and the petition of forgiveness.[78] Although Augustine's

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[73] Gregory, *Moralia in Job,* I.xxxii.44.
[74] ibid., I.xxxii.45. Gregory likewise uses a 'steps' model of the gifts in his *Homiliae in Hiezechielem,* II.7 (PL 76:1016), in which fortitude requires counsel's foresight, and counsel requires understanding's discernment of what is good and evil.
[75] *Moralia in Job,* I.xxxv.48.
[76] ibid., II.49.77.
[77] de Blic, 'Pour l'histoire de la théologie des dons', pp. 144–5; Hugh of St Victor, *De quinque septenis*, III, in *Six opuscules spirituels*, p. 114. See below, Chapter 3, p. 103.
[78] Augustine, *De sermone Domini in monte*, II.11.38, ed. Almut Mutzenbecher (Turnhout, 1967); idem, *Sermones de diversis,* sermo 347 (PL 39:1526).

language was inexact and he gave little explanation for his associations, they proved extremely influential on later medieval writers.[79]

In the twelfth and thirteenth centuries, the numbers of connections between these and other septenary series proliferated with the additions of the days of Creation, the sufferings of Christ, the voices of the Lord, and many others.[80] Many discussions incorporated the gifts into broader considerations of virtue and moral progression, particularly with the development of virtue ethics and moral theology, while complex connections were similarly created by the didactic theological diagrams which started to appear over the course of the thirteenth century.[81] These discussions and related illustrations help to cement Counsel and the other gifts at the heart of a framework in which Counsel was employed against vice and in support of virtue. In Bernard of Clairvaux's sermon on the gifts, for example, the seven gifts 'go forth as an army set in array against the seven steps of sin': the gift of Counsel is specifically applied against habit (*consuetudo*) which drags us into unlawful behaviour; such evil habit may be opposed through the counsel of either the Angel of Great Counsel or else some spiritual person (*ab homine aliquo spirituali*) familiar both with Satan's devices and the necessary spiritual remedies.[82] While the gift of Counsel was linked to particular spiritual acts and virtues, such as foresight and undertaking matters of difficulty, its association with all divine counsel, particularly as found in Scripture and words of Christ, also gave it a directive force which offered vital spiritual assistance to many aspects of the Christian life.

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[79] See below, Chapter 3, p. 100.
[80] de Blic, 'Pour l'histoire de la théologie des dons', pp. 153–60; Odon Lottin, 'Les classifications des dons du Saint-Esprit au XIIe et au XIIIe siècle', *Revue d'ascétique et de mystique* 11 (1930).
[81] See below, Chapter 3, pp. 104–111.
[82] Bernard of Clairvaux, *Sermones de diversis,* sermo XIV.4, Bernardi opera 6/1, p. 137.

Scholastic Approaches to the Gifts

A more systematic inquiry into the exact nature and role of the seven gifts, particularly in contrast to the virtues, began in the twelfth century and blossomed under the scholastic writers of the thirteenth.[83] Discussions of the gift of Counsel, in particular, acquired more attention. When Peter Lombard considered the gifts of the Holy Spirit in the *Sentences* in the 1150s, he was relatively unconcerned with the gift of Counsel, focusing his attention primarily on questions concerning the gift of Fear.[84] However, scholastic commentators on the *Sentences*, such as Albertus Magnus, Aquinas, and Bonaventure, writing after the translation of Aristotle's *Ethics* in the mid-thirteenth century, had new philosophical definitions and considerations of counsel to integrate into their accounts. Unsatisfied with Lombard's coverage, they added new articles and questions to their *Sentence* commentaries in order to explicate the gift of Counsel further, and in particular, to clarify the distinction between counsel based on human reason and the gift of Counsel derived from the Holy Spirit.[85]

The primary effect of the gift of Counsel, according to Aquinas, is a preparation of the heart to heed the counsels of God. In considering the distinction between the virtues and the gifts of the Holy Spirit in the *Summa theologiae*, he returns to the Scriptural term not of 'gifts', but 'spirits', indicating that the gifts of the Holy Spirit exist in us by divine inspiration (*inspiratio*, literally 'inbreathing'). By these gifts, our souls are disposed to be 'readily moveable' (*prompte mobilis*) by the Holy Spirit.[86] This is not to say that humans are coerced: rather, they 'are led by the Holy Spirit according to their own mode, namely preserving their free decision [*salvato libero arbitrio*], which is a faculty of the will and of

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[83] On the development of medieval doctrines of the gifts, see Odon Lottin, 'Les dons du Saint-Esprit chez les théologiens depuis P. Lombard jusqu' à S. Thomas d'Aquin', *Recherche de théologie ancienne et médiévale* 1 (1929).
[84] III *Sent.* dist. 34.
[85] Albertus Magnus, *In III Sent.* dist. 35 art. 5–8, pp. 650–52; Bonaventure, *In III Sent.* dist. 34 q. 9, pp. 780–82; Aquinas, *In III Sent.* dist. 35 q.2 art. 4, pp. 595–7. For further discussion of Aristotle's views on counsel, see below, Chapters 2 and 3.
[86] *ST*, I-II q.68 a.1.

reason.'[87] Aquinas seems to have in mind a notion of 'participated likeness' (*participativa similitudo*), a phrase he uses in discussing the gift of Knowledge. In Aquinas' understanding, the movement enabled by the gifts 'can be characterised as a sharing or appropriation of God's stance toward some object'.[88] In the case of the gift of Counsel, humans are 'directed as though counselled by God' – in other words, they are enabled to take on God's perspective and stance towards the possible courses of action.[89] As we saw in the discussion of *Faciamus hominem*,[90] the rationality with which humans were created predisposes them to counsel and deliberation, which is why counsel is the means by which the Spirit chooses to move humans:

> Now God moves each thing according to the mode of the thing that is moved ... It is proper for a rational creature to be moved to do something through the inquiry of counsel [*per inquisitionem consilii*], and therefore the Holy Spirit moves a rational creature by the mode of counsel [*per modum consilii*].[91]

Albertus Magnus similarly refers to the influence of Counsel which directs by 'divinely inspired light' (*lumen divinum inspiratum*).[92]

A particular sticking point for these scholastic writers was that doubt and contingency were considered necessary preconditions for counsel. How could such doubts be associated with a gift of the Holy Spirit, embodied in Christ and continuing in heaven? Various *Sentence* commentaries quote John of Damascus, who stated that taking counsel or deliberating (*consiliari*) is a mark of ignorance and uncertainty.[93] The commentators' solutions rely on a two-fold definition to resolve the apparent contradiction. It is true, says Bonaventure,

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[87] *ST,* II-II q.52 a.1 ad 3.
[88] Andrew Pinsent, 'The Gifts and Fruits of the Holy Spirit', in *The Oxford Handbook of Aquinas* (Oxford, 2012), p. 478.
[89] ibid.; *ST,* II-II q.52 a.1.
[90] Above, pp. 17–23.
[91] *ST,* II-II q.52 a.1.
[92] Albertus Magnus, *In III Sent.,* dist. 35 art. 7, pp. 651–2.
[93] John of Damascus, *De fide orthodoxa,* XXXVI.13. This text was translated into Latin by Burgundio of Pisa in the twelfth century, with later corrections by Robert Grosseteste. Cited in Albertus Magnus, *In III Sent.* dist. 35 art. 5, p. 650; Bonaventure, *In III Sent.* dist. 34 q.9 opp. 4; Aquinas, *In III Sent.* dist. 35 q.2 art. 4 q.3.

that *consiliari* belongs to the ignorant, but only when it is used in the sense of 'to seek counsel', not in its other sense, which is to direct in choosing arduous things. It is this second mode which is the act of the gift of Counsel which was in Christ, and by which the divine arrangement of secret things is also called 'counsel'.[94] Albertus Magnus similarly turns to a two-fold definition to deal with the question raised by the classical definition of counsel:

> What is counsel? It is defined by Cicero in the *Rhetorica* thus: 'Counsel is a deliberate plan for doing or not doing something'.[95] … According to [this] definition, counsel is not a gift, for all things which are contingent and practicable for us, we anticipate by deliberate plan: and this seems to make foresight [*providentia*] a virtue, which is a part of [the virtue of] Prudence [*prudentia*]. Therefore it seems that it is not consistent with a gift.[96]

Albertus resolves the issue by clarifying that there are two types of counsel, distinguished by the level of difficulty demanded:

> Counsel is generally understood according to what is defined by Cicero; nevertheless, it can be specially applied to the gift of Counsel, so that it is called the deliberate plan in those matters in which a human is in need of special aid on account of their difficulty [*propter arduitatem*], and therefore counsel here does not concern doubt [*de dubio*] but rather difficulty.[97]

The 'difficulty' to which Albertus refers is not a practical difficulty of circumstance, but rather a spiritual level of arduousness which requires divine aid. As he clarifies in a later article,

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[94] Bonaventure, *In III Sent.* dist. 35 q.4 ad 2, p. 782.

[95] '*Consilium est aliquid faciendi vel non faciendi vere excogitata ratio*.' cf. Cicero, *De inventione*, II.25.36.

[96] Albertus Magnus, *In III Sent.* dist. 35 art. 6, pp. 650–51. A similar twofold definition is adopted by Guillaume Perrault in his description of the gift of Counsel: 'As it is used generally [*large*], counsel is examined or considered reason of something to be done or not to be done. … However, used strictly [*stricte*], counsel is called the will of God to which we are not constrained by command on account of its arduousness and difficulty … Counsel is thus understood: it is divine illumination.' *Summae virtutum ac vitiorum,* I.7.7, ed. Rodolphus Cluyt (Paris, 1629), vol. 1, p. 422.

[97] Albertus Magnus, *In III Sent.* dist. 35 art. 6, p. 651.

> That which is specially called Counsel is a directing light in attempting more elevated difficulties above the industry of man, which God alone displayed to a state of perfection; and this mode of counsel is a spiritual gift, which the faithful receive from the Holy Spirit, either so that they may fulfil the counsels, or so that they may be able to fulfil them if they wish.[98]

These 'counsels' are the evangelical counsels of Christ, the 'great things' for which humans are not sufficient in themselves without special aid, such as selling everything and giving the money to the poor (Matt. 19:21).[99] These counsels are so arduous that fulfilling them requires divine help in the form of the gift of Counsel.[100]

These scholastic writers also distinguished in level between the virtues and the gifts. Aquinas gives a list in the *Summa theologiae* of various other positions held regarding the relationship between the two, and himself concludes that while human virtues perfect us insofar as they are apt to be moved by reason, there must also exist higher perfections in the forms of gifts, which render souls moveable by the Holy Spirit.[101] He cites Aristotle who says that those who are moved by such divine prompting (*instinctum divinum*) are not helped by taking counsel according to human reason, but should rather follow their internal prompting (*instinctum interior*), since that prompting is better than human reason.[102] There are, indeed, matters – in particular, matters of salvation – in which human reason is not sufficient, and the prompting of the Holy Spirit through a gift is necessary.[103] In moving us by means of the gifts, 'God, to whose knowledge and power all things are

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[98] Albertus Magnus, *In III Sent.* dist. 35 art. 8, p. 652.
[99] ibid., art. 5, p. 650.
[100] On the evangelical counsels, see Chapter 2, pp. 73–75.
[101] *ST*, I-II q.68 a.1.
[102] ibid., citing Aristotle, *Eudemian Ethics,* VIII.2, known by Aquinas as the treatise *De bona fortuna*: see Edward D. O'Connor, 'St Thomas's Use of the "De Bona Fortuna"', in *Summa theologiae,* vol. 24 (Cambridge, 2006), pp. 142–47.
[103] *ST,* I-II q.68 a.2.

subject, keeps us safe from all foolishness and ignorance and dullness and hardness of heart and the rest.'[104]

Following Aquinas' view, then, the gift of Counsel and the virtue of Prudence (one of the four cardinal virtues derived from classical sources) are clearly not synonymous, for the gift of Counsel directs differently than counsel undertaken by Prudence. Prudence enables one to take counsel (*consiliare*) for oneself or another according to reason, but as we have seen, such human reason is limited. It is unable to comprehend all the singular and contingent things (*singularia et contingentia*) which might occur: 'Our counsels are uncertain' (Wisdom 9:14).[105] However, the gift of Counsel corresponds to the virtue of Prudence in that it assists and perfects it.[106] And so, humans are directed in the inquiry of counsel (*in inquistione consilii*) by God through the gift of Counsel,

> through which humans are directed as if by counsel received from God [*quasi consilio a Deo accepto*], just as in human affairs those who are not sufficient in themselves in the inquiry of counsel require counsel from those who are wiser.[107]

The gift of Counsel brings a certitude not possible in human counsel concerning the contingencies of human affairs, for

> to achieve certitude of counsel is not human, but divine, whose [role] it is to foresee contingent events with certitude. And therefore it is appropriate that the mind should be elevated to this certitude above the human mode by the prompting [*instinctu*] of the Holy Spirit.[108]

Bonaventure's commentary on the *Sentences* similarly highlights the difference between the virtue of Prudence and the gift of Counsel, based on natural and divine law: direction in choice according to the rule of natural law belongs to 'political virtue' [*virtus politica*], while

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[104] *ST,* I-II q.68 a.2.
[105] *ST,* II-II q.52 a.1.
[106] ibid., a.2. On the relationship between counsel and prudence, see Chapter 3.
[107] *ST,* II-II q. 52 a.1 ad 1.
[108] Aquinas, *In III Sent*. dist. 35 q.2 art. 4 q. 3 sol. I, p. 597.

direction according to the rule of divine law pertains to the gift of Counsel.[109] Elsewhere, Bonaventure, following Macrobius, describes 'political' virtues as those which fit us to live amongst other humans and are concerned with the ends of civil society, as opposed to the theological virtues, which are aimed toward the kingdom of heaven.[110] Bonaventure also returns to the concept of *arduitas*: both Prudence and Counsel direct in matters of choice (*eligibilia*), but Prudence directs in those which belong to necessity (i.e. not matters of choice), while Counsel directs those which belong to *arduitas*, 'according to the greater and more excellent difficulty which has to be discovered in these things'.[111] Compared to Prudence, the deliberation which belongs to the gift of Counsel operates in a more excellent mode: the matters which it considers are more arduous and excellent, and it must rule by higher principles (*regere habet secundum principia altiora*).[112] Divine prompting was considered to supersede human reason and experience, elevating the mind to a certitude unattainable by human reason: 'Counsel,' according to the Dominican Guillaume Perrault († c. 1271), 'is a heavenly light, more excellent than the light of prudence: with it, prudence may be rectified'.[113]

Finally, these commentators also consider the 'proper' act of the gift of Counsel, and whether it should involve others in the giving and receiving of counsel, or function only as internal deliberation. Bonaventure, in particular, enters into an intricate semantic discussion of the question, inquiring whether the proper act of the gift of Counsel is *consiliari* ('to counsel, to deliberate'), or *consulere*, a verb which can mean both 'to seek counsel from another' and 'to give counsel':[114]

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[109] Bonaventure, *In III Sent.* dist. 35 q. 4, p. 781.
[110] ibid., dist. 33 *dub.* 5, p. 730; Macrobius, *Commentarii in somnium Scipionis,* I.viii.6–8, ed. James Willis (Leipzig, 1970), pp. 37–8.
[111] Bonaventure, *In III Sent.* dist. 35 q. 4, p. 781. On choice, precept, and counsel, see Chapter 2, pp. 69–76.
[112] Bonaventure, *In III Sent.* dist. 35, q. 4 ad 5, p. 782.
[113] Guillaume Perrault, *Summae virtutum ac vitiorum*, I.7.7, p. 423.
[114] See above, p. 10.

> But the act of the gift of counsel is not to seek counsel, for the one who seeks counsel lacks counsel, and the one who lacks counsel does not now have the gift of Counsel. Therefore the act of this gift is not *consulere*, according to the *consulere* that means 'to seek counsel'. On the other hand, to give counsel is neither of great advantage nor yet of great virtue, since many people know how to counsel [*consulere*] who rule themselves very miserably. If therefore the gift of Counsel is directed towards one's own advantage, it seems that its act is not to give counsel to another, nor to receive counsel from another, as it first seemed.[115]

It therefore seems that the act of the gift of Counsel is to directly counsel oneself (*directe sit ipsum consiliari*). However, when Bonaventure returns to this argument in his *solutio*, he clarifies that sometimes the gift of Counsel is in abundance, and sometimes in deficit; when it is in deficit, one must be helped by others, but when it is in abundance, one must help others. The acts of consulting another or counselling another can therefore both be attributed to the gift, although they are not its principal act. 'Accordingly,' he concludes, 'one can reasonably say that the act of the gift of Counsel is to rule oneself, and furthermore, when it abounds, to know similarly how to help and direct someone else.'[116] Aquinas also acknowledges that while the gift of Counsel is common to all the saints in that they have counsel from God as to what should be done in matters necessary for salvation, there may be those who are particularly good at giving counsel to others, through a gratuitously given grace.[117] A mind filled with the spirit of Counsel is a 'moved mover [*movens motum*]'; by the very fact of being directed by the Holy Spirit, it is able to direct itself and others.[118] We have already seen an example of the directive power available to those with such 'gratuitously given grace' in Jacques de Vitry's account of Marie d'Oignies, who is able to counsel others by virtue of being filled with the spirit of Counsel.

While Bonaventure's commentary on the *Sentences* is particularly concerned with the definition of the gift of Counsel, his sermon on Counsel – preached during Lent 1268 as part of a series of collations 'On the Seven Gifts of the Holy Spirit' at the University of Paris – places more focus on the active pursuit and discernment of divine counsel in

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[115] Bonaventure, *In III Sent.* dist. 35 q. 4, p. 780.
[116] ibid., p. 781.
[117] *ST,* II-II q.52 a.1 ad 2.
[118] ibid., a.2 ad 3.

practice. According to Bonaventure's sermon, the gift of Counsel is directed towards a threefold action,

> namely, to discern rightly, to choose well, and to carry out expeditiously. … It is not sufficient to have a good intention. One should desire to carry out one's intention in act, moving from the power of knowing to desire, and from the power of desire to action.[119]

He therefore divides Counsel into three subsidiary forms, corresponding to these three categories of discernment, choice, and action.[120] The first form of counsel, related to discernment (i.e. of good versus evil), is regulated by divinely instituted laws found in Scripture.[121] The second form, however, which involves choice by command of the will, is regulated by 'the dictate of divinely inspired reasonings' which should be sought directly from the Lord.[122] Bonaventure does not consider Scripture alone sufficient for this form of counsel, since, taken apart from counsel, Scripture can still be twisted for evil purposes. Indeed, he says,

> no matter how much knowledge a person has of the New and the Old Testament, it is still necessary to seek counsel of the Lord [*consulat Dominum*]. I do not say that the person should have a special conversation [*habeat specialem allocutionem*] with the Lord, but it is necessary for the Lord to draw forth the truth as a light for him.[123]

Finally, the third type of counsel – related to actual action in the pursuit of virtue – is required in addition to the previous two because 'it is difficult for a person to be instructed by himself'. The counsel of action should therefore be directed by the dictates of divinely inspired people, for '*the soul of a holy man at times proclaims truth more than seven watchmen*

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[119] Bonaventure, *Collationes de septem donis Spiritus Sancti*, VII.8, Opera omnia 5, p. 490; trans. Zachary Hayes and Robert Karris, *Collations on the Seven Gifts of the Holy Spirit* (New York, 2008), p. 150.

[120] *Collationes,* VII.5. Bonaventure cites Aristotle's formula of what is necessary for virtue, 'to know, to will, and to act', *Collationes*, VII.8; see Aristotle, *Ethica,* II.4, 1105a.

[121] *Collationes,* VII.11.

[122] On counsel and choice, see below, Chapter 2.

[123] *Collationes,* VII.12. Like Albertus Magnus (above, p. 39), Bonaventure uses symbolism of light for divine counsel, which provides certainty by illuminating the truth.

who sit on high to watch [Ecclus. 37:18], and such a person sees more than you yourself'.[124] According to Bonaventure, our primary counsellor in these things should be Christ, who tells us to imitate him by giving alms, in humility, in poverty, and in obedience (i.e. the evangelical counsels), but Christ also has 'many counsellors with whom he shares his counsel' and who can confirm and imitate his counsels, particularly the apostles and the saints.[125] Bonaventure also warns, however, that there are evil counsellors – in particular, those who discourage others from joining the mendicant orders – who 'twist great things into nothing, good things into evil things, and certitude into doubt [*certa deducit in dubium*]'.[126]

Such doubts may lead to indecision, but Bonaventure stresses that the reception of divine counsel requires an active element, not merely passive waiting and expectation:

> There are some who do not know what is being done in a religious Order, yet they wish to give counsel. And they say to one who wishes to enter: 'What do you want to do? Listen to what God wants. For it is better to be in the will of God than to be in the hand of counsel [*in manu consilii*].' If in that way you wish to wait until the Lord makes a revelation to you [*revelet tibi*], and if you do not wish to do what the Holy Scriptures and holy men [*sancti viri*] tell you, and what Christ inspires you to do [*quod Christus inspirat tibi*], it is possible that you will always be at a fork in the road [*esse in bivio*]. About such a man it is said: *A double-minded man is unstable in all his ways* [Jas. 1:8].[127]

The counsel of Scripture and *viri sancti* should not therefore be ignored in anticipation of a special divine revelation. Human intermediation, particularly from those abounding in the gift of Counsel, held an important place alongside counsel received directly from God.

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[124] *Collationes*, VII.13.
[125] *Collationes*, VII.15, 16.
[126] *Collationes*, VII.17.
[127] *Collationes*, VII.19.

Counsel in Spiritual Ministry

Even when counsel was not described as having a directly divine origin, spiritual counsel was still considered an essential component of pastoral care. Due in part to contemporary concerns for pastoral reform, in the thirteenth century counsel was increasingly given a role in both public ministries and in private, interpersonal contexts.[128] In particular, clerics were redefining their role as spiritual counsellors to both clergy and lay people through the ministries of preaching and confession. Preaching allowed a more public form of delivering spiritual counsel, although one still mindful of the particular concerns of its audience, while confession allowed a priest to counsel penitents individually and privately, with attention to their individual circumstances and conscience.

Medieval sermons, particularly as conceived from the late twelfth century onwards with the introduction of the *artes praedicandi*, were consciously crafted as forms of persuasive rhetoric by which preachers were acting as counsellors, conveying spiritual, and at times temporal, counsel.[129] This role was augmented in the thirteenth century with the increased attention paid to preaching to lay people, led to a large extent by preachers of the newly founded mendicant orders of Dominicans and Franciscans.[130] The identification of the role of the preacher with that of a counsellor can be found as early as the writings of Gregory the Great, who in his *Moralia in Job* explicitly linked 'preacher' with 'counsellor', saying 'we rightly interpret "the counsellors" as those preachers who furnish the counsel of life to their hearers'.[131] Preaching could also act as the means of aiding one's audience to receive the counsel of Christ. A synodal sermon on the priestly office, attributed to the Franciscan

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[128] Alexander Murray, 'Counselling in Medieval Confession', in *Handling Sin*, ed. Peter Biller and A. J. Minnis (York, 1998).
[129] On the rhetoric of preaching, see below, Chapter 4, pp. 192–198.
[130] David L. D'Avray, *The Preaching of the Friars* (Oxford, 1985); Nicole Bériou, *L'avènement des maîtres de la Parole: la prédication à Paris au XIIIe siècle* (Paris, 1998); idem, 'Les sermon Latins après 1200', in *The Sermon,* ed. Beverly Mayne Kienzle (Turnhout, 2000).
[131] *Moralia in Job*, XI.xii.19; Job 12:17.

archbishop of Rouen, Eudes Rigaud († 1275), identifies counselling through preaching as one of the threefold duties of the office, mirroring the work of the Trinity:

> Through the priestly ministry the All-Powerful Father himself cares for the infirm through the distribution of the sacraments; Wisdom the Son counsels against ignorance by preaching [*consulit ignorantiae per praedicationem*]; Goodness, which is the Holy Spirit corrects iniquity through the truth of confession.[132]

Eudes supplements his discussion of the office of preaching with a citation of the 'watchman' passage of Ezekiel 3, in which the Lord appoints the prophet Ezekiel as a watchman (*speculator*) over the house of Israel. He tells the prophet that if he does not convey the warning and judgement of the Lord and as a result the wicked man does not turn from his sin, or the just man turns away from justice, their blood will be required at his hands. If, however, he delivers his message, the prophet will have discharged his responsibility, whatever the result, and delivered his own soul. Eudes' citation of this passage therefore underlines the preacher's moral responsibility to provide God's counsel.

In his treatise on preaching, *De eruditione praedicatorum*, Humbert de Romans also conveys this weighty responsibility of preachers, which must be supported by wisdom and prudence:

> Just as it often happens that, from a lack of wise rulership, cities are emptied of their inhabitants, so do rational people vanish from a lack of preaching. Proverbs 29 [v.18], *When prophecy fails, the people shall be scattered,* and they are found to be like forsaken beasts. But by the prudence of preachers the cities are renewed and inhabited by people. Ecclesiasticus 10 [v.3], *Cities will be inhabited through the understanding of the prudent*, Gloss: that is, of the preachers.[133]

Humbert also advises preachers on the more practical aspects of counsel, 'since it frequently happens that people come to preachers for the sake of counsels [*causa consiliorum*].' The best counsel sought from preachers concerns matters of the soul: 'preachers should respond promptly and eagerly to these, for [counsel] of this sort,

[132] Louis Duval-Arnould, 'Trois sermons synodaux de la collection attribuée à Jean de La Rochelle', *AFH* 69 (1977), p. 61. Duval-Arnould tentatively dates the sermon to a diocesan synod on 24 May 1250: ibid., *AFH* 68 (1976), pp. 392–400.

[133] Humbert de Romans, *De eruditione praedicatorum*, I.iii, in *Opera de vita regulari*, vol. 2, ed. J. J. Berthier (Rome, 1888), p. 379; cf. *Glossa*, ad Ecclus. 10:3.

according to whether it is good or bad, will lead to salvation or damnation.' Bad counsel can be avoided by seeking counsel from the wise (*sapientes*) and not the foolish (*fatui*), but it may still arise through a preacher's cowardice, a desire to flatter and please, false pity, greed, or a desire to win favour. This is a matter of concern, for bad counsel has a myriad of damaging effects: it harms the one receiving the counsel, the other people affected by the enactment of the counsel, the one giving the counsel, the community which has thereby been dishonoured, and the prelate who appointed the counsellor, all the while causing inevitable scandal. To avoid these dangers, therefore, preachers who wish to give counsel should carefully study the teachings of the wise, and if necessary, delay giving an answer in order to deliberate or take counsel with others, perhaps referring the matter to their superiors in difficult cases. Although Humbert is more concerned for preachers to give counsel upon spiritual matters, he also advises that even counsel sought on temporal matters (*de temporalibus*) should not be denied when compassion requires it, referencing the example of Joseph, who gave counsel to Pharaoh to harvest in the time of plenty for the common good of the land (Genesis 41).[134] At the same time, however, a preacher should take care not to become too entangled in secular affairs, such as by attending the counsels of important men (*assistere magnatibus in consiliis*).[135]

In addition to its provision through preaching, spiritual counsel could also be provided through the practice of confession.[136] In book IV of his *Sentences* (c. 1150), Peter Lombard, discussing whether venial sins may be confessed to a friend rather than a priest, concludes, 'Yet it is safer and more perfect to reveal both kinds of sins to priests and to seek medicinal counsel [*consilium medicinae*] from those to whom the power of loosing and binding was

[134] *De eruditione,* XLIII, pp. 475–7.
[135] ibid., XLII, p. 474; cf. below, Chapter 5, pp. 257–259.
[136] On changes to the practice of confession, see Baldwin, *Masters, Princes, and Merchants*, pp. 49–59; Thomas Tentler, *Sin and Confession on the Eve of the Reformation* (Princeton, 1977), pp. 3–27; Pierre J. Payer, *Sex and the New Medieval Literature of Confession, 1150–1300* (Toronto, 2009), pp. 12–44.

granted.'[137] Similarly, Lateran IV's canon *Omnis utriusque sexus* in 1215, which instituted annual confession for every adult Christian, also required that the confessor be

> discerning [*discretus*] and cautious that he may pour wine and oil into the wounds of the one injured after the manner of a skilful physician, carefully inquiring into the circumstances of the sinner and the sin [*inquirens et peccatoris circumstantias et peccati*], from the nature of which he may understand what kind of counsel to give to him [*quale illi consilium debeat exhibere*] and what sort of remedy to apply.[138]

The encyclical *Cum qui recipit prophetam* from Honorius III in 1221, requesting that Dominicans be allowed to hear confessions, uses similar language, declaring it expedient for brothers of the Order to

> hear the confessions of penitents and impose salutary counsel on them [*consilium eis iniungere salutare*], since the same brothers, applying themselves to the progression of souls, send out discerning and careful priests through whom salutary counsel can be provided [*salutare potest consilium preberi*] and a remedy applied.[139]

The combination of the roles of preacher and confessor, particularly in the case of Dominican friars, only served to strengthen the association with counsel.[140] Humbert de Romans noted that preaching often naturally led to penitence and the taking of confession. He even warns that those acting as confessors might be tempted to give bad counsel in order to win people's favour and attract many to come to them.[141] He summarises the connection even more concisely in his commentary on the Rule of St Augustine, 'The fruit

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[137] IV *Sent.* dist. 17 c.4 n.6–7.
[138] *General Councils of Latin Christendom*, ed. A. Garcìa y Garcìa et al., Conciliorum oecumenicorum generaliumque decreta II.1 (Turnhout, 2006), p. 221.
[139] *Monumenta diplomatica S. Dominici,* eds. V.J. Koudelka and R.I. Loenertz (Rome 1966), n. 143.
[140] On Dominicans and confession, see M. Michèle Mulchahey, "*First the Bow Is Bent in Study – ": Dominican Education before 1350* (Toronto, 1998), pp. 52–54, 527–31. The adoption of the role of confessor by itinerant mendicants was criticised for reducing the role of the local priest. Matthew Paris, for example, complains that 'some people refused to confess to their proper priest, because he was perhaps a drunkard, or for some other secret reasons, but flew with confidence to make their confessions under the shelter of the wings of consolation and counsel [*ad alas consolationis et consilii*] spread out to them by passing Preachers and Minors. And what was the remedy or utility which resulted from it?' *Chronica majora* [henceforth *CMj*], V, p. 529; trans. J. A. Giles, *English History, from 1235 to 1273* (London, 1852), vol. 3, p. 149.
[141] Humbert de Romans, *De eruditione praedicatorum,* XLIII, p. 477.

of preaching is harvested in the confessions and counsels of souls [*in confessionibus et consiliis animarum*]'.[142]

This connection between taking confession and giving counsel also occasionally appears in the confessors' manuals which appeared from the late twelfth century onwards.[143] Robert of Flamborough, for example, in his very popular *Liber poenitentialis*, completed around 1215, describes circumstances under which a priest may take the confession of a penitent who is not under his pastoral care. The idealised priest of his dialogue lists possible exceptions, concluding: 'Then indeed I will receive you for penitence, lest perhaps you should die unconfessed or go from me without counsel; for I will admit anyone to counsel.'[144] In his treatise on vices, Guillaume Perrault lists the counsel of the priest as one of the six benefits to proceed from confession, citing Proverbs 24:6: 'There shall be safety where there are many counsels'.[145]

The qualities of the ideal confessor highlighted by both canons and confessors' manuals – qualities of discernment, wisdom, and care – also lent weight to confessors' abilities to give good counsel. Humbert shows concern that there are some confessors 'less firm against temptations, or lacking in their nature or understanding' who hear confession indiscriminately without being mindful of the counsels which must be given.[146] Meanwhile, the virtues displayed by the ideal penitent, most notably humility and receptivity, were meant to create fertile ground for receiving such counsel. Openness to

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[142] Humbert de Romans, *Expositio regulae B. Augustini*, in *Opera de vita regulari*, vol. 1, ed. J. J. Berthier (Rome, 1888), p. 52.
[143] On confessors' manuals, see Pierre Michaud-Quantin, *Sommes de casuistique et manuels de confession au Moyen Age (XII–XVI siècles)* (Louvain, 1962); L.E. Boyle, 'Summae Confessorum', in *Les genres littéraires dans les sources théologiques et philosophiques médiévales: définition, critique et exploitation*, ed. Robert Bultot (Louvain-la-Neuve, 1982), pp. 227–37.
[144] Robert of Flamborough, *Liber poenitentialis*, ed. J.J. Frances Firth (Toronto, 1971), I.1 q. 4, p. 57. Here he follows Alan of Lille's earlier *Liber poenitentialis*, ed. Jean Longère (Louvain, 1965), IV.8, pp. 172–3, which agreed that giving counsel for the health of the soul did not need to follow the same jurisdictional boundaries as confession.
[145] Guillaume Perrault, *Summae virtutum ac vitiorum*, II.5.2.5, p. 196.
[146] Humbert de Romans, *De eruditione praedicatorum,* XLIII, p. 480.

others' scrutiny is an important precursor to confession, as Humbert notes: 'Holy men frequently scrutinize [*considerant*] their own life and make inquiries concerning it of others. And what they discover to be evil, they cleanse through contrition, confession, and correction.'[147] This emphasis on internal contrition and conscience within confession could cut two ways in terms of the practice of counsel. On the one hand, the regular practice of confession emphasised an attitude of humility and a receptivity to counsel, criticism, and correction. At the same time, however, the increasing emphasis on moral obligation and self-examination in the training of confessors, tied into ideas related to internal promptings of the Spirit through the spirit of Counsel, could also 'only have fortified the sense of conscience' and supported the idea of acting according to one's own conscience within the privacy of one's own mind and heart, accountable directly to God.[148]

The clerical role of counsellor was not restricted to formal ministry. Counsel is an inherently relational practice, and it is only natural that spiritual counsel and guidance towards divine counsel, particularly through the spirit of Counsel, was intertwined with language of friendship and pastoral care in addressing specific and individual circumstances. Such an intersection is demonstrated with particular clarity in the collected letters of two thirteenth-century English clerics, both concerned with the cure of souls and both intimately connected with political affairs: the Oxford-based Franciscan Adam Marsh and Robert Grosseteste, bishop of Lincoln († 1253).

As a man who was himself much sought after for his spiritual counsel, Adam Marsh was keenly aware of the assistive role of the Holy Spirit and his gifts. Over the course of a long friendship and correspondence with Grosseteste, Adam referred many times not only to the counsel and consolation he himself was willing to provide, but also to the direct aid of

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[147] Humbert de Romans, *De eruditione praedicatorum,* XXXVII, p. 460.
[148] Alexander Murray, 'Excommunication and Conscience in the Middle Ages', in *Conscience and Authority in the Medieval Church* (Oxford, 2015), p. 190.

divine counsel.[149] In one letter, explaining that he would not be able to come to the bishop any sooner than previously arranged, Adam wrote, 'Nor, in the light of frequent experience, is it to be expected that the spirit of Counsel and Fortitude, with patience and the consolation of the Scriptures, will fail you in the cause of salvation'.[150] He believed that such counsel was particularly important for the episcopal office, telling Grosseteste that a worthy bishop attends tirelessly to the cure of souls 'with holy wisdom and heavenly counsel'.[151] Adam sought to access clarification for both himself and his friend through prayer:

> What is proper to do in these circumstances, what is permissible, what is seemly, what is expedient, I pray that a genuine message from Almighty God may tell us, illumining a pure heart in a pious breast, piercing the darkness of contagion – *the clarity of eternal light, a mirror without blemish* [Wisd. 2:76].[152]

He likewise wrote of his own hopes of being 'led by grace and heavenly counsel [*celestis consilii*]'.[153] Counsel, paired with fortitude, is frequently found in the valedictions of some of Adam's letters:

> In the midst of such great and critical matters, I pray that Christ, the power of God, and the wisdom of God, may grant you a spirit of Counsel to make you diligent in making your choice, and a spirit of Fortitude to empower you to act.[154]

As Gregory the Great established, fortitude is the natural accompaniment to counsel, providing the strength to enact what counsel has chosen.[155]

This gift of Counsel could also be used to others' benefit. In a letter to Simon de Montfort, the earl of Leicester and another close friend – to whom he writes not only pastoral counsel

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[149] Adam's 60 letters to Grosseteste make up the largest correspondence in his letter collection; only two letters survive from Grosseteste to Adam.
[150] Adam Marsh, *Letters*, no. 13, p. 32.
[151] ibid., no. 36, p. 106.
[152] ibid., no. 37, p. 111.
[153] ibid., no. 12, p. 32.
[154] ibid., no. 40, p. 114. See also letters 20, 44, 58, 71, 75, 90, etc.
[155] *Moralia in Job,* I.xxxii.45; above, p. 36.

but also much advice on governance – Adam describes both Robert Grosseteste and Walter of Cantilupe, the bishop of Worcester, as having 'as I believe, the spirit of Counsel … who can, with God's favour, satisfy your requirements [for counsel] far better than my inadequate self'. [156] Nor is access to this divine help restricted to clerics: Adam mentioned to Grosseteste that Simon was 'prepared according to the counsels of heaven [*secundum consilia celestia*] to gird himself' for an unspecified project of the bishop's.[157] Indeed, Adam directed Simon himself towards the surety of divine counsel:

> When confidence in worldly assistance is gone, the triumphant courage of the warriors becomes entirely dependent upon the invincible strength and protection of heaven, which in all ages cries aloud of itself with the words, *Counsel and equity are mine; prudence is mine; strength is mine.* … [Prov. 8:14][158]

The certainty of such divine assistance was particularly needed because of the uncertainty of human counsels – presumably only augmented by Simon's entanglements in temporal affairs in the early 1250s:

> Although much experience gives one slender hope that the needful searching counsels [*circumspecta consilia*] will prevail as the matter demands in the business about which you wrote, still, with the favour of God, in whose hands are the hearts of kings, we must on no account lose faith, so that *humbling ourselves under the mighty hand of God, we may cast all our care upon him, for he has care of us* [I Pet. 5:6-7]; and pursuing justice by means that are just, we may direct our actions with the uncertainty of their outcome to a sure end which is the will of God.[159]

Both clerics and pious laypeople were directed by Adam to trust in the eternal counsels of God and in the illumination and discernment bestowed by the spirit of Counsel on themselves and on holy men around them.

Robert Grosseteste's own surviving letters do not show the same repeated references to the spirit of Counsel found in Adam Marsh's, but they do contain several more sustained discussions of the role of Counsel amongst the gifts of the Holy Spirit, both of which emphasise its implications for those in positions of authority. In the first, written to the

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[156] Adam Marsh, *Letters*, no. 142, p. 352.
[157] ibid., no. 25 (1249), p. 58.
[158] ibid., no. 138 (1250 x 1251), p. 334.
[159] ibid., no. 136 (?1252, post June), p. 330.

papal *nuncio* Master Martin around 1244, Grosseteste responds to a request for counsel regarding an incident in his diocese over the attempted, and contested, conferral of a benefice. Grosseteste was then engaged in translating Aristotle's *Nicomachean Ethics* into Latin, and his reply includes a striking conflation of the *Ethics* with Isaiah 11. According to Aristotle, counsel is that which devises the best path for achieving a predetermined goal;[160] therefore the spirit of Counsel with which the pope is illuminated also desires to reach its goal – the salvation of souls – by means of the straightest path. In these circumstances, 'straight' refers not only to the avoidance of evil itself, but also its appearance (I Thess. 5:22). Grosseteste's tripartite counsel to Master Martin therefore focuses on his exercising authority appropriately and winning over any opposition through reason: the *nuncio* should make known the authority he has for his actions; justify as necessary any exercise of that authority that might seem less than reasonable; and try reasoning with those who might oppose any of his reasonable commands before taking stronger measures with physical demonstrations of power.[161] Grosseteste here speaks of the spirit of Counsel as sharing essential characteristics with the human counsel described by Aristotle; its results should equally be characterised by reason, even while aimed at the higher goal of the salvation of souls.

Grosseteste's other epistolary discussion of the gifts of the Holy Spirit occurs in a letter to Henry III of England in 1246, replying to earlier correspondence from the king.[162] Having discussed the relationship between priesthood and kingship, most particularly the clear distinction between their respective domains, Grosseteste then seeks to respond to Henry's question of 'what the sacrament of anointing would appear to add to the royal dignity', writing,

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[160] See below, Chapter 2, p. 89.

[161] Grosseteste, *Epistolae*, no. 106, ed. Henry Richards Luard (London, 1861), pp. 315–17; trans. Frank Mantello and Joseph Goering, *Letters of Robert Grosseteste* (Toronto, 2010), pp. 332–4.

[162] *Epistolae*, no. 124, pp. 348–51; *Letters,* pp. 366–9. Henry's initial letter does not appear to survive.

> It is beyond my small competence to give an adequate reply, but I am well aware that the anointing of a king is the sign of the privilege of receiving the sevenfold gift of the most holy Spirit [*susceptionis septiformi doni sacratissimi Pneumatis*]. It is this sevenfold tribute that binds an anointed king to a degree far surpassing unanointed kings to direct all his actions as king and those of his government toward specific goals.[163]

Grosseteste explains the virtues bestowed on the anointed king by each of the seven gifts.[164] The first four gifts enable his virtuous action as a king: through the gift of Fear, he restrains himself and his subjects from everything unlawful; through Piety he defends and aids the orphan and widow; through Knowledge, he is disposed to ordain and observe just laws; and through Fortitude, he is willing to risk even his own life for the safety of the realm. The final three gifts allow the king to perform these deeds with distinction, for which 'he must be adorned first by the gift of Counsel, by means of which the order of this world as perceived by the senses is revealed through human skill and knowledge [*artificialiter et scientifice*]'; meanwhile, Understanding discerns the order of the angelic host, while Wisdom attains a clear knowledge of God. The anointed ruler's adornment with these gifts is necessary so that, in accordance with the order of the world, the angelic hierarchies, and the governance of God, he too may govern his realm in an orderly fashion. So, Grosseteste concludes,

> the sacrament of unction does add to the royal dignity, for the reason that, in comparison with the other kind of king, the anointed monarch, as mentioned above, because of the godlike and heroic virtues that derive from the Spirit's sevenfold gift, must prevail in his every act of government.[165]

Henry's anointing should both direct and enable his virtuous action as a king. Specifically, the gift of Counsel acts alongside human skill and knowledge to perceive the right order of the world, the same order which he is bound as king to uphold in his kingdom.

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[163] *Epistolae*, no. 124, p. 350; *Letters,* p. 368.
[164] See also, below, Chapter 5, p. 234.
[165] Grosseteste, *Epistolae*, no. 124, p. 350; *Letters,* pp. 368–9.

Conclusion

Medieval conceptions of divine and spiritual counsel had several key implications for human counsel. Most fundamentally, of course, the inexorable and eternal counsels of God formed the framework by which all human plans and counsels – uncertain and ephemeral by their very nature – were considered to be bound. But more than this, depictions of divine counsel modelled the use of counsel and deliberative language by an omniscient Supreme Ruler, demonstrating that such counsel and deliberation could be used as a means of bestowing honour and dignity and of involving others in the work, even in the absence of any actual need for counsel. Counsel was described as fundamental to human life, and medieval practices of allegorical and tropological interpretation facilitated the process of drawing parallels between heavenly and earthy counsel, particularly in the case of human rulers, such as abbots and kings. Discussions of the creation of humanity in particular also served to emphasise an inherent rationality which predisposed humans themselves to the action of counsel and deliberation. This rationality also made counsel the appropriate mode by which humans could be moved through the gift of Counsel by the internal prompting of the Holy Spirit.

While many of these foundational notions of divine and divinely-granted counsel were drawn from patristic texts, the teaching of the Paris schools brought both greater precision to the distinctions being deployed (particularly with regard to the gift of Counsel) and greater emphasis on the pastoral contexts of preaching and confession where spiritual counsel might be offered. By the middle of the thirteenth-century, discussions of the gift of Counsel were grappling with competing definitions of counsel based on human reason as informed by Aristotle and by considerations of the cardinal virtue of Prudence, highlighting the distinction between divine and human counsel.[166] Thirteenth-century discussions, such as those found in the *vita* of Marie d'Oignies or the letters of Robert Grosseteste, also demonstrate an increasing concern with the gift's external implications, visible both in the foresight and perception of one's own actions and in the divinely-

[166] See below, Chapter 3, pp. 97–142.

inspired counsels one could give to others. These discussions therefore added an additional level to the act of deliberation by emphasising both internal deliberation and counsel from other spiritual and holy people. Even where counsel was not described as having a directly divine origin, spiritual 'salutary' counsel was therefore considered an essential component of pastoral care, both in formal ministry and in more interpersonal contexts, aiding receptive souls to align their uncertain human counsels more closely with the certain counsels of God.

Chapter 2

Counsel as Deliberation, Choice, and Supererogatory Action

> *[C]onsilium [est] quod posito et praefixo fine optimo viam adinvenit rectissimam, ac hoc optimam, per quam ad propositum finem pertingitur.*
>
> Counsel is that which – the best end having been set and determined in advance – devises the straightest (and therefore the best) path by which that proposed end might be attained.
>
> Grosseteste, *Epistolae*, no. 106.[1]

The discussions of the previous chapter have generally referred to *consilium* as an unalloyed and certain good, the eternal intention of God and the spiritual insight and advice which draw the faithful towards him. However, amongst the contingencies and uncertainties of earthly life, matters are often not so clearly defined. Determining *what* is good, particularly within the context of a given situation, must precede doing that good; and deliberative counsel – whether undertaken within oneself or with other people – must propose a course of action before the choice can be made to follow it. Many medieval discussions of *consilium* therefore associated it with choice, particularly moral choice.

Such choice was intrinsically bound up with notions of freedom and obligation, although these discussions took different forms over the course of the twelfth and thirteenth centuries as new influences came to bear. In the twelfth century, considerations of choice were often part of discussions of the nature of free will and its ability to resist sin – defined by Bernard of Clairvaux as 'freedom of counsel' – as well as the role of the intellect, will, and passions in influencing human action. From the mid-twelfth century onwards, however, discussions around counsel and choice had been increasingly influenced by

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[1] *Epistolae,* p. 315. See above, p. 55.

intellectual and institutional changes, including rapid developments in canon law, the systematisation of theology in the schools, and the increasing advisory role of the College of Cardinals, precipitating changes in the way in which inherited ideas were expressed and applied. Building on patristic definitions to distinguish counsel from stricter obligations of precept, many of these discussions focused on the distinction between what was permitted and what was expedient. While many theological discussions focused on the 'evangelical counsels', supererogatory actions which the spiritually perfect might choose to undertake, canonists also emphasized the choice involved in receiving and acting upon human counsel, while still maintaining the value and even necessity of such non-binding counsel. Decretalists of the thirteenth century went still further, seeking a more precise distinction between counsel and consent in the context of decision-making within the Church.

By the mid-thirteenth century, a different complexity had been added to considerations of counsel in the schools by the introduction of Aristotle's *Nicomachean Ethics*, which supplied a significantly more philosophical perspective and vocabulary. Books II and III of the *Ethics* focused on *consilium* as an essential precursive element of the process of choice, highlighting the centrality of choice to the consideration of virtue and moral character. Counsel is necessitated by the inherent contingency and doubt associated with the intermediate goods of moral action (as opposed to, in the Christian terms of the *Ethics'* commentators, the certain *summum bonum* of salvation) and the need to determine the most expedient or practicable course of action. As Grosseteste explains in the quotation beginning this chapter, counsel is not about choosing an end, but rather determining the path by which to reach it. Writers such as Grosseteste and Aquinas intentionally employed such Aristotelian definitions to inform and develop biblical and patristic considerations of counsel.

These new discussions and models connecting internal counsel and deliberation to choice had implications for multiple contemporary contexts of counsel. The same process – encountering uncertainty, undertaking deliberative counsel in consideration of the various circumstances, arriving at the most expedient means of achieving the end, and then making a conscious, deliberate choice – was one which was equally applicable to the externalised deliberative process involving other counsellors as it was to personal and internal

deliberation. These discussions of the internal deliberative process therefore also informed a parallel model for the deliberations of prelates and secular rulers.

Freedom of Counsel and the Will in the Twelfth Century

The ability to choose freely, unique to rational creatures, was seen by medieval writers as fundamental to ethics and moral philosophy. In theological terms, the idea that human action was not determined or *ex necessitate* was doctrinally crucial.[2] Theologians often pointed to a verse in Ecclesiasticus which highlighted humanity's divinely-granted power of decision: 'From the beginning, God made man and left him in the hand of his own counsel [*reliquit illum in manu consilii sui*].'[3] Even Christ's work of salvation was described as the work of the Wonderful Counsellor (*consiliarius admirabilis*) and Angel of Great Counsel (*magni consilii angelus*);[4] his great work inviting humans to follow him was defined as a counsel which could be freely chosen or rejected, albeit at great cost.[5] The ability to deliberate and to take counsel was seen as inherent to freedom of decision: as Aquinas notes, 'if nothing is free within us and we are necessarily moved to will things, deliberation [*deliberatio*], exhortation, precept, punishment, and praise and blame, of which moral philosophy consists, are destroyed.'[6] Christian writers were well aware from the outset, however, of the realities of internal struggles of the will with right choice and action, going back to the Apostle Paul's lament in his letter to the Romans: 'For the good which I will [*volo*], I do not; but the evil which I will not [*nolo*], that I do.'[7] Likewise, Augustine confessed his internal struggle between his carnal will and his spiritual will. For him, both

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[2] See for example, *La condamnation parisienne de 1277,* ed. David Piché and Claude Lafleur (Paris, 1999), Appendix I.9, pp. 302–4.
[3] Ecclus. 15:14.
[4] Above, Chapter 1, p. 34.
[5] Byrne, *Justice and Mercy,* pp. 101–2.
[6] Aquinas, *Quaestiones disputatae de malo,* q.6 a.1, ed. Raimondo Spiazzi (Taurini, 1953), p. 558.
[7] Rom. 7:19.

good and evil impulses could demonstrate the divided will, or rather, a multiplicity of competing wills:

> Is it good to find delight in a reading from the apostle? To enjoy the serenity of a psalm? To discuss the gospel? … If all these things tug at our will with equal force, and all together at the same time, will not these divergent wills [*diversae voluntates*] put a great strain on the human heart, as we deliberate [*deliberatur*] which to select? All are good, but they compete among themselves until one is chosen [*eligatur*], to which the will, hitherto torn [*dividebatur*] between many things, may move as a united whole [*tota voluntas una*].[8]

With the will being pulled in so many different directions, how do humans exercise their choice?

Bernard of Clairvaux's *De gratia et libero arbitrio* (written before 1128) assigned an important role to counsel within its discussion of the will. Developing Augustinian ideas on free will, Bernard identified three human freedoms: freedom of decision (*libertas arbitrii*), freedom of counsel (*libertas consilii*), and freedom of pleasure (*libertas complaciti*).[9] The third freedom – the freedom of pleasure – is not relevant here, as it is only to be enjoyed by those humans raised to a state of glory in heaven. The first freedom, however, the freedom of decision, has always belonged to all rational creatures: it is freedom from external necessity in the philosophical sense, a freedom reflective of humans' creation in the image of God which allows them to exercise their will to choose as they will.[10] The second freedom – the freedom of counsel – also already exists here on earth, although only

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[8] Augustine, *Confessionum libri XIII,* VIII.10, ed. Martin Skutella and Luc Verheijen (Turnhout, 1981); trans. Maria Boulding, *Confessions* (London, 1997), pp. 203–4. See also Thomas Williams, 'Will and Intellect', in *CCME*, pp. 239–42.

[9] Bernard of Clairvaux, *Liber de gratia et de libero arbitrio* [hereafter, *DG&LA*], III–IV, ed. J. Leclercq and H.M. Rochais, vol. 3 (Rome, 1963); trans. Watkin Wynn Williams, *Concerning Grace and Free Will*, (London, 1920). *Arbitrium* in this context, rendered here as 'decision', has also been variously translated as 'will', ''choice', 'judgement', etc. The distinction between *arbitrium* and *voluntas* is not always preserved, for example in Augustine, nor are they used consistently amongst later medieval writers such as Bonaventure and Aquinas. See also below, pp. 92–92.

[10] On the development of medieval thought on freedom, see Tobias Hoffman, 'Freedom without Choice: Medieval Theories of the Essence of Freedom', in *CCME,* pp. 194–201.

to a limited degree. It is a freedom of grace, a freedom from sin by which humans subdue the flesh. Bernard follows Augustine in describing a higher and lower degree of this freedom: the higher degree of freedom of counsel, possessed by God and those in heaven, is the absolute inability to sin. The lower degree, once possessed by Adam but lost in the Fall, does not make sinning such an impossibility, but it does give its possessors the *ability* to refrain from sin.[11]

Bernard is careful to distinguish between the first and second freedoms. Freedom of decision remains to sinful humans, but its effects – in that it is only freedom from external necessity – are limited:

> It does not pertain, nor has it ever pertained, to free decision [*liberum arbitrium*] in itself to have ability, nor to be wise, but merely to will [*velle*]; it makes a creature neither able nor wise, but merely willing … [If the will] is merely unable to will the good, it is a sign that it lacks not free decision, but counsel.[12]

Freedom of decision allows humans to act upon their own will, but without the freedom of counsel, they are unable to do so wisely, in a manner which is directed towards what is good. Bernard is clear that those exercising their freedom of decision without the freedom of counsel are unable to avoid sin, since it is only the insight of such counsel which can allow them to exercise their freedom of decision correctly:

> Just as it belongs to judgement to distinguish [*discernere*] between what may and what may not be licit, so it belongs to counsel to show what may and what may not be expedient [*expediat*]… Would that we as freely took counsel with ourselves [*nobis consuleremus*] as we make judgements concerning ourselves, so that, just as by judgement [*per iudicium*] we freely discern between the licit and the illicit, so by counsel we should have the freedom to choose the licit as advantageous [*commoda*] and to reject the illicit as harmful! For in such a case we should be not only free in judgement, but without doubt also free in counsel, and therefore free from sin.[13]

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[11] cf. Augustine, *De correptione et gratia,* XI.33–4 (PL 44:936–7).
[12] *DG&LA*, VIII.24, p. 184.
[13] *DG&LA*, IV.11, p. 173; trans. Williams, pp. 20–21 [modified].

In Bernard's conception, it is *iudicium* which enables humans to know what they ought and ought not to do, but it is *consilium* which allows them to see correctly that the licit course is indeed the most expedient and advantageous, which in turn allows them the freedom and the ability to choose what is licit and thereby to avoid sin.[14] In other words, only the informed insight made possible through counsel allows humans to exercise their freedom of decision correctly; through the freedom of counsel they learn no longer to abuse the freedom of decision. Through it, they not only have a knowledge of good and evil, bestowed upon humanity at the Fall but also have the discernment, insight, and ability to choose what is expedient, i.e. to choose the good.

Unfortunately, because human wills are still captive to sin, even this ability *not* to sin – the lower level of the freedom of counsel – exists only in part here on earth. Indeed, according to Bernard, it is only found in a few spiritual persons (*in paucis spiritualibus*) who have crucified the desires of their flesh so that sin no longer reigns over their body.[15] Bernard closely associates counsel with wisdom (*sapientia*), for true (as opposed to worldly) wisdom is only found where it is joined to the freedom of counsel such that one no longer wills what is evil. Although he does not explicitly refer here to the gift of Counsel, Bernard makes clear that the attainment of such wisdom requires divine intervention: Christ, as Wisdom himself, must 'reinfuse into [the Christian] true wisdom, and thus restore to him the state of freedom of counsel'.[16] While this restoration will not fully occur until the

[14] Bernard's distinction between *iudicium* and *consilium* was apparently not so intuitive as to avoid misquotation. A collection of 'preacher's notes' from the Benedictine monastery of Saint-Aubin (s. XII$^{2/2}$) borrows heavily from Bernard, albeit without citation; noting that the soul is divided into *voluntas, ratio,* and *memoria,* it lists *consilium* and *iudicium* as the two parts of *ratio* but says that *consilium* is concerned with what is licit, while *iudicium* is concerned with what is expedient: '*Ratio continet consilium et iudicium. Consilium quid liceat vel non. Iudicium quid expediat vel non. Sic et hic quadrifaria divisio. Nam quidam licent sed non expediunt, quidam expediunt sed non licent, quidam expediunt et licent, quidam neutram. Sub prima specie continetur constancia temptationum, sub secunda abstinentia concessorum, sub tertia obediencia mandatorum, sub quarta immundicia vitiorum.*' Angers BM, MS 241, f. 1v.
[15] *DG&LA,* IV.27, p. 185. See Gal. 5:24.
[16] *DG&LA*, VIII.26, p. 184.

glories of heaven, freedom of counsel, even in a limited capacity, still has its place in spiritual growth here on earth:

> Meanwhile, let it suffice in this body of death, and in this wicked world, by freedom of counsel not to obey sin in lust … In this flesh of sin and this warfare of the day, if not entirely to lack, certainly not to consent to sin, this is in no small measure to be wise … It is certainly necessary here for us meanwhile to learn from the freedom of counsel no longer to abuse freedom of decision, so that we may at some [future] time be able to fully enjoy freedom of pleasure.

Receiving true wisdom and learning through the freedom of counsel in order that one may make correct choices is part of the process, through grace, of our restoration of the image of God within ourselves, restoring 'that ancient dignity [*antiquus honor*]' lost through sin.[17]

Bernard's Augustinian model therefore depicts counsel, rooted in divinely infused wisdom, as an essential component to the righteous exercise of the freedom of decision and will which has been given to every human. Without such counsel, humans abuse their freedom of decision, using it to pursue lusts and fleshly desires, willing what is evil even when their judgement shows them what is good. Freedom of counsel allows humans a true freedom in their actions in that they can not only discern what is licit and good, but also recognise that what is good is advantageous to them and what is evil is harmful, with the result that they are able to choose to exercise their freedom of decision toward what is good. Like the gift of Counsel, Bernard's conception of the freedom of counsel appears to be something achievable only through divine grace, providing guidance to right action which, while utilising human judgement, goes beyond what can be achieved by human rationality alone.[18] At the very beginning of the treatise, Bernard addresses a critic who has admonished him for speaking of his own 'work' when it was in fact God who had acted and should be given the glory. Bernard acknowledges that his critic may have given good counsel (*bonum consilium*), but only if what he has said can also be maintained (*teneri*), for it is easier to know what ought to be done than to do it. It is one thing to show the way to the blind or to travellers, but quite another to provide the weary with the means to carry

[17] *DG&LA*, VIII.26, p. 185; trans. Williams, pp. 44–5.
[18] On Bernard's view of the gift of Counsel as an aid against evil habits, see above, p. 37.

them on their way or to provide travellers with provisions – which is to say that the one receiving counsel needs to be both taught and aided (*doceri et iuvari*). His human critic has taught him with good counsel, but it still remains for the Holy Spirit to provide the aid by which the counsel may be fulfilled.[19] Counsel in Bernard's model is a critical component of moving from knowledge to action, but he does not underestimate the difficulty of utilising it well in the present life.

Although Bernard's treatise was frequently cited by subsequent twelfth- and thirteenth-century writers,[20] it was only one of various contemporary models attempting to explicate the complexities of human free will. Some discussions turned instead to moral psychology and models of the divisions of human understanding, exploring how much the exercise of the will was a matter for the rational intellect, and how much a matter for our appetites, affections, and passions. The near-contemporary exegesis of the Benedictine Guibert of Nogent († c. 1125), for example, underlined the pre-eminence of reason as the guardian of individual moral action.[21] Where Augustine's influential Trinitarian model divided the mind into Memory, Intelligence, and Will, Guibert (using a model he received from Anselm of Bec) separated desire from the will, dividing the mind into Affection (*affectus*), Will (*voluntas*), and Reason (*ratio*)/Intellect (*intellectus*).[22] The extent to which the Will and Affection are truly distinguished for Guibert, however, seems to depend on context. In his *Moralia in Genesin,* Guibert depicts an ongoing struggle fought between Reason, Will and Affection, exemplified by the lives of the patriarchs. In Genesis 15, for example, God makes a covenant with Abraham to give his descendants control over the land of Canaan

[19] *DG&LA*, I.1, p. 165.

[20] Colleen McCluskey, 'Bernard of Clairvaux on the Nature of Human Agency', *Revista Portuguesa de Filosofia* 64:1 (2008), p. 284n4.

[21] Jay Rubenstein, *Guibert of Nogent: Portrait of a Medieval Mind* (New York, 2002), p. 20.

[22] Augustine, *De trinitate,* X.10–12, ed. W. J. Mountain (Turnhout, 1968); Guibert of Nogent, *Monodiae*, I.17 (PL 156:874D), trans. in Rubenstein, *Guibert,* p. 40. Bernard of Clairvaux also uses a Trinitarian model, though he substitutes *ratio* for *intelligentia*: for example, *Sermones de diversis,* sermo 45, p. 262. Guibert generally uses the term *affectus* where other writers tended to use *appetitus*, Rubenstein, *Guibert,* p. 38.

(give Reason control over the Will), but this is quickly followed by a deep sleep which overcomes Abraham at sunset:

> The sun sets at times when the fervour of justice in the heart of the saints, God allowing, grows tepid: slumber falls upon them when suddenly an unexpected sloth of their soul for a while shuts the eyes against their own foresight [*providentia*]. A *great and darksome horror invades* [v. 12] … and the light of counsel is nearly extinguished by a darkness, since he cannot find whither he ought to turn.[23]

Here *consilium* has an illuminating and directive force, aligned with Reason, although it is nearly overcome when desire grows faint.[24] Elsewhere in Guibert's *Moralia,* however, Affection actually appears as the direction of the Will, influencing it towards either *rectitudo* (and the contemplative life) or *commoditas* (and the active life). Reason chooses between these two directions and enables the Will to resist the temptations of carnal affection. Guibert finds his prime tropological model of the soul in the union of Adam and Eve: 'A man shall abandon his father and his mother and adhere to his wife … that is, to his Will ruled rationally, and they will be two, that is as Intellect and Will, in one flesh, that is in one Affection.'[25] Where Reason/Intellect is present, therefore, and in control of the Will, the differences between the Will and Affection fade. What is desired and what is willed is the same.

In warning against the role of the passions and appetites in diverting the mind from reason and deliberation, twelfth-century writers were clearly influenced (as indeed Augustine had been) by elements of Stoic ethical thought as transmitted by classical Roman writers and those who paraphrased them.[26] Caesar's famous speech in Sallust's *Bellum Catilinae* warned against the obscuring effects of the passions, stressing that

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[23] Guibert of Nogent, *Moralia in Genesin*, V, ad Gen. 15:12 (PL 156:132A); Rubenstein, *Guibert,* p. 57.
[24] Reason and counsel are not infallible, however. In Abraham's treaty with Abimelech (Gen. 26), Guibert sees a figure of the Intellect joined with pride; 'they are puffed up in the hope of satisfied ambition after the dishes of temporal glory [at the subsequent feast], which are watered by draughts of the counsel of human reason [*potibus irrigantur consilii rationis humanae*]', *Moralia in Genesin,* VII, ad Gen. 26:30–33 (PL 156:204D).
[25] *Moralia in Genesin,* ad Gen. 2:24 (PL 156:70C); trans. Rubenstein, p. 44.
[26] On Stoic influence in medieval virtue ethics, see Chapter 3, pp. 111–129.

> all people … who take counsel on matters of uncertainty [*de res dubiis consultant*] ought to be free from hatred, friendship, anger, and pity [*misericordia*], for when these impede, the mind cannot easily foresee what is true. … When you apply intelligence [*ingenium*], it prevails; but if passion [*lubido*] possesses you, it has rule, and the mind is impotent.[27]

The passage's inclusion of *misericordia* was not taken as a comment on mercy as a Christian virtue, but rather on pity as 'a passion [*passio*] unregulated by reason', which, like the other passions listed, impedes the deliberation of reason.[28] Of the passions, anger was particularly noted for its deleterious effects on reason, and specifically on heeding counsel.[29] Seneca's *De ira*, better known to medieval readers through Martin of Braga's sixth-century paraphrase, describes anger as the antithesis of rational discernment, 'foreclosed to reason and counsel [*rationi consiliisque praeclusa*]'.[30] Ambrose wrote that anger 'so disturbs the spirit that it leaves no room for reason'.[31] Such sentiments were repeated throughout the early medieval period. Rabanus Maurus, for example, writes that 'wicked anger is that which perturbs the mind, so that right counsel [*rectum consilium*] is lost'.[32] Sedulius Scottus similarly warned Christian rulers that 'two things especially are contrary to counsel, haste and anger [*festinatio et ira*], for anger blinds the mind [*obcaecat animum*] so that it may not see advantageous counsel [*ne utile videat consilium*]'.[33] This pairing of haste and anger as contrary to counsel became particularly popular in later *specula*, *florilegia*, and sermons.[34] Lust and bodily desire (*libido*) could similarly affect reason:

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[27] Sallust, *Bellum Catilinae*, LI.2–4, p. 88. This speech is discussed further, below, Chapter 4, pp. 177–180.

[28] Aquinas, *ST,* II-II q.30 a.3 arg.1.

[29] Conversely, counsel was seen as a particularly effective tool for restraining sinful anger, or directing righteous anger: Kate McGrath, *Royal Rage and the Construction of Anglo-Norman Authority, c.1000–1250* (Basingstoke, 2019), pp. 173–202.

[30] Seneca, *De ira,* I.2; Martin of Braga, *De ira,* praef. (PL 72:43).

[31] Ambrose, *De officiis,* I.xxi.90, ed. and trans. Ivor J Davidson (Oxford, 2001), p. 170.

[32] Rabanus Maurus, *Homiliae,* no. 60 '*de iracundia et homicidio cavendo'* (PL 110:113).

[33] Sedulius Scottus, *De rectoribus Christianis,* VI, ed. and trans. R. W. Dyson (Woodbridge, 2010).

[34] For example, Albertanus of Brescia, *Tractatus de arte loquendi et tacendi*, V, in *Della vita e delle opere di Brunetto Latini*, ed. Thor Sundby (Florence, 1884), p. 33; Vincent de Beauvais, *Speculum doctrinale*, IV.26, in *Speculum quadruplex*, vol. 2 (Douai, 1624), col. 316E (attributes to Socrates); Jacobus de Voragine, *Quadragesimale*, feria VI hebdom. V sermo 1, in *Sermones aurei*, ed. Rodolph Cluyt (Paris, 1760), vol. 1, p. 141 (attributes to Socrates); John of Wales, *Communiloquium*, I.vi.6 (Augsburg, 1475), [unpaginated] (attributes to *'Seneca in proverbiis'*); and

Augustine called it 'the great adversary of prudent counsels'.[35] Peter of Blois, writing to a newly elected bishop at the end of the twelfth century, likewise warns him that it is a 'great insolence' to act by *libido* rather than by reason and that it is bestial – the act of an irrational animal rather than a rational being – to place appetite before counsel.[36]

From the early twelfth century onwards, these discussions of the nature of human free will and its relation to reason and appetite had placed *consilium* at the centre of the process of moral choice, seeing it as a critical component of moving from knowledge to action. Bernard's description of the freedom of counsel, taken up by many scholastic writers of the thirteenth century, allowed for an intermediate freedom of moral choice, attainable here on earth – at least for the spiritually perfect – but awaiting true fulfilment in heaven. Through counsel, humans might not only recognise the good, but also recognise that the good is good *for them*, enabling them to exercise their freedom of decision well. Similarly, discussions such as Guibert's psychological model highlighted how reason, often seen as enacted through deliberation, could align the will and desire so that they share the same object. This conceptual paradigm continued to resonate throughout the twelfth and thirteenth centuries, emphasising the potential for one's unrestrained passions and desires to close the mind to reason and counsel, leading to choices made contrary to the good.

Counsel versus Precept

The distinction found in Bernard of Clairvaux's discussion above between the licit and the expedient was relevant not only to considerations of the agency of free will, but also to related discussions regarding the potential obligations imposed by external counsel – in particular, discussions regarding the theological distinction between the obligations of

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Sermones arboris, sermo 38, Vatican, Arch.Cap.S.Pietro.G.48, f. 16 (on this sermon collection, see below, Chapter 3, p. 115n57). See also Eudes de Châteauroux's sermon on Holofernes, below, Chapter 4, pp. 185–187.

[35] Augustine, *De Genesi ad litteram imperfectus,* XII.x.14 (PL 34:204).

[36] Peter of Blois, *De institutione episcopi* (PL 207:1100C); see also Richard of St Victor, *De eruditione hominis interioris,* III.3 (PL 196:1351A).

'precept' (*praeceptum*) and the choice involved in 'counsel' (*consilium*), derived from the Apostle Paul's instructions to virgins.[37] Counsel here was not only a mechanism by which moral choices could be made, but could also describe the matter to which Bernard's 'freedom of counsel' could be applied. Matters such as undertaking the vows of the religious life were not only framed as counsels in and of themselves – which Christians could follow but were not obliged to – but were also of a sufficient arduous nature as to require counsel and deliberation before they were undertaken.

The distinction between precept and counsel – between what is commanded and what is advised – had important implications, especially from the mid-twelfth century, for both scholastic theology and the rapidly changing field of canon law. In contrast to the law of Moses, the law of the Gospel was described as 'the law of liberty', with implicitly more freedoms left to an individual's discernment where an action was not explicitly commanded or prohibited.[38] Attempts to 'harmonise' the Church's canons and position theological and moral principles within a codified legal framework therefore brought an increased level of scrutiny to the application of the law to specific circumstances.[39]As these categories of precept and counsel informed thinking about choice and discernment, they also naturally raised questions about the level of deliberation and choice which might be involved in the legal enforcement of these theological tenets.

Several references to counsel and precept were collected into Gratian's foundational canon law collection, the *Decretum* (1139 x 1158), drawn from several patristic commentaries on Paul's instructions to virgins.[40] According to Jerome,

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[37] I Cor. 7:25. Paul does not have a *praeceptum* from the Lord but gives his *consilium* that they should remain unmarried.

[38] cf. Jas. 2:12; *ST,* I-II q. 108 art. 1.

[39] Byrne, *Justice and Mercy,* pp. 38–41. On the potential gap between conciliar precepts and pastoral counsels, see John Sabapathy, 'Robert of Courson's systematic thinking about early thirteenth-century institutions', in *Individuals and Institutions in Medieval Scholasticism*, ed. Antonia Fitzpatrick and John Sabapathy (London, 2020).

[40] On dating and recensions, see Anders Winroth, *The Making of Gratian's Decretum* (Cambridge, 2000), pp. 136–45. On the development of canon law more generally, see James Brundage, *Medieval Canon Law* (London, 1995).

> WHAT IS PRECEPTED IS COMMANDED, WHAT IS COMMANDED MUST NECESSARILY BE DONE, AND WHAT MUST NECESSARILY BE DONE IMPLIES PUNISHMENT IF IT IS NOT DONE. For it is to no purpose to give an order and yet leave it to the choice [*arbitrium*] of the one who is ordered. … Do not marvel, therefore, if amongst the temptations of the flesh and incentives to vices, we are not compelled to the life of angels [i.e. perpetual virginity], but rather instructed. FOR WHERE COUNSEL IS GIVEN, THERE IS A CHOICE OF OFFERING [*offerentis arbitrium*], WHERE A PRECEPT, THERE IS A NECESSITY OF SERVING. … The Apostle does not lay a snare upon us, nor does he compel us to be what we do not wish, but he advises [*suadet*] what is morally worthy and seemly [*honestum est et decorum*] … [41]

'Precept' is defined by necessity and compulsion, in that it is not left to the choice of the one to whom it is given, whereas 'counsel' – a matter of instruction and persuasion – preserves that choice: it is left to the decision of the one to whom the counsel is given. The same canon of the *Decretum* also quoted Augustine, who made a similar distinction based on the consequences of going against a precept or counsel: the failure to obey a precept is a sin worthy of punishment, whereas 'if you do not wish to carry out a counsel [*si uti nolueris*], you will accomplish less good, but you will not perpetrate evil'.[42]

The *Decretum* likewise used Augustine to emphasise a distinction also seen in Bernard of Clairvaux, between the licit and the expedient:

> The authority [*imperium*] of God ordering is one thing; the faithful counsel [*consilium*] of a servant [i.e. Paul] according to the mercy of love, which is inspired and given to him by God, is another. In the first case, it is not licit to do otherwise; in the second, it is licit, certainly, but in such a way that that which is licit might indeed in part be expedient, but in part might not be expedient.

In the case of virgins, marriage might be both licit and expedient, preventing them from falling into illicit temptations of the flesh, but remaining chaste according to the Apostle's counsel would be still more expedient and *honestum*.[43] The deliberation here is not between the licit and the illicit: no sin is committed by not following a counsel, as it would be by not obeying a precept. Rather, following counsel is a matter of foregoing lesser goods

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[41] Jerome, *Adversus Jovinianum*, I.12–13 (PL 23:227,231); text in capitals cited in *Decretum,* C.14 q.1 c.3 *Quisquis preceptis* §§2, 3. This *causa* deals with usury and legal proceedings to reclaim debts.
[42] C.14 q.1 c.3 *Quisquis preceptis* §1; cf. Augustine, *De sancta virginitate*, XIV–XV, ed. and trans. P. G. Walsh (Oxford, 2001), pp. 78–81.
[43] Augustine, *De adulterinis coniugiis,* I.18.22, ed. Joseph Zycha (Vienna, 1900), p. 368–9; C. 28 q.1 c.9 *Sic enim*.

for the sake of better ones. In the distinction between what is permitted and what is expedient, counsel leaves room for choice based on what the agent perceives to be expedient, which must be both in accordance with justice and of no hindrance to anyone's salvation. Unlike divine precepts, actions of counsel were therefore open to discussion and deliberation in order to determine the most expedient course of action.

These theological distinctions emphasising the choice involved in receiving and acting upon counsel were increasingly systematised from the mid-twelfth century. Divine precepts were defined as those things which were obligatory in matters of salvation, often used in specific reference to the Ten Commandments [*decem praecepta*] given to Moses, while counsels were non-obligatory, supererogatory actions. This term *supererogatio*, literally 'payment in addition', was derived from the narrative of the Good Samaritan in Luke 10,[44] and had been interpreted by patristic and early medieval writers as describing actions which were over and above what was required, such as in Paul's counsel to virgins.[45] Such supererogatory counsels were of particular interest amongst the renewal and reform movements of the twelfth and thirteenth centuries, particularly those such as the mendicants, concerned with the evangelical perfection of the apostolic life (*vita apostolica*), often exemplified in the specific 'evangelical counsels' of poverty, chastity, and obedience.[46] As Rupert of Deutz described it, 'not content to do what is commanded, [lovers of perfection] reach above themselves towards that which is greater and fuller [*maius*

[44] 'Take care of him; and whatsoever you shall spend in addition [*supererogaveris*], I will repay you at my return,' Luke 10:35.

[45] e.g. Augustine, *De sancta virginitate,* XXX; Fulgentius, *Ad Monimum*, II.13 (PL 65:192–3); Bede, *Expositio in evangelium S. Lucae*, III.10 (PL 92:470B).

[46] Hödl, L., 'Evangelische Räte', in *Lexikon des Mittelalters* (Stuttgart, 1977–99); Silvana Vecchio, 'Precetti e consigli nella teologia del XIII secolo', in *Consilium: teorie e pratiche*, ed. Casagrande et al., pp. 36–9. These evangelical counsels were derived from Christ's instruction to sell one's possessions to the poor (Matt. 19:21), his teaching on 'those who have made themselves eunuchs for the kingdom of heaven' (Matt. 19:12) and the Apostle Paul's counsel on virginity (I Cor. 7:35), and Christ's various calls to follow him in obedience (e.g. John 10:27). See, for example, *Regula non bullata* [*Rule of 1221*], in *Écrits de François d'Assise*, ed. K. Esser (Paris, 1981), pp. 122–4; *ST,* II-II q. 108 art. 4.

et amplius] than the command.'[47] As more arduous undertakings, the counsels assisted the perfect to leave behind all worldly distractions in order to be free for God.[48] By the end of the twelfth century, Peter the Chanter could note that 'observances of the counsels' (*observantie consiliorum*) were often called *supererogationes*;[49] by the mid-thirteenth century the term had also taken on a more technical theological meaning, with specific references to the 'supererogatory works' (*opera supererogationis*).[50] Such works of mercy as almsgiving, visiting the sick, and selling all one's possessions and giving to the poor were seen as counsels from the Lord, since they were not imposed by necessity and their absence would not lead to eternal retribution.[51]

As with the gift of Counsel, references to counsel and precept in Peter Lombard's *Sentences* were scant,[52] but the systematisation of the collection made such lacunae more evident and provided the opportunity for further development in its subsequent commentaries. Mendicant commentators of the thirteenth century continued to acknowledge the element of choice in undertaking the evangelical counsels in the religious life, evincing a sensitivity to circumstance. While the counsels of Christ are undoubtedly good and right, Albertus Magnus writes,

> a person may be in doubt as to whether [these counsels] are to be chosen, for one is not raised up to the point where it would be advantageous [*utile*] to relinquish everything except by divine counsel; and in such things one is also in need of counsel regarding the manner in which it is to be completed, because they are arduous matters and therefore prone to undue haste [*praecipitatio*].[53]

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[47] Rupert of Deutz, *De operibus Spiritus Sancti,* V.16 (= *De sancta Trinitate* XXXVIII.16), vol. 4, p. 1995; Vecchio, 'Precetti et consigli', pp. 34–5.
[48] Aquinas, *Summa contra gentiles,* III.130.3022, ed. Petrus Marc (Turin, 1961). See Chapter 1, pp. 39–43 on the role of the gift of Counsel in matters not of doubt but of difficulty (*arduitas*).
[49] e.g. Peter the Chanter, *Summa de sacramentis et animae consiliis*, II.i.87, ed. Jean Albert Dugauquier (Louvain, 1963), vol. 7, p. 78.
[50] e.g. Aquinas, *In III Sent.* dist. 34 q.3 art.1 qa.2, p. 572.
[51] e.g. Peter of Blois, *De amicitia Christiana et de charitate Dei et proximi,* II.38 (PL 207:936C).
[52] e.g. I *Sent.* dist. 47 c.3 and III *Sent.* dist. 30 c.1.
[53] Albertus Magnus, *In III Sent.*, dist. XXXV art. 7, p. 652.

The very difficulty of what is advised by the counsels necessitates a higher level of deliberative counsel. Even with divine counsel, however, the choice to enact the counsel remains: the gift of Counsel is received by Christians 'so that they may fulfil the counsels, or rather, so that they may be able to fulfil them if they wish [*si velint*].'[54] No sin is committed by not following a counsel, as it would be by not obeying a precept, 'for virtue and justice are not destroyed if man uses bodily and earthly things according to the order of reason'.[55] There may indeed be good reasons to put off fulfilling the counsels for a more fitting time or for the sake of the weak.[56] Mendicant theologians also distinguished between the ordinary Christian and those who were spiritually 'perfect'. In answer to an objection as to why there should be two such 'signs' of God's will regarding the doing of good things – counsel as well as precept – Aquinas answers that just as God gives different powers in the disposing of natures, so also in the disposing of human beings there are different things which order them to their end: 'one which is common to all, namely *precept*, and one which belongs to those who are perfect, namely *counsel*'.[57] Although the evangelical counsels in and of themselves are expedient to everyone, their expediency is also specifically dependent upon the person receiving them: 'owing to some people being ill-disposed, it happens that to some [the counsels] are not expedient, because their *affectus* is not inclined to such things'. When giving the counsels, Christ therefore also refers to the suitability (*ideonitas*) of people to observe them.[58] The precepts must direct those who yet live in a state of fear and imperfection, Bonaventure writes, but 'the plain teaching of examples,

[54] Albertus Magnus, *In III Sent.*, dist. XXXV art. 8, p. 652.
[55] Aquinas, *Summa contra Gentiles*, III.130.3024; trans. Vernon Bourke, *On the Truth of the Catholic Faith* (New York, 1956), vol. 4, p. 165.
[56] Aquinas, *In IV Sent.*, dist. 38, q.2, a.4, qa.2 ad 2, 3.
[57] Aquinas, *In I Sent.*, dist. 45, art. 4; see also Bonaventure, *Breviloquium,* V.9.
[58] Aquinas, *ST,* I-II q.108 a.4 ad 1.

the generous promise of rewards, and the high perfection of the counsels [*perfectio consiliorum*]' are suited for the perfect, who are motivated by love.[59]

The lines between precept as necessary for salvation and counsel as expedient for salvation could become blurred: one of Alan of Lille's twelfth-century definitions of *consilium* is simply 'a narrower precept [*praeceptum arctius*]',[60] and various evangelical movements at the beginning of the thirteenth century spoke of observing the evangelical counsels as precepts.[61] Acts of mercy were particularly prone to a 'blurring' between precept and counsel due to their dependency upon circumstances.[62] The categorisation of almsgiving, for example, could be dependent upon one's 'appropriateness of state [*decentia status*]': what is beyond someone's appropriateness of state should be given away as alms as a matter of precept, while what does not affect the appropriateness of one's state may be given as alms as a matter of counsel – i.e. as a matter of choice.[63] For such matters of counsel and choice, deliberation prior to taking action was an inevitable corollary. The ultimate article of Aquinas' *Summa theologiae* addresses whether one should enter the religious life without long deliberation: while clearly a 'greater good', Aquinas concludes that it may still require a level of deliberation and seeking counsel from others, particularly where some 'special obstacle' exists, such as physical infirmity or unpaid debts, as well as regarding which religious order to enter and the manner in which to do so.[64] The contingency of life, with all of its particular circumstances, made deliberation necessary, even in matters of clear spiritual good.

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[59] Bonaventure, *Breviloquium,* V.9, p. 262; trans. Dominic Monti, *Breviloquium* (St. Bonaventure, NY, 2005), p. 204. See also Bonaventure, *Sermones dominicales,* sermo 12.3, ed. Jacques-Guy Bougerol (Grottaferrata, 1977), p. 213: '*Vocat enim Deus tria genera hominum … Tertio vocat perfectos ad perfectionem vitae in voluntaria supererogatione consiliorum.*'
[60] Alan of Lille, *Regulae theologicae*, s.v. '*consilium*' (PL 210:750).
[61] Vecchio, 'Precetti et consigli', pp. 37.
[62] See Byrne, *Justice and Mercy,* pp. 95–105.
[63] Aquinas, *In IV Sent*. dist. 15, q. 2, a. 4 qa.1.
[64] *ST,* II-II q.189 a.10.

Obligations of Counsel in Ecclesiastical Governance

While the discussions we have examined thus far have focused upon individual and internal deliberation, these texts also had broader implications for ideas around counsel and obligation in more communal settings. The distinction between counsel and precept perpetuated via the various canons incorporated into the *Decretum*, which emphasized the choice involved in receiving and acting upon counsel, were utilised by the collection's later commentators as they sought to clarify principles of counsel and consent in ecclesiastical governance with regards to the levels of choice and obligation brought to bear on prelates, and even the pope.[65] Through their inclusion in newly systematised canon law collections, long-standing ideas about role of counsel in church governance and administration, from early ecumenical *concilia* onwards, could be deployed in new discussions and contexts.

A particularly influential and early articulation of the role of counsel in religious community had been provided by the sixth-century Rule of St Benedict, which considered it a key element of decision-making:

> Whenever something of importance arises in the monastery, let the abbot call together the whole community [*congregatio*] and state the matter to be acted upon. Then, having heard the counsel [*consilium*] of the brothers, let him consider the matter in his own mind and do what he shall judge to be more useful [*utilius*].[66]

The Rule stresses the importance of counsel in all matters – citing Ecclesiasticus 32:34, 'Do everything with counsel, and when it is done you will not repent' – but the manner of taking counsel is dependent upon the weightiness of the matter at hand. For important matters, abbots are instructed to summon the entire community together, because God may reveal something better (*melius*) to any one of them, even one of the younger brothers. For matters of lesser importance, however, he may take counsel with only a more select

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[65] The role of counsel and consultation in canon law has hitherto been largely neglected, as recently noted by R.H. Helmholz, 'Counsel in the Medieval Canon Law', *Bulletin of Medieval Canon Law* 37:1 (2020).

[66] *RSB,* cap. 3; see also M. Lalmant, 'Conseil (chez les religieux)', in *Dictionnaire de droit canonique*, ed. Raoul Naz (Paris, 1949).

group of *seniores*. Counsel is also a necessary component of the ordination of abbots: according to the Rule, an abbot should be chosen either by the whole community unanimously (*omnis concors congregatio*) in the fear of God, or else by a part of the community, however small, by sounder counsel (*saniore consilio*).[67] Likewise, a prior should be chosen by the abbot with the counsel of God-fearing brothers.[68] The hierarchy of authority is maintained throughout the deliberations, however: the giving of counsel by the brothers should be characterized by humility, and the decision remains dependent upon the abbot's judgement, to which all brothers must submit in obedience.[69] Giving counsel on a decision clearly carries neither the authority nor the implications of giving consent to it. In turn, the abbot's decisions are to be based upon forethought and justice.

These elements of counsel in the Rule continued to be explicated and defined throughout the medieval period. Its ninth-century commentator Smaragdus emphasized, for example, a necessary willingness to hear the counsel of the *congregatio* and advised the abbot to meet with the *seniores* afterwards in order to discern with them the most useful counsel and make his judgement, while a thirteenth-century Norman translation further elaborated the desirable characteristics of such *seniores*: '*sajes homes et prodes homes et discrez et raisnables*'.[70] The importance of counsel was also naturally inculcated by the various orders which adopted the Rule, notably the Cistercians, while newer rules such as the Latin Rule of the Templar Order (c. 1129) also incorporated very similar language around counsel.[71]

By the twelfth century, however, the systematization of canon law was also providing a new arena and framework for such discussions. In bringing together a diversity of late

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[67] *RSB,* cap. 64. On the *sanior pars* in the *Liber Extra* (X 3.11), see Geoffrey of Trani, *Summa super titulos decretalium* (Venice, 1491), f. 473b; Hostiensis, *Aurea summa* (Cologne, 1612), col. 803.
[68] *RSB,* cap. 65.
[69] *RSB,* cap. 3; see also above, Chapter 1, pp. 27–28. It has been argued that the *RSB* suppressed the collegial, deliberative character of the *consilium* prescribed in the earlier *Regula Magistri* (c. 510–25), giving common counsel a strictly advisory role: M. P. Blecker, 'Roman Law and *Consilium* in the *Regula Magistri* and the Rule of St. Benedict', *Speculum* 1972, 1–28. For other early rules, see *Early Monastic Rules*, trans. Carmela Franklin et al. (Collegeville, MN, 1982).
[70] Smaragdus, *Expositio in regulam s. Benedicti*, III, ed. Alfred Spannagel and Pius Engelbert (Siegburg, 1974), p. 81; *The Rule of St. Benedict: A Norman Prose Version*, III, ed. Ruth J. Dean and M. Dominica Legge (Oxford, 1964), p. 15.
[71] For example, the focus on counsel from fellow abbots in the *Instituta*, e.g. caps. 30, 33, and 73, in *Narrative and Legislative Texts from Early Cîteaux*, ed. Chrysogonus Waddell (Nuits-Saint-Georges, 1999), 453–97; 'Primitive Rule', cap. 36, in *Rule of the Templars*, ed. J.M. Upton-Ward (Woodbridge, 1992), p. 28.

antique and earlier medieval texts regarding the process of counsel and decision-making within the Church, Gratian's *Decretum* encouraged canonists to consider how such ideas might apply to the changing institutional contexts of their own day. A number of patristic passages and canons from early ecumenical councils either encouraged the process of taking counsel and reaching decisions more generally or else specifically discussed which matters might require bishops and prelates to seek counsel. A passage derived from Jerome, for example, spoke to the essential nature of the meeting of church elders for giving counsel:

> The church has the senate, a meeting of elders [*c(o)etum presbiterorum*], without whose counsel no monk ought to act. Rehoboam, son of Solomon, lost his kingdom because he did not wish to listen to his elders [I Kings 12:6-20].[72] The Romans also had a senate [*senatum*], by whose counsel they acted together, and we have our senate, a meeting of elders.[73]

Other canons referred to specific situations in which prelates would particularly require counsel. Canons taken from the First and Second Carthaginian Councils (348/390), for example, insisted on the involvement of others in the hearing of criminal cases and other accusations,[74] and from the Carthaginian Council of 401 came an injunction that no bishop should ordain clerics without the counsel of his own clerics.[75] The latter was supported by a canon extracted from a letter of Gregory I to bishop Adeomontus, advising him to use 'serious and experienced men of counsel' to take part when it was necessary to discuss ordinations, 'and consider this matter with them with communal deliberation.'[76]Alienations of property rights were also a topic of great concern: a letter from Leo I from 447 indicated that, unless very small, they required the agreement

[72] On Rehoboam, see below, Chapter 5, pp. 222–223.
[73] C.16 q.1 c.7 *Ecclesia habet*. The *Decretum* attributes the passage to Jerome's *Epistola ad Rusticum monachum*, but it seems to derive rather from Jerome's *Commentaria in Isaiam*, II.51, ad Is. 3:3 (PL 24:61).
[74] C. 15 q.7 c.3 *Si quis tumidus* and c.4 *Felix episcopus*.
[75] D.24 c.6 *Episcopus sine consilio*.
[76] C.1 q.1 c.119 *Estote*: '*Quando igitur de his tractari necesse est graves expertosque viros consilii vestri adhibete participes et cum eis communi hoc deliberatione pensate*'; Gregory the Great, *Registrum epistolarum,* III, no. 48, ed. Paul Ewald and Ludo Moritz Hartmann (Berlin, 1887), pp. 204–5.

(*conniventia*) and approval (*subscriptio*) of the affected clerics, without which the sale could be invalidated.[77]

A significant impetus for more detailed discussions around such matters of ecclesiastical counsel and governance, beyond what the *Decretum* provided, was the increasingly important role played by the College of Cardinals as papal advisers over the course of the eleventh and twelfth centuries. By 1179 a decree of Alexander III reserved the right of papal elections to the cardinals, and in 1201 a letter of Innocent III's (*Per venerabilem*) was interpreted as confirming the cardinals' proper function as assisting in the management of the affairs of the universal Church.[78] Although decretists such as Huguccio († 1210) indicated that the pope and cardinals together provided a more certain guide in matters of faith than the pope alone and accordingly advised the consideration of counsel *in consistorio* before papal laws were promulgated, cardinals still lacked a defined status in the *Decretum* and therefore in canon law.[79] In 1234, however, these changes in church governance were more formally reflected in the new canonical collection commonly known as the *Liber Extra*, compiled at the instruction of Gregory IX, which included almost 2,000 decretals issued since the time of Gratian. Not only did it give formal recognition to the cardinals' function and include various decretals concerning the role of counsel and consent in elections and other matters, but it also included a number of decretals issued 'by the counsel of our brothers [*de consilio fratrum nostrum*]', language which would prompt further discussion by the decretalists, particularly as they attempted to reconcile the current view of papal authority with the constitutional importance of the cardinals.[80]

A significant discussion concerning counsel developed around a particular *titulus* of the *Liber Extra,* 'Concerning those things which may be done by a prelate without the consent of his chapter' (X 3.10), which also treated matters requiring the chapter's consent and

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[77] C.12 q.2 c.52 *Sine exceptione;* also C.12 q.2 c.53 *Terrula*. For papal letter dating, see *Regesta pontificum romanorum*, nos. 61, 415 (193), ed. Philipp Jaffé (Leipzig, 1885).
[78] Brian Tierney, *Foundations of the Conciliar Theory* (Cambridge, 1955), pp. 69–71.
[79] ibid., p. 81. On Huguccio's work and influence, see Wolfgang P. Müller, *Huguccio: The Life, Works, and Thought of a Twelfth-Century Jurist* (Washington, D.C, 1994).
[80] For example, X 2.28.44 *Saepe*, X 3.39.17 *Cum instantia*, X 5.6.12 *Quod olim*; Brian Tierney, 'A Conciliar Theory of the Thirteenth Century', *Catholic Historical Review* 36:4 (1951), p. 431.

those concerning which the prelate ought to seek counsel. In particular, commentators on the *titulus* focused on its fourth and fifth *capitula* – referred to respectively as *Novit* and *Quanto* – both of which were drawn from letters from Alexander III to Amalric of Nesle, Patriarch of Jerusalem (1157-80). These broached the issue of situations of prelates either failing to seek counsel or else seeking counsel from those external to his church and emphasized the important role that the counsel of the prelate's own chapter should play in his decision-making.

Novit, from a letter sent in 1168, mandates that a prelate may not appoint, depose, or manage other business of the church without the counsel of the chapter.[81] Alexander III emphasises that the patriarch and his brothers are members of one body; it is therefore not fitting (*non decet*) for Amalric to seek the counsel of others in the business of his church. He transgresses the statutes of the holy canons not only by appointing and deposing without the counsel of his brothers, but also by using the counsel of both clerics and laypersons lingering around him ('*circa te commorantium*'), who do not belong to the body of the church itself, more than the counsel of his brothers.[82] Alexander warns that such appointments and depositions, if made in the same way in future, will be annulled by his apostolic authority.[83] *Quanto,* from a later letter sent in 1170, follows similar lines: Alexander again expresses amazement that in concessions, confirmations, and privileges, Amalric often seeks the counsel of clerics and lay people lingering around him who are not from the body of his own church, proceeding by their counsel and will (*iuxta eorum consilium et voluntatem*). This is utterly unfitting to his honour, to greater authority, and to the reputation of his brothers, whom, though absent, Amalric has recorded as approving ('*facis subscribi'*) his decisions as though they were present.

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[81] *Regesta*, no. 11384 (7613). The role of patrons in giving counsel on matters such as elections was another matter of contention: see Grosseteste, *Epistolae*, no. 30, pp. 116–7.
[82] This concern for the counsel of outsiders has striking parallels with contemporary discussions of counsel in secular courts: see Conclusion, pp. 283–278.
[83] X 10.3.4 *Novit*.

> Since therefore it is not fitting that, in the business of the church entrusted to you, your prudence should neglect the counsel of your brothers, with whom you are attested to be one body, we mandate to your brotherhood by the instructive apostolic writings that in concessions and confirmations and other business of your church you should ask for your brothers, and with them carry it out, and that which ought to be decided, decide, that which is in error, correct, that which is to be rooted out, destroy and uproot. [84]

Alexander ends by declaring invalid all privileges upon which the names of absent brothers have been written.

The extensive commentaries written on both the *Decretum* and the *Liber Extra* from this period provide important evidence of the use and interpretation of these canons and decretals by contemporary canonists. As the period progressed, Roman law, despite its limited inclusion in the *Decretum* (particularly its first recension), was increasingly incorporated into canonist arguments, enriching their vocabulary and conceptual framework.[85] Roman law not only gave serious attention to the liabilities associated with counsel given in matters leading to criminal cases – one is liable for a crime committed with one's help and counsel (*ope consilioque*)[86] – but it also clarified that 'no one is [legally] obligated by the counsel [he has given] [*nemo ex consilio obligatur*] if it is not expedient to the person to whom it has been given, for each person is free to consider for himself whether a counsel is expedient to him.'[87] The choice of following through on someone else's counsel, so long as it was not given with any fraudulent or malicious intent, remained with

[84] X 3.10.5 *Quanto*.

[85] On the influence of Roman law on canon law, see Winroth, *Making of Gratian's Decretum*, pp. 146–74; R.H. Helmholz, 'Canon and Roman Law', in *The Cambridge Companion to Roman Law*, ed. David Johnston (New York, 2015), pp. 396–422.

[86] e.g. *Dig*. 47.2.52.21 *Cum Titio*; see also D.1 c. 23 *de poenit*. *Periculose* and c. 27 *Noli putare*.

[87] *Dig*. 17.1.2.6 *Tua autem*.

the person to whom the counsel was given, a point which would be further explored by the decretalists.[88]

One of the most prominent of the *Liber Extra*'s commentators was Henricus de Segusio, known as Hostiensis. After studying law at Bologna, he moved to Paris in the early 1230s to teach canon law. Around 1236, he went to England; Henry III later sent him on a mission to Innocent IV. He became cardinal-bishop of Ostia, from which he is named, in 1262.[89] His fame as a canonist rests primarily upon his *Summa aurea*, a commentary on the *Liber Extra,* the earliest version of which was completed 1250-51.

The *Summa aurea*'s commentary on X 3.10 opens with a tripartite division making a clearer distinction between counsel (*consilium*) and consent (*consensus*):

> Since concessions and appointments, about which was spoken, require the counsel of the brothers, we may therefore consider those things which are done by the bishop without the consent of the chapter, or by its counsel; it ought to be said, therefore, in which things consent is required, in which things counsel, and in which things consent is not necessary.[90]

Much of Hostiensis' discussion focuses on specific actions a prelate might undertake. In the case of the conferment of benefices, for example, the necessity of consent is dependent on circumstance (whether the benefices are held as *communia* by both prelate and chapter) and the customs of the individual church. If consent is required, actions undertaken without the consent of the chapter may be invalidated. If, however, nothing is removed from the common right (*de iure communi*), Hostiensis declares that a prelate may appoint or depose (*instituere et destituere*) alone, but adds that he should nevertheless do so with the counsel of clerics, or rather, his brothers (citing *Novit* and *Quanto*). Hostiensis also confirms, based on the *Decretum*, that counsel is likewise necessary for ordinations (citing D. 24.6) and the airing of criminal cases (C.15 q.7 c.4).[91] Matters marital and pecuniary a prelate may

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[88] On the development of ideas around legal *consilia*, see Leveleux-Teixeira, 'Opinion et conseil dans la doctrine juridique savante (XIIe–XIVe siècle)'.
[89] Kenneth Pennington, 'Henricus de Segusio (Hostiensis)', in *Popes, Canonists and Texts, 1150–1550* (Aldershot, 1993), article XVI.
[90] Hostiensis, *Aurea summa*, col. 799.
[91] Hostiensis, *Aurea summa*, col. 799.

decide alone, but gifts (*donationes*), and their potential revocation, are more fraught territory: Hostiensis cites earlier decretists such as Huguccio who believe that the consent of the chapter should be required, but concludes:

> I myself say that counsel is to be required, not consent, argued in the same *Novit* and *c. Quanto,* and thus if consent does not occur [*non intervenit*], nor was counsel sought, both in life and in death [of the donor] it will be revoked. If truly counsel has occurred, neither in life nor in death will it be revoked in this case, unless the church is enormously burdened.[92]

Counsel is thus distinguished from consent in terms of the requirements of an action. This discussion, however, prompts Hostiensis to define his terms more clearly:

> But what is different between consent and counsel? Response: where consent [*consensus*] is required, that thing is not valid to be done unless consent is had … Where, however, counsel [*consilium*] is required, if something is done without seeking it, or indeed if it is sought without considering it [*expectetur*] for a suitable time, it will be invalidated: if, however, it is considered, the counsel can be followed, if he who sought it wishes: if he does not wish, he is not required by necessity to do so.[93]

In other words, in matters requiring consent, consent must actually be agreed in order for the action to be valid; in matters requiring counsel, however, although counsel must be sought and considered, the counsel given need not necessarily be followed. The seeking of counsel, if undertaken with sufficient consideration, is in itself sufficient to render the subsequent action valid.[94] Hostiensis bolsters his case with the citation of a decretal from the *Liber Extra* of a letter from Innocent III sent to the rector and friars of a certain *hospitalis*: Innocent determines that the prior does not have the power to select a rector without having discussed the matter with the *familia* of the *hospitalis* and sought their counsel; if he fails to do so, his selection ought to be considered void. If the prior has had counsel from

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[92] ibid., col. 801.
[93] ibid., citing X 1.6.52 regarding elections.
[94] Innocent IV is in agreement in his *Commentaria super libros quinque decretalium* (Frankfurt, 1570), ad X 3.10.4: '… *tunc sufficit consilium requirere canonicorum, nec est necesse quod subscribant*.'

the *familia,* however, he is then able to make his choice freely, so long as his candidate is suitable (*idoneum*), whether or not the *familia* agrees.[95] Citing canons which included Jerome and Augustine's discussion of counsel and precept (see above, p. 71), as well as several relevant laws from the *Digest* (17.1.2.6 *Tua autem*; 3.2.20 *Ob haec verba*) Hostiensis concludes, 'It is free [*liberum*] to anyone in his own opinion to investigate whether the counsel is expedient [*expediat*] to him, and for this reason it is not binding [*obligatorium*]'.[96]

Hostiensis makes a particular point of clarifying this distinction between consent and counsel. Half a century earlier, the canonist Joannes Teutonicus had written that merely seeking counsel would suffice where *assensus* was required,[97] and even in his own time, Hostiensis notes that not all decretalists are as precise as he is in their definitions:

> Others say that counsel is required, that is consent: and these words *consilium* and *consensus*, they use indiscriminately, and according to them there is no difference between consent and counsel, and thus [this discussion] is superfluous.[98]

Geoffrey of Trani († 1245), for example, in his early treatise on the *Liber Extra*, began his discussion of X 3.10 with, 'And indeed prelates of the church in the business of the communities of their churches [*in negociis ecclesiarum suorum collegiorum*] ought to seek their counsels and consent,' before going on to list matters such as contracts, appointments, and alienations, without distinguishing between the two concepts.[99]

Having himself made a distinction and clarified that counsel is not binding, Hostiensis then attempts to answer the obvious question which follows: if counsel is not binding, what purpose does it serve? He responds that although a prelate is not bound to follow counsel, it is nevertheless possible that the counsel of the chapter will draw him towards itself. He

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[95] X 1.43.7 *Cum olim*.
[96] '… *liberum est cuilibet apud se explorare, an expediat sibi consilium, et ob hoc non est obligatorium* …' Hostiensis, *Aurea summa*, col. 801.
[97] *Decretum Gratiani […] cum glossis* (Paris, 1601), ad D. 63 c.35, col. 415; Tierney, *Foundations*, p. 109.
[98] Hostiensis, *Aurea summa*, col. 802.
[99] Geoffrey of Trani, *Summa super titulos decretalium*, f. 47ra.

bolsters his argument by citing a Roman law which highlighted the significance of a minority opposing opinion even in the face of a majority consensus. The law states that where an award for a dispute is to be made in accordance with the majority opinion amongst three arbiters, the agreement of two out of three is only sufficient as long as the third arbiter is indeed present; otherwise, their decision will be invalid, since the third arbiter by his presence might have induced them to accept his own opinion.[100] Therefore, says Hostiensis, the prelate ought to do little or nothing without the counsel of his brothers, since even if he were to protest that he was not bound by custom to seek counsel, he would be protesting against his honour and the institutes of the Holy Fathers (citing *Novit*). He should especially seek counsel from his brothers in matters touching their interests (*quae tangunt ipsos*).[101]

Hostiensis therefore maintains that counsel has a significant and important role, that it is not merely '*frustratorium et derisorium*'.[102] Brian Tierney has argued that his definitions of counsel and consent nevertheless seem to 'rob Alexander's decretals of much of their force', but Hostiensis' emphasis is that counsel need not be binding in order to affect a prelate's decision-making process – the act of consultation could provide support in making difficult decisions, influence the prelate toward another course of action, and/or necessitate additional time for deliberation before taking action.[103] His discussion has significant implications for how the role of counsel-giving to those in positions of authority was perceived: on the one hand, the non-binding nature of counsel could encourage listening to a multiplicity of opinions, particularly of one's subordinates; on the other, it could render counsel relatively ineffective against a resistant decision-maker. When Simon de Montfort and his followers forced Henry III to rule by a *consilium* of men of their own choosing, for instance, the bishops who supported them attempted to justify this action to the papal legate through recourse to other examples, including that of the pope. In their

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[100] *Dig.* 4.8.17.7 *Celso libro*.

[101] A related concept was utilised from Roman law, *Cod.* 5.59.5 §2: '*quod omnes similiter tangit, ab omnibus comprobetur*'; see Gaines Post, 'A Romano-Canonical Maxim, "*Quod omnes tangit*," in Bracton,' *Traditio* 4 (1946).

[102] Hostiensis, *Aurea summa*, col. 801

[103] Tierney, *Foundations*, pp. 109–10; Helmholz, 'Counsel', pp. 74, 77.

letter to the legate in August 1264, they denied that these *consiliarii* had been set up as kings in Henry's place, for was it not the case that

> the highest pontiff causes us [as bishops], just as the cardinals of the Holy Roman Church, to sit with him, as brothers and coadjutors, in providing judgements, and also delegates to these people the task of giving judgements, and yet we thoroughly reject the idea of many … popes, although it is no small power that such men have under [him].[104]

The legate, however, was unconvinced. The pope may make use of (*utitur*) the counsel of his cardinals, but he is in no way bound by it (*ligatur*). 'For if two-thirds of the cardinals agree in any matter, is the pope compelled to acquiesce to their opinions? Far be it … for we regard his liberty as the highest honour.'[105] The legate here vehemently rejects any attempt to equate the seeking of counsel by the pope with restrictions upon his liberty. While the agreed value and significance of external counsel could be used to bolster arguments for enforcing its practice, such arguments faced the opposition of a long tradition of the non-binding nature of counsel and the choice which remained to the one receiving it.

Counsel and Choice in Aristotle's *Ethics*

While the discussions of counsel and choice from the previous section developed out of longstanding ideas from patristic writers and canon and Roman law, the emergence of Aristotelian ethics in the thirteenth century brought an entirely new philosophical framework and linguistic precision with which to consider the concepts of counsel, choice, and moral action. While canonists wrestled with the difficulties of explicating the implications of the ideals of choice and counsel within a legal and institutional framework, scholastic commentators on the *Ethics* explored *consilium* in the sense of the deliberative

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[104] *Papst Clemens IV: Das Vorleben des Papstes und sein Legationregister*, ed. Joseph Heidemann (Münster, 1903), 28D, p. 227.
[105] ibid., 29B, p. 229; see Ambler, *Bishops in the Political Community*, pp. 164–5, and below, Conclusion, p. 275n28.

process itself, focusing on internal deliberation but extrapolating its implications for external deliberation as well.[106] *Consilium*, as Aristotle defines it, is a type of inquiry (*inquisitio*) which seeks the best means by which a good end may be achieved; it is therefore an essential precursor to moral choice. (While *consilium/consiliari* are most accurately translated as 'deliberation/to deliberate' in this context, this section will also continue to use 'counsel' in order to emphasize the unity of the Latin terminology.)

The Latin reception of the *Nicomachean Ethics* was staggered, with a translation of only its first three books appearing sometime before 1150 in the form of the *Ethica Vetus* (books II and III of the *Nicomachean Ethics*) and *Ethica Nova* (book I), both likely the work of Burgundio of Pisa.[107] Aristotelian ethical ideas had already been circulating via other works, reaching medieval scholars either through intermediary texts, such as Cicero and Boethius, or through Aristotle's own works on logic, compiled in the *Organon* and certainly available before John of Salisbury wrote his *Metalogicon* in 1159.[108] The particular significance of deliberation (βούλεσθαι, *boulesthai,* translated as *consiliari* by Boethius) to free human action was touched upon in Aristotle's widely available *De interpretatione*:

> Hence [if all things happened by necessity] there would be no need to deliberate [*consiliari*] or to deal with one's concerns, since if we caused something, it would happen, but if we did not, it would not. … But such things are not possible, for we see that the inception of future events is in what we deliberate and enact, and those things which are not always in actuality are potential or not, and either turn out to be or not to be, and hence may happen or not happen.[109]

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[106] For fourteenth-century views of Aristotelian deliberation, see also Bénédicte Sère, 'La compréhension médiévale du concept aristotélecien de *deliberatio*', in *Consulter, délibérer, décider: donner son avis au Moyen Âge*, ed. Martine Charageat and Corinne Leveleux-Teixeira (Toulouse, 2010).

[107] On Burgundio of Pisa, see Fernand Bossier, 'L'élaboration du vocabulaire philosophique chez Burgundio de Pise', in *Aux origines du lexique philosophique européen: l'influence de la Latinitas*, ed. Jacqueline Hamesse (Louvain-la-Neuve, 1997).

[108] Cary Nederman, 'Aristotelian Ethics before the "Nicomachean Ethics": Alternate Sources of Aristotle's Concept of Virtue in the Twelfth Century', *Parergon* no. 7 (1989).

[109] Aristotle, *De interpretatione, vel Periermenias: translatio Boethii*, IX, ed. L. Minio-Paluello and G. Verbeke, Aristoteles Latinus II:1–2 (Rome, 1951), pp. 15–17.

There was therefore precedent for framing deliberation as a response to the contingent nature of the future. After 1215, when *ethica* was added as an optional discipline for the Faculty of Arts in Paris, a handful of commentaries appeared on the *Ethics*' early books,[110] and in 1246/7 Robert Grosseteste produced a translation of the entire work.[111] These translations were in turn followed by the first Latin commentaries on the full text, beginning with Albertus Magnus, who produced his first commentary based on lectures he delivered at the Dominican *studium* in Cologne between 1248 and 1252, followed by a second, structured as a series of questions, in 1267/8.[112] Aquinas, who had attended Albertus' lectures, also produced a full commentary while teaching in Paris (c. 1271-2),[113] as well as relying extensively on the *Ethics* in his *Summa theologiae*.[114]

According to the *Ethics*, moral action is not fixed and universal, but contingent and changeable (*contingentia et variabilia*): 'Those who perform moral actions must always pay attention to what is appropriate to the occasion as is done in medicine and navigation,' in other words, as in those mechanical arts which deal with uncertainty due to external factors.[115] This emphasis on action rather than philosophical truth was echoed by Aristotle's scholastic commentators: in matters of contingent singulars, Aquinas writes, the knowledge of the truth is not so much desirable in and of itself, as it is in the case of

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[110] Irene Zavattero, 'Moral and Intellectual Virtues in the Earliest Latin Commentaries on the *Nicomachean Ethics*', in István Bejczy (ed.), *Virtue Ethics in the Middle Ages: Commentaries on Aristotle's Nicomachean Ethics, 1200–1500* (Leiden, 2008).

[111] *Ethica Nicomachea: translatio Roberti Grosseteste Lincolniensis*, ed. Renatus Antonius Gauthier, Aristoteles Latinus XXVI/3 (Leiden, 1972). Citations of the *Ethics* are taken from this edition. William of Moerbeke's later revision c. 1260 became the enduring Latin standard.

[112] Albertus Magnus, *Super ethica: commentum et quaestiones*, ed. Wilhelm Kübel (Monasterium Westfalorum, 1968); idem, *Ethica*, ed. Étienne Borgnet (Paris, 1891). See Jean Dunbabin, 'The Two Commentaries of Albertus Magnus on the *Nicomachean Ethics*', *Recherches de théologie ancienne et médiévale* 30:2 (1963); and Anthony Celano, *Aristotle's Ethics and Medieval Philosophy: Moral Goodness and Practical Wisdom* (Cambridge, 2016), pp. 100–169.

[113] Aquinas, *Sententia libri Ethicorum* [*SLE*]. See also Léon Elders, 'St. Thomas Aquinas' Commentary on the Nicomachean Ethics', in *Autour de saint Thomas d'Aquin* (Paris, 1987), pp. 77–122. On whether the text should be considered a philosophical or theological work, see James C. Doig, *Aquinas's Philosophical Commentary on the Ethics: A Historical Perspective* (Dordrecht, 2001), pp. xi–xvi.

[114] For example, in his discussion of choice and counsel in *ST,* I-II q.13 and q.14.

[115] Aristotle, *Ethica,* II.2, 1104a.

universals, but rather is 'desired as being useful towards action [*utilis ad operationem*], because actions bear on things singular and contingent'.[116] This contingency necessarily introduces an element of uncertainty into moral education, particularly in coming to the solution of particular cases, for which judgement must be left to the prudence (*prudentia*) of each person.[117] It is due to this contingent nature of moral action that deliberation plays such an important role in Aristotle's conception of moral choice.

As Aristotle discusses in Book III of the *Ethics*, counsel and choice are inextricably linked. Both are concerned with the determination of means, rather than ends, but deliberative counsel precedes choice; counsel and choice deal with the same matter, but the matter of choice is already predetermined by what counsel has decided.[118] The end having been predetermined, one then deliberates (*consiliari*) how and by what means it may be achieved, or – if several options present themselves – the means by which it may be attained in the simplest and best way (*facilime et optime*).[119] Of course, not everything is worthy of deliberation (*consiliabile*), but only those things which are contingent, uncertain, and indeterminate and which allow for some form of action to be taken. One therefore does not deliberate about eternal or uniform things (such as geometry or the solstices) or about things that are uncontrollable or happen by chance, but rather about practicable things that are within one's power (*quae in nobis et operabilibus*) and about which there is uncertainty.[120] More counsel is necessarily taken in the arts which are less certain (*minus certificata*), such as medicine and navigation, than in those in which a standard course of

[116] *ST,* I-II q. 14 a. 3 resp.
[117] Aquinas, *SLE,* II.2.259. On Aristotelian prudence, see below, Chapter 3, pp. 134–141.
[118] '*Consiliabile autem et eligibile, idem; verumptamen determinatum et iam eligible. Quod enim ex consilio preiudicatum est, eligibile est*.' Aristotle, *Ethica*, III.6, 1113a.
[119] ibid., 1112b. This language of deliberation would have been familiar to medieval readers from rhetorical works such as Cicero's *De inventione*; see Chapter 4, pp. 163–180.
[120] Aristotle, *Ethica*, III.6, 1112a.

action exists.[121] Counsel's deliberations are always directed towards action, echoing the overall practical orientation of Aristotle's ethics.[122]

Choice, then, is an act of the will which arrives at a judgement regarding those things which have been discovered by counsel.[123] It is a 'deliberating desire' (*consiliabile desiderium*), an appetite for what has been already decided through deliberation (*appetitus praeconsiliati*).[124] It is this element of the prior deliberation of counsel which separates choice from the merely voluntary, a type of action possessed even by animals or in hasty actions. As Albertus Magnus summarises:

> Not every voluntary thing is a matter of choice [*eligibile*], as we have shown, but certainly only this voluntary thing is a matter of choice: that which is counselled beforehand, that is, determined by counsel [*e consilio diffinitum*]. For choice [*electio*] is attached to reason and intellect … [125]

Once it is apparent that the means discovered by counsel is possible, the analytical inquiry of counsel ends and action (*operatio*) immediately follows.[126] The decision of counsel is therefore necessary in order for a true choice to be made. Conversely, counsel is not in itself sufficient for action, but must be followed by a choice leading to action. Not all deliberation leads to good choices, however. As Aristotle elaborates in Book VI, the ability to deliberate *well*, discovering the best means of attaining a right end, requires both the right desire of moral virtue and the true reasoning of experienced prudence – elements to which we shall return in the next chapter.[127]

In describing choice as the desire or appetite (*appetitus*) for what has been arrived at through deliberative counsel, and attaching choice to reason and the intellect, Aristotle brings the

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[121] Aristotle, *Ethica*, 1112b.
[122] Aquinas, *SLE,* III.7.465.
[123] In Aristotle, the will is the rational appetitive faculty, wherein desire is controlled with the help of reason.
[124] Aristotle, *Ethica,* III.6, 1113a; Aquinas, *SLE,* VI.2.1138.
[125] Albertus Magnus, *Ethica,* III.1.16, p. 218.
[126] Aquinas, *SLE,* III.8.477.
[127] See below, Chapter 3, pp. 134–137.

affective and the cognitive together within the act of the will. Unlike a Stoic conception of emotion which views them as false judgements contrary to reason, Aristotle sees the emotional reactions of a virtuous person as generally correct, but requiring the control of reason, particularly through education.[128] He explicitly does not identify choice with sensual desire (*concupiscencia*) or anger, which – as we have seen in other sources – seem to oppose deliberation.[129]

Ethics commentators sought to explicate this relationship between choice, reason, and desire more precisely. Albertus Magnus follows the Greek commentator Eustratius to describe choice as a mixture of the intellect and the appetite; the intellect first determines the matter of choice, and the appetite then desires it, 'for something would not be chosen unless, once many things had been arranged and pondered by the judgement of reason, it was preferred [*praeoptatum*]'.[130] In describing the mechanism of counsel preceding choice, Aristotle gave the illustration of the proclamation of ancient Greek kings; as Aquinas describes more fully in his commentary, these kings, who did not possess the power of dominion (*dominativa potestas*) but were meant to guide the decisions of their people, would deliberate and proclaim what they had chosen by the decision of their deliberation (*per determinationem sui consilii*) to the people so this might then be chosen by them.[131] Albertus Magnus' commentary applies the model directly to the soul: the intellect is the king in this scenario, while practical inquiry (*inquisitio operabilium*) is the deliberating counsel (*consilium*), and the appetite is the people to whom the results of the deliberation are presented.[132] *Consilium* therefore serves as the intermediary between reason and the appetite, which allows a choice to be made – whether as part of an internal or an external and multilateral process.

Counsel allows for a choice to be made even against one's wish or habit. Albertus Magnus' commentary distinguishes between deliberate choice (*electio*, *eligentia,* or, borrowing the

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[128] Simo Knuuttila, 'Medieval Theories of the Passions of the Soul,' in *Emotions and Choice from Boethius to Descartes*, ed. Henrik Lagerlund and Mikko Yrjönsuuri (Dordrecht, 2002), pp. 50–52.
[129] Aristotle, *Ethica,* III.5, 1111b.
[130] Albertus Magnus, *Ethica,* III.1.16, p. 218.
[131] Aristotle, *Ethica*, III.6, 1113a; Aquinas, *SLE,* III.9.485.
[132] Albertus Magnus, *Ethica*, III.1.19, p. 225.

Greek term, *prohaeresim*) and free choice, or free decision (*liberum arbitrium*). Both are composed of the voluntary will (*voluntas*) and reason (*ratio*), and the act of choosing belongs to them both, but deliberate choice is a moral virtue and a 'disposition for choosing' (*habitus electivus*) while free choice is a power of the soul. The *voluntas* of free choice makes a human free, in the sense of 'not determined', while the *voluntas* of deliberate choice is inclined toward reason determining what is desirable through the decision of counsel.[133] While the reason of *liberum arbitrium* considers its *arbitrium* and takes what it wants according to its own wish, the reason of *electio* disposes, ordains, consults, and determines by considering counsel. Subject to the form of determining reason, *electio* may therefore often choose against its own wish.[134] Similarly, Aquinas clarifies in *De malo* that although habituation (*consuetudo*) may cause us to act in certain ways in 'sudden situations' (*in repentinis*), through deliberation we can still choose to act in a contrary manner, however habituated we may be.[135] This distinction between a free choice and a deliberate choice is not dissimilar to Bernard of Clairvaux's distinction between a freedom of decision and a freedom of counsel, although they differ in terminology and mechanism. Both Aristotle and Bernard view *consilium* as essential to moral choice, in that it allows humans to move beyond a basic freedom from determinism to a more realised agency which can be exercised towards the advantageous good.

This deliberative nature of choice ensures that it is not predetermined and was therefore used by writers like Aquinas as a philosophical argument for human free will. As Aquinas discusses in *De malo*, God has from the beginning left humans in the hands of their own counsel (Ecclus. 15:14), which would only be the case if they have free choice (*libera electio*), which is the desire of what has already been determined by counsel (*appetitus praeconsiliati*). As the will belongs to reason (citing *De anima*) and the rational powers are disposed towards contrary things (citing the *Metaphysics*), the will is disposed to contrary things and is therefore not moved by necessity toward one thing or another. The will moves itself by deliberation, an inquiry which leads not to one but to contrary conclusions.

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[133] ' … *voluntas autem eligentiae inclinata ad formam rationis determinantis appetibile per consilii diffinitionem.*'
[134] Albertus Magnus, *Ethica*, III.1.16, p. 219.
[135] Aquinas, *De malo*, q.6 a.1 ad 24, p. 468.

Something apprehended as a suitable good (*bonum conveniens*) in every conceivable particular would necessarily move the will, but given that such unalloyed perfection is generally not the case when dealing with particulars, the will is therefore moved by one particular predominating, one particular circumstance being considered over another, or through the agent's emotional disposition.[136] Aquinas' discussion in the *Summa theologiae* adds that the ability to will or not to will, to act or not to act, is seated in the power of the reason by its apprehension of the good; only the perfect good (what he calls *beatitudo*, or happiness), which is considered our end, cannot be apprehended either as evil or lacking in some way. Since counsel and choice deal with means, not ends, it deals with less perfect, intermediate particular goods.[137] It is the complicated, imperfect nature of the particulars with which humans must grapple which necessitates the deliberative process and ensures that its results are not predetermined but indeed subject to free human choice.

In philosophical discussions of choice such as these, the deliberation of *consilium* was often implied to be individual, internal deliberation, but it certainly could encompass external counsel as well, particularly in matters of more complexity and doubt. As Aristotle states, 'We take counsellors [*consiliatores*] in great matters, not trusting ourselves to be sufficient to determine these things.'[138] Aquinas follows Isidore of Seville's etymology to highlight the importance of multilateral counsel in seeking to remove uncertainty: 'Counsel properly implies a conference held between several; the very word *consilium* denotes this, for it means a sitting together [*considium*], from the fact that many sit together in order to confer with one another [*multi consident ad simul conferendum*].'[139] While one person alone may be sufficient to consider necessary and universal things, which call for a more absolute and simple consideration, counsel concerns particular contingent cases, which require the consideration of multiple conditions and circumstances in order to know anything as

[136] Aquinas, *De malo*, q.6 a.1 resp., p. 460.
[137] Aquinas, *ST,* I-II q.13 a.6.
[138] Aristotle, *Ethica,* III.6, 1112b.
[139] On etymological explanations of *consilium*, see above, Introduction, p. 8.

certain, a task not easily undertaken by one person alone. Rather, such consideration may be undertaken by multiple people, who can perceive these conditions and circumstances with greater certainty (*certius percipiuntur*), 'since what one person considers might not occur to another'.[140] Clearly, the internal process of the deliberation which precedes deliberate choice described by Aristotle is one which is equally applicable to an externalised deliberative process involving other counsellors.

Such Aristotelian ideas regarding the process of deliberation and choice could extend beyond philosophical arguments for free will to frame advice on practical action. When Walter of Cantilupe, bishop of Worcester, sought Grosseteste's counsel as to whether or not he should journey across the Channel with Henry III to Poitou, to assist the king in making terms of peace with his enemies, Grosseteste replied with a description of *consilium* couched in Aristotelian terms:

> Your discernment knows that, according to the assertion of philosophers, offering counsel [*consiliatio*] consists of a prudent investigation in accordance with the most probable conjectures, and of the discovery and choice [*electio*] of the path that leads more directly and efficiently to an end that is good or the best proposed.[141]

The primary end, especially for a bishop, should of course be the eternal salvation of those entrusted to his care, but Cantilupe will still need to deliberate regarding how, given the circumstances laid before him, he should act to best achieve that end. As Grosseteste writes,

> My counsel [*consiliatio*], or that of any truthful counsellor, cannot be other than that you should consider the contingencies on both sides [of the question] according to reasonable conjectures, and in the end that course should be chosen which, according to the most reasonable conjectures, appears to be more expedient to the salvation of the souls entrusted to your care, or more simply to the salvation of souls.[142]

In this instance, Grosseteste humbly decries his ability to offer counsel regarding his fellow bishop's particular dilemma via a letter. His lack of experience in such matters means that

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[140] *ST*, I-II q.14 a.3 resp.
[141] Grosseteste, *Epistolae,* no. 99 (c. 1242), p. 303. This letter was written prior to Grosseteste's translation work, but he certainly was already familiar with especially the earlier books of the *Ethics*.
[142] Grosseteste, *Epistolae,* no. 99, p. 303.

he cannot prudently come to conclusions about the contingencies on both sides and therefore about the probable future, or prudently determine which contingencies would most reasonably be more to the advantage of the salvation of souls. This is not to say that Grosseteste does not appreciate the benefits of multilateral counsel. If he could instead meet with Cantilupe in person, he insists, he would 'most willingly discuss these matters with [him] as carefully as possible, for through mutual discourse [*per mutuam collationem*] many things are often made clear which in individual inquiries entirely escape notice.'[143] He therefore asks that the bishop, who has no doubt given the matter close and careful consideration, write again with his opinion on the contingencies on both sides of his situation, so that Grosseteste might discuss it with the wise and prudent Adam Marsh, and after due deliberation, write back to him, 'not so much to give counsel [*consulere*] in this matter as to tell you what seems [best] to me.'[144] While Grosseteste leaves the choice of action firmly in Cantilupe's hands, he expresses himself more than willing to assist with the consideration of contingencies and the process of deliberation.

Conclusion

In a life of uncertain situations and contingent circumstances, deliberative counsel was seen to provide a means of evaluating the means at hand for achieving one's ultimate ends. While the process of deliberating and taking counsel brought freedom – the freedom to make choices, particularly moral choices – counsels could impose an expectation of supererogatory action and the act of counsel, particularly within a communal setting, could raise questions of obligation. Although the discussions covered in this chapter cover a wide range of the facets of counsel, each develops the connection between counsel and choice. For Bernard of Clairvaux and many subsequent theologians, 'freedom of counsel' referred to an ability to move beyond a mere freedom from determinism to a freedom to accurately assess the harm of sin and the advantage of the good, and so to choose the good. Other writers connected counsel to reason, which could either be opposed by the passions and

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[143] On multilateral discourse, see also below, Chapter 4, pp. 207–208.
[144] Grosseteste, *Epistolae,* no. 99, p. 304.

appetite, or else rein them in so that what is desired and willed becomes unified. Discussions on counsel and precept, on the other hand, focused on counsel not as the mechanism but as the matter of choice, seeing in the evangelical counsels and other counsels of perfection a higher and more difficult good which were nonetheless not matters of obligation. The decretalists' examinations of counsel were similarly focused on the issue of choice versus obligation in matters of counsel, but in this case within the context of counsel given in community – although an obligation of seeking counsel was established in certain circumstances, these discussions still left the ultimate choice of acting upon said counsel in the hands of the one receiving it. Finally, Aristotle and his commentators made a distinction between the merely voluntary and what is chosen, where the latter is based upon the deliberation of counsel. The philosophical discussion of counsel and choice introduced by the *Ethics* highlighted the deliberative process by which one selects the 'best path' to attain one's ends based on the particular circumstances at hand.

Chapter 3

Counsel as an Intellectual and Relational Virtue

Si intraverit sapientia cor tuum, et scientia animae tuae placuerit, consilium custodiet te, et prudentia servabit te …

If wisdom shall enter into your heart, and knowledge please your soul, counsel shall guard you, and prudence shall preserve you …

Proverbs 2:10-11

Inherently directed towards choice and action on both an individual and interpersonal level, counsel necessarily occupies multiple, though overlapping, ethical roles. Individual interior deliberation requires associated virtues such as discernment and foresight which will result in virtuous moral choice and action. Interpersonally, seeking and receiving counsel also requires discernment in order to identify good counsellors, as well as humility and a willingness to be taught, in order to accept the counsel that is offered. Finally, the giving of counsel requires both the ability and the moral resources to give good counsel, and the mercy and the benevolence which would prompt an individual to offer it. In each of these roles – all of which may be occupied, even simultaneously, by the same person – good counsel is particularly associated with the qualities of reason, insight, and discernment required to apply appropriate measures to uncertain circumstances. Having explored counsel as it relates to divine illumination in Chapter 1 and to the act of choice in Chapter 2, this chapter accordingly turns to counsel in the context of medieval moral theology and virtue ethics.

By the thirteenth century, medieval virtue frameworks – both textual and diagrammatic – had accorded an explicit place to *consilium*. Its precise location within these frameworks, however, was not static. The variety in its categorisation was due in large part to the diversity of the sources from which these broader frameworks were being drawn, sources

which by the thirteenth century had become inextricably intertwined. Scriptural and patristic authorities, for example, offered a multivalent picture of counsel that was naturally reflected in the work of later medieval writers. The sapiential books of Proverbs and Ecclesiasticus closely associated counsel with the virtues of wisdom (*sapientia*), prudence (*prudentia*), and understanding (*intelligentia*). These terms were often paired for reiterative emphasis, rather than clearly defined and differentiated as virtues, but together they associated counsel with qualities of godly insight and discernment which aided the individual to lead a virtuous life. Patristic writers also focused on *consilium* as a gift of the Holy Spirit, with secondary connections to the virtues, such as prudence and mercy, and the vices, particularly avarice.[1] Other frameworks, however, founded primarily upon the classical ethics of the Roman Stoics and, from the late twelfth century, of Aristotle, tended to view these virtues the other way around, with counsel as a subsidiary or associated virtue of prudence. The result was that the emphasis was moved away from divine insight and arduous spiritual tasks toward human reason and the contingencies of earthly life.[2] *Consilium* therefore often operated on multiple levels within a rich and complex scheme of related virtues, derived from interwoven lines of inheritance.

The ethical dimensions of interpersonal counsel were also influenced by its relational context. In classical discussions of counsel, and in the medieval texts they influenced, counsel was rooted in relationships of friendship and intimacy, which were considered a vital part of considering a particular individual's counsel safe and secure. While monastic writers were often wary of the faction-creating potential of friendships, counsel from the Rule of Saint Benedict onwards was also rooted in the moral interdependence of members of the community. It was not only the content of counsel and deliberation which was morally significant, in other words, but also the manner and relational context in which it was given.

This chapter will accordingly examine these aspects in turn, beginning with theological discussions of the gift of Counsel and its connections to other ethical schemata – which

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[1] Above, Chapter 1, pp. 30–38.
[2] Above, Chapter 1, pp. 38–47; Chapter 2, pp. 86–94.

together filtered down into materials for moral instruction, both textual and visual – before turning to more practical moral considerations of human counsel in Scripture. It will then consider the two most significant classical influences on medieval discussions on counsel and the virtue of prudence, one derived from the Stoic thought disseminated by writers such as Cicero, and the other from Aristotle's *Ethics*. Finally, it will consider how ideas around the ethics of counsel and deliberation were discussed within the relational contexts of friendship, marriage, and religious community.

Gift of Counsel

Theological discussions of the gift of Counsel – a spirit received by divine inspiration which renders Christians receptive to divine illumination – reveal an awareness of the multivalency of *consilium,* incorporating definitions of counsel from a broader deliberative and ethical framework. In doing so, they set up a two-level consideration of counsel, comparing and contrasting counsel at a divine and a human level. Albertus Magnus and Guillaume Perrault accordingly consider the gifts of the Holy Spirit by adopting a double definition for *consilium*, where a 'stricter' definition is tied to the gift of Counsel, which is principally concerned with matters of spiritual difficulty rather than of doubt, while a 'broader' definition is supplied by Cicero: 'Counsel is considered reason [*excogitata ratio*] of something to be done or not done'.[3] This broader definition, according to Albertus Magnus, points to the virtues of foresight (*providentia*) and caution (*cautela*)*,* which authors since Cicero had agreed was a part of the cardinal virtue of Prudence.[4] Guillaume Perrault similarly highlights the natural connection between counsel and prudence, which both

[3] Guillaume Perrault, *Summae virtutum ac vitiorum*, I.7.7, vol. 1, p. 422 (see above, p. 40n96); Albertus Magnus, *In III Sent.* dist. 35 art. 5 and 6, pp. 650–51; Cicero, *De inventione*, II.xxv.36.
[4] Albertus Magnus, *In III Sent.* dist. 35 art. 5, p. 650.

'concern those things which ought to be done' and are therefore both directed towards action.[5]

The precise relationship between the gifts of the Holy Spirit and the moral virtues, and in particular the difference in their respective roles in an individual's moral complexion, prompted considerable debate. Aquinas's *Summa theologiae* references the various opinions, concluding that the higher perfections of the gifts render souls moveable by the Holy Spirit, while 'the human virtues perfect man according as it is natural for him to be moved by his reason in his interior and exterior actions'.[6] The spiritual gift of Counsel therefore assists and perfects the moral virtue of Prudence, a quality which Aquinas associates with 'the rectitude of reason'.[7] While both the gift and the virtue serve to perfect moral action, the gift of Counsel must be divinely bestowed, while the counsel which is subsidiary to the virtue of Prudence works through humans' innate and natural reason. Though differing in their source and workings, both schemes apply discernment and foresight to action.

Connecting the Gifts to Other Schemata

Theological discussions of the spiritual gift of Counsel also contributed to the position of *consilium* within the broader framework of virtue ethics through a longstanding tradition of connecting the gifts of the Spirit with other theological and ethical schemata.[8] Augustine's writings, for example, provided an influential pairing of the gift of Counsel with the beatitude of Mercy (*misericordia*) from the Sermon on the Mount (Matthew 5:7) and with the petition of forgiveness from the Lord's Prayer (*Dimitte nobis debita nostra,* Matthew 6:12).[9] Augustine gives relatively little explanation for these connections, which seem primarily motivated by the desire to match up elements according to their respective places in each sequence. In his *De sermo Domini in monte*, he intentionally gives the gifts in the reverse of their original order in Isaiah 11, so that they form an ascending series of spiritual

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[5] Guillaume Perrault, *Summae*, I.7.7, p. 423.
[6] *ST*, I-II q.68 a.1.
[7] *ST*, II-II q.52 a.2. Throughout, 'Counsel' and 'Prudence' refer to the gift and the cardinal virtue respectively, while 'counsel' and 'prudence' refer to these virtues more generally.
[8] Lottin, 'Classifications des dons'.
[9] Augustine, *De sermone Domini in monte*, II.11.38, p. 129.

progression, beginning with humility in the Fear of the Lord. Having with meek inquiry come to Knowledge of our own evil desires and turned instead through Fortitude to hunger for the good, he writes, we find through Counsel a remedy for escaping great evils, 'that we forgive just as we wish to be forgiven and we help others as far as we are able just as we desire to be helped in matters in which we ourselves are unable, concerning which it says here, *Blessed are the merciful*'.[10] Counsel is here the only one of the seven gifts which turns outwards, assisting others in their spiritual progression. Elsewhere, Augustine focused instead on Counsel's position beside Fortitude in the sequence of the gifts:

> On account of the disturbing effect of temptations and trials … [the gift of] Counsel must not be lacking, lest perhaps any failings to which human infirmity is subject should happen to creep in stealthily, little by little. After all, it is impossible in this mortal life that the stage [*gradus*] of Fortitude, engaged in continuous conflict with the most cunning of all adversaries, should not sometimes receive a wound, above all through the temptations of the tongue … So, what then is Counsel but what the Lord says: *Forgive, and you will be forgiven*? And that is why, just as in those steps which we learn about from Isaiah the fifth is counsel, so in the gospel, in those praises of blessedness, we find in the fifth place, *Blessed are the merciful, since they shall obtain mercy*.[11]

Here, the gift of Counsel operates as a necessary corrective to the potential excesses of Fortitude, remedying the sins of the tongue (*peccata linguae*).[12]

From the mid-twelfth century, Paris schoolmen both confirmed Augustine's connection between counsel and mercy and sought to explicate it by focusing on counsel's orientation towards action and the fulfilment of the will of God through mercy. According to Alan of Lille, writing around 1160, the *effectus* of the gift of Counsel is perfect mercy (*perfecta misericordia*) since 'the spirit of counsel – that is, the counsel inspired by the Spirit – makes the will of God known to us, guides us [*dirigit*] to fulfil it, teaches us what may be especially

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[10] Augustine, *De sermone Domini in monte*, I.4.11, p. 10.
[11] Augustine, *Sermones de diversis,* sermo 347.3 (PL 39:1526). Guillaume Perrault begins his discussion of Counsel with this passage, *Summae*, I.7.7, vol. 1, p. 422.
[12] See also Gregory, *Moralia in Job*, I.xxxii.45.

fitting [*aptum*] to God,' and thereby brings about perfect mercy, which bears with others' wrongdoings.[13] Lothar of Segni (later Innocent III), discussing the Lord's Prayer in his *De sacro altaris mysterio* (before 1198), also associated counsel with the will of God, noting that to pray 'Your will be done' is to pray that the work which God commands, counsels, and advises ('*quod praecipis, quod consulis, quod suades*') might be completed. It is therefore as if one is praying, 'Give us the spirit of counsel, that we may do your will, [and] especially the mercy which destroys avarice, so that we may obtain mercy'.[14]

Later writers also highlighted Counsel's directive and discerning role in pursuing acts of mercy. According to Bonaventure, 'Counsel prepares us for mercy, for God counsels nothing more strongly in Scripture than to show mercy, which he values more than any sacrificial offering.'[15] Guillaume Perrault followed the *Glossa ordinaria*: 'Mercy is applied by the gift of Counsel. And so the *Gloss*: "Mercy needs the spirit of Counsel, without which no one shows mercy with circumspection".'[16] Likewise, Aquinas highlighted that although Counsel directs human action in all of the virtues, it particularly directs mercy. He notes that *consilium* is primarily concerned with 'what is useful for an end';[17] therefore, whatever is particularly useful in this regard should correspond to the gift of Counsel. He associates *misericordia* with the Pauline statement that 'compassion [*pietas*] is useful for all things';[18] therefore 'the beatitude of mercy specially corresponds to the gift of counsel, not as eliciting but as directing [mercy]'.[19] The implication is that acts of *misericordia* are particularly dependent upon the directive and discerning process of counsel and

[13] Alan of Lille, *De virtutibus et de vitiis et de donis Spiritus Sancti*, III.2, in Odon Lottin, 'Le Traité d'Alain de Lille sur les Vertus, les Vices et les Dons du Saint-Esprit', *Mediaeval Studies*, vol. 12 (1950), p. 54. The treatise lists the virtues of the beatitudes as effects of the gifts.
[14] Innocent III, *De sacro altaris mysterio*, V.24 (PL 217:903). See below, pp. 107–108.
[15] Bonaventure, *Breviloquium,* V.6.5.
[16] Guillaume Perrault, *Summae*, I.5.9, vol. 1, p. 487; *Glossa* ad Matt. 5:6.
[17] See above, Chapter 2, p. 89.
[18] I Tim. 4:8.
[19] *ST*, II-II q.52 a.4.

deliberation, due perhaps to the importance of individual circumstances in cases requiring mercy and the frequent tension present between the virtues of mercy and justice.[20]

Hugh of St Victor's *De quinque septenis* from the 1130s preserved Augustine's connections to the gifts of the Holy Spirit but also placed them in opposition to the seven vices.[21] He retained the association of the spirit of Counsel with the petition of forgiveness, setting them together against the vice of Avarice (*avaritia*). Already by the ninth century avarice was seen as antithetical to counsel in its promotion of desire over reason. Smaragdus of Saint-Mihiel depicted avarice as interfering with the counsel of one's own mind: just as the body lives in a material building, so the mind lives in the counsel of thought (*in cogitationis consilio*); when the heat of avarice lays waste to the thoughts of the mind, fire devours its dwelling place (*tabernaculum*).[22] For Hugh of St Victor, whereas avarice insists on the repayment of debts owed, the spirit of Counsel plays a directive and instructive role in teaching us mercy (i.e. to our debtors) so that in the end we also may deserve the mercy of salvation.[23] In setting counsel in opposition to avarice, there was also an implied connection to the gift of Counsel's role in rendering humans receptive to divine counsels, particularly the evangelical counsel of poverty given by Christ in Matthew 19. The move from avarice to Christ's counsel was therefore a move from temporal to eternal concerns.[24] Twelfth- and thirteenth-century moral frameworks were far from monolithic: some

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[20] Byrne, *Justice and Mercy,* pp. 97–102. A significant minority of theologians also returned the list of gifts to its biblical order, pairing the gift of Counsel instead with the third petition regarding the will of God (*Fiat voluntas tua*), an order that was particularly popularised in diagrammatic form; below, p. 108.

[21] Gregory the Great was the first writer to set the gifts as remedies against specific vices; his scheme set the gift of Counsel against the vice of fear: *Moralia in Job,* II.xlix.77. On the gifts as antidotes to the vices, see also István Bejczy, *The Cardinal Virtues in the Middle Ages: A Study in Moral Thought from the Fourth to the Fourteenth Centur*y (Leiden, 2011), p. 226. By the thirteenth century, the standard seven vices were Avarice, Envy, Vainglory, Wrath, Gluttony, Spiritual Sloth (*acedia*), and Lust (*luxuria*), all ultimately rooted in Pride (*superbia*).

[22] Smaragdus, *Via regia,* XXVI (PL 102:965); cf. Gregory, *Moralia in Job*, XII.liv.62.

[23] Hugh of St Victor, *De quinque septenis*, III, pp. 215–16; trans. Joshua Benson, 'On the Five Sevens', in *Writings on the Spiritual Life* (Turnhout, 2013), p. 366.

[24] Giancarlo, 'Al Nys but Conseil', p. 91; see Augustine, *Sermones de scripturis*, sermo 86 on Matt. 19:21 (PL 38:523–30).

schemata matched the gift of Counsel with the virtue of Prudence;[25] others with the virtue of Love (*caritas*)[26] or Hope (*spes*).[27] However, it was the combination of Counsel, mercy, and avarice which proved particularly popular in subsequent texts.

Virtue Illustrations and Diagrams

Over the course of the twelfth century, visual illustrations and diagrams were increasingly used to aid students in committing to memory various moral schemes and their internal

Image 1 - Allegorical knight. BL Harley MS 3244, ff. 27v-28r.

[25] See for example, a roundel in an illustration drawn from Gregory's *Moralia in Job* in the Floreffe Bible (c. 1155) pairs the gift of Counsel with *prudentia*, BL, Add. MS 17738, f. 3v. See Adolf Katzenellenbogen, *Allegories of the Virtues and Vices in Mediaeval Art* (London, 1939), pp. 37–8.
[26] For example, *Speculum virginum*, XI, p. 344; the connection is illustrated in the treatise's 'Temple of Wisdom': BL, Arundel 44 (prob. after 1140), f. 114v.
[27] e.g. Bonaventure, *Breviloquium*, V.5 ad 3.

connections. Elaborate visual depictions were accordingly created for the interplay between the gifts, virtues, vices, and their associated elements.[28] In a thirteenth-century English manuscript of Guillaume Perrault's *Summa vitiorum*, for example, seven white doves representing the gifts of the Holy Spirit stand protectively between an allegorical knight, arrayed in spiritual armour, and an oncoming army of grotesque vices (above, Image 1). The gift of Counsel, accompanied by the beatitude of Mercy, directly opposes the vice of Avarice.[29] The gifts, including Counsel, are here visually enlisted as active participants in the struggles of moral temptation and spiritual warfare, with clear connections to particular vices and beatitudes.

This allegorical knight appears to be a unique illustration, but other moral diagrams achieved much wider currency. A diagram known as the *Septenarium pictum* (below, Image 2 and Image 3) – which probably first appeared in Paris in the late twelfth century and went on to gain great popularity as a tool for teaching and training preachers – follows Hugh of St Victor's treatise in seeking to combat vice and inculcate virtue through the petitions of the Lord's Prayer.[30] The illustration features five concentric circles divided into sectors, each containing a different series – vices, petitions, gifts, the virtues of the beatitudes, and the blessings of the beatitudes. *Avaritia*, often personified in the accompanying roundel as a woman collecting riches, and her subsidiary vices (falsity, perjury, violence, etc.) are associated in the lower-left sector with the petition *Fiat voluntas*

[28] On visual depictions of the virtues, see Katzenellenbogen, *Allegories of the Virtues and Vices*; Michael W. Evans, 'The Geometry of the Mind', *Architectural Association Quarterly* 12:4 (1980). On the use of diagrams for mnemonic purposes, see Mary J. Carruthers, ed. *The Book of Memory: A Study of Memory in Medieval Culture* (Cambridge, 2008), pp. 274–337.

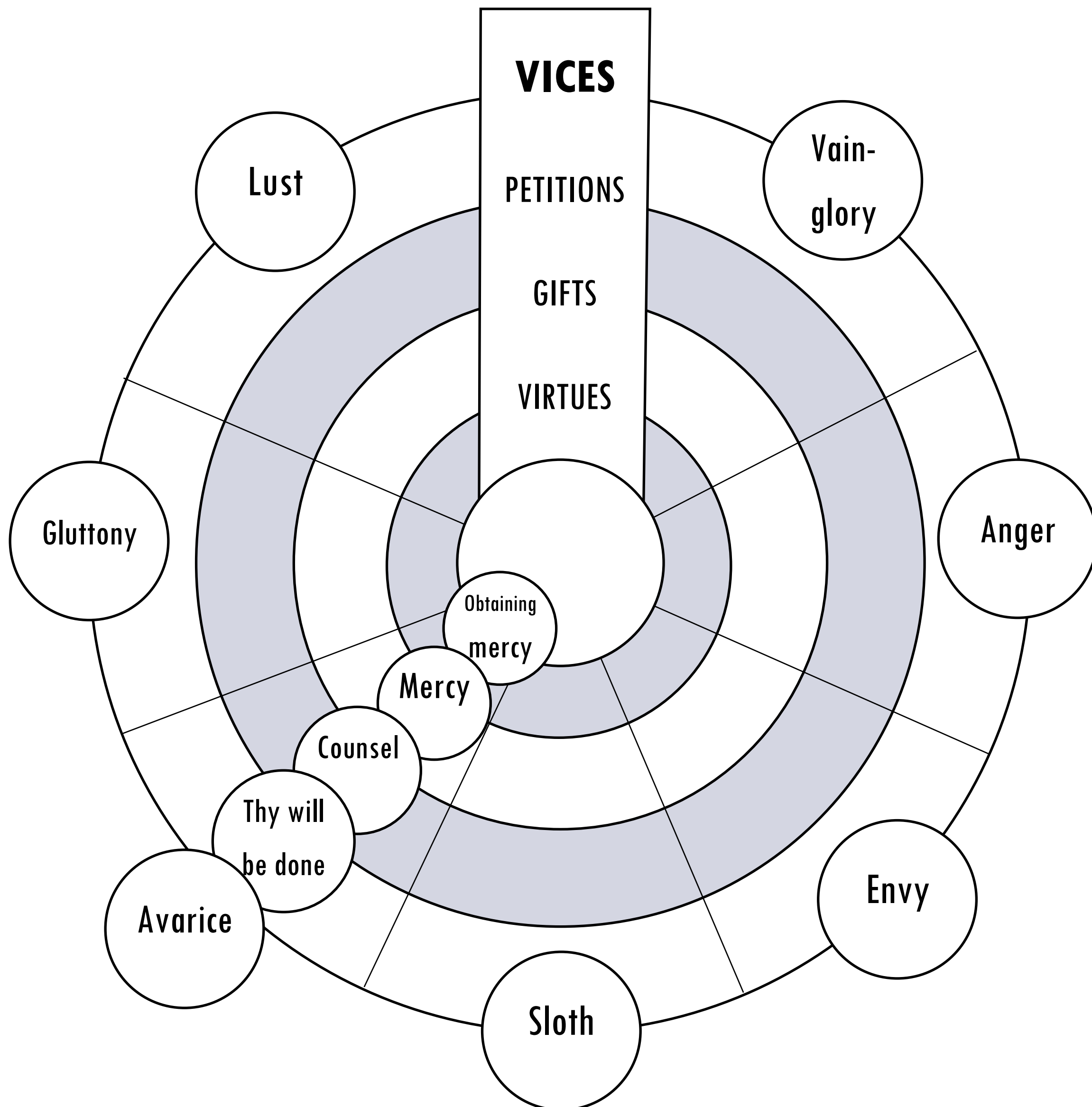
[29] BL, Harley MS 3244, ff. 27v–28r. The illustration does not draw directly from Perrault's text, but instead seems to derive its order of vices from Alan of Lille's *De virtutibus et de vitiis*: Michael Evans, 'An Illustrated Fragment of Peraldus's Summa of Vice: Harleian MS 3244,' *Journal of the Warburg and Courtauld Institutes* 45 (1982), pp. 15–16.

[30] Laura Cleaver, 'Past, Present and Future for Thirteenth-Century Wales: Two Diagrams in British Library, Cotton Roll XIV.12', *Electronic British Library Journal* (2013); Marco Rainini, 'Symbolic Representations and Diagrams of the Lord's Prayer in the Twelfth Century', in *Le Pater noster au XIIe siècle*, ed. Francesco Siri (Turnhout, 2015), pp. 167–78; Laura Cleaver and Andrea Worm, 'The Septenarium Pictum or Rota Dominice Orationis Diagram: Combatting vice through prayer in the High Middle Ages', in *Ordinare il mondo*, ed. Timoty Leonardi and Marco Rainini (Milan, 2018). This last includes a list of surviving manuscript copies beginning c. 1200, pp. 279–82.

tua, the gift of Counsel, the virtue of *Misericordia*, and the beatitude of *Misericordia consecutio* ('obtaining mercy').

Image 2 - Detail from Septenarium pictum, Bodleian MS Lyell 84 (recto).

Image 3 – Simplified diagram of the Septenarium pictum



The accompanying floating text, derived from Innocent III's *De sacro altaris mysterio*,[31] explains the connection:

> *Your will be done,* etc. The fulfilment of this petition and of the two other [previous petitions] is begun in this life and brought to completion in Heaven, where we shall be able to will nothing except what we know God wills. *Your will be done*, that is, 'Give the spirit of Counsel so that we may do your will', especially mercy, which God emphasizes in Scripture as more necessary for us, so that we may thus obtain mercy, which is clearly contrary to avarice, which is expelled by the spirit of Counsel, which counsels that everything be distributed to the poor and nothing retained by greed.[32]

The gift of Counsel enables humans to follow the will of God more generally, but is, as Aquinas noted, particularly directed towards acts of mercy.[33]

A similar diagram, the Wheel of Sevens, appeared towards the end of the thirteenth century as part of the *Speculum theologie,* a loose collection of mnemonic moral diagrams assembled by the Franciscan John of Metz.[34] Like other diagrams in this collection, these wheels vary in sophistication from manuscript to manuscript, but the basic structure consists of seven series written around the circumference of concentric circles, together divided into seven sectors (see below, Image 4). Each circle is symbolically dependent upon the others, since each is acquired through the one which encircles it:[35] moving inward, the circles contain (1) the petitions of the Lord's Prayer; (2) the sacraments of the Church, (3) the gifts of the Holy Spirit, (4) the spiritual armour of virtue or justice, (5)

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[31] Above, p. 102n14.

[32] '*Fiat voluntas tua, etc. Impletio huius petitionis et aliarum duarum inchoatur in via et consummatur in patria, ubi nichil poterimus velle nisi quod sciamus deum velle. Fiat, etc. Hoc est da spiritum consilii ut faciamus voluntatem tuam, maxime misericordiam quam nobis magis neccessariam deus inculcavit in scripturis, ut sic misericordiam consequamur quod manifeste est contra avariciam, quam expellit spiritus consilii, qui consulit omnia pauperibus distribui nichil cupide retineri.*' Saint-Omer BM, MS 193 (c. 1210–25), f. 1r. The same essential text is found in Bodleian, MS Lyell 84 (s. XIII ex.) and Harvard University Library, MS Typ 584 (s. XIII). At least one wheel of this type, however, uses the reverse order of the gifts, explained by the inclusion of Hugh of St Victor's text (see above, n. 23): Free Library of Philadelphia, Lewis E 249B (England, c. 1280).

[33] See above, p. 102.

[34] On the *Speculum theologiae*, see Lucy Freeman Sandler, *The Psalter of Robert de Lisle* (London, 1983), pp. 23–7; and Lynn Ranson, 'The "*Speculum theologie*" and Its Readership: Considering the Manuscript Evidence', *Papers of the Bibliographical Society of America* 93:4 (1999). For a list of MSS containing this collection, see Sandler, *Psalter,* pp. 133–9.

[35] BnF fr. 9220 (Picardy, c. 1290), f. 11v: '*Hec rota continet septem conferentias, unam ab alta dependentes. Per prima enim sequens acquiritur, per secundam tercia, et sic de aliis inter duos radio legendis.*'

Image 4 - Wheel of Sevens, *BnF fr. 9220, f. 11v. Source: gallica.bnf.fr*.

the physical and spiritual works of mercy,[36] (6) the principal virtues, and (7) the capital vices. All the elements within each sector can be read together as a set. Most of these Wheels of Seven follow the biblical order of the gifts and place Counsel in the third sector, under the petition *Fiat voluntas tua* ('Your will be done').

> [1] *Your will be done*, etc. Here we seek to obey God.
> [2] By this is given marriage to avoid fornication,
> [3] and the spirit of Counsel for the seasoning of obedience,
> [4] and the shield of compassion against Envy [*invidia*].
> [5] Thus we physically give drink to the thirsty,
> and spiritually teach the unlearned.
> [6] Thus Justice is acquired,
> [7] Envy evaded.[37]

A variant form of the Wheel, however, returns the spirit of Counsel to its Augustinian connections:

> [1] *And forgive us our debts, as we forgive our debtors*. Here we seek to be absolved from sins.
> [2] Here is given penitence for the remission of sins,
> [3] and the spirit of Counsel for evading sin,
> [4] and the boots of alacrity against Sloth.
> [5] Thus we console captives and show lenience to the sinner.
> [6] Thus Faith is bestowed,
> [7] Sloth evaded.[38]

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[36] See below, p. 129. The spiritual work '*consulimus desolatos spiritualiter*' is here associated with '*Dimitte nobis*' and the gift of Knowledge.
[37] BnF fr. 9220, f. 11v: *Fiat voluntas tua, etc. Hic Deo vere petimus obedire. / Per hoc datur coniugium ad vitandum fornicationem / Et spiritus consilii ad obedientie condimentum / Et clypleus compassionis contra invidiam. / Ita potamus scicientes carnaliter / Docemus indoctos spiritualiter. / Ita acquiritur iustitia, / Evitatur invidia.* See also BL, MS Arundel 83-I (Howard Psalter, c. 1310–20), f. 3v; BL, MS Arundel 83-II (De Lisle Psalter, c. 1310), f. 129v; and Paris, Bibliothèque de l'Arsenal, MS 1234 (parchment roll, s. XIV).
[38] Chambéry BM, MS 27 (c. 1270–1300), f. 113r: '*Et dimitte nobis debita nostra, sicut et nos dimittimus debitoribus nostris. Hic absolui petimus a peccati. / Hic datur penitencia ad remissionem peccatorum. / Et spiritus consilii ad evitanda peccata. / Et calige alacritatis contra accidiam. / Sic solamur captivos indiligemus peccanti. / Ita conceditur fides. / Evitatur accidia.*' See also Yale Beinecke, MS 416 (s. XIII ex./XIV in.), f. 2v.

In this latter scheme, penitence for sins committed is paired with the Counsel which provides the means to evade future sin, extending into mercy toward other sinners, while in the former, the emphasis is on Counsel leading to the obedience by which humans may conform to the will of God, extending into teaching the unlearned.[39]

Despite their variety, twelfth- and thirteenth-century discussions and visual representations of the gifts of the Holy Spirit in relation to other theological and moral schemes do reveal certain connections which seem to have achieved more general currency. Most prominent here are the gift of Counsel's ties to acts of mercy in opposing avarice and offering spiritual assistance to others, and its role in aiding Christians to evade sin and fulfil the will of God. Although these theological discussions were primarily focused upon divine and spiritual counsel, explicit connections were also then drawn by writers like Aquinas between the gift of Counsel and human counsel, in that both direct humans towards right action. As a result, considerations of spiritual counsel amongst the virtues often carried practical and human ethical implications as well.

Prudence and Counsel in Stoic Ethics

From patristic writers onwards, Scriptural considerations of the virtues were intertwined with a virtue framework ultimately rooted in Stoic ethics, particularly its later Roman iteration.[40] These Roman writers had abandoned the focus of earlier Stoics on physics and logic to focus almost exclusively on questions of ethics, particularly the direct, practical application of ethical principles to specific situations.[41] These principles were primarily transmitted to patristic and medieval readers through the work of two key writers, Cicero († 43 BC) and Seneca the Younger († 65 AD). Cicero was more 'eclectic' in his philosophy than the explicitly Stoic Seneca, but his works disseminated many key elements of Stoic ethical thought. The textual transmission of their Stoic ideas took various forms, ranging

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[39] There are parallels here to Bernard of Clairvaux's depiction of *libertas consilii* as the capacity to not sin, thereby fulfilling the will of God. See above, pp. 62–66.
[40] Gerard Verbeke, *The Presence of Stoicism in Medieval Thought* (Washington, D.C., 1983); Michael Lapidge, 'The Stoic Inheritance', in *A History of Twelfth-Century Western Philosophy*, ed. Peter Dronke (Cambridge, 1988); Marcia L. Colish, *The Stoic Tradition from Antiquity to the Early Middle Ages* (Leiden, 1990).
[41] Colish, *Stoic Tradition*, vol. 1, pp. 12–13; Lapidge, p. 82.

from borrowed phrases to complete works, but together, these two Roman philosophers contributed a legacy of increased terminological exactitude regarding virtues, including the framework of the four cardinal virtues. While excerpts in florilegia might not have been conducive to the transmission of a systematic treatment of Stoic ethics, this was a form which could successfully convey a cornucopia of ethical virtues imbued with at least a partially Stoic perspective, much of which had resonances with Christian ethics and was therefore easy to adopt by Christian writers.[42] The popularity of Cicero and Seneca reached its height in the twelfth century, at the same time that the virtues were becoming the object of truly systematic ethical reflection.[43]

Moral Deliberation

Whether in florilegia, epitomes, or whole treatises, the Stoic legacy contributed to important principles in medieval ethical thought which would influence discussions of counsel and deliberation and its associated virtue of Prudence. Of particular significance was its emphasis on reason over pleasure and the passions. In Stoic thought, one rational principle (the *logos*) governs the cosmos, ordering and encompassing everything; virtue is a correlative of knowledge, while human vice arises from the passions as a result of intellectual errors of false judgement.[44] Deliberation regarding moral action should therefore be defined by reason, which enables an individual to act with foresight, rather than by heated counsels, and to remain standing in times of difficulty.[45] Both conversation and action were to be free from exhibitions of passion or excessive mental commotion

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[42] Lapidge, 'Stoic Inheritance', p. 84; N.E. Nelson, 'Cicero's *De officiis* in Christian Thought: 300–1300', *University of Michigan Publications: Language and Literature* 10 (1933), pp. 62–3; G.M. Ross, 'Seneca's Philosophical Influence,' in *Seneca*, ed. C.D.N. Costa (London, 1974), p. 127.
[43] Bejczy, *Cardinal Virtues*, p. 13.
[44] Mary E. Ingham, 'Phronesis and Prudentia: Investigating the Stoic Legacy of Moral Wisdom and the Reception of Aristotle's Ethics', in *Albertus Magnus und die Anfänge der Aristoteles-Rezeption im lateinischen Mittelalter*, ed. Ludger Honnefelder (Münster, 2005), p. 637; Colish, *Stoic Tradition*, vol. 1, p. 42.
[45] Cicero, *De officiis*, I.xxiii.80–81, xxix.101–103, xxiv.82. See above, Chapter 2, pp. 67–69.

uncontrolled by reason.[46] Such values were not only significant on an individual level. Writers such as Cicero also gave a key societal role to rationality and to language, it being humans' rational and linguistic capabilities which differentiate them from the beasts.[47] Indeed, the Stoic moral expert (Greek *phronimos,* Latin *prudens*) is one who, his wisdom and virtue being fully realised, possesses an enlightened understanding by which he is able to give counsel on human affairs and thereby fulfil his duty to society.[48]

As part of this emphasis on measured rationality, Cicero provided an influential model of the deliberative process to determine what *consilium*, or plan of action, ought to be taken (*consilii capiendi deliberatio*). Such deliberation consists of determining what is morally worthy or honourable (*honestum*), determining what is advantageous (*utile*), and resolving any conflict between the two – these three considerations provide the structure for *De officiis*.[49] Everything wholly honourable is embraced under the term 'virtue' (*virtus*), which Cicero defined as 'a habit of mind [*animi habitus*] in harmony with reason and the order of nature'.[50] Primacy should be given to virtue over advantage, but Cicero ultimately concludes that what is truly advantageous will never ultimately conflict with what is morally worthy.[51]

De officiis exercised an almost continuous influence throughout the medieval period, rivalled in popularity by the works of Seneca.[52] Its deliberative framework of '*honestum, utile, et quid praestantium*' was echoed in early Christian works such as the fourth-century *De officiis* by Ambrose, although Ambrose Christianised the formula by declaring that

[46] *De officiis*, I.xxxvii.135.
[47] ibid., I.iv.
[48] Ingham, 'Phronesis and Prudentia', p. 635–6; Colish, *Stoic Tradition*, vol. 1, p. 39.
[49] *De officiis*, I.iii.9–10; idem, *De inventione*, II.iii.157–8. Cicero's use of these divisions in deliberative rhetoric will be discussed further in Chapter 4.
[50] *De inventione*, II.liii.159.
[51] *De officiis*, III.vii.35.
[52] Nelson, 'Cicero's *De officiis*', p. 137.

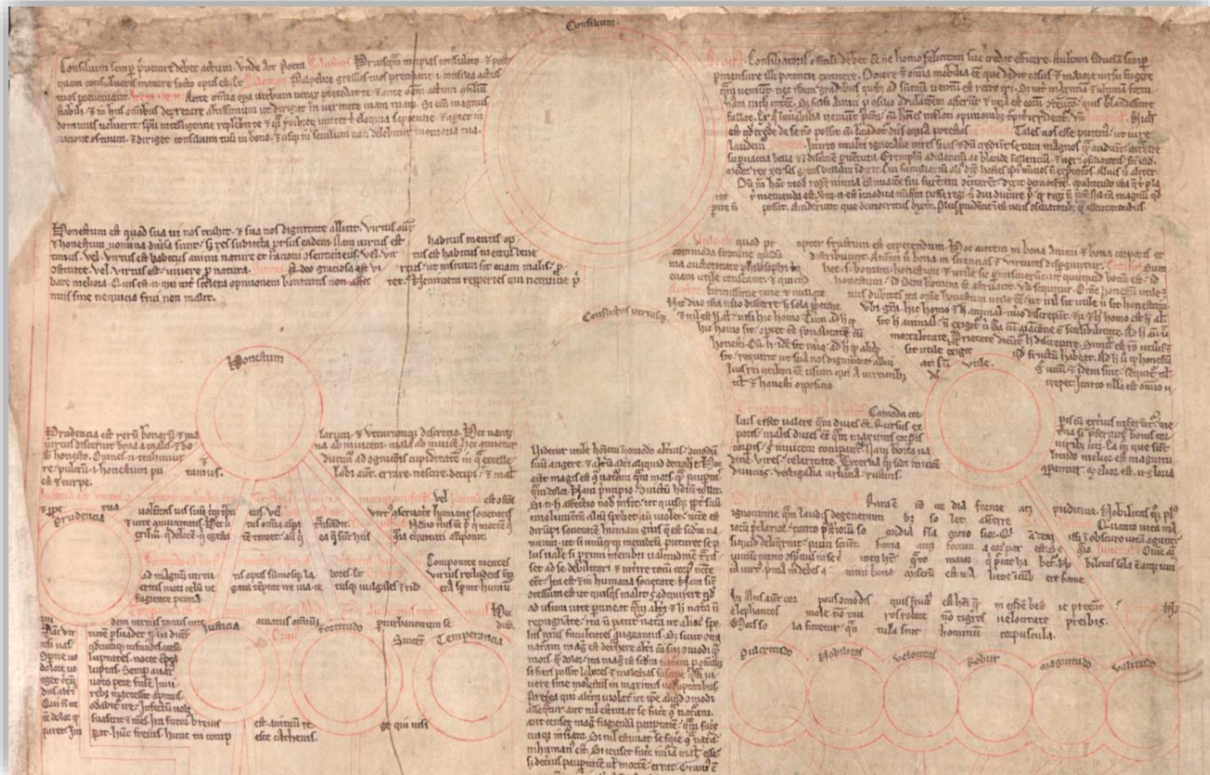
nothing should be considered advantageous unless it leads to eternal life.[53] In the mid-twelfth century, Cicero's *De officiis*, which had hitherto made few direct contributions to moral treatises and *sententiae*, was epitomised in the anonymous *Moralium dogma philosophorum*.[54] The *Moralium* popularised Cicero's tripartite structure of this deliberation and was widely disseminated and adapted in both Latin and the vernacular, as well as being quoted or paraphrased by such writers as Gerald of Wales, Vincent de Beauvais, Guillaume Perrault, and Brunetto Latini.[55] References to the text often explicitly equated it with *consilium*. A thirteenth-century English universal roll chronicle, for example, features on its dorse a sketchy diagram in which *Consilium* occupies a large circle at the centre-top, surrounded by relevant excerpts from the *Moralium* on counsel and counsellors (above, Image 5). The diagram branches into *Honestum* and *Utile* and their respective subspecies, while *Conflictus utriusque* hovers in the middle, each accompanied by relevant *Moralium* excerpts.[56] The authority of the '*Dogma philosophorum'* is even cited by an *ad status* sermon intended for use when speaking 'in the king's *consilium*' from the late thirteenth-century(?) *Sermones arboris* collection.[57] The sermon discusses the necessary deliberation of counsel on matters of *honestas* and *utilitas* and potential conflicts between them, noting that,

> what is *honestum* ought to be placed before what is *utile*, and the common good before one's own, and what is to the honour of God before what is agreeable to humans. This is salutary counsel [*consilium salutis*] which all prudent people

[53] Ambrose, *De officiis*, I.ix.27–8. On its medieval influence, see Ivor J. Davidson, 'Introduction' to Ambrose, *De officiis*, vol. 1, pp. 96–102; Nelson, pp. 69–75.
[54] *Moralium dogma philosophorum,* ed. John Holmberg, in *Das Moralium dogma philosophorum des Guillaume de Conches* (Uppsala, 1929), pp. 1–74 [hereafter, *MDP*]; Bejczy, *Cardinal Virtues*, pp. 72–3; Lapidge, 'Stoic Inheritance', p. 96. On the *Moralium*'s contested authorship, see John Williams, 'The Quest for the Author of the *Moralium Dogma Philosophorum*, 1931–1956', *Speculum* 32:4 (1957).
[55] Nelson, 'Cicero's *De officiis*,' pp. 98–9.
[56] BL, Cotton Roll XIV 12 (s. XIII$^{2/4}$), memb. 12–13; on this roll's other diagrams, see Cleaver, 'Past, Present and Future'.
[57] Attributions of the *Sermones arboris* collection to Bertrand de la Tour († 1332/3) have been disputed by Patrick Nold, 'Bertrand de la Tour, OMin. Life and Works', *AFH* 94 (2001), pp. 310–12. For a list of extant manuscripts, see ibid., *AFH* 95 (2002), pp. 10–11.

[*prudentes*] ought to hear. Proverbs 13, *The astute person does everything with counsel*.[58] And doing everything *with counsel*, *you will not repent of it*,[59] Ecclesiasticus 32.[60]

Image 5 - Diagram derived from the Moralium dogma philosophorum.
BL, Cotton Roll XIV 12, membrane 12 (dorse).



[58] Prov. 13:16.

[59] Ecclus. 32:24.

[60] '*Negocium quod tractatur in quo debet haberi deliberatio de tribus ut habere in tractatu qui dicitur Dogma Philosophorum, scilicet ite ut propositos: de honesta, duobus honestis quod videatur honestius; de utilite, ut propositis duobus utilibus quod videatur utilius; de conflictu utriusque, scilicet utilis et honesti. Et hic nota quod honestum preponendum utili, et comune bonum proprio, et quod est ad honorem Dei comodo humano. / Hoc est consilium salutis quod omnes prudentes decet audire. Prover. 13, astutus omnia aget cum consilio, et agens omnia cum consilio non penitebis, Ecc. 32.*' Troyes, BM MS 2001, ff.58vb–59ra (*RLS* 7,455, no. 42). The sermon's theme is *Consuluit David Dominum* (I Samuel 30:8). Other MSS consulted (Barcelona, Archivo de la Corona de Aragón, MS Ripoll 187, f. 79; Vatican, Arch.Cap.S.Pietro.G.48, f. 21vb ; and BnF lat. 3276, f. 16va) instead cite the '*tractatus de doctrina philosophorum*'.

Cicero's deliberative framework is here neatly enfolded into a framework of both political and theological moral consideration for the edification of secular rulers.

Prudence as a Cardinal Virtue

The longstanding association between counsel and the prudent person gave *consilium* a natural place within the Stoic-derived framework of the cardinal virtues. Originally enumerated in Greek in Plato's *Republic*, these four virtues – Prudence, Justice, Temperance, and Fortitude – were predominantly transmitted to patristic writers through Roman writers such as Cicero, who used them as divisions of *honestas*.[61] Christian writers eventually added the four to the biblical virtues of Faith, Hope, and Love to create the heptad of medieval virtues which would become standard catechetical knowledge over the course of the thirteenth century.[62] Medieval moralists continued to explicate these virtues' qualities by dividing them into further components or associated virtues, although, like the frameworks around the gifts of the Holy Spirit, these divisions varied greatly.

Although patristic and earlier medieval discussions of Prudence and its associated virtues often included references to good counsel, it was not until the twelfth century that *consilium* was explicitly categorised as a sub-virtue of Prudence. Patristic writers like Ambrose were primarily interested in rooting classical virtues in a suitably Christian foundation, rather than developing the kind of systematic virtue theory which would only emerge in the twelfth century. Ambrose's *De officiis*, influential throughout the medieval period, was 'not so much receptive as acquisitive', laying hold of elements of classical ethics and claiming them for Christ.[63] He removed the four classical virtues (which he termed the *virtutes principales*) from a Roman civic context and reintroduced them as

[61] *De inventione,* II.liii.159–liv.165; *De officiis,* I.v.15.
[62] Bejczy, *Cardinal Virtues*, p. 146. For simplicity, the term 'cardinal virtues' will be used to refer to these four virtues, although '*virtutes cardinales'* did not achieve wider usage until the twelfth century.
[63] Bejczy, *Cardinal Virtues,* p. 17.

instruments of salvation.[64] Like other patristic writers, Ambrose redefined Cicero's four virtues as divine gifts, exclusive to the Christian believer.[65] Martin of Braga's widely-read sixth-century *Formulae honestae vitae* (also known as *De quattuor virtutibus*), on the other hand, explicitly sought to give ethical advice which could be fulfilled by the natural law of human intelligence, rather than requiring divine grace or the precepts of Scripture.[66] Often attributed to Seneca in later medieval manuscripts, the work may indeed have been largely lifted from Seneca's *De officiis*, since lost.[67] The text enjoyed great popularity, particularly from the twelfth century onwards, with prominent citations throughout the treatises of thirteenth-century writers such as Guillaume Perrault, Vincent de Beauvais, and John of Wales. Martin's treatise focuses on the virtues necessary for the *vita honesta*, presenting the four central virtues as the rational means between two excesses, stressing moderation in emotions and urbanity in speech.

Prudentia (Cicero's translation of the Greek term *phronesis*) was a somewhat ambiguous term in Stoic thought, encompassing both practical and speculative wisdom, confounding *prudentia* with *sapientia* (Greek *sophia*) and uniting knowledge with virtue.[68] Cicero's own work reflects some of this ambiguity between objective knowledge and practical discernment. In *De inventione*, *prudentia* is simply defined as 'the knowledge [*scientia*] of what is good, what is bad, and what is neither', a definition commonly cited by medieval writers.[69] In *De officiis*, on the other hand, Cicero initially combines *sapientia* and *prudentia*

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[64] Elsewhere, Ambrose also coined the term *virtutes cardinales*, although it would not be commonly used until the twelfth century, *Expositio evangelii secundum Lucam*, V.49,62 (PL 15:1734,1738). See also Odon Lottin, *Psychologie et morale aux XIIe et XIIIe siècles* (Louvain, 1942), vol. 3, pp. 154–5; Bejczy, *Cardinal Virtues*, p. 12; idem, 'The Concept of Political Virtue in the Thirteenth Century,' in *Princely Virtues in the Middle Ages, 1200–1500*, ed. István Pieter Bejczy and Cary J. Nederman (Turnhout, 2007), p. 9; R.A. Markus, 'The Latin Fathers', in *CHMPT*, ed. J. H. Burns (Cambridge, 1988), pp. 97–9; Nelson, 'Cicero's *De officiis*,' p. 65.

[65] Bejczy, *Cardinal Virtues*, pp. 11–28.

[66] Martin of Braga, *Formula vitae honestae*, I, in *Opera omnia*, ed. Claude W. Barlow (New Haven, 1950), p. 237.

[67] Nelson, 'Cicero's *De officiis*,' pp. 77–79.

[68] Ingham, 'Phronesis and Prudentia', p. 635.

[69] '*Prudentia est rerum bonarum et malarum neutrarumque scientia.*' Cicero, *De inventione*, II.liii.160; Augustine, *De diversis quaestionibus,* q. 31 (PL 40:20); Sedulius Scottus, *Collectaneum miscellaneum*, LII, ed. Dean Simpson (Turnhout,

within the first of his four virtues, a more theoretical virtue dealing with 'the full perception and intelligent development of the true', in contrast with the more practical orientation of the other three virtues.[70] Later in the treatise, however, he distinguishes between *sapientia*, the foremost of all virtues, which is the knowledge of all things human and divine, and *phronesis/prudentia,* which is the more particular knowledge of those things which ought to be sought or avoided.[71] Still later in the text, Cicero notes that prudence can be defined similarly to *modestia,* 'the knowledge of the opportuneness for what ought to be done at the appropriate time'.[72] Whereas *sapientia* comprehends the eternal order and law of nature, *prudentia* concerns itself more practically with the particular circumstances of life.[73]

Ambrose's own definition of *prudentia* in the *De officiis* maintains the emphasis on knowledge but gives it a particularly Christian focus. Prudence 'makes us seek the truth and instils in us a yearning for even deeper knowledge', best fulfilled in showing reverence for our Creator. He also influentially describes Prudence as the source from which all other virtues derive.[74] A very prudent person (*prudentissimus*) is one from whom we are most prepared to seek counsel, possessing both good judgement and discernment.[75] Martin of Braga's discussion of the virtue of Prudence, meanwhile, is very practically oriented, focusing on its qualities of insight, discernment, and foresight, and the ability of the prudent person to examine all things and to adapt to whatever circumstances might arise. The prudent are in a position to judge others' counsels. They avoid flattery and foolish counsels and see through the counsels of the unskilled (*consilia imperitorum*). They are also

1988), p. 231; Papias, *Elementarium,* s.v. '*virtus*', f. 186r; *Speculum virginum,* IV, p. 92; and Vincent de Beauvais, *Speculum doctrinale*, IV.18, col. 31E.

[70] Cicero, *De officiis,* I.v.

[71] ibid., I.xliii.153.

[72] ibid., I.xl.142–3.

[73] Ingham, 'Phronesis and Prudentia', p. 657.

[74] Ambrose, *De officiis,* I.xxiv.115, I.xxvii.126.

[75] ibid., I.x.50–51.

able to judge the uncertain from the certain, seeking salutary counsels (*consilia salutaria*) particularly in times of prosperity, in order to gain a firm footing and 'look around to see where and how far [they] must go'.[76] The insights of Prudence are therefore practically oriented towards an imminent course of action.

In the twelfth century, the *Moralium dogma philosophorum*'s discussion of the virtues drew not only on Cicero's *De officiis*, but also a variety of other classical works – most prominently Seneca's *De beneficiis,* from which it derived the idea that virtues possess a natural allure.[77] Humans are drawn toward prudence, for example, because they have a zeal for knowledge, wishing to excel in it and thinking it shameful to be ignorant or deceived.[78] Just as Ambrose saw Prudence as the source of all other virtues, the *Moralium*'s discussion of *honestas* and the virtues conceives of it as the lamp which shows the other cardinal virtues the way,

> for it belongs to [Prudence] to counsel [*consulere*], to the other three to act [*agere*], for counsel ought to come before action.[79] Whence the poet says, 'Before you begin, counsel is needed, and after you have taken counsel, prompt action'.[80] And Solomon, 'Your eyelids should precede your steps'[81] – that is, counsels should come before your actions.[82]

Counsel is therefore depicted as inherent to the fulfilment of the virtue of Prudence, and the precursor to all virtuous action.

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[76] Martin of Braga, *Formula vitae honestae*, II.
[77] Nelson, 'Cicero's *De officiis,'* pp. 90–99; Seneca, *De beneficiis,* IV.2.
[78] *MDP*, III, p. 406. See also Cicero, *De inventione*, II.li.157.
[79] Prudence was also commonly depicted by scholastic writers as the 'charioteer of the virtues', based on phrasing from Bernard of Clairvaux (who used the term *discretio*): '*Est ergo discretio non tam virtus, quam quaedam moderatrix et auriga virtutum, ordinatrixque affectuum, et morum doctrix*.' Bernard of Clairvaux, *Sermones super Cantica Canticorum*, sermo 49.5, Bernardi opera 2, p. 76.
[80] Sallust, *Bellum Catilinae*, I.
[81] Prov. 4:25.
[82] *MDP*, II, p. 405.

Divisions of Prudence

While dividing the cardinal virtues into their constituent parts was a common means of expounding upon their definition and characteristics, these lists were far from consistent (see table below, p. 121). Cicero divided Prudence into *memoria, intelligentia,* and *providentia* (foresight), aspects corresponding to past, present, and future.[83] Macrobius' division of prudence only has *providentia* in common with Cicero, adding to it *ratio*, *intellectus*, *circumspectio*, *docilitas*, and *cautio*.[84] The *Moralium dogma philosophorum* kept four of these: *providentia, circumspectio, cautio,* and *docilitas*.[85] Of these, *providentia* has the clearest connections with counsel, for it is by counsel that it prepares in advance (*premunire*) against a future calamity. It is an intentional, deliberate process and one that requires a certain mental ability (*ingenium*), in order 'to establish beforehand what might happen either way, and what ought to be done when it has happened, and never to allow it to happen that one must say, "I did not think of that."'[86]

One of the earliest texts to explicitly include *consilium* as an element of prudence was the short moral treatise *De fructibus carnis et spiritus* from the second quarter of the twelfth

DIVISIONS OF PRUDENCE

Cicero		*Memoria* (past), *Intelligentia* (present), *Providentia* (future)
Macrobius		*Ratio, Intellectus, Circumspectio, Providentia, Docilitas, Cautio*
MDP		*Circumspectio, Providentia, Docilitas, Cautio*
De fructibus		*Timor Domini, Alacritas, Consilium, Memoria, Intelligentia, Providentia, Deliberatio*
Speculum virginum		*Timor Domini, Consilium, Memoria, Intelligentia, Providentia, Tractabilitas, Sagacitas*
Tree of Virtues	*(consistent)*	*Timor Domini/Dei, Consilium, Providentia,* and *Intelligentia* and/or *Ratio*
	(varying)	*Memoria, Deliberatio, Discretio, Tractabilitas, Sagacitas, Alacritas, Diligentia*

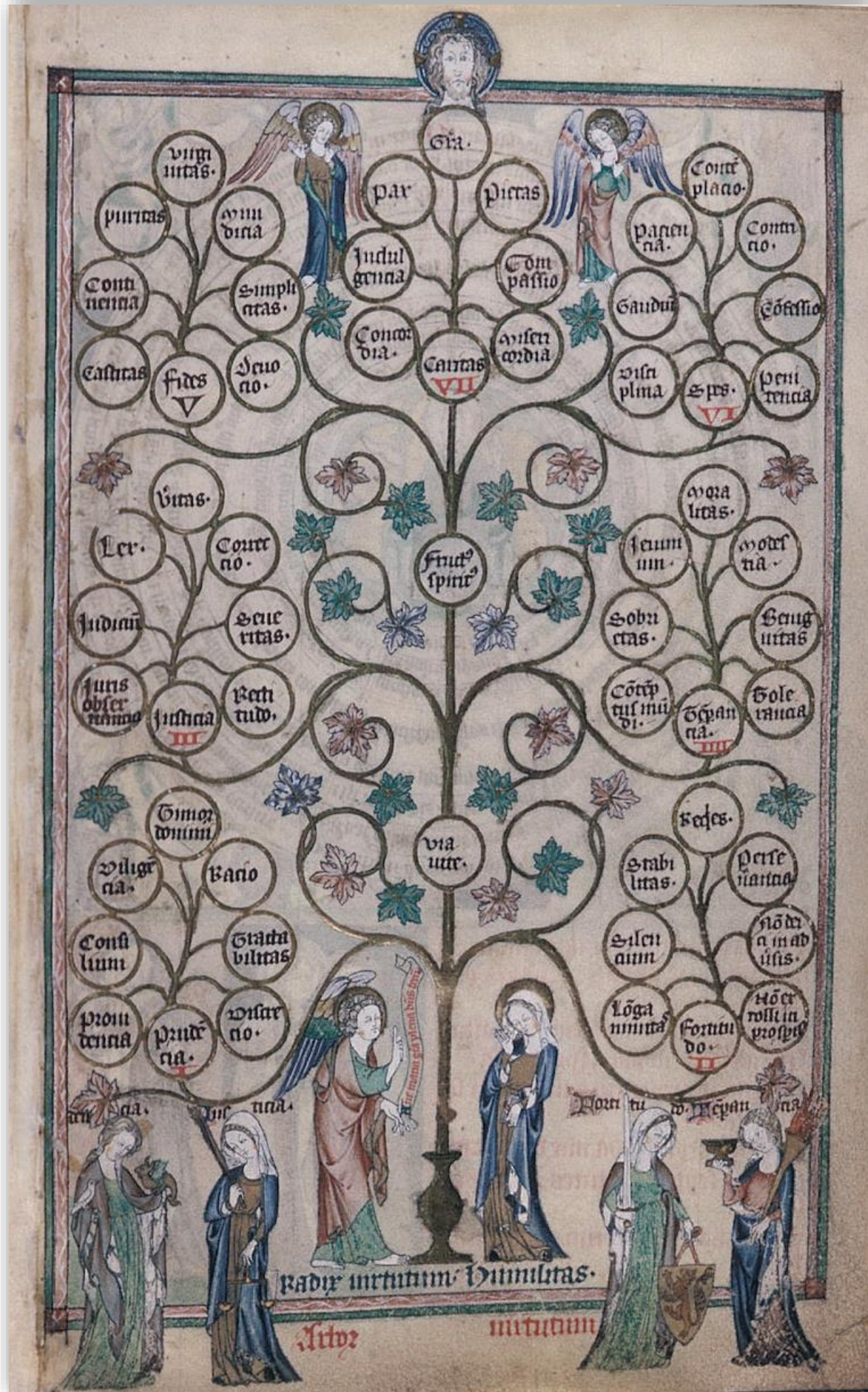
[83] Cicero, *De inventione*, II.liii.60; Guillaume Perrault, *Summae*, III.2.5, vol. 1, pp. 204–5.
[84] Macrobius, *Commentarii in somnium Scipionis*, I.8.7, p. 38.
[85] Guillaume Perrault includes this four-fold list as 'another division' in his discussion of prudence, *Summae,* vol. 1, III.2.5, pp. 205–6.
[86] *MDP,* IV, pp. 406–7, quoting Cicero, *De officiis,* I.xxiii.81.

century, once attributed to Hugh of St Victor but now thought more likely to be the work of Conrad of Hirsau. In this text, Prudence's other constituent parts are given as *timor Domini* (fear of the Lord), *alacritas*, *memoria, intelligentia, providentia,* and *deliberatio*. The emphasis in *De fructibus* in relation to Prudence and its associated virtues is on deliberate discernment and foresight leading to security. *Prudentia* is defined as 'the safe-keeping [*custodia*] of one's own good and the foresighted [*provida*] and sagacious discernment of evil', while *consilium* is 'the soul's discriminating view [*subtilis animi prospectus*] of the causes of things to be examined and governed', and *deliberatio* is 'a consideration full of maturity and skill before any beginning'.[87] Very similar definitions for *prudentia* and *consilium* appear in the *Speculum virginum* (also attributed to Conrad), although its division of Prudence replaces *alacritas* and *deliberatio* with *tractabilitas* and *sagacitas*.[88]

De fructibus is clearly pedagogic; it structures its divisions of the virtues and vices into 'two little trees' (*duas arbusculas*), an inherently visual structure to aid novices and the untutored.[89] Like wheel diagrams,[90] the natural division of the tree's branches gave a visual means of categorisation and connection. *De fructibus* was not the first text to employ such arboreal imagery – illustrations of trees with moral meaning abound, for example, in Lambert of St Omer's encyclopaedic *Liber floridus*, c. 1121[91] – but *De fructibus,* along with the *Speculum virginum*, seems to have been a principal catalyst for the proliferation of illustrated trees of virtues and vices in manuscripts from the mid-twelfth century

[87] *De fructibus carnis et spiritus* (PL 176:1002). This definition of *consilium* continues to be cited in the thirteenth century, e.g. in thirteenth-century *distinctiones* (later attributed to Alexander Neckam), Bodleian, MS Greaves 53, f. 14vb, s.v. *consilium* (which attributes the line to Cicero); and Vincent de Beauvais, *Speculum doctrinale*, IV.26, col. 316B.
[88] *Speculum virginum*, VI, p. 92; on authorship, see Constant Mews, 'Virginity, Theology, and Pedagogy', in *Listen Daughter*, pp. 16–20.
[89] *De fructibus carnis et spiritus*, prol. (PL 176:997).
[90] See above, pp. 104–110.
[91] The *Liber floridus,* Ghent MS 92 (autograph manuscript), contains *arbores significantes beatitudineum ordines* on ff. 139v–140r, and an *arbor bona et arbor mala* on ff. 231v–232r, which features thirteen virtues but includes neither *prudentia* nor *consilium*.

Image 6 - Tree of Virtues, from 'Speculum theologie' collection.
BL, Arundel 83-II, f. 129r.



onwards.[92] For the most part, these trees remain fairly consistent in their overall structure: the root is Humility (*humilitas*), which gives forth the four lower branches of the cardinal virtues and the three higher branches of the theological virtues. Each branch then gives forth the fruit of its *comitatus*, or associated virtues, invariably seven in number (at least for the cardinal virtues). The *comitatus* in *arbores virtutum* from the twelfth to fourteenth centuries display some variation, but they maintain a constant core: *consilium* is consistently present as a subsidiary virtue of *prudentia*, as are *timor Domini* (or *Dei*), *providentia,* and *intelligentia* and/or *ratio*. The remaining three 'sub-virtues' of *prudentia* show more variation. Some, including a tree accompanying the text of *De fructibus*, follow the Tree of Virtues accompanying the *Speculum virginum* text instead, filling out the list with *memoria, tractabilitas*, and *sagacitas*.[93] Herrad of Hohenbourg's *Hortus deliciarum* completes the list with *memoria, deliberatio,* and *ratio*.[94] The Tree of Virtues of the *Speculum theologie* collection (below, Image 6) uses *ratio* instead of *intelligentia*, and adds in *diligentia, tractabilitas,* and *discretio*.[95] Such minor variations notwithstanding, the common features of these trees visually cemented counsel's connection to Prudence and presented it in a context of associations with other related virtues of the mind such as reason, insight, deliberation, and a willingness to be taught.

Elsewhere in the *Speculum theologie* collection, *consilium* was also placed in connection with prudence within the 'Tower of Wisdom' (*turris sapientie*) diagram (below, Image 7).[96] The Tower is more dynamic than the Tree of Virtues in that it represents moral progression, encapsulating moral instruction for salvation in one rich diagram illustrating ascent upwards through the virtues. Like the Tree, its foundation is Humility. Its height

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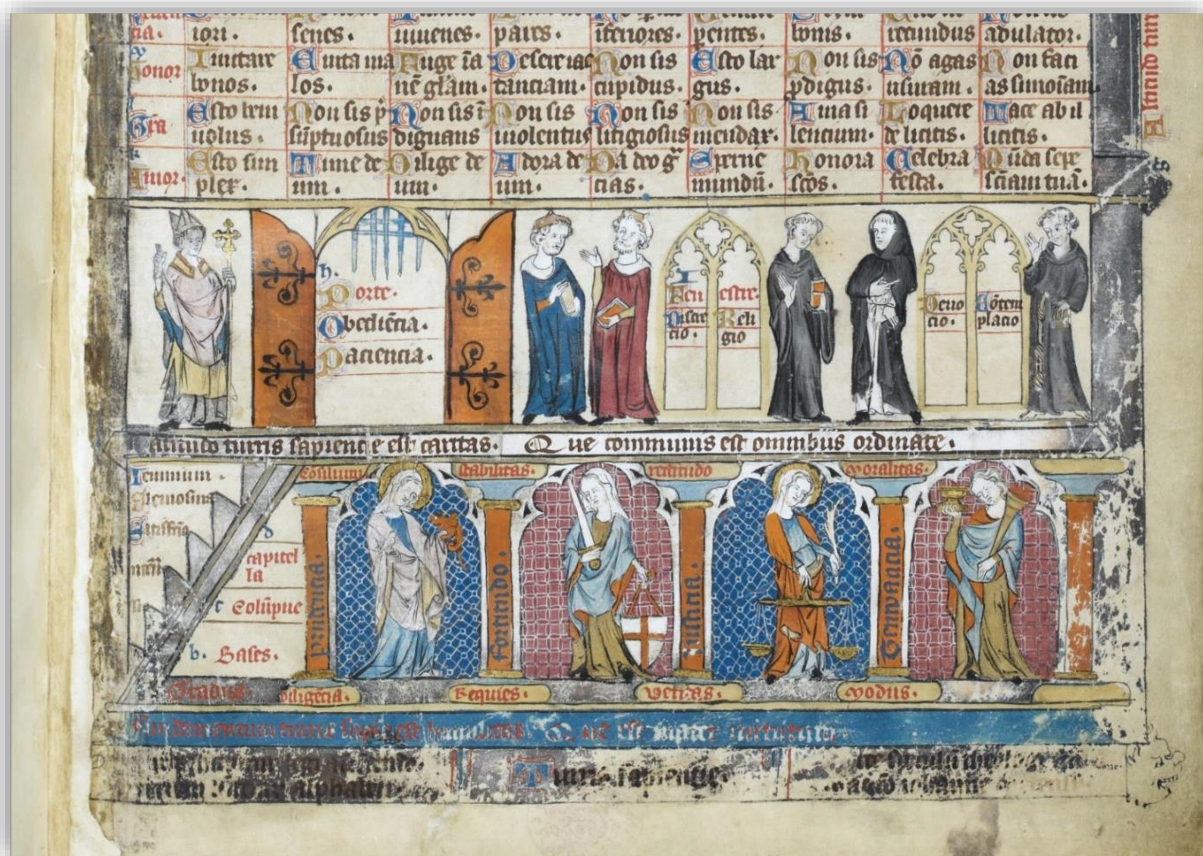
[92] Katzenellenbogen, *Allegories,* pp. 57–74.
[93] For example, Salzburg UB, M I 32 (s. XII med.), f. 75v; Aarau, Aargauer Kantonsbibliothek, MS Wett F 11 (s. XIII$^{3/4}$), f. 416r. Interestingly, although the text of the *Speculum virginum*, like *De fructibus*, begins the list of *comitatus prudentie* with *timor Domini,* the accompanying tree (and those apparently influenced by it) reorders the list so that first virtue attached to *Prudentia* in the illustration is *consilium*: BL, Arundel 44, f. 29r.
[94] Herrad of Hohenbourg, *Hortus deliciarum*, f. 202r, ed. Rosalie Green, T. Julian Brown, and Kenneth Levy (London, 1979), no. 273.
[95] e.g. BnF fr. 9220, f. 5v; BL, MS Arundel 83-II, f. 129r; Paris, Bibliothèque de l'Arsenal, MS 1037 (s. XIV$^{1/2}$), f. 4v, and MS 1234. See above, p. 108n34.
[96] Kévin Gœuriot, 'La Tour de la sagesse. Étude historique d'un exemple d'image «édificatrice» à la fin du moyen âge', *Revue d'histoire ecclésiastique* 103:2 (2008); Lucy Freeman Sandler, 'John of Metz, *The Tower of Wisdom*', in *The Book of Memory*, ed. Mary J. Carruthers.

represents perseverance in the good; its breadth is Love, with the other two theological virtues of Faith and Hope placed at the tower's top. Counsel is found at the base of the tower: it forms the capital of the leftmost column of Prudence, while Diligence forms the base. Together, they support the tower alongside the other three cardinal virtues. Counsel is therefore depicted as both foundational and propaedeutic, forming part of the basis for the development of other virtues.

Image 7 - Detail from base of the Tower of Wisdom.
BL, Arundel 83-II, f. 135r.



Using and Offering Prudence through Counsel

The seeds of Stoic ethical thought incorporated (to varying degrees) into medieval Christian moral theology contributed to the conception of a moral world founded upon reason, moderation, and decorum, one in which counsel played an important role as both deliberative foresight and interpersonal truth-telling. For Cicero, Seneca, and the medieval writers who incorporated their ideas, both prudence and counsel were concerned with particularities in life, rooted in reason and oriented toward action. They are also virtues which often extend outwards – the prudent (*prudentes*) have a particular moral duty to serve others through their counsel.

This morally grounded yet practically focused view of counsel is carefully explored in a thirteenth-century work entitled *Liber consolationis et consilii* ('The Book of Consolation and Counsel'), one of the period's most extensive considerations of prudence and counsel, which relies heavily on the classical and classically-influenced sources discussed thus far. The text was composed by the notary and *causidicus* Albertanus of Brescia in 1246 and by the latter half of the century also translated into French.[97] Although the work is often described as an attack on the vendetta, it is clear from its structure that Albertanus in fact uses the topic of feud and revenge primarily as a relevant example from which to reflect more widely on the necessity and utility of prudence, counsel, and deliberation, particularly within a civic context.[98]

At the start of the *Liber,* a wealthy young man named Melibeus returns home to find that his enemies have broken in and beaten his wife and daughter almost to death. Distraught

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[97] Albertanus of Brescia, *Liber consolationis et consilii*, ed. Thor Sundby [hereafter, *LC&C*]; James M. Powell, *Albertanus of Brescia: The Pursuit of Happiness in the Early Thirteenth Century* (Philadelphia, 1992). A French translation of three of Albert's treatises, including the *LC&C*, survives from the latter half of the thirteenth century, BnF fr. 1142, ff. 5r–40v; see Mario Roques, 'Traduction françaises des traités moraux d'Albertano de Brescia', in *Histoire littéraire de la France* (Paris, 1938). Today, the story is probably best known as Chaucer's 'Tale of Melibee'.

[98] Enrico Artifoni, 'Prudenza del consigliare: L'educazione del cittadino nel *Liber consolationis et consilii* di Albertano da Brescia (1246)', in *Consilium: teorie e pratiche*, ed. Casagrande et al. (Firenze, 2004), p. 200. Artifoni argues that the *Liber* forms a part of the wider pedagogical project on the ethics of the commune evident in Albertanus' other writings.

and overwhelmed, Melibeus follows the advice of his more measured wife, the fittingly-named Prudentia, and calls together a multitude of people in order to take counsel upon a course of action. The majority advise Melibeus to seek vengeance immediately, but Prudentia stays him and offers her own counsel. Melibeus is at first hesitant to heed the counsel of a woman, but soon recognises the fittingness of his wife's name and listens to her instruction on a series of topics, including prudence, counsel, and the evils of war – though not without the occasional disagreement – until finally at the end of the work Prudentia acts as an intermediary to secure peace through a treaty negotiation, urging her husband to clemency and mercy.[99]

The work relies heavily on both Scripture (particularly Proverbs and Ecclesiasticus) and classical works such as Cicero's *De officiis*, Seneca's *Epistulae morales*, and various collections of classical proverbs, as well as intermediary works including the *Formula honestae* and *Moralium dogma philosophorum*.[100] Prudentia's discourse, while rooted in philosophical definitions, is nevertheless framed as a practically-oriented response to a real-world dilemma. She emphasizes prudence and counsel throughout her discourse because she views these virtues as necessary in order for her husband to decide upon the right course of action. The virtue of prudence, according to her discourse, surpasses all the others, and it renders its possessors happy, temperate, and unperturbed – significant qualities in the wake of Melibeus' emotional turmoil.[101] When Melibeus protests that he neither has prudence nor, having reached the end of his youth, can he hope to possess it, and so asks for Prudentia's counsel, she responds encouragingly: to seek counsel in doubtful matters (*in dubiis*) does not make him seem foolish, but wise.[102]

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[99] On female counsel, see below, pp. 147–154, and Chapter 5, pp. 252–257.
[100] Powell, *Albertanus,* p. 76.
[101] *LC&C*, VI–VIII; cf. Seneca, *Ad Lucilium epistulae morales,* LXXXV.2.
[102] *LC&C,* X, p. 28.

Consilium, as Prudentia defines it,

> is a person's aim or purpose [*intentum vel propositum*], which is presented or given to another person (or persons) by advising [*persuadendo*] by his own impulse something either good or bad regarding something which ought to be done or not done.[103]

Like most definitions of counsel, this formulation is oriented towards action. *Consilium* should be sought first from God (who gives wisdom to all who ask), secondly within oneself (avoiding anger, desire, and haste), and finally from one or more other people (from friends, from the wise and the experienced, and especially from elders).[104] Not all counsel is good, however: many people cannot be trusted to provide good counsel, including fools, flatterers, the wicked, and the young.[105] Prudentia also discusses how one ought to examine counsels, and here her argument relies heavily on Cicero's *De officiis*: counsels should only be approved after sufficient examination, deliberation, and experience have shown them to be good and useful, and only embarked upon once due consideration has been taken as to how they may be carried out – even then, changes may be necessary with changing circumstances or new information.[106] Again, this discussion has a practical aim within the narrative. Once these considerations of counsel have been elaborated at length, Prudentia can apply its principles to her husband's specific situation, the ways in which he has erred in seeking counsel, and her specific counsel for reconciliation over vengeance, stressing in particular the need for measured deliberation and the avoidance of rash decision. Throughout, Albertanus' work highlights the multilateral nature of deliberation: Melibeus needs to be guided by his more prudent wife, and the *Liber* carefully highlights the qualities which should be sought in the ideal counsellor, most notably prudence and its related virtues.

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[103] *LC&C,* XI, pp. 29–30.
[104] *LC&C,* XI–XVII.
[105] *LC&C,* XVIII–XXV.
[106] *LC&C,* XXVIII.

These virtues had been highlighted in many of Albertanus' sources. Cicero had claimed that such virtues are attractive: people will place their trust (*fides*) in those they believe to possess prudence joined with justice, who can foresee the future and in a crisis are able to settle upon counsel suitable to the occasion.[107] This is consonant with Cicero's view that life and society require human cooperation and the sharing of abilities and advantages, including prudence.[108] Ambrose (though not cited by Albertanus) had followed Cicero in finding the mixture of prudence/wisdom and justice particularly effective in counsellors:

> Since judgement [*iudicium*] belongs to the just person, and argument [*argumentum*] to the wise person, in the former one has a standard for disputes [*censura disceptationis*] and in the other shrewdness for finding ideas [*calliditas inventionis*]. If the two are joined together, there will be a great soundness [*salubritas*] of counsels.[109]

Ambrose also stressed the use of *consilium* as a means of aiding others, the more so as it is a gift which causes no loss to its giver: 'the more to whom it is poured out, the more abundantly it remains, and the more it runs back to its own source [*in suum fontem*]'.[110] Those who possess the wisdom to give counsel should do so freely: by refusing to counsel others, one closes off a spring so that it neither flows to others nor does any good to oneself. Ambrose supplements his discussion with scriptural examples of such counsellors and the benefits their counsel bestowed, namely Solomon, Moses, Joseph, and Daniel.[111]

Good counsellors also support and supplement the possession of these virtues in those whom they counsel, countering potential temptations. They may, for example, offer foresight in warning others about the vicissitudes of fortune, preventing them from trusting too much in their current felicity, which may flee faster than it came.[112] In

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[107] Cicero, *De officiis*, II.ix.33.
[108] ibid., II.xi.39; II.v.
[109] Ambrose, *De officiis,* II.x.50–51.
[110] ibid., II.xv.75; Giancarlo, 'Al Nys but Conseil', pp. 73–6.
[111] Ambrose, *De officiis,* II.x.53–xvi.85.
[112] *MDP,* IV, p. 407, quoting Seneca, *De beneficiis*, VI.xxxiii.1–2.

contrast, false friends give flattery (*adulatio*) in place of counsel, making fools of the ones they counsel, puffing them up with inflated opinions of themselves and leading them into crises.[113] The *Moralium* borrows a memorable classical *exemplum* from Seneca's *De beneficiis* – when Xerxes, king of the Medes, announced his intention to declare war on the Greeks, his companions outdid each other with flattering predictions of a near-effortless victory, escalating into sheer hyperbole: the seas were too narrow for all the king's ships, the fields for his soldiers, the plains for his cavalry, the sky scarcely wide enough for his arrows. However, seeing the king roused with excitement at these flatteries, a man named Demaratus came forward to warn Xerxes that what he ought to fear was the very crowd which so pleased him, for 'nothing is so great that it cannot perish'.[114] This contrast between truthful counsellors and flatterers became a staple of the moral treatise, particularly in advisory literature for princes,[115] and this particular *exemplum* continued to circulate.[116]

Age and experience were considered particularly desirable characteristics in counsellors, as correctives to the temptations of youth. As Cicero writes:

> It befits a youth to respect his elders and to attach himself to the best and most commended of them, upon whose counsel and authority he may rely. For the ignorance of early life ought to be ordered and guided by the prudence of the old.[117]

This is all the more the case because the young require additional protection against sensuality and intemperance; meanwhile, the elderly should avoid succumbing to idleness, despite their decreasing physical powers, and instead continue to be of service through their counsel and prudence.[118] Cicero believes that young people making choices involving

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[113] *MDP,* IV, p. 407.
[114] *MDP*, IV, pp. 407–8; Seneca, *De beneficiis*, VI.xxxi.1–10.
[115] Below, Chapter 4, pp. 183–191, and Chapter 5, pp. 259–265.
[116] e.g. Peter the Chanter, *Verbum adbreviatum*, I.43, ed. Monique Boutry (Turnhout, 2004), p. 284; Peter of Blois, *Epistolae,* no. 112 (c. 1199) (PL 207:337); John of Wales, *Communiloquium,* I.vi.3. It also concludes the *Sermones arboris* sermon mentioned above: Troyes, MS 2001, f. 59r (above, p. 115n60).
[117] Cicero, *De officiis,* I.xxxiv.122.
[118] ibid., I.xxxiv.123.

doubt will benefit from seeking the opinion of the learned and experienced; in doing so, they should pay attention not only to what these people say, but also what they actually think (*sentiat*) and why they think it. Through such consultation the young may discover what requires doing or not doing and learn what requires alteration or correction.[119]

The virtue of prudence, in short, is not only a virtue which benefits oneself, but one which – through counsel – may support the weaknesses and supply the deficiencies of others. The giving of counsel is therefore presented by Ambrose as a moral act of liberality and generosity, a sharing out of abundance. Similarly, while Aquinas associates the gift of Counsel with mercy and lists counsel itself as a virtue under Prudence, the actual act of giving counsel is addressed within his discussion of charity and almsgiving. While the bodily needs of our neighbours are met by corporal almsdeeds, the needs of their souls are met by spiritual alms (*eleemosynae spirituales*). One of these spiritual needs is a deficiency of the intellect: if this is a deficiency of the speculative intellect (concerned with what is true or false), then the need can be met through teaching (*doctrina*), but if it is a deficiency of the practical intellect (concerned with what is good or bad, and directed towards action), then the remedy is applied through *consilium*.[120] To counsel a person in doubt (*consulere dubitanti*) is therefore one of the seven acts of spiritual almsgiving, a means by which charity may be expressed through mercy to others.[121]

Prudence and *Euboulia* in Aristotle's *Ethics*

While theological discussions of the thirteenth century continued to focus on the divinely-infused aspect of virtues granted by the gifts of the Spirit, the influence of classical texts also encouraged the development of a theory of natural or acquired virtues, attained through practice and experience. Although patristic writers had tended to view the virtues as possible only through the bestowal of divine grace upon the believer's acceptance of faith, early medieval writers began to view the virtues more instrumentally as tools which

[119] Cicero, *De officiis,* I.xli.147.
[120] *ST,* II-II q. 32 art. 2 resp.
[121] ibid., art. 2 arg. 1.

enabled believers to live active godly lives. By the twelfth century, moralising works such as John of Salisbury's *Policraticus* (c. 1159) were explicitly seeking to bridge the divide between the gratuitous virtue of Christian teaching and the natural virtue of classical thought. Parisian masters such as Alan of Lille and the circle of Peter the Chanter continued to explore this 'subcelestial' conception of morality as a twofold conception of natural and supernatural virtues.[122] This view of natural virtue also facilitated the process of revising wisdom from non-Christian sources – although this was by no means a universal predilection, particularly amongst Benedictines and Cistercians, who continued to assert the uniquely Christian claim to virtue at the expense of pagan antiquity.[123]

Aristotle's conception in the *Ethics* of reason as indispensable to virtue and of prudence as a practical wisdom in human affairs, directed towards action and inherently deliberative, encouraged a significant shift in his medieval commentators towards considering ethical precepts from a philosophical, rather than a theological, point of view.[124] But although the ethical concepts of the *Ethics* received a relatively smooth, if staggered, reception in the schools and universities, its medieval commentators, particularly those who only had access to its first three books, still faced numerous challenges in interpreting familiar terms, such as *prudentia*, now put to different use in Aristotle's text. Elements familiar to them through the Roman Stoics were mixed with more foreign ideas around the division of the intellectual and moral virtues and the notion of ethics as a 'practical science'.[125] The circulation of Grosseteste's full translation of the *Ethics* in 1246/7 brought a new level of linguistic precision and terminological exactitude with which to dissect and examine the constituent elements of virtue and virtuous action, introducing new ways of conceiving the interplay between virtue, reason, prudence, and deliberation. Aristotle's concept of

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[122] Alan of Lille, *De virtutibus et de vitiis*, prol., p. 25; Peter the Chanter, *Distinctiones Abel,* s.v. *theologia*, p. 632. See Baldwin, *Masters*, pp. 48–9; Bejczy, *Cardinal Virtues*, pp. 126–39.
[123] Bejczy, *Cardinal Virtues,* pp. 92–115.
[124] See also above, Chapter 2, pp. 86–88.
[125] Ingham, 'Phronesis and Prudentia', p. 644.

euboulia – defined as excellence in deliberation (*consiliari*) – linked counsel to prudence and explicated the process by which the prudent arrive at good judgements. Aristotle's ethical framework soon had impact even beyond the schools on works intended for secular audiences, notably in the ethical portion (book II) of Brunetto Latini's vernacular *Li livres dou tresor* – written during his exile in France in the 1260s – which combined the *Ethics* with a consideration of the four cardinal virtues.[126]

Nicomachean Ethics: Books I-III

The translations of the earlier books of the *Ethics* in the twelfth century had already established the contingency of moral action as appropriate to the particular context and occasion, necessitating the judgement which comes from prudence and giving a significant role to deliberative counsel leading to moral choice and action.[127] The first three books of the *Ethics* also set forth Aristotle's conception of ethics as an entirely practical moral endeavour, and introduced his divisions of the soul into the rational and non-rational parts and of virtue into the moral and intellectual virtues. Both virtue and vice lie within human power, since the exercise of the virtues is concerned with means, and it is about means that humans deliberate and choose.[128] Book II also contends that none of the moral virtues arise in humans by nature – instead, humans possess a natural aptitude to acquire them through customary action (*mos*), while the intellectual virtues are principally generated by education, requiring time and experience to acquire (*experimento indiget et tempore*).[129] Rather than being primarily an innate disposition or correlative of knowledge, virtue is instead acquired through repeated actions which become a habit or state of character (*habitus*).[130] In the *Ethics*, virtue chooses the mean according to reason as determined by a

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[126] On the *Tresor*'s patronage, see Chapter 5, p. 218.
[127] Above, Chapter 2, pp. 86–94. See also Zavattero, 'Moral and Intellectual Virtues in the Earliest Latin Commentaries', *Virtue Ethics*, pp. 31–54.
[128] Aristotle, *Ethica*, III.8, 1113b.
[129] ibid., II.1, 1103a.
[130] Aristotle, *Ethica,* II.1, 1103a; VI.15, 1143b25. On twelfth-century understandings of the concept of *habitus,* see Cary Nederman, 'Nature, Ethics, and the Doctrine of "Habitus": Aristotelian Moral Psychology in the Twelfth

prudent person. This 'prudent person' (φρόνιμος, *phronimos*), the moral expert, was translated into Latin as '*sapiens*'.[131]

But although the earlier translation and circulation of the first three books of the *Ethics* introduced numerous important Aristotelian concepts and ethical structures, many of them lacked full definition without the later discussion of the intellectual virtues in Book VI. While the translation of Book II introduces the definition of virtue and concept of *habitus*, it is only in Book VI that Aristotle frames this in contradiction to Socrates' conception of the virtues as a species of knowledge: to know the good is not necessarily to do the good.[132] Individuals are not inclined to do things by knowing them but because they have become habits.[133] This in turn places the emphasis of moral development on action and experience. The staggered transmission of the *Ethics* particularly impacted the medieval reception of Aristotle's discussion of practical wisdom or prudence (*phronesis*/*prudentia*). Unlike earlier twelfth-century conceptions of prudence, Aristotelian prudence is not a moral virtue, combined with justice, temperance, and fortitude to make a particular collection of cardinal virtues. It is instead defined as an intellectual virtue. These intellectual virtues, or *habitus*, are differentiated by Aristotle according to the means by which they perceive truth, with the rational soul divided into the scientific (theoretical) part which deals with invariable causes and the calculative (practical) part which deliberates over variable causes.[134] While philosophic wisdom (*sophia*/*sapientia*), the union of intuitive reason (which deals with first principles) and demonstrative scientific knowledge (which deals with the necessary and eternal) falls under the former part, prudence falls into the latter, contingent category. What is *sapiens* is the same regardless of circumstances, while

Century', *Traditio* 45 (1989–90); and Marcia Colish, '"Habitus Revisited": A Reply to Cary Nederman', *Traditio* 48 (1993).

[131] Aristotle, *Ethica,* II.5, 1107a. Aquinas' commentary later recasts this, noting that it is the prudent person (*prudens*) who is wise about human matters (*sapiens rerum humanarum*), *SLE,* II.7.323.

[132] Aristotle, *Ethica,* VI.17, 1144b.

[133] ibid., VI.15, 1143b.

[134] ibid., VI.2, 1139a.

what is *prudens* may differ.[135] In other words, wisdom is universal and deals with higher things, while prudence deals with the human, individual, and particular. This distinction was not clear to earlier medieval readers lacking Book VI, particularly as the *Ethica nova* simply transliterated *phronesis* in Aristotle's brief list of the intellectual virtues in Book I – rendering *sophia, phronesis,* and *synesis* as '*sophiam quidem et fronesim et intelligenciam*'.[136] Some early medieval commentators followed the Stoic model, interpreting *phronesis* and *prudentia* as different terms and associating the former, like wisdom, with speculation and contemplation; others identified *phronesis* with *prudentia*, but associated both with higher scientific knowledge.[137] With the full translation of the *Ethics*, however, came a more precise definition.

Nicomachean Ethics: Book VI

In Book VI of the *Ethics,* Aristotle defines *phronesis/prudentia* as 'a genuine *habitus* concerned with action under the guidance of reason, dealing with things good and bad for a person'.[138] Unlike the Ciceronian view, which sees *prudentia* as a kind of knowledge, Aristotle sees prudence as fundamentally deliberative, in line with his discussion of counsel and moral choice in Book III:

> Prudence is concerned with human affairs about which we deliberate [*consiliari*], for we say that this work of deliberating well [*bene consiliari*] especially belongs to the prudent person. … Simply speaking, one is a good counsellor [*consiliator*] who can conjecture according to reasoning what is best for a person to do. … Since prudence is concerned with action, it must have both kinds [of knowledge, of universals and particulars], but especially the latter.[139]

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[135] Aristotle, *Ethica,* VI.8, 1141a25.
[136] *Ethica nova*, I.13, 1103a, in *Ethica Nicomachea: translationis antiquioris*, ed. R. A. Gauthier, Aristoteles Latinus XXVI/2 (Leiden, 1972). See Ingham, 'Phronesis and Prudentia', p. 632.
[137] Ingham, p. 648.
[138] Aristotle, *Ethica*, VI.5, 1140b.
[139] ibid., VI.8, 1141b. For an overview of Aristotle and Aquinas' views on prudence, see W. Jay Wood, 'Prudence', in *Virtues and Their Vices*, ed. Kevin Timpe and Craig Boyd (Oxford, 2014), pp. 37–58.

However, as in the Stoic view, it is the prudent individual (*phronimos/prudens*), the moral expert, who can be expected to give good counsel:

> This is demonstrated by the fact that we also call people prudent in a particular matter when they attentively reason well toward some end [*ad finem aliquem studiosi bene raciocinabuntur*] in things that do not belong to art. Therefore undoubtedly that person is generally prudent who is deliberative [*totaliter utique erit prudens consiliativus*].[140]

As prudence is an intellectual virtue, this moral expertise is a function of education, developed through experience. But moral choice is not entirely about reason; instead, good moral choice comes about when the true reasoning of intellectual virtue is joined with right desire of moral virtue.[141] Moral virtue determines the right ends towards which individuals should direct themselves, while the intellectual virtue of prudence, aided by deliberative counsel, allows them to select the means of achieving those ends.

Prudence's connection to counsel is made even more explicit in the commentaries of Aquinas and Albertus Magnus, which identify the virtues 'attached' (*adjunctis*) to prudence and pertaining to matters of contingency and action. These adjuncts are transliterated in the Latin text as *euboulia, eustochia, sollertia, synesis,* and *gnome*.[142] Foremost in the discussion is *euboulia* – rectitude in counsel – which inquires and reasons (*quaerit et ratiocinatur*).[143] It is slow and deliberative, as opposed to *eustochia*, the ability to instantaneously conjecture well in practical matters, or *sollertia*, a quickness of mind and rapid conjecture about finding means, both of which are instantaneous and do not require the inquiry of reason. Aquinas' commentary describes *eustochia* as something innate to certain people, who are able to 'come to a prompt judgment based on intellect or sense whereby they correctly evaluate a situation', a skill which can also be developed by wide experience.[144] In contrast,

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[140] Aristotle, *Ethica*, VI.6, 1140a.
[141] ibid., VI.3, 1139a.
[142] Albertus Magnus, *Ethica*, VI.3.1, p. 446; Aquinas, *SLE,* VI.8.1217.
[143] Aristotle, *Ethica,* VI.10, 1142b3.
[144] Aquinas, *SLE,* VI.8.1219.

euboulia needs to thoroughly explore everything touching the subject. Aristotle cites the classical proverb advising that matters of counsel ought to be carried out quickly but deliberated slowly: '*operari quidem oportere velociter consiliata, consiliari autem tarde*'.[145] As a form of inquiry, *euboulia* deliberates over multiple viewpoints, as opposed to opinion, which limits its holder to one.

According to Book VI of the *Ethics, euboulia* has four conditions, which set forth the principles of deliberation and counsel: 1) it obtains a good end; 2) it is arrived at by good/appropriate means, 3) in a manner appropriate to the end, manner, and time; and 4) it directs deliberations, either to an absolute end (if unqualified *euboulia*) or in relation to a particular end (*euboulia* in a limited sense).[146] An evil man can, of course, be said to deliberate correctly in order to discover an effective means towards an evil end, or someone may arrive at a good end by evil means – Aquinas gives the example of stealing to help the poor, while Albertus Magnus uses the example of a captive seducing his captor's wife with the aim of securing liberty – but the rectitude of *euboulia* implies both a good end and good means. [147] Likewise, it must aim at what is useful for the proper end, means, and time, deliberating neither hastily nor so slowly that the opportunity to act has passed. In its unqualified sense, *euboulia* aims towards the end which absolute prudence also evaluates: the common end of the whole of life.

Prudence is also related by Aristotle to the concept of *synesis*, 'according to which people are called understanding [*synetos*]'. *Synesis* treats the same matters as prudence – those matters about which individuals may be in doubt and seek counsel – but it only forms judgements (*iudicativa*), whereas prudence gives orders (*praeceptiva*).[148] Like the habit of virtue, prudence's adjunct virtues of judgement (*synesis*), good sense (*gnome*), and

[145] cf. Sallust, *Bellum Catilinae,* I.6: '*Nam et prius quam incipias, consulto, et ubi consulueris, mature facto opus est.*'
[146] Aristotle, *Ethica,* VI.10, 1142b.
[147] Aquinas, *SLE,* VI.8.1230; Albertus Magnus, *Ethica*, VI.ii.2, pp. 448–9.
[148] Aristotle, *Ethica,* VI.11, 1143a.

understanding (*intellectum*) are all aided by experience: 'So it is necessary to heed the indemonstrable statements and opinions of experienced, old and prudent people no less than demonstrations themselves; for they see principles because of the sight they have [gained] by experience.'[149]

Aquinas' commentary lays out the stages of reason's operation based on this discussion. First, reason finds out by inquiry (the deliberative process pertaining to *euboulia*), then it judges the information (*synesis*), a judgement which is not so much a moral evaluation as it is the *prudens* weighing the important factors involved in the decision.[150] Practical reason then adds a necessary third stage: commanding the thing to be done. This last stage belongs to prudence. 'So it is clear,' writes Aquinas, 'that prudence is more excellent than *synesis*, just as *synesis* is more excellent than *euboulia*, for inquiry [*inquisitio*] is ordered to judgement as to an end, and judgement to command [*iudicium ad praeceptum*].'[151] This distinction between the ability to assess means and the judgement to apply those means towards a good end can also be seen in Aristotle's discussion of *dinotica* (in Greek, δεινότης, *deinotes*, meaning shrewdness, cleverness, or skill). This quality enables a person to enact the means towards a determined end and thus obtain it, but its results are based on the actor's intention. If the intention is good, this shrewdness is praiseworthy (*laudabilis*), but if the intention is bad, it is called 'craftiness' (*astutia*), which, as Aquinas points out, implies evil, just as 'prudence' implies good.[152] Prudence requires this shrewd quality, but it is joined to it by moral virtue, in order to ensure an intention towards a good end. The distinction between *dinotica* and *prudentia* accordingly mirrors the consideration of what is advantageous (*utile*) as opposed to what is of moral worth (*honestum*) in such works as Cicero's *De officiis*.[153] *Euboulia* may determine what is *utile,* but prudence requires the addition of moral virtue in order to also achieve what is *honestum* as well.

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[149] Aristotle, *Ethica*, VI.14, 1143b. This passage of the *Ethics* is also cited by Aquinas in his examination of *docilitas* as a part of prudence in *ST*, II.ii.49.3.
[150] Léon Elders, 'St. Thomas Aquinas' Commentary', pp. 108–9.
[151] Aquinas, *SLE,* VI.9.1240.
[152] Aristotle, *Ethica*, VI.16, 1144a; Aquinas, *SLE,* VI.10.1272; see also Albertus Magnus, *Ethica*, VI.iii.3, p. 450, which adds the term *calliditas*.
[153] Above, p. 113.

Political Prudence

In dealing with the particulars of human life, prudence is not restricted to the domain of the individual. Aristotle identifies four types of prudence to cover each different domain: the general name of *prudentia* is concerned with the individual; *yconomia* governs the household; and the *polis* is governed by *legis positiva* and *politica*. Legislative prudence deals with the *polis* as a whole (i.e. laws of the political community), but political prudence deals with individual and less determinate matters as they arise and is therefore operative and deliberative.[154] Aristotle's 'few, entangled lines' on the relationship between prudence and politics incited regular questions at this point in medieval lectures on the *Ethics*, particularly over the issue of whether the prudence which concerned the individual's good and the prudence which concerned the common good were the same in species.[155] Albertus Magnus concludes in his first commentary that prudence and *politica* share the same subject matter but that individual prudence relates more to the reasoning of choice, while *politica* relates more to action.[156] Prudence, he says,

> if it is considered generally [*simpliciter*], directs one's own affairs and those which pertain to the community, since one is not perfectly prudent who does not know how to rule himself and others … Nevertheless, among these two prudences, the more fundamental one is that which orders well those things which pertain to the community, which concerns a more divine good. Nevertheless, the one who is deficient in the other is not able to obtain the best, that which is of virtue.[157]

Likewise, according to Aquinas, political prudence (*prudentia politica*) is more important than domestic and personal prudence, as the whole is more important than the part, although personal prudence is still required to dispose one's own affairs, even once the

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[154] Aristotle, *Ethica,* VI.9, 1141b; Aquinas, *SLE*, VI.7.1197.
[155] Roberto Lambertini, 'Political Prudence in Some Medieval Commentaries on the Sixth Book of *Nicomachean Ethics*', in Bejczy (ed.), *Virtue Ethics*, pp. 223–246 (quote p. 223). See Matthew Kempshall, *The Common Good in Late Medieval Political Thought,* pp. 116–18.
[156] Albertus Magnus, *Super Ethica*, VI.11, p. 467.
[157] ibid., pp. 469–70. See Kempshall, *Common Good*, pp. 44–6.

civitas and household have been properly arranged.[158] Albertus' later commentary on the same passage shows evidence of his forays into the *Politics* in the intervening years:

> A human being is both a human [*homo*] and a citizen [*civis*]: and therefore what is beneficial [*conferens*] to the human does not benefit him completely unless it also benefits the citizen completely: and therefore *habitus* concerns those things profiting the human, and under this is contained the *habitus* which concerns those things profiting the political community [*civilitas*].[159]

Individuals cannot be divorced from their place in the political community, and prudence – and therefore counsel – is involved in the ordering of both domains.[160]

For thirteenth-century commentators, the particular concept of political prudence became highly significant for those in positions of leadership, either secular or ecclesiastical, who require prudence and *euboulia* not only to tend to their own benefit, but also to that of their community. It is this prudence which allows a Christian ruler to apply right reason to action in order to achieve the truly just end which is his foremost duty.[161] The need for rulers to possess prudence was further highlighted by Aristotle's emphasis on the contingency of moral action, wherein judgement must be left to each person's prudence with regard to their circumstances. In particular, the concept of prudence's adjunct virtue of *gnome* (good sense in judgement), combined with book V's more executive concept of equity (ἐπιεἰκεια, *epieikeia*), or justice-beyond-justice, connected the need for judgement in a variety of contexts to both prudence and justice.[162] *Epieikeia* opened up a concept of true justice beyond the letter of the law ('*optime fiat etsi hoc contra legem sit*'), placing more

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[158] Aquinas, *SLE,* VI.7.1201, 1206; Aristotle, *Ethica,* VI.9, 1142a.
[159] Albertus Magnus, *Ethica*, VI.ii.24, p. 441.
[160] The statement in the *Ethics* that prudence 'especially' pertains to individual and personal good is therefore interpreted by Albertus Magnus in his first commentary as Aristotle merely expressing the position of 'certain ancient philosophers'. Aristotle, *Ethica,* VI.9, 1141b30; Albertus Magnus, *Super Ethica*, VI.xi, p. 471.
[161] Kempshall, *Common Good,* pp. 116–18.
[162] Aristotle, *Ethica,* V.17, 1137b, and VI.12, 1143a. Albertus Magnus, *Ethica,* VI.iii.4, p. 451: '*[Gnome] est iudicium rectum iusti qui Graece ἐπίεικεια [epieikeia] vocatur: ita quod epicheia executiva sit eius quod γνώμων [gnomon] iudicat esse faciendum.*' See also Albertus Magnus, *Super Ethica*, VI.16, pp. 488–495, and Aquinas, *SLE*, VI.9.

scope for choice, judgement, and therefore power, in the hands of the *princeps* and placing higher demands upon his prudence and its accessory virtues, including the ability to deliberate well (*consiliari bene*).[163]

Since such a deliberative ability is not innate, according to Aristotle, but developed primarily through instruction and experience, age and experience have a significant impact upon an individual's own prudence. This is particularly the case with prudence because it deals not only in universals but also in particulars (*singularia*). So while young men (*iuvenes*) may become wise in matters such as geometry and mathematics, whose truths are known by abstraction, one does not find young men of prudence, since they do not yet have the experience bestowed by time. They may speak of matters in which first principles come from experience, but they will have no conviction in it (*non credunt*).[164] The young cannot attain prudence through instruction alone because, as Albertus Magnus notes, it is only through experience (*per experientiam*) that particulars can be known.[165] Such experience is gained not in one way, but according to the examination of all circumstances, in order to know the right principles of action, a process which takes time.[166] This emphasis on experience through age has implications for a young ruler in particular: he will need counsellors around him who are older and therefore experienced themselves, and who can teach him to navigate difficult circumstances. In the medieval context, a young ruler might also look to the *exempla* of Scripture and those of history, with its various situations, circumstances, and cases, as a means of gaining experience 'ahead of his years' through the examples of others' lives.[167]

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[163] Albertus Magnus, *Ethica*, VI.iii.4, p. 451.
[164] Aristotle, *Ethica,* VI.9, 1142a.
[165] Albertus Magnus, *Ethica*, VI.ii.25, p. 442.
[166] ibid., VI.ii.25, p. 443; see also Aquinas, *SLE*, VI.7.1208–1211.
[167] Alexander Murray, *Reason and Society in the Middle Ages* (Oxford, 1978), pp. 130–6. See also Chapter 5, p. 227n59.

By the second half of the thirteenth century, theological ideas about prudence and the gift of Counsel, together with the Stoic conception of prudence as one of the four cardinal virtues, began intertwining with its Aristotelian categorisation as an intellectual virtue. This admixture is particularly noticeable in Aquinas' *Summa theologiae*. Aquinas considers prudence alongside the other cardinal virtues, but his definition of the virtue as a cognitive virtue pertaining to practical reason, with a particular concern for governance and the common good, is heavily dependent upon the *Ethics*.[168] His own division of the virtue brings together a number of schemes, including those of Cicero, Macrobius, and Aristotle. The integral parts of the virtue of Prudence, he states, are *intellectus, ratio, memoria, docilitas,* and *solertia* (*eustochia*) – which are cognitive virtues – and *providentia, circumspectio*, and *cautio* – which apply to action; *euboulia, synesis,* and *gnome* are potential (i.e. adjunct, but not integral) parts of Prudence.[169] As in these various other schemes, Aquinas does not conceive of prudence as an entirely individual virtue; on the contrary, he warns against self-sufficiency in this regard, for

> Prudence is concerned with particular matters of action [*particularia operabilia*], concerning which – as they are of an almost infinite variety – it is not possible for one person to consider them all sufficiently … And so in those things which pertain to prudence, a person greatly needs to learn from someone else, and especially from those who are old [*ex senibus*], who have attained a sound understanding of the ends in matters of action.[170]

This is why *docilitas* is included as one of the parts of Prudence: it is a virtue which one may possess as a natural disposition, but which must also be fostered carefully, respectfully, and often, by applying one's mind to the teachings of the great. Even those who are themselves learned should possess this same teachable spirit, since no one is altogether self-sufficient in dealing with the contingent matters pertaining to prudence, which by extension are matters for deliberative counsel.[171]

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[168] *ST,* II-II q.47.
[169] ibid., q.48.
[170] *ST*, II-II q.49 a.3 resp.
[171] ibid., a.3 ad 2–3; I-II q.14 a.3 resp.

Taking Counsel with Others: Friendship, Marriage, and Moral Interdependence

Because no one can be entirely self-sufficient when faced with life's contingent circumstances, prudence in deliberation extends to enlisting the counsel of others. Giving good counsel to those who require it is a virtuous act of charity and mercy.[172] It is also a highly interpersonal act, requiring not only a giver but also a receiver, with choice involved on both sides. As such, it often occurs within affective and intimate relationships. There is implied respect communicated by proferring counsel: Ambrose, describing the distinction between precept and counsel, writes that a precept is presented to subjects (*in subditos fertur*), while *consilium* is given to friends (*amicis datur*).[173] While moral obligations regarding counsel reside in various levels of relationships, there are particular considerations behind counsel within the contexts of friendship, marriage, and religious community.

The Counsel of Friends

Counsel is often referred to as an integral benefit of friendship. As Jacques de Vitry advises in a sermon protheme,

> we ought to call Prudence – which concerns moral things [*de moribus*], just as Wisdom concerns divine things – our friend [*amicam nostram*], so that we may have recourse to it, just as to a faithful friend, for counsel in every matter of business, for help in every danger, for solace in every adversity.[174]

Friends can also be an extension of one's own deliberative process, as they are an extension of one's actions. Brunetto Latini writes that 'each one … deliberates on how he can reach [an] end, either by himself or by his friends, for what one does through one's friends, one does through oneself'.[175] This unity of purpose among friends demonstrates why the

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[172] Above, pp. 100–104.
[173] Ambrose, *De viduis,* XII.72 (PL 16:256).
[174] Jacques de Vitry, *Sermones vulgares*, sermo 6.1, ed. Jean Longère (Turnhout, 2013), p. 100. The sermon is addressed *ad prelatos et sacerdotes* and uses the protheme '*Dic sapientiae: Soror mea es, et prudentiam voca amicam tuam'* (Prov. 7:4).
[175] *Tresor*, II.18.18, p. 165; *Treasure,* p. 157; cf. Aristotle, *Ethica* III.6, 1112b.

exchange of prudent counsel often depends on the relational bond between the one seeking and the one providing it. When seeking someone to help supply one's own deficiencies of prudence and counsel, relational bonds often play a significant factor by establishing trust and a confidence in the other's good will.

Classical authorities often expressed very positive views of human friendship. For Aristotle, friendship was both necessary and noble, stimulating one to noble actions and assisting one to think and act.[176] Cicero presented friendship as a good based on both natural affection and voluntary choice; 'with the exception of wisdom, no better thing has been given to man'.[177] These benefits are partly the result of friends' ability to effectively counsel and persuade one another. According to Cicero, counsel, encouragement, and reproof all flourish best in friendships;[178] it is characteristic of true friendship to advise and to be advised (*monere et moneri*).[179]

In a medieval monastic context, however, friendship could be a more fraught concept. Such relationships drew concerns that they might distract from exclusive desire for God and create disruptive factions within the religious community.[180] Discussions of religious friendship often remained at the level of epistolary rhetoric, although even in such letters friendship was often associated with *consilium* as well as *auxilium*.[181] The Benedictine Peter of Celle, expressing hesitation over disturbing his bishop with news of his own misfortunes, concludes that to keep silent would go against the principles of friendship,

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[176] Aristotle, *Ethica*, VIII.1, 1155a.
[177] Cicero, *De amicitia,* vi.20.
[178] Cicero, *De officiis,* I.xvii.58.
[179] Cicero, *De amicitia,* xxv.90.
[180] While the Rule of St Benedict does not explicitly address friendship, relationships of favouritism are implicitly discouraged, e.g. *RSB,* cap. 69, which forbids any monk to take another's part.
[181] Douglass Roby, 'Introduction' to Aelred of Rievaulx, *Spiritual Friendship*, trans. Mary Eugenia Laker (Kalamazoo, 1974), p.37. See also Adele Fiske, *Friends and Friendship in the Monastic Tradition* (Cuernavaca, Mexico, 1970); Brian Patrick McGuire, *Friendship & Community: The Monastic Experience, 350–1250* (Kalamazoo, 1988). On the Cistercian context, see Caroline Walker Bynum, 'The Cistercian Conception of Community: An Aspect of Twelfth-Century Spirituality', *Harvard Theological Review* 68:3/4 (1975).

'for surely a friend ought to be as much a confidant (*conscius*) in all counsels as a willing coadjutor in all things'.[182]

In the mid-twelfth century, the English monk Aelred of Rievaulx combined the foundation of Cicero's *De amicitia* with developing Cistercian engagements with the topic in an effort to develop a fully formed consideration of Christian friendship within religious community. His resulting treatise on spiritual friendship, *De spirituali amicitia* (1164 x 1167) gave consideration to the role of speech, counsel, and deliberation within such friendship.[183] While his focus on human friendship within the monastic life remained something of an anomaly, the treatise did achieve some popularity and continued to be circulated in its original and reworked forms in the thirteenth century.[184]

Aelred's treatise follows Cicero in highlighting the use of reason even over affection.[185] True friendship requires a union of the will (*voluntas*) and of one's counsels (*consilia*).[186] Whereas what Aelred terms 'carnal friendship [*amicitia carnalis*]' is undertaken without deliberation, carried away by an *impetus affectionis,* true spiritual friendship requires deliberation before it is even begun, for 'it belongs to the prudent man [*vir prudens*] to hold back, to rein in this impulse, to be measured in good will, and to proceed little by little in affection' until he can wholly commit himself to his now proven friend.[187] The loyalty of a potential friend must be tested to ensure that he may safely be entrusted with the secrets and counsels of one's heart.[188] Another quality to test is discernment (*discretio*), knowing how to give and take in friendship, and when to sorrow or to rejoice with one's friend; the

[182] Peter of Celle*, Letters*, no. 18 (1157), ed. Julian Haseldine (Oxford, 2001), vol. 1, p. 50.
[183] On dating and textual tradition, see Roby, 'Introduction' to *Spiritual Friendship*, pp. 22–5.
[184] ibid., pp. 38–40.
[185] Aelred of Rievaulx, *De spiritali amicitia* [hereafter *DSA*]*,* II.59.
[186] *DSA,* I.59.
[187] *DSA,* I.41, III.76; Cicero, *De amicitia,* xvii.63. See also Seneca, *Epistulae,* III; *Tresor*, II.104.2.
[188] III.27, 51, 61–5, 74. The privacy of counsels was a common point of discussion: see, for example, Albertanus of Brescia, *De arte loquendi,* III.1: '*Amico loqui bene et certe potes, quia nihil est dulcius, quam habere amicum, cum quo tanquam cum te ipso loquaris*.' See also below, Chapter 5, p. 240.

one who lacks this quality 'is like a ship without a pilot [*absque gubernaculo*], borne along by every shifting and irrational movement'.[189] Aelred's vision of friendship also includes more affective aspects, including love (*dilectio*), affection (*affectus*), and delight (*iucunditas*). The first two prompt a friend to render services (such as giving counsel) with benevolence, and 'with an inward pleasure which is manifested outwardly', while the third encompasses a deep level of sharing (*collatio*) between friends, not just of events, but of all their thoughts and everything which they have taught or learned.[190] Proven friends who are in possession of these requisite virtues are useful in every circumstance, and particularly in times of doubt and deliberation.[191]

Through counsel, such friends render each other significant moral support. Aelred shares an example from his own experience of a friend 'whose counsel refreshed me when plunged in sadness and grief ... Whenever anything unpleasant occurred, I referred it to him, so that, shoulder to shoulder, I was able to bear more readily what I could not bear alone.'[192] Counsel decorates the archetypal loyal friendship of David and Jonathan: even though Jonathan, as king Saul's heir, had reason to envy David, he instead opposed his father and offered David his counsel in the face of opposition.[193] Aelred also maintains Cicero's conception of the particular role which *amicitia* plays in honest advisory persuasion:

> Whatever is to be persuaded is more easily received from a friend, and more securely retained, for [a friend's] authority in persuading ought to be great, since there can neither be doubt of his loyalty nor suspicion of flattery. Therefore, let friend persuade [*suadet*] friend as to what is worthy [*honestum*], securely, openly, and freely. And friends are not only be advised [*monendi*], but if necessary, reproved [*obiurgandi*] as well.[194]

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[189] *DSA,* III.61; III.72–4.
[190] *DSA,* III.51.
[191] *DSA,* II.13, II.61.
[192] *DSA,* III.126–7.
[193] *DSA,* III.92; cf. I Samuel 19.
[194] *DSA,* III.103–4; Cicero, *De amicitia,* xiii.44, xxiv.88.

There should be 'no hesitation [*cunctatio*] among friends and no pretence [*simulatio*] … Indeed one owes the truth to one's friend, without which the name of friendship has no value.'[195] At the same time, however, one ought to correct a friend with both sadness and sympathy. Knowing what faults in one's friend require correction, as well as the appropriate context for offering correction, is another element of the *discretio* required in friendship, for harm can arise when – in keeping with one of Aelred's recurring themes – one follows impulse rather than reason.[196] Heedless of time and place, those lacking in discernment may bear impatiently with their friends' faults and rebuke them too harshly.[197] There is room here for nuance and discretion: there is a difference between *simulatio*, which feigns agreement with one's friend, and *dissimulatio*, which withholds or delays correction in keeping with the circumstances.[198] Aelred points to the prophet Nathan who, mindful of king David's royal status, did not accuse him 'suddenly nor with agitation of mind … but setting suitable dissimulation in front, he prudently extracted from the king a judgement against his own person.'[199] The manner, as well as the matter, of counsel is important, and it requires the discernment which comes with prudence in order to judge the approach suitable to the circumstances.

Counsel itself was acknowledged to have the potential to cause difficulties in friendships, however. Many of the tests of friendship Aelred proposes concern the manner in which the other person gives and receives counsel. Some entrust themselves to fickle friends 'tossed about by every wind', who acquiesce to every counsel.[200] Others find themselves in misfortune and turn on their friends, blaming them and holding their every counsel

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[195] *DSA,* III.109. Cf. Bernard of Clairvaux, *Epistolae,* no. 35, Bernardi opera 7, p. 92: '…*quia inter amicos contra veritatem nulla debet esse meticulosa, cum sit periculosa, palpatio*…'
[196] *DSA,* III.61.
[197] *DSA,* III.72.
[198] *DSA,* III.110–113; cf. Cicero, *De amicitia,* xxiv.92.
[199] *DSA,* III.113; also Peter of Blois, *De amicitia Christiana,* XXII (PL 207:893B). See II Samuel 12.
[200] *DSA,* III.28.

suspect.[201] Giving bad counsel is a particular indication against true friendship – a true friend prevents the other from sinning, rather than encouraging him to it.[202] Deceitful counsels ruin friendship – Aelred cites the example of Haman, who ends up hanged by his former friend Ahasuerus due to his deceit.

At the same time, however, Aelred stresses that a friendship need not be dissolved if a friend at times prefers his counsel to one's own, or disagrees with one in an opinion or a discussion.[203] Even if a friendship does need to be severed – due to a betrayal or other violation of trust, for example – and one's confidence withdrawn from that person, one should never withdraw one's love, nor refuse that person aid or counsel.[204] Counsel may still be offered as an act of compassion or mercy even when the loss of a more secure bond of friendship renders trust and truth-telling more difficult. As Brunetto Latini notes in the *Tresor*, while a person may only love one beloved, 'counsel, honesty and propriety are owed to every person through debt of virtue'.[205]

The Counsel of Wives

For a man not in holy orders, a potential counsellor even more intimate than his friend was his wife. Many clerical texts of the period were wary of the effects of female suasion. From the eleventh century onwards, ecclesiastical reforms which emphasized clerical celibacy had encouraged the use of anti-female rhetoric, cautioning against the dangers of women's influence, their untrustworthiness with secrets, and their inclination towards deceitfulness.[206] As John of Salisbury noted, 'writers have much to say everywhere against

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[201] *DSA,* III.43.
[202] *DSA,*, II.40: Aelred gives the example of Jonadab advising Ammon on how he may commit incest with his half-sister.
[203] *DSA,* III.22, although Aelred also suggests that those united in true spiritual friendship will have no disagreement, III.40.
[204] *DSA,* III.57.
[205] *Tresor*, II.45.11; *Treasure*, p. 185.
[206] Sharon Farmer, 'Persuasive Voices: Clerical Images of Medieval Wives', *Speculum* 61:3 (1986), pp. 519–20.

the frivolity [*levitas*] in woman … For it is made clear in this way how easily women love, how frivolously they hate, and how quickly they forget.'[207] Such views on the unsteadiness of the female mind were common: Walter Map writes that 'a woman, of frenzied brain and hasty soul, ever unbalanced in will, always deems that best which she desires, not that which is expedient.'[208] Other popular texts, such as the *Secretum secretorum*, warn against the female potential for treachery.[209] All such characteristics are unlikely to be deemed virtues in a counsellor.

Clerics were also concerned about the maintenance of a gendered hierarchy within the household, which might be upset if a wife were given the same licence to correct her husband as he possessed with respect to her. Jacques de Vitry notes in a sermon to the married ('*ad coniugatos*') that a woman was formed from Adam's side, rather than his feet, in order to indicate her position as her husband's companion (*socia*); while she should therefore not be downtrodden, she should remain under her husband's control and correction.[210] On the other hand, Guibert de Tournai, whose own *ad status* sermons borrow heavily (though not uncritically) from Jacques de Vitry, grants more room for the possibility that such correction might appropriately go both ways, at least on occasion. Within marriage, he says, 'there should also be freedom for correction [*liberalitas correctionis*], so that a man may freely criticise his wife and she accept it out of love, and, as it is fitting, vice versa [*et e contrario, sicut decet*].'[211] Such explicit acknowledgement of reciprocal counsel and correction was rare, however, and most contemporary clerical

[207] *Policraticus*, VIII.11, ed. Clement Webb (Oxford, 1909), vol. 2, p. 297.
[208] Walter Map, *De nugis curialium,* IV.3, ed. R.A.B. Mynors (Oxford, 1983), p. 306.
[209] Roger Bacon, *Secretum secretorum*, XXI, in *Opera hactenus inedita Rogeri Baconi,* ed. Robert Steele, vol. 5 (Oxford, 1920), pp. 59–60.
[210] This rib topos, found in II *Sent.* dist. 18 c.2 and Hugh of St Victor's *De sacramentis,* I.6.35 (PL 176:284B), was repeated by many thirteenth-century preachers: Thomas O'Loughlin, 'Adam's Rib and the Equality of the Sexes: Some Medieval Exegesis of Gen 2:21–22', *Irish Theological Quarterly* 59:1 (1993).
[211] '*Sit etiam liberalitas correctionis ut libere possit vir uxorem arguere et ex dilectione illa recipiat, et e contrario sicut decet.*' Guibert de Tournai, '*Ad coniugatos sermo secundus*' (not listed in *RLS*), BnF lat. 15943, f. 145rb. See David L. D'Avray and M. Tausche, 'Marriage Sermons in "Ad Status" Collections of the Central Middle Ages', *Archives d'histoire doctrinale et littéraire du Moyen Âge* 47 (1981), pp. 115–16. On this sermon collection, see below, p. 197n144.

treatises discussing women had very little to say regarding their abilities to offer counsel, good or bad, to the men in their lives.

What persuasive force was considered to belong to a wife, for good or for evil, was often seen to derive from her place of intimacy with her husband, her role as his *familiarissima*. A wife's physical allurements in particular were often treated with suspicion, as a means by which she might beguile and entice her husband from the right path, just as Eve had tempted Adam to disobey God.[212] Even as an emphasis on clerical chastity encouraged such anti-female rhetoric, however, changes both in the field of lay piety and the money economy also gave religious foundations an incentive to welcome the positive influence of wives upon their wealthy husbands, encouraging their husbands' generosity toward foundations and discouraging them from any harsh treatment of clerics – a dynamic which correlated with increasingly explicit scholastic acknowledgement about wives' moral influence through words as well as actions.[213]

According to Isidore, while the word for 'man' (*vir*) is derived from 'force' (*vis*), the word for 'woman' (*mulier*) comes from 'softness' (*mollities*).[214] Hence it became common to describe a woman as 'softening' (*emollire*) her husband and moderating his harshness.[215] One of Peter the Chanter's students, Thomas of Chobham, writing around 1215, goes so far as to tell confessors to encourage wives to be 'preachers' (*praedicatrices*) to their husbands, 'for no priest is able to soften the heart of a man [*cor viri emollire*] the way his wife can.' He assigns the wife the same watchman-like responsibility often accorded to clerics: if she fails through negligence to correct her husband, his sin may be imputed to

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[212] For example, Rupert of Deutz, *De sancta trinitate*, III.ix, vol. 21, p. 244. See also Sharon Farmer, 'Softening the Hearts of Men: Women, Embodiment, and Persuasion in the Thirteenth Century', in *Embodied Love*, ed. Mary Ellen Ross, Sharon Farmer, and Paula Cooey (San Francisco, 1987).
[213] Farmer, 'Persuasive Voices'.
[214] *Etymologiae*, XI.ii.18.
[215] Thomas of Chobham, *Summa confessorum*, ed. F. Broomfield (Louvain, 1968), VII.ii.5. See also Robert of Courson, '*Concilium Parisiense*, 1212', V.x, in *Sacrorum conciliorum nova et amplissima collectio*, ed. Johannes Dominicus Mansi (Venice, 1778), vol. 22, col. 852. See also Chapter 5, pp. 252–257.

her. Thomas even finds a positive persuasive role in the wife's sexual relationship with her husband: even in the midst of their bedroom embraces, she should speak alluringly to him (*blande alloqui*), denouncing plunder and oppression and encouraging him toward mercy and generosity.[216] An *ad status* model sermon of Humbert de Romans likewise instructs noble women to impede, to the best of their ability, the evil works of men, citing the example of Pilate's wife, who tried to prevent her husband from crucifying Christ.[217] In another sermon, addressed to wealthy townswomen, he speaks against a lack of such salutary persuasion, concerned that these women 'are sometimes accustomed to consent to the usury or other unjust profits of their husbands, either by counselling or by helping or by not impeding them, or by making use of these sorts of profits, and therefore they are partners in the offence and thus will be also be partners in its punishment.'[218] Wives therefore possess a moral incentive to counsel their husbands towards the good, thereby avoiding complicity in their offences.

Many of these perceived virtues and vices of female counsel are explored in Albertanus of Brescia's *Liber consolationis et consilii*.[219] When Melibeus is ready to act with vengeance, his wife stays him and asks whether he will not also have her counsel ('*Domine mi, nonne vis etiam meum consilium habere?*'), launching a debate between husband and wife on the appropriateness and value of his receiving her counsel. Although she reflects various anthropomorphic models of grammatically feminine abstractions – such as Wisdom in Proverbs 8 and Boethius' Lady Philosophy – Prudentia specifically argues for her ability to give counsel as a human woman. She holds the upper hand throughout the dialogue, persuasively instructing her husband in prudence, although the text is careful to emphasize her gentler, mollifying qualities as an idealised female counsellor: she asks her husband for licence to respond to his arguments, and does so with sweet and gentle words, soothing and tempering his emotion even as she delivers her structured arguments.

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[216] Thomas of Chobham, *Summa confessorum*, VII.ii.15; trans. Farmer, 'Persuasive Voices', p. 517.
[217] Humbert de Romans, *Sermones* I, sermo XCV (*Ad mulieres nobiles*), p. 203.
[218] Humbert de Romans, *Sermones* I, sermo XCVI (*Ad mulieres burgenses divites*), p. 204.
[219] See above, pp. 124–127. On women as counsellors in later vernacular advisory literature, including 'Melibee', see Misty Schieberle, *Feminized Counsel and the Literature of Advice in England, 1380–1500* (Turnhout, 2014).

Melibeus initially states that he has no intention of seeking his wife's counsel, for reasons almost entirely based upon her gender. His first reason is a question of appearances: he would be considered a fool if he were to change what had been decided by a group of men based on her counsel and perception (*sensus*). His second is simply that women are wicked (*malae*) – Solomon says that no good woman can be found (Ecclesiastes 7:28). Third, he argues that if he were to rule himself by his wife's perception and counsel, he would seem to be giving her primacy over him, which should not be the case. Fourth, he believes that feminine garrulousness makes it impossible that her counsel would remain secret. His final reason is summed up in the proverb, 'Women conquer men in bad counsel'.[220]

Prudentia, however, responds with reasoned counterarguments, which set up many of the lessons of counsel later in her discourse. It is not foolish, she says, to change one's counsel with the circumstances (*cum re*), nor does a group of people necessarily provide stable counsel; advantage and the truth of things are always better discovered by a few wise people than by a clamorous multitude. To her husband's second point on the moral character of women, she protests that he should not criticize the imprudence of women so generally, for there are endless numbers of good women, as demonstrated by Christ's incarnation in the womb of a woman and the fact that after his resurrection he deigned to show himself first to Mary Magdalene, rather than to the male apostles.

Melibeus' third argument, that by listening to his wife's counsel he would give her primacy over him, Prudentia considers 'frivolous, indeed null'. For if in fact we conceded such primacy and dominion over ourselves to everyone with whom we had counsel, no one would ever wish to have counsel from anyone else! To Prudentia, therefore, the act of taking counsel from one's wife is little different in its essentials from taking counsel from any other person: the key fact remains that one has free will (*liberum arbitrium*) to disregard or to carry out the counsel which has been given.[221] Prudentia is similarly unimpressed with her husband's fourth point, applicable only to the worst of garrulous and talkative

[220] '*Malo in consilio feminae vincunt viros*'. Publilius Syrus, *Sententiae*, M.16, ed. Wilhelm Meyer (Leipzig, 1880), p. 40.
[221] On free will in counsel, see above, Chapter 2.

women. Her husband has not found *her* to be such a woman, and in fact has frequently experienced her secret silence and taciturnity.

In her counterargument to Melibeus' fifth and final point, that women conquer men in counsel, Prudentia returns once more to the ultimate agency of the one being counselled. When women counsel against men's intended evil, she argues, the women ought to be praised, not censured, for turning men to the good; when the reverse is true, the blame should be imputed to the men who are 'lords of counsel' (*domini consilii*) and therefore able to reject bad counsel and choose the good. Her husband's proverb could only apply in the case of very wicked women counselling stupid men – and, she hastens to add, this is not one of those cases (*hic autem non est sic*).

Prudentia's counterarguments can therefore be summed up into two broad points: that men who seek counsel from women retain their agency, and therefore moral responsibility, in choosing whether or not to follow the counsel given, and that her husband's ideas about the moral failings of women cannot and should not be applied generally to all women. To bring home the latter point, Prudentia then speaks in praise of women, particularly in relation to counsel, in order to demonstrate that 'there are good women and especially kindly spouses, and their counsel ought to be listened to, and if it is good, carried out'.[222] Note that Prudentia does not presuppose that all wifely counsel will be good, but rather that a wife's good character should at least merit her husband's careful attention. A woman's counsel should not be considered worthless (*vile*), as is commonly said, but instead most dear (*carissimum*). Although there are indeed many wicked women whose counsel is worthless, in many women there can also be found the very best counsel ('*optimum consilium*'), as seen in Scripture: Jacob, through the good counsel of his mother Rebekah gained his father's blessing and mastery over his brothers (Genesis 27); Judith, by her good counsel, delivered a city from the hands of Holofernes (Book of Judith); Abigail, by her good counsel, delivered her husband Nabal from the anger of king David, who wished to kill him (I Samuel 25); in a similar way, Esther, along with Mordechai,

[222] *LC&C,* V, p. 16.

raised up the Jews in the kingdom of Ahasuerus by her good counsel (Book of Esther). 'And so,' says Prudentia, 'there can be found endless *exempla* of endless good women and of their counsels'.

Prudentia then puts forward a number of arguments in favour of listening to female counsel. One is derived from the first name given by God to woman at Creation, calling her man's 'helpmeet' (*adjutorium*),

> because [women] ought to help men and counsel them – and well may women be called *adjutorium* and, by consequence, *consilium*, for without the aid and counsel of women the world could not endure. And certainly God would have given to man a poor aid [in women], if he should by no means seek counsel from them, since the one [i.e. aid] can hardly exist without the other [i.e. counsel].[223]

Counsel is essential to a wife's ability to be her husband's helpmeet. The counsel of women is therefore not only beneficial, but essential and divinely purposed. Prudentia goes on to also praise the acute perceptions (*sensus acutior*) of women, the value of a kind spouse, and the wife's role in leading her husband even as she obeys him. Only after all of these arguments does she conclude with her own counsel for her husband in his current circumstances. And in this instance, at least, Prudentia's arguments bear fruit. Her husband declares that through her sweet and good words and by his own prior experience, he knows her to be prudent, faithful, and discerning, and he therefore resolves to change his proposed course of action and rule himself with her counsel. Her intimacy with her husband allows her to offer both consolation and counsel, and through her counsel, she acts as her husband's true helpmeet by directing towards a more moderate and moral course of action.

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[223] *LC&C,* V, pp. 17–18.

Counsel in Religious Community

Even outside the particular bonds of friendship and marriage, counsel had moral implications for those living together in religious community who were engaged in the same struggle of moral progression within the contemplative life. Counsel had a significant procedural role in the monastic rules and canon law texts of ecclesiastical communities,[224] but it also played a significant moral role in the communal context. Within a monastic context in particular, the giving and receiving of human counsel cannot be viewed merely as a bilateral and morally neutral exchange of advice. Rather, it is an intentional exercise of virtue of concern to the whole community, which could be framed in terms of the moral interdependence of community members and the bonds of affection which bound them together as members in one body. In the Rule of St Benedict's influential chapter on counsel (cap. 3), giving counsel on decisions which impact the whole community is a responsibility of each member of that community, to the exclusion of outsiders. The boundaries of the community bind them together and give them a responsibility for one another.

This idea of moral interdependence runs throughout a sermon from an English, likely Dominican, collection from the late thirteenth-century entitled *Contra male consulentes* ('Against those counselling badly').[225] Though not employing these specific terms, the sermon clearly views the religious community of its audience as one of moral interdependence and mutual responsibility, in which counsel plays a key role. The sermon's conception of its titular bad counsellors clearly goes beyond a piece of ill-judged advice. Rather, the adjective is a summation of both their characters and their role in the community. Good counsellors do good themselves and inspire others to do likewise.[226]

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[224] See above, Chapter 2, pp. 76–86.
[225] Bodleian, MS Bodl. 25, pp. 1087–92 (*RLS* 6,610, no. 40). Schneyer classifies the collection as Dominican, which seems plausible given its inclusion of numerous sermons for St Dominic and his translation.
[226] '*Nota etiam quod boni consiliarii tenentur benefacere, et alios ad hoc animare*.' MS Bodl. 25, p. 1088. Aristotle, in his discussion of friendship in *Ethica*, VIII.1, 1155a, refers to its similar capacity for the performance of good actions.

For example, Judas Maccabeus armed his followers 'not with the defence of shield or spear, but with speeches and exhortations', increasing their resolve and strengthening their spirits by his excellent words.[227] The words of good counsellors have a catalytic moral effect on those they counsel. Bad counsellors, on the other hand, both 'desist out of indignation or offence from the good which they are able to do and encourage others to desist'.[228]

This power that a counsellor possesses is particularly significant in a morally interdependent community. The sermon uses Pauline language to depict the community as a human body, wherein an injury to one is an injury to all: when someone prevents a good work through evil counsel, it is as if he is cutting off a hand with the sword of his tongue, and whoever cuts off a hand must injure the whole body. As it quotes from Cassiodorus, 'There is no health in the body save inasmuch as each member is able to obtain it.'[229] Each member of the *collegium* is responsible for the other members; like merchants, they will share in each other's spiritual profits.[230]

This sermon is clear that the unity of the religious community is predicated upon each assisting the others towards good works and being vigilant lest one's brother fall into sin – a role which is specifically and explicitly enacted through the virtue of counsel. An individual's spiritual life on earth should be one of constant progress, progress which is lost if one ceases to strive for more. If a bad counsellor advises someone to hold back from

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As Aquinas explicates, 'When two work together [*convenient*], they are more effective. In intellectual considerations [*in opera intellectualis speculationis*] where one sees what the other cannot see, and external activity [*ad opus exterioris actionis*] in which one especially aids the other': *SLE*, VIII.1.1540.

[227] II Macc. 15.

[228] '*… qui ex indignatione vel offensa a bono quod possunt facere desistunt, aut alios ad desistendum alliciunt.'* MS Bodl. 25, p. 1088.

[229] Cassiodorus, *Variae*, IX.2, ed. Åke Fridh (Turnhout, 1973).

[230] '*Item sunt collegio molesti. Et hoc dupliciter, in toto et in parte. In parte, quia est consulenti dampnosum, consulto | perviciosum. In toto, quia est universo collegio nociuum. De primo, exemplum de negociatoribus qui quando socii sunt in negotiis, sibi mutuo optant lucra, quia communicant lutro adquisita. Sed omnes sumus negociatores, Luc. 19b* [19:13], negotiamini dum venio*, et de bonis singulorum participantes.'* MS Bodl. 25, pp. 1088–9.

doing good, this progress is halted. The consequences are high for such treacherously bad counsel: deceiving one who trusts you is 'no small sin', and the one who persuades his brother to do evil has acted as a murderer.[231] He injures him, corrupts him, and robs him of his spiritual reward. Moreover, to counsel a fellow member in such a way that a good act is prevented is an offense against the entire community, and counsel which actually causes an evil act to be committed is an injury to all. Counsel within a community, in other words, is an act reflective of shared moral responsibility.

In order to explicate this shared moral imperative, the sermon relies heavily on physical language of strong and weak, labour and burdens – referring to Galatians 6:2, 'Bear one another's burdens'. It thereby frames counsel, once again, as an act of compassion and mercy (although it makes no explicit allusion to the connection between the gift of Counsel and the beatitude of mercy).[232] Everyone, the sermon says, must show compassion to one another, but the one who is stronger is obligated to strive harder. To illustrate this point, the sermon uses an example from nature (drawn ultimately from Pliny and Solinus), of elephants who demonstrate compassion and mercy in their treatment of their weakest members, allowing the smallest among them to cross the fords first and receiving the feeble and wounded into the centre of their herd.[233] In this interdependent community, every shoulder must be put to the task. 'Accordingly,' the sermon says,

> when one burden is shared by many people – none of whom could be sufficient by themselves – if one or two withdraw themselves, as much of the burden was upon

[231] cf. *Decretum,* D.1 *de pen.* c.27 *Noli putare*. On the treachery of bad counsel, see Guillaume Perrault's discussion of the *peccata linguae*, *Summae*, II.11.12, vol. 2, p. 407.
[232] Above, pp. 100–104.
[233] Solinus, *Collectanea rerum memorabilium,* XXVI, ed. Theodor Mommsen (Berlin, 1864), p. 125; Pliny, *Naturalis historia*, VIII.v.11. Counsel is similarly associated with elephants in Pierre Bersuire's mid-fourteenth-century *Repertorium morale*, s.v. *consilium* (Cologne, 1712), p. 400.

> them then falls on everyone. But we many share the burden of religion, and no one can be sufficient by himself.[234]

It adds the Old Testament example of the arrangements made to support Moses' leadership, appointing judges for lesser matters, and choosing seventy elders, 'so that they may bear with you the burden of the people and you will not be burdened alone.'[235] Self-sufficiency is not an option: the good counsel of others is required to share the burdens of religious life.

Other contemporary sermons emphasised, like Aelred, the importance of the bond of friendship in giving and receiving counsel. An anonymous sermon on the text *Cui dedisti consiliis* (Job 26:3, 'To whom have you given counsel?') accordingly makes it one of three conditions which one ought to meet in order to give counsel: wisdom (*sapientia*), friendship (*amicitia*), and discernment (*discretio*).[236] It quotes Proverbs 29:9, 'The good counsels of a friend are sweet to the soul,' and gives the example of Moses, who for this reason accepted the counsel of Jethro.[237] On the other hand, the same sermon warns not only against receiving counsel from the foolish and impious, but also from the worldly and 'friends of the flesh' (*carnales amici*) who deceive one's soul: like Aelred, it cites the negative example of Haman, who was advised by his friends to construct the very scaffold which would later hang him.[238]

Given this context, it is unsurprising that the language of friendship and affection was also actively utilised to presage requests for counsel. A sermon from the model *Sermones arboris*

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[234] '*Propterea quando multi unum honus partant quorum nullus per se potest sufficere, si unus aut duo se subtrahunt, quantum in ipsis est omnes honeri subcumbunt. Sed multi honus religionis partamus. Nullus autem per se sufficere potest*.' MS Bodl. 25, p. 1090.

[235] Num. 11:16–17. See below, Chapter 5, p. 221.

[236] Barcelona, Archivo de la Corona de Aragón, MS Ripoll 213 (s. XIII/XIV), ff. 44v–45r (*RLS* 7,533, no. 51). The sermon notes that listening to counsel is a sign of wisdom just as giving counsel is.

[237] '*Cui dedisti consiliis, Job xxvi, quasi dicat non es dignus dare consilium, ideo forte, quia deficiebat in illis condicionibus, quae exiguntur ad dandum consilium. … Secunda est amicitia, Prov. xxvii, Bonis amici consiliis anima dulcoratur. Propter hoc, Moyses accepit consilium Ietro, Exo. xviii, Audi verba mea atque consilia, et Dominus erit tecum*.' MS Ripoll 213, f. 44va.

[238] MS Ripoll 213, f. 45rb.

collection specifically guides its potential preachers to engage the brothers in chapter in such relational terms before seeking their counsel.[239] This language is introduced by its theme from Proverbs, 'Discuss your cause with your friend.'[240] The sermon proceeds to explain that the singular 'friend' of the verse does not exclude the benefits of taking counsel with many:

> If it is safe to discuss difficult business with one friend, I do not doubt that it is safer to discuss it where friends are many and to hold a discussion with them … A meeting should be called, the idea made known, and the outcome carefully considered.[241]

Such a friend is 'a guardian of the soul', who will give sound counsel as a result of his zeal, his fear of God, and his wariness against evil.[242] Affection is an important criterion in the giving of counsel: the sermon quotes Gregory the Great, 'There is no one more faithful in counsel than the one who loves, not what is yours, but you yourself,' a more subtle opposition of good counsel against avarice.[243] Those who are hostile, envious or avaricious will fail to give sound counsel.[244]

Here, it is the presumed friendship between the preacher and his audience which secures his request for counsel:

> I ought to disclose my matter of business to you completely, according to the bond of love which I have for you, the surplus of discernment which I see in you, the measure of instruction which I desire to have through you. If indeed *a companion*

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[239] *Causam tuam tracta* (*RLS* 1,573, no. 960; 7,146, no. 38; and 9,822, no. 38), Vatican, Arch.Cap.S.Pietro.G.48, ff. 16r–v. Also consulted Barcelona, Archivo de la Corona de Aragón, MS Ripoll 187, ff. 74vb–75ra and BnF lat. 3276, ff. 12vb–13ra; listed in contents of Troyes BM, MS 2001 but missing from the manuscript.

[240] Prov. 25:9.

[241] '*Si tutum est cum uno amico arduum tractare negotium, non dubito fore tutius et securius tractare ubi amici sunt multi cum illis habere tractatum. … Advocandum esse conventum. Revelandum esse conceptum. Perscruptandum esse eventum.*' MS Arch.Cap.S.Pietro.G.48, f. 16ra.

[242] cf. *Etymologiae*, X.4.

[243] Gregory, *Registrum Epistularum,* I.33.

[244] '*Amicus enim dicitur anime custos. Et talis sanum consilium dabit propter deum quem debet timere, propter malum quem debet cavere, propter zelum quem debet habere Eccli. vi° c* [Ecclus 6:14], *Amicus fidelis protectio fortis. Gregorius in Registro, Nulla fidelior potest esse ad consilium quam qui non tua sed te deligit. Cupidi enim et avari et inimici non dant sanum consilium.*' MS Arch.Cap.S.Pietro.G.48, f. 16r.

> *condoles with his friend for the sake of his stomach and accepts his shield against an enemy*,[245] how much greater are you, whom I know to be not only companions, but friends! Wherefore I hope principally … and fittingly to be directed by you in this deed.[246]

Only after having called upon these relational ties does the sermon then turn to instructing its audience on the deliberations and considerations of how their counsel ought to be given.

Friendship and other relational bonds, in short, carry particular implications for giving and receiving counsel. They provide a context of safety and security in which trust and candour may flourish and even admonition may, with careful handling, be willingly received. They provide a basis of affection and benevolence which encourages the desire to counsel well. They also bind people together in such a way that they bear a moral responsibility for one another, partly fulfilled by giving good counsel to aid moral progression. It is from this perspective and in this context that calling on these bonds of friendship and community became an effective rhetorical means of seeking sound counsel.

Conclusion

As the theoretical ethical ideas of theological and ethical treatises filtered down into genres with more interaction with the wider lay population – moralizing literature, sermons, and treatises for those in positions of leadership – they assisted with the creation and evolution of the mores and ideals by which medieval Christians were instructed and generally attempted to live their lives. Together, these various ethical discussions framed counsel both as a virtue in and of itself and as something which could be given and received as part of a virtuous act. Whether in its connections to mercy and forgiveness, associated with outward actions in relation to others, or in its more internal and deliberative connections to discernment, reason, and foresight, counsel was invariably depicted as practically oriented, associated with the ability to determine the virtuous course of action in the face

[245] Ecclus. 37:5.

[246] *'Ex toto debeo aperire vobis negocium propter vinculum dilectionis quem habeo ad vos, propter cumulum discretionis quem video in vos, propter modum instructionis quem habere cupio in vos. Si enim sodalis amic<o> condolet causa ventris, et contra hostem accipit scutum, quanto magis vos quos non solum sodales sed amicos esse scio unde adeo principaliter … et a vobis convenienter spero dirigi in hoc facto.'* BnF lat. 3276, ff. 12vb–13ra. (MS Arch.Cap.S.Pietro.G.48 has variant phrasing/scribal errors here.)

of specific circumstances. Prudent counsellors were those who possessed such an ability, often developed through time and experience. Prudence also allowed one to adequately judge the quality of others' counsels, listening and responding to good counsel and rejecting the counsel of flattery or other temptations. This naturally had particular resonance for those in a position of authority, but it also extended horizontally to any relationship between individuals, including members of the same community.

By the latter half of the thirteenth century, the various ethical languages of counsel had become fully intertwined. In combination, these traditions emphasised a double-level of counsel – a higher level working by divine insight and illumination, and a lower, though related, level associated with human reason and prudence. Both conceptions were explicitly directed toward action. The identification of the true origins of a correct decision – and therefore of good counsel – depended simply upon whether a writer's interpretation of prudence leant more heavily on its connection to moral virtue, and thereby divine illumination, or else on its more strictly Aristotelian definition as practical reasoning, undertaken either within oneself or with others.

Chapter 4

Counsel as Deliberative and Persuasive Discourse

> *Itaque licet definire … argumentum autem rationem quae rei dubiae faciat fidem.*
>
> Accordingly, we may define … an argument as a course of reasoning which creates confidence in a matter about which there is some doubt.
>
> Cicero, *Topica,* II.8

> *Conseil est quant li parleor conseillent sur une chose qui est preposte devant els jeneraument ou partiement, por mostrer liquels est profitable et lequels non. … Quant ciascun a doné son consoill, l'en se tient a cellui qui moustre plus ferme raison et plus creable.*
>
> Counsel is when the speakers give counsel on things which are placed before them in general or in particular, to show which are profitable and which are not. … When each person has given his counsel, the speaker who has given more reasonable and credible counsel is upheld.
>
> Brunetto Latini, *Li livres dou tresor* [1]

Having explored the ethical dimensions of counsel, this chapter now considers the manner and mode of deliberative and persuasive discourse, including how virtue should be balanced in argument with other concerns. Interpersonal counsel is only as effective as its ability to persuade its recipient, particularly in the face of opposing counsels and opinions. Such counsels may be private or public, in contexts ranging from an interpersonal *colloquium* between two friends, to an exhortation delivered by one person to a larger audience or a multilateral deliberation in a formal political or ecclesiastical council. While the performative context obviously shapes the particular forms which counsel can take,

[1] *Tresor*, III.2.10, p. 294; trans. *Treasure*, p. 282.

many of the considerations behind what makes counsel effective – choice of persuasive arguments, use of moral or experiential authority, the ability to render an audience receptive through an appropriate manner of speech – apply across these different types of exchange.

Medieval notions of such persuasive speech, particularly for those educated in the schools, were heavily influenced by the classical *trivium* of grammar, rhetoric, and dialectic, the arts of speaking and of arguing well.[2] While persuasion was the goal of all classical rhetoric, many medieval writers followed classical textbooks in drawing an explicit connection between counsel and deliberative rhetoric in particular – discussions which emphasised reasoned dialogue and debate and which focused on the ends of moral worth (*honestas*) and advantage (*utilitas*). The study of rhetoric not only provided a highly positive view of the role which speech and eloquence could play in society – at least when paired with wisdom and reason – but also provided tools and terminology for creating, structuring, and effectively framing verbal arguments. In a medieval context, these discussions influenced conceptions of the role of deliberative counsel both in public and private discourse, its use adapted to what was appropriate, necessary, or possible within a given context. The related field of dialectic, while more explicitly concerned with truth than persuasion, also provided a process of ordered argumentation with application to the practice of deliberation between opposing counsels, not least in judging which side of a debate to endorse.

Even outside their study as technical disciplines – the status of rhetoric in particular fluctuated in relative importance within the curriculum of the schools – the essential foundations, principles, and terminology of these arts continued to influence various forms of persuasive speech, providing models which supported the use of reasoned eloquence in

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[2] On the history of medieval rhetoric, see James J. Murphy, *Rhetoric in the Middle Ages* (Berkeley, 1974); Rita Copeland and Ineke Sluiter, *Medieval Grammar and Rhetoric* [hereafter *MG&R*]; Matthew Kempshall, *Rhetoric and the Writing of History, 400-1500* (Manchester, 2012); John O. Ward, *Classical Rhetoric in the Middle Ages* (Leiden, 2019).

order to persuade an audience towards a beneficial course of action and to resolve potential conflict and discord peacefully.[3] Their effect on other forms of discourse, particularly preaching and disputation, further disseminated forms and principles of discourse with the potential to shape more deliberative forms of counsel. The world of rhetorical oratory in Roman law courts and political assemblies had long since faded, but the medieval world of courts and councils had an equal need for accepted forms of deliberative discourse. If not a world of orators, it was certainly one of preachers, judges, and counsellors.[4]

The first part of this chapter examines classical influences on the theoretical form and content of deliberative and persuasive speech: the importance of the role played by speech and reason in society, the connections made between the genre of deliberative rhetoric and counsel, and considerations of the ideals and pitfalls of *parrhesia,* the free expression of potentially difficult counsel and admonition. The second part of the chapter then turns to two key forms of thirteenth-century discourse, preaching and disputation, drawing out their connections to counsel and exploring the ways in which these forms could also influence less formal practises of counsel.

The Influence of Classical Rhetorical Texts

The classical Roman works most embraced by the medieval world gave an important role to speech, eloquence, and rhetoric. The opening of Cicero's youthful rhetorical treatise *De inventione* (known to medieval writers as his *Rhetorica vetus*) stresses both wisdom and eloquence as essential attributes for a society: while wisdom without eloquence is likely to be ineffective, eloquence without wisdom often becomes dangerous and harmful. Human

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[3] For evidence for rhetorical education in the late twelfth and thirteenth centuries, see Ward, *Classical Rhetoric in the Middle Ages*, pp. 399–420, which demonstrates that claims that classical rhetorical theory fell into disuse north of the Alps by the end of the twelfth century have been overstated.

[4] Arthur E. Walzer, 'Parrēsia, Foucault, and the Classical Rhetorical Tradition', *Rhetoric Society Quarterly* 43:1 (2013), p. 3; John R. E. Bliese, 'Deliberative Oratory in the Middle Ages: The Missing Millennium in the Study of Public Address', *Southern Communication Journal* 59:4 (1994).

society, Cicero writes, is founded upon this combination of reason and oratory, since the fundamental requirements for a peaceful community, such as the observance of justice and the contribution of labour for the common good, are only possible when people are able to persuade others of the truth which they have discovered through reason.[5] Cicero's later work *De officiis* establishes the same ethical framework for speech and deliberation in society, with a conception of human nature grounded in its rational and linguistic capacities.[6] Speech plays a vital role in the maintenance of a peaceful and harmonious society:

> for since there are two ways of settling dispute: first by discussion [*per disceptationem*]; second, by physical force [*per vim*]; and since the former is characteristic of humanity, the latter of the brute, we must resort to the latter only when we may not avail ourselves of the former.[7]

Deliberative counsel and discussion can be a means of securing peace and thereby securing human associations.[8] Indeed, Cicero considers the counsel of statesmen like himself to be as important as the weapons of warriors, for *consilium* – as a plan not only devised but also effectively and persuasively expressed – may avert or end wars as well as begin them.[9] Likewise, Seneca in *De tranquillitate animi* notes that the *respublica* does not only benefit from those who protect it and make decisions on peace and war, but also those who exhort its youth and institute virtue.[10] Those who are armed with both wisdom and persuasive eloquence provide critical guidance to the political community and its members with their counsels.

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[5] Cicero, *De inventione*, I.ii.3.
[6] See also above, Chapter 3, p. 112.
[7] Cicero, *De officiis*, I.xi.34–5.
[8] The role of counsel in securing peace is a common theme of medieval historiography. Churchmen played a particularly prominent role in this regard: see, for example, Paul Dalton, 'Churchmen and the Promotion of Peace in King Stephen's Reign', *Viator* 31 (2000); Ambler, *Bishops in the Political Community*, pp. 62–81.
[9] Cicero, *De officiis*, I.xxii.79.
[10] Seneca, *De tranquillitate animi,* IX.3.4; quoted by John of Wales, *Communiloquium*, I.i.7 (*Qualiter debet respublica salubribus consiliis dirigi*).

This emphasis on the role played by counsel in maintaining a peaceful society is similarly emphasised in Sallust's historiographical *Bellum Catilinae*.[11] Its opening passage sets intellect and deliberation above, or at least alongside, brute force and strength of arms:

> It seems more right to me to seek glory with the resources of the intellect [*ingenium*] rather than of physical strength … For a long time moral men have discussed the question of whether success in arms depends more on strength of body or excellence of mind [*virtus animi*]; for before you begin, counsel is necessary, but when you have taken counsel, prompt action.[12] Thus each of these, being lacking in itself, requires the others' aid.[13]

Action is necessary, but equally necessary is the deliberation and wisdom which ought to precede it. The antagonist of Sallust's account, Lucius Catilina, possesses a great vigour of both mind and body, but also a depraved nature. Possessed of 'a certain amount of eloquence', he nonetheless has little wisdom and is cunning (*subdolus*), fickle, and avaricious, his lust for power endangering the *respublica*.[14] Sallust looks back upon a time when the Roman *imperium* was founded upon law, and 'a chosen few, whose bodies were enfeebled by age but whose minds were fortified with wisdom, took counsel [*consultabant*] for the welfare of the *respublica*'.[15] In his own day, however, sloth and lack of restraint amongst rulers has brought turmoil and confusion, causing him to lament, 'if the mental excellence with which kings and rulers are endowed were as potent in peace as in war, human affairs would run an evener and steadier course.'[16] Transmitted to medieval

[11] The work was well-known in the high medieval period through its inclusion in the school curriculum: Birger Munk Olsen, 'La diffusion et l'étude des historiens antique au XIIe siècle', in *Mediaeval Antiquity*, ed. Andries Welkenhuysen, Herman Braet, and Werner Verbeke (Leuven, 1995), pp. 31–3.

[12] '*Nam et prius quam incipias, consulto, et ubi consuleris, mature facto opus est.*' This line is quoted, for example, in *MDP,* II, p. 405; and Vincent de Beauvais, *Speculum doctrinale*, IV.26 (*De consilio et deliberatione*), col. 316C; IV.94 (*De maturitate*), col. 353D; and V.24 (*De bonis initiis et difficultate incipiendi*), col. 418D.

[13] Sallust, *Bellum Catilinae*, i.5–6. In contrast, the conspirator Cethegus, complains of his associates' inaction, claiming the situation calls for 'action, not taking counsel [*facto, non consulto*]', ibid., xliii.3.

[14] Sallust, *Bellum Catilinae*, v.1–5.

[15] ibid., vi.6.

[16] ibid., ii.3.

readers, classical texts such as these presented an ideal of ordered governance in which speech and counsel played a crucial role.

Deliberative Rhetoric

By harnessing wisdom to eloquence, these texts also highlighted the role of rhetorical persuasion in aiding the proper functioning of human society. Persuasion is the heart of the orator's task: 'the function of eloquence,' Cicero writes, 'seems to be to speak in a manner suited to persuade an audience; the end is to persuade by speech [*persuadere dictione*].'[17] Rhetoric, as Isidore's *Etymologies* accordingly defines it, is 'the knowledge of speaking well in civil questions [*bene dicendi scientia in civilibus quaestionibus*] … for the purpose of persuading people toward the just and good'.[18] If grammar, the first element of the *trivium*, was the art of learning to speak correctly, then rhetoric, the second, was the art of using that knowledge effectively.

Although all rhetoric pertains to persuasion, its precise aims may differ according to its particular form. Both Cicero's *De inventione* and the pseudo-Ciceronian *Rhetorica ad Herennium* (the '*Rhetorica nova*'), the most popular classical rhetorical texts throughout much of the medieval period, follow Aristotle's *Rhetoric* in dividing rhetorical arguments into three types according to their primary purpose and subject matter.[19] Demonstrative rhetoric focuses on praise or censure, and judicial rhetoric on accusation or defence, while deliberative rhetoric focuses on suasion or dissuasion, often focused on questions of expediency. Deliberative speeches, according to *Ad Herennium*, are those which concern a choice between two or more courses of action, such as deliberation over whether it seems better to destroy Carthage or leave it standing, or Hannibal's deliberation over whether to

[17] Cicero, *De inventione*, I.v.vi.
[18] *Etymologiae*, II.1.
[19] Aristotle's *Rhetoric* was not translated into Latin until the 1260s/70s. On the numbers of extant rhetorical texts and glosses, particularly *Ad Herennium* and *De inventione*, see Ward, *Classical Rhetoric in the Middle Ages,* pp. 232–45.

remain in Italy, to return home, or to invade Egypt.[20] Each of these three rhetorical genres attempts to persuade the audience to reach a particular opinion or decision, and each of these genres can be related to counsel – demonstrative rhetoric, for example, can provide a praiseworthy model to follow or a shameful model to avoid.[21] However, persuasion and counsel are most strongly identified with deliberative rhetoric, which *De inventione* situates in civil debate (*in disceptatione civili*) and *Ad Herennium* in consultation (*in consultatione*).[22] As the twelfth-century schoolman Thierry of Chartres expounds:

> *The deliberative is in consultation*, because by consulting, that is by giving counsel, we deliberate [*deliberamus*] ... Indeed, all the force of deliberation consists of these two [i.e. persuasion and dissuasion of one's opinion], and persuasion and dissuasion are stronger in this type of [rhetorical argument] than in the others.[23]

Quintilian's *Institutio oratoria* (c. 95 AD) – which had a more limited circulation during the medieval period, although an abridged version of the text enjoyed considerable influence during the twelfth century – also illustrates the connection between deliberative rhetoric and counsel: where demonstrative rhetoric praises or blames what is past and certain, deliberative rhetoric deliberates over the future on uncertain matters regarding which humans have a free choice – precisely the proper material for counsel.[24]

The tripartite division of rhetorical genres was well known to medieval rhetoricians, as was the association of the deliberative form specifically with suasive speech and counsel. Isidore, who devotes an entire book of the *Etymologies* to rhetoric and dialectic, explains that deliberative rhetoric is so called because it is used to deliberate (*deliberare*) concerning a matter, ending in either persuasion toward what should be sought or dissuasion from

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[20] *Rhetorica ad Herennium* [hereafter, *RaH*], III.2.
[21] For its didactic use in medieval historiography, see Kempshall, *Rhetoric and the Writing of History*, pp. 138–71.
[22] Cicero, *De inventione*, I.v.7; *RaH*, I.ii.2.
[23] Thierry of Chartres, *Commentarius super Rhetoricam ad Herennium*, ad 1.2.2, in *The Latin Rhetorical Commentaries*, ed. Karin Margareta Fredborg (Toronto, 1988), pp. 224–5.
[24] Quintilian, *Institutio oratoria*, III.4 and III.8. On the medieval history of Quintilian's text and its *textus mutilatus*, see Murphy, *Rhetoric in the Middle Ages*, pp. 123–30; Ward, *Classical Rhetoric in the Middle Ages,* pp. 365–97.

what should be avoided. Isidore also moves deliberative rhetoric away from a specific oratorical context to the more everyday, even individual, use of deliberation when he identifies suasive argument (*suasoria*) as a specific subset of deliberative argument, since *suasoria* requires another person, while *deliberativa* can sometimes deal with oneself alone. Although he initially says that deliberative rhetoric deals specifically with 'questions of expediency [*de quibuslibet utilitatibus*] in life, what ought or ought not to be done', he divides *suasoria* into three topics: what is *honestum*, what is *utile*, and what is possible.[25] Isidore considers two things particularly effective in suasive argument, hope and fear – emotions indicative of an uncertain future.

Outside of their direct study, the influence of classical rhetorical texts was also mediated through the rhetorical training of patristic writers and those who imitated them. Many medieval writers followed the precedent set by Augustine in his *De doctrina christiana*, which encouraged the use of rhetoric for theological purposes, harnessing classical eloquence for the pursuit of truth and using classical rhetorical knowledge to describe rhetorical techniques already found in Scripture.[26] Alcuin, for example, intertwined rhetoric and Scripture in the *Disputatio de rhetorica et virtutibus,* describing the three genres to Charlemagne using biblical examples:

> the deliberative kind rests on persuasion and dissuasion: for example, it is read in the book of Kings [II Samuel 15] how Achitophel was persuading David towards his early ruin, and how Chusai dissuaded him from that counsel, so that he saved the king.[27]

Alcuin also notes that 'in deliberations one considers what is *honestum* and *utile*'.[28] Similarly, Rupert of Deutz writes in *De sancta trinitate* (c. 1116) that the writers of Scripture often

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[25] *Etymologiae,* II.iv.
[26] Augustine, *De doctrina christiana,* IV, ed. Joseph Martin (Turnhout, 1962).
[27] Alcuin, *Disputatio de rhetorica et de virtutibus,* 5, in *Rhetores Latini minores,* ed. Karl Halm (Leipzig, 1863), p. 527; trans. *MG&R*, p. 289. On Alcuin's conception of rhetoric, see Matthew Kempshall, 'The Virtues of Rhetoric: Alcuin's *Disputatio de rhetorica et de uirtutibus*', *Anglo-Saxon England* 37 (2008).
[28] Alcuin, *Disputatio de rhetorica,* 5, p. 527.

'refer to persuasion or dissuasion, for these are parts of the deliberative genre, for example, persuading us to do something good or dissuading us from doing something bad'.[29] Rooting the model of deliberative rhetoric in Scripture provided sanctified models of rhetorical persuasion.

Medieval discussions of deliberative rhetoric also maintained some connection to its original classical context of civic oratory. Cicero positions all eloquence and rhetoric at the heart of civil affairs, but it is specifically deliberative rhetoric which 'has its place in civil debate [*positum in disceptatione civili*] and involves the expression of opinion'.[30] This context is picked up in Thierry of Chartres' commentary:

> [Cicero] says that the deliberative is what is put forward '*in debate*'. The other [types of rhetoric] also have this characteristic, therefore he adds, '*involves the expression of opinion*', that is, each one says what they think about the matter. Some books[31] have '*has its place in consultation*', but this may also be if one person accepts counsel from another, therefore he adds what is remaining: he calls it 'civic', because every deliberation concerns either public or private matters out of which the *civitas* consists.[32]

Brunetto Latini, writing from his experience of thirteenth-century Florence, associates all rhetoric with such civic matters: 'All disputes [*contens*] pertain to rhetoric, especially when they deal with civic matters [*des choses citeiennes*] or the concerns of the princes of this world and those of other people.'[33] Deliberative rhetoric fulfils a fundamental social and political role in dealing with such civic questions.

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[29] Rupert of Deutz, *De operibus Spiritus Sancti,* VII.12 (= *De sancta Trinitate* XL.12), vol. 4, p. 2056; trans. *MG&R,* p. 399. Of the three types of rhetorical argument, Rupert seems most interested in judicial. His discussion of rhetoric in *De sancta trinitate* is largely drawn from the *RaH*, rather than *De inventione*, reflecting the former's increasingly popularity from the eleventh century onwards: *MG&R*, pp. 391–2.
[30] *De inventione*, I.v.7.
[31] e.g. *RaH*, I.ii.2; Boethius, *De differentiis topicis,* IV (PL 64:1207B).
[32] Thierry of Chartres, *Commentarius super libros de inventione,* ad 1.5.6, in *Latin Rhetorical Commentaries*, ed. Karin Margareta Fredborg (Toronto, 1988), p. 73.
[33] *Tresor,* III.4.4, p. 297; *Treasure*, p. 284. On Brunetto's consideration of rhetoric, see Ward, *Classical Rhetoric in the Middle Ages,* pp. 310–13.

Topics of Argument

Discussions of deliberative rhetoric created associated topics and terms with which to construct a persuasive argument, shaping the appropriate matter for deliberative discourse.[34] To be effective, counsel must persuade its recipient that it is either virtuous or useful or, ideally, both. However, there are some striking notes of divergence between *De inventione* and *Ad Herennium* regarding the relative importance over moral worthiness as compared to expediency, *honestas* versus *utilitas*. According to *De inventione*, a deliberative speech should seek out both principal categories of things – those things which are *honesta*, sought for their own intrinsic merit, and those things which are *utilia,* sought for some profit or advantage – while avoiding their opposites, i.e. what is unworthy and inexpedient. These are the same categories which Cicero would later associate with moral deliberation in *De officiis*.[35] Here*, honestas* refers to anything sought wholly or partly for its own sake (*propter se*), and is equated with virtue, divided into the four classical virtues of prudence, justice, temperance, and fortitude.[36] Arguments for *utilitas*, on the other hand, involve the maintenance of security (*incolumitas*) or the possession of power and resources (*potentia*), while also taking into consideration what is possible (*posse*) and what may easily be done (*facile*), i.e. in the shortest possible time without great exertion, expense or trouble.[37] A third category of things, such as friendship and a good reputation, are considered sufficiently complex to belong to both categories.[38]

This suasive combination of *honestas* and *utilitas* came to be seen as a defining characteristic of deliberative rhetoric. Cassiodorus' sixth-century *Expositio Psalmorum,* in marrying classical rhetoric to theological exegesis, used the three rhetorical genres to describe the argumentation found throughout the psalms. Commenting on Psalm 2, at the verse where

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[34] Boethius, following Cicero, defines a topic as a *sedes argumenti,* a place from which fitting arguments may be drawn regarding a proposed question: *De differentiis topicis,* I, (PL 64:1174C); Cicero, *Topica*, II.8.
[35] Cicero, *De inventione*, II.lii.157–8 ; idem, *De officiis,* I.iii.9–10. On moral deliberation, see above, Chapter 3, pp. 112–115.
[36] *De inventione*, II.liii.159–liv.65.
[37] ibid., II.lvi.169.
[38] ibid., II.lii.158.

the psalmist urges obedience to the Creator (verse 10, 'And now, O kings, understand: receive instruction, you that judge the earth'), Cassiodorus writes,

> Here the deliberative type of utterance begins, expressed most beautifully; for when the hearts of mortals are paralyzed by the unfolding of the mystery, this most salutary and necessary adviser [*suasor*] appears, in order that we may serve the true Lord with fear and trembling, and demonstrating it from what is *utile* and what is *honestum*, which is very effective in deliberative speeches. The *utile* appears in: '*Lest at any time the Lord be angry, and you perish from the just way*'; the *honestum* in: '*Blessed are all they that trust in him*'.[39]

The identification of the psalm with deliberative rhetoric is based upon both its aim of persuasion and on its topics of argument. The psalm persuades its audience to obey God by appealing to both *utilitas* (avoiding the wrath of God and its consequences) and *honestas* (the rightness and blessing of trusting God). Exposure to this deliberative pairing of *honestas* and *utilitas* was also transmitted from Cicero's discussion of deliberation in *De officiis* through such influential works as Ambrose's *De officiis* and the *Moralium dogma philosophorum*.[40]

Cicero's *De inventione* also placed two further topics alongside *honestas* and *utilitas*: 'necessity' (*necessitudo*) and 'aspect' (*affectio*). Necessity refers to something which no force can resist and which can neither be altered nor alleviated, as opposed to things which are merely difficult. The necessity referred to within an argument may be absolute, or it may be implicitly qualified – for example, an argument that it is necessary for a city to surrender has the implied qualification 'unless they prefer to die of starvation'.[41] This distinction is important because the question of necessity is likely to come up in deliberation, and any such qualifications will need to be examined:

[39] Cassiodorus, *Expositio psalmorum,* psalm 2.11, ed. M. Adriaen (Turnhout, 1958), p. 47; trans. P. G. Walsh, *Explanation of the Psalms* (New York, 1990), p. 65.
[40] See above, pp. 113–115; cf. Kempshall, *Rhetoric and the Writing of History,* pp. 229–62.
[41] *De inventione*, II.lvii.171.

> For when the necessity is simple there is no reason for saying a great deal since it is utterly impossible to modify it. When, however, we use the word 'necessary' meaning thereby that an act is necessary if we wish to avoid or gain something, then we must consider to what extent that qualification is *utile* or *honestum*.[42]

Matters of necessity should therefore be explained with reference to *honestas*, security, or convenience/appropriateness (*commoditas*), in order of declining importance. *Commoditas* operates as a deciding factor, since although it cannot take precedence against the other two, it is often essential to weigh considerations of *honestas* and security against each other. For although Cicero gives primacy to *honestas*, he does allow that consideration may be given to security in situations where *honestas*, though lost for the moment, may be recovered by diligence and courage in the future, since one will not be able to ultimately obtain *honestas* without security.[43]

'Aspect' (*affectio*) refers to a change in the aspect of things 'due to time, or the result of actions or their management, or to human interests and desires' which requires subject matter to be considered and deliberated upon in a new light.[44] Its inclusion as a topic allows for a consideration of context in deliberations, looking to what is demanded by the particular circumstances and the particular people involved. Argument and opinions may therefore reference both time and intention (*ex tempore et ex consilio*), rather than absolute qualities alone. These attributes of *affectio* would later be consolidated by Boethius into the rhetorical *circumstantiae,* detailing the circumstances of both the person and action under discussion.[45]

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[42] *De inventione* , II.lvii.171–72.

[43] ibid., II.lvii.173–74.

[44] ibid., II.lviii.176. See also I.xxv.36, where *affectio* as a temporary change in the mind or body (e.g. joy or illness) is contrasted with the more constant *habitus*.

[45] Boethius, *De differentiis topicis,* IV (PL 64:1205, 1212–16); Rita Copeland, '*Affectio* in the Tradition of *De inventione:* Philosophy and Pragmatism', in *Public Declamations*, ed. Georgiana Donavin and Denise Stodola (Turnhout, 2015), pp. 5–6. These rhetorical circumstances in turn influenced practices such as the questioning of the penitent in confession: D.W. Robertson, 'Note on the Classical Origin of "Circumstances" in the Medieval Confessional', *Studies in Philology* 43:1 (1946).

The topics of *honestas, utilitas, necessitas,* and *affectio* are presented by Cicero not only as a source from which to draw ideas for expressing one's opinion in deliberation, but also, according to *De inventione*, in refutation, in order to counter a strong argument from the opposing side with one equally strong or stronger, 'when we grant that something said on the other side is fair [*aequum*] but prove that the position we are defending is necessary [*necessarium*]; or when we acknowledge that the course of action which they defend is advantageous [*utile*], but prove that ours is morally worthy [*honestum*]'.[46] Cicero here continues to maintain a clear hierarchy of argument, at the head of which remains *honestas*. Despite pragmatic concessions, Cicero never presents material advantage as the proper, regular end of deliberative rhetoric; to do so would be out of keeping with his view of eloquent wisdom as the foundation of civil society. *Utilitas* can never be considered independently without reference to the ultimate moral worth of an action.

These rhetorical categories were fundamental in shaping medieval notions of what were considered essential parts of deliberation and counsel wherever a speaker had received an education in the schools. Fulbert of Chartres, for example, writes in the early eleventh century that

> he who swears fidelity to his lord ought always to have these six things in his memory: what is safe, secure, honourable, useful, easy, practicable [*incolume, tutum, honestum, utile, facile, possible*] … in the same six things mentioned above he should faithfully supply counsel and aid [*consilium et auxilium*] to his lord.[47]

These are the elements by which a faithful vassal can determine how to do good with respect to his liege lord and which can be used in offering counsel which is both sound and persuasive. Fulbert's presumption was subsequently incorporated into canon law in Gratian's *Decretum* and quoted by various later writers as defining both the *consilium* and

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[46] *De inventione*, I.li.96.

[47] Fulbert of Chartres, *Letters and Poems*, ed. Frederick Behrends (Oxford, 1976), letter 51 (before 9 Jun 1021), pp. 91–3; see also Shawn Ramsey, '*Consilium*: A System to Address Deliberative Uncertainty in the Rhetoric of the Middle Ages', pp. 205–6.

auxilium owed by a subordinate to his lord.[48] Pastoral letters also made use of these topics. Peter of Celle, for example, describes a letter he received (c. 1150) from Nicholas of Clairvaux as sweet in its love, *utile* in its subtle and succinct discussion of divine and human matters, and *honestum* in its salutary informing of morals.[49] The Cistercian Adam of Perseigne († 1221), writing religious counsels to a noble youth, concludes his letter by encouraging him to the devotion of Mary, saying, 'I advisedly persuade you to [this] one thing, which just as it is pleasant and easy, so it is also *honestum* and *utile*, and full of glory and honour'.[50] The same topics could emphasise the value of a historical work: Henry of Huntingdon refers in the prologue of his *Historia Anglorum* (c. 1154) to the histories of Homer which, according to Horace, discussed what was *honestum* and *utile* more clearly and pleasurably than did the works of philosophers.[51] By demonstrating what ought to be done with respect to *honestas* and *utilitas* through the recollection of former deeds, Henry signals the didactic efficacy of his own historical work. Although *honestum* and *utile* were frequently cited as a pairing, however, there remained an awareness that the compatibility of *honestas* and *utilitas* could be questioned, that what was morally worthy might not always be expedient, and vice versa: the Benedictine Eadmer of Canterbury († c. 1126) writes that he uses '*utile*' in the sense it is used by Ambrose in his *De officiis*, so that *'utile*' and '*honestum'* are the same, 'although it is defined otherwise in the secular schools'.[52] The *Moralium dogma philosophorum*'s discussion of the conflict between *honestas* and *utilitas* quotes from a speech from Lucan's *Pharsalia*, in which someone trying to persuade king Ptolemy tells him, 'As far as stars are from earth, or flame from sea, so far is what is *utile* from what is right [*rectum*]'.[53] Whereas Lucan's speaker maintains that a king who wishes

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[48] *Decretum,* C.22 q.5 c.18; John of Salisbury, *Policraticus,* VI.25, [Webb] vol. 2, p. 76; Vincent de Beauvais, *Speculum doctrinale,* VI.146, col. 660E, and X.68, col. 930D.

[49] Peter of Celle, *Letters,* no. 51 (1146 x 1152), vol. 1, p. 214.

[50] Adam of Perseigne, *Epistolae*, no. 10 (PL 211:613D).

[51] Henry of Huntingdon, *Historia Anglorum*, prol., ed. Diana Greenway (Oxford, 1996), p. 3; Horace, *Epistles,* I.2.

[52] Eadmer, *De quator virtutibus quae fuerunt in beata Maria,* IV (PL 159:582C).

[53] Lucan, *Pharsalia*, VIII.484–95. This passage is also cited by John of Salisbury in his discussion of tyrants, *Policraticus,* VIII.xvii.

to remain in power cannot also give consideration to virtue and justice, the *Moralium* rejects this advice to follow Cicero in concluding that ultimately what is *honestum* is *utile*, and vice versa.[54]

Complicating the relationship between *honestas* and *utilitas* was the pairing's treatment in the *Rhetorica ad Herennium.* While the pseudo-Ciceronian *Ad Herennium* shares many of the same topics under deliberative rhetoric as Cicero's genuine works, it diverges in its more utilitarian tones.[55] Instead of treating the two categories separately, *Ad Herennium* follows Aristotle in considering the ultimate aim of deliberative rhetoric to be *utilitas*, with *honestas* considered to be only one of its subsidiary elements:

> Every speech of those giving an opinion should properly set up *utilitas* as its end so that every argument (*ratio*) of the whole speech may be directed toward it. *Utilitas* in civic consultation has two aspects: what is safe (*tuta*) and what is *honesta*.[56]

'Safety', as glossed by Thierry of Chartres' commentary, is that which fortifies and defends us. According to *Ad Herennium,* it can involve topics of both 'might' (*vis*), determined by things such as armies and fleets, and 'craft' (*dolus*), exercised through things such as money, promises, dissimulation, and deception (*mentitio*). The latter category introduces a morally ambiguous note not found in *De inventione.* As Thierry elaborates, '*dolus* is sometimes construed as fraud, sometimes as *consilium*, sometimes as a scheme [*ingenium*], or even as caution.'[57] Aware of the term's potentially negative connotations, *Ad Herennium* advises against using the term *dolus* in speeches; it instead advises referring to the topic by the 'more honourable' name of *consilium* (perhaps equivalent in modern English to using the term 'plan' rather than 'scheme').[58] *Honestas*, further divided into what is right (*rectum*)

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[54] *MDP,* V, pp. 68–9. See Kempshall, *Rhetoric and the Writing of History*, pp. 339–40.
[55] Virginia Cox, 'Machiavelli and the *Rhetorica ad Herennium*: Deliberative Rhetoric in *The Prince*', *Sixteenth Century Journal* 28:4 (1997), p. 1116.
[56] *RaH*, III.ii.3. Quintilian holds that the wise may soundly consider *honestas* and *utilitas* the same, but amongst the inexperienced and uneducated, it is better to keep the two notions separate, according to common understanding: *Institutio oratoria*, III.8.
[57] Thierry of Chartres, *Commentarius super RaH*, ad 3.2.3, p. 276.
[58] *RaH*, III.4.8.

and what is praiseworthy (*laudabile*), also has more utilitarian tones in *Ad Herennium*: where Cicero defines patience, a subset of fortitude, as 'a willing and sustained endurance of difficult and arduous tasks for the sake of *honestas* and *utilitas*', *Ad Herennium* describes fortitude as 'the endurance of hardship for reason of one's own *utilitas*'.[59]

By dividing *utilitas* as it does, *Ad Herennium* depicts virtue and security as alternatives between which the orator is free to choose according to his own requirements, using whatever arguments are most likely to prove persuasive. The treatise takes an explicitly pragmatic view of the use of these topics in oration. Virtues are to be enlarged upon by the orator if he is recommending them and deprecated if he wishes them to be disregarded. The topics (*partes*) of Prudence, for example, are used when a speaker compares 'advantages' and 'disadvantages', refers to his technical knowledge (*disciplina*) of the ways and means by which something may be carried out, or makes a policy recommendation based on the example of witnessed or recounted deeds.[60] Knowledge and experience aid persuasion: Thierry's commentary here gives a practical contemporary example of a knight educated in the arts of war who, in giving counsel about attacking the enemy, can declare that he ought to be trusted in such matters on account of his knowledge, and will thereby be able to quickly persuade others to his proposed course of action.[61] The topics of Justice might similarly persuade towards actions depicted as lawful, dutiful, and just; the topics of Fortitude advocate actions which are noble and lofty, in contrast to the shameful and disgraceful; the topics of Temperance show how much is enough and advise against going too far.[62]

These virtues may also be subject to redescription: prudence may be presented as 'impertinent, babbling, and offensive erudition [*inepta et garrula et odiosa scientia*]'; similarly justice may be rebranded as cowardice, fortitude as foolhardiness, or temperance as indifference.[63] In other words, the ideal orator of *Ad Herennium* is concerned not with the

[59] Cicero, *De inventione*, II.liv.163; *RaH*, III.2.3.
[60] *RaH*, III.iii.4.
[61] Thierry of Chartres, *Commentarius super RaH*, ad 3.3.4, p. 278.
[62] *RaH*, III.iii.4–5.
[63] *RaH*, III.iii.6.

true nature of the situation but rather with the manner in which that situation may be presented to the audience in order to persuade it in the orator's chosen direction. Topics are chosen pragmatically to fit the argument: if the deliberation is based on a consideration of security on one hand and *honestas* on the other, the former should argue that no one can make use of virtue if plans have not been based upon safety, while the latter may argue that pain and death are preferable to the renunciation of virtue.[64] This morally ambiguous quality of *Ad Herennium* struck a rather different note to the rest of the Ciceronian tradition, requiring extra effort from medieval commentators to bring the treatise into alignment, often with interpolations from texts such as *De inventione*.[65]

Deliberative Model: Caesar v. Cato

Those who lacked the interest or opportunity to study Ciceronian rhetoric for themselves would likely still be exposed to its principles in other forms. An influential example was the demonstration of the possible, and even valid, opposition of *honestas* and *utilitas* which was presented to medieval audiences in a famous set piece of deliberative rhetoric from Sallust's *Bellum Catilinae*. The frequency with which this scene was excerpted from at least the ninth century onwards – by the thirteenth century making its way into vernacular collections such as *Li fet des romains* and Brunetto Latini's *Li livres dou tresor* – demonstrates continued knowledge of and interest in the exercise of Roman deliberative oratory.[66] Brunetto refers to it as 'an old example of great authority'.[67] The scene is a debate between Caesar and Cato the Younger after Catiline's conspiracy has been foiled, and it concerns Cicero's proposal to execute Catiline's fellow conspirators without trial in the event of their capture.[68] Sallust gives the two speeches at length, depicting both Caesar and Cato as

[64] *RaH*, III.iv.9.
[65] Cox, 'Machiavelli and the *Rhetorica ad Herennium*', pp. 1117–18.
[66] *Li fet des romains*, ed. Louis-Fernand Flutre and Cornelis Sneijders de Vogel (Paris, 1935); *Tresor*, III.34–38, pp. 316–24.
[67] *Tresor*, III.34.1, p. 317.
[68] Sallust, *Bellum Catilinae*, LIV.

men of great eloquence and notable virtue – Caesar in his generosity, gentility, and compassion, Cato in his steadfastness, austerity, and rectitude of life – who are nevertheless entirely opposed to one another in an argument. Much of the debate centres around considerations of *honestas* and *utilitas* and their conflicting understandings of the two. Though both topics are addressed in each speech, Caesar focuses on *honestas* in an address intended to calm his audience, while Cato focuses on *utilitas,* and security in particular, in an address designed to inflame.[69] The debate also carries medieval currency as a consideration of how to apply justice in a given circumstance, with Caesar favouring clemency and Cato severity.[70]

Caesar opens his argument with a plea for reason and impartiality in deliberation:

> All people … who take counsel on matters of uncertainty [*de rebus dubiis consultant*] ought to be free from hatred, friendship, anger, and pity. For when these impede, the mind cannot easily see what is true, nor has anyone ever simultaneously been obedient to desire [*lubido*] and to practical considerations [*usus*].[71]

Caesar argues against capital punishment, not because he does not believe that it is merited, but because it is against law and custom to execute Roman citizens (an appeal to justice) and may set a dangerous precedent for the future. The effectiveness of the content of Caesar's speech is further increased by his eloquence and rhetoric. Brunetto Latini, considering the speech according to the rules of rhetorical style, explains how Caesar spoke with elegance and concealment in order to secure the benevolence of his audience; 'he pretended to praise the judgement of others, but in reality he greatly criticised them, and in this way he strengthened his speech with many reasons which gave credibility to his

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[69] Daniel J. Kapust, *Republicanism, Rhetoric, and Roman Political Thought* (Cambridge, 2011), p. 65.
[70] Philippa Byrne, 'More than Roman Salt: Sallust, Caesar and Cato in Twelfth- and Early Thirteenth-Century Moral Thought', *Cerae* 5 (2019), pp. 17–22.
[71] Sallust, *Bellum Catilinae*, LI.1–3.

counsel [*donoient foi a son consoill*] and took it away from the judgement [*sentence*] of the others.'[72]

Cato, on the other hand, is more concerned with *affectio*, the situation of the moment, dwelling not on the issue of how to punish the conspirators, but rather how to take precautions against them.[73] He declares that

> the question before us is not whether our morals are good or bad nor how great or glorious the empire of the Roman people is, but whether all that we have, however we regard it, is to be ours, or with ourselves is to belong to the enemy … If, by heaven, there were any room for error I should be quite willing to let you learn wisdom by experience, since you scorn my words. But as it is, we are beset on every side.[74]

Given this peril, Cato advocates capital punishment for the conspirators; his priority in these immediate circumstances is not what is 'good or bad' (i.e. a matter of *honestas*), but what will maintain security (i.e. a matter of *utilitas*). Brunetto Latini's examination of Cato's speech therefore takes a somewhat ambiguous stance:

> Many say [that the way Cato spoke] is doubtful and somewhat obscure, for his material is sometimes honourable [*honeste*] and at other times dishonourable [*deshoneste*] … To speak against Caesar, who had so solidly based his judgement on such good reasons that one could scarcely oppose them, and when the listeners were somewhat inclined to believe what he said, did indeed seem to be a cruel and marvellous thing. For this reason he had to embellish his prologue in such a way as to capture the benevolence of the listeners and make them want to know what he wanted to say, in order to attract them away from Caesar's judgement.[75]

Brunetto describes how Cato effectively captured the benevolence of his audience through his use of rhetoric; however, he refrains from commenting on the conclusion of the debate and Cato's ultimate success over Caesar in persuading his audience to his proposed course of action, or from explicitly framing the debate as a triumph of eloquence over wisdom.

[72] *Tresor,* III.36.6, p. 320; *Treasure*, p. 308.
[73] Sallust, *Bellum Catilinae*, LII.3.
[74] ibid., LII.10,35.
[75] *Tresor,* III.38.1–2, p. 324; *Treasure*, p. 312.

Sallust himself did not explicitly side with Caesar or Cato either, but his narrative does pause after the debate in order to reflect on the impact of a few citizens of eminent merit on the accomplishments of the Roman people. He includes both Caesar and Cato amongst this illustrious number, men 'of towering merit, though of diverse character' ('*ingenti virtute, divorsis moribus*'), and expounds on their respective though differing merits.[76]

It is this diversity of character which highlights the value of deliberation: the political community is guided to a communal decision by the airing of conflicting views in a manner which still brings honour to both virtuous speakers. This political debate also exemplifies the resolution of ambiguous situations in which opposing courses of action could plausibly be argued to be the right and virtuous course to take. The centrality of the topics of *honestas* and *utilitas* to deliberative rhetoric highlights the tension inherent in such deliberation. Where the applications of different virtues and the pressures of expediency are in conflict, prudence, counsel, and deliberation become particularly necessary in order to determine which ought to take precedence given the particular circumstances with which an individual or a community was faced.[77]

Frankness of Speech (Parrhesia)

In addition to considerations of content and structure, effective persuasion required considerations of manner and occasion. Although Sallust's Caesar/Cato debate offered a model of successful deliberation, with both sides freely offering counsel, and both receiving respect for their arguments even though only one course could ultimately be chosen, not all counsel could be so well-received. By its very nature, counsel can be unpleasant to hear – counsel about future behaviour often includes criticism, whether explicitly stated or implied, regarding past behaviour. The concept of *parrhesia* (free, or frank, speech), though not extensively transmitted to medieval writers through rhetorical

[76] Sallust, *Bellum Catilinae*, LIII–LIV; repeated by Augustine, *De civitate Dei*, V.12, (Loeb ed.) p. 192.
[77] Byrne, 'Roman Salt', p. 16.

texts, survived in influential models of parrhesiastic speech. Churchmen and ascetics, in particular, were seen to have a responsibility to offer monitory exhortation (*admonitio*) to those in power.[78] Those they counselled were ideally humble and receptive to their counsels; in practice, however, employing frank speech could be a fraught activity, and the use of courteous and pleasing speech might be required to mitigate the harshness of criticisms and difficult counsels.

The classical Greek term *parrhesia* was adopted into Latin, occasionally as a loan word but more often translated as *libertas* or *licentia dicendi*. Roman historians such as Livy and Suetonius praised those who offered frank and honest counsel, while Cicero and Seneca connected free speech to the Stoic ideal of restraining the passions: the ideal orator possesses *constantia*, a stability of mind.[79] Translations of occurrences of *parrhesia* in the New Testament in the Vetus Latina and Vulgate were heavily dependent upon context: *parrhesia* was used to refer to openness in speech (i.e. speech not obscured by parables), but also to both speech and behaviour which was bold, confident, and courageous, notably in the public witness of the apostles, rendered with Latin words such as *constantia, fiducia,* and *audenter*.[80] *Parrhesia* was also transmitted through rhetorical texts, generally as the Latin term *licentia*.[81] According to the *Rhetorica ad Herennium*, 'it is *licentia* when, speaking before those to whom we ought to reverence or fear, we yet speak by our right [*pro iure nostro*], because we seem justified in reproaching them, or those whom they love, for some fault.'[82] Examples are then provided in which the orator casts the blame for a bad situation in no uncertain terms at the feet of his audience, and soundly reprimands a jury for the cowardice

[78] See further below, Chapter 5, pp. 262–264.
[79] Irene van Renswoude, *The Rhetoric of Free Speech in Late Antiquity and the Early Middle Ages* (Cambridge, 2019), pp. 6–10.
[80] e.g. Acts 4:13, 4:29–31, 2:29. Van Renswoude, *Rhetoric of Free Speech*, pp. 8–10.
[81] Isidore exceptionally preserves the Greek *parrhesia*, defining it as 'speech full of freedom and confidence [*oratio libertatis et fiduciae plena*]', a figure to be used with caution: *Etymologiae,* II.21.
[82] *RaH*, IV.xxxvi.

of their decision. *Ad Herennium* does recognise, however, that such unvarnished frankness can be problematic:

> If *licentia* of this sort seems too acrimonious, there will be many means of mitigation, for one may immediately add afterwards something of this sort: 'I here appeal to your virtue, I desire your wisdom, I bespeak your old habit', in order that praise may settle what *licentia* has disturbed, so that the one [i.e. praise] removes wrath and annoyance, while the other [i.e. *licentia*] deters from error. This manner of speaking, as also in friendship, if taken at the right place, is especially effective in keeping those who hear from fault and in making those of us who speak appear friends of both them and the truth.[83]

Such a mitigated and softened approach may prove more effective than bald candour. *Ad Herennium*'s remarks here on friendship (Thierry glosses it, 'that is, amongst friends [*inter amicos*]') highlight the relational component often involved in permitting licence for free speech.[84]

The treatise goes on to explain, however, that *licentia* can also be employed with a more ulterior motive, in order to achieve a greater rhetorical effect:

> There is also a certain kind of *licentia* which is achieved by a craftier method [*astutiori ratione*], when we remonstrate with the hearers as they wish us to remonstrate with them, or when we say 'we fear how the audience may take' something which we know they all will hear with acceptance, 'yet the truth moves us to say it none the less'.[85]

In other words, the appearance of frank speech is employed to the point of almost praising the audience under the guise of criticism (for example, criticising the audience for being too trusting of the good in others), in order to win over the audience and persuade them more effectively. Quintilian accordingly includes the concept of *licentia/parrhesia* under his discussion of figures of speech (*figurae orationis*) and explicitly states that his discussion does not consider such figures of speech when they are sincere (*vera*), but rather when they are 'simulated and composed by art', for 'what is less figured than true freedom?'[86] In its more

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[83] *RaH*, IV.xxxvii.
[84] Thierry of Chartres, *Commentarius super RaH*, ad 4.37.49, p. 348.
[85] *RaH*, IV.xxxvii.
[86] Quintilian, *Institutio oratoria*, IX.2.27–9.

artful form, however, *licentia* often conceals flattery (*adulatio*). Thierry of Chartres' commentary on *Ad Herennium* glosses the passage referring to *licentia* which is 'achieved by craftier method' as 'another type of *licentia*, which is a simulation of criticism, which ought rather to be called flattery [*adulatio*]', in which speakers criticise people in the manner in which they believe they actually wish to be criticised.[87]

As with deliberative rhetoric, the principles of *libertas* or *licentia dicendi* were often more widely disseminated through *exempla* rather than rhetorical treatises, allowing for more practical considerations of the rights, benefits, and risks of speaking freely. The influential exemplary collection of Valerius Maximus, *Dicta et facta memorabilia* (c. 30 AD) contained an entire section on things freely spoken or done ('*libere dicta aut facta*'), offering various examples of such *libertas* being employed, particularly in civic contexts such as the senate. Valerius himself assigns this freedom a neutral worth: located between virtue and vice, he believes it generally recommends itself more to vulgar ears than to wise minds. It deserves praise only if it has been suitably tempered but blame if it has been proffered inappropriately.

Some of Valerius' *exempla* were given still wider popularity upon being incorporated by John of Salisbury into his discussion of *libertas* in the *Policraticus* (c. 1159). This treatise is unusual in the weight it gives to *libertas* – John's view of such freedom is wholeheartedly positive, considering it to hold nearly the foremost place amongst the virtues – and his chapter on freedom contains a large section on free speech (*libere dicta*), predominantly comprised of such examples drawn from Valerius of men and women speaking freely to those in power.[88] A free person, John declares, is always permitted to speak to others about restraining their vices. Several of his examples are unlikely challengers to power (an unnamed woman of Syracuse, for example, speaking to the tyrant Dionysius) who yet

[87] Thierry of Chartres, *Commentarius super RaH,* ad 4.37.49, p. 348.
[88] Also draws on Macrobius, *Saturnalia*, VII.

speak with such witty audacity (*faceta audacia*) that those in power are ashamed to punish them.[89] John praises the Romans for being more patient with censure than other peoples, to the extent that they considered those who attempted to evade it ignorant of good sense (*sobrietatis ignarus*): 'for, even if it conveys obvious or secret insult, patience with censure is among wise men far more glorious than its punishment.' A distinction is drawn between this type of *licentia dicendi* and taunts or abuses, but John concludes that it is always permitted to 'censure [*arguere*] that which would justly be corrected'. He concludes his chapter with a reference to the 'December liberty' of Saturnalia by which every person had the legal right to express the truth in speech, even a slave to his lord, so long as they did indeed speak the truth. Indeed, John calls upon this liberty himself in order to 'faithfully censure what irritates you and me' without obtaining permission in matters which serve the public advantage.[90] His belief in the necessity of such truth-telling is only further highlighted by his castigation of courtly flatterers (*adulatores*).[91]

Such candour, particularly directed towards those in power, carries inherent risks, however, as classical authorities were well aware: in an *exemplum* of Valerius Maximus not cited by the *Policraticus*, Theodorus of Cyrene, 'equal in valour, but dissimilar in fortune' to the more successful parrhesiasts cited, openly describes a king as having the power of a fly and is therefore sentenced to crucifixion.[92] The *Suasoriae* of Seneca the Elder, a collection based on the Roman declamatory exercises for training in deliberative rhetoric, also showed a realistic awareness of the potential pitfalls of deliberative oratory before a royal audience: 'One's opinion should be stated in one way in a free country, in another before kings, who need to be persuaded [*suadenda*] in such a way as to please them. And

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[89] Valerius Maximus, *Dicta et facta memorabilia*, VI.2 ext. 1, 2, pp. 26–8; John of Salisbury, *Policraticus,* VII.xxv, [Webb] vol. 2, pp. 222–3. This *exemplum* also appears in John of Wales, *Breviloquium de virtutibus*, IV.1, in *Summa Iohannis Valensis* (Venice, 1496), f. 254rb; idem, *Communiloquium,* I.iv.1; and Vincent de Beauvais, *Speculum doctrinale*, IV.136, col. 377B.
[90] *Policraticus,* VII.25, [Webb] vol. 2, pp. 224–5.
[91] See below, Chapter 5, pp. 259–265.
[92] Valerius Maximus, *Dicta et facta*, VI.2 ext. 3, p. 28.

even among kings distinctions are to be made. Some can tolerate the truth better than others.'[93] Before a man like Alexander the Great, known for his pride, one's opinion must be given in such a way that his feelings are soothed by flattery (*adulatio*), but with enough moderation as to give an impression rather of respect (*veneratio*).[94] In this classical model, speaking to power requires tact and skill in order to be effectively (and safely) persuasive. Alexander's reactions to counsel were similarly explored in an anecdote transmitted by Valerius Maximus: When Alexander seeks counsel on whether to accept the defeated Darius' peace offer, his companion Parmenion replies that he would if he were Alexander. Alexander responds, 'And indeed I would – if *I* were Parmenion!' Medieval interpretations of the episode vary. John of Salisbury interprets Alexander's taunt as tacit censure of his counsellor's timidity, while John of Wales sees it as a reminder that royalty requires a suitable level of magnificence in counsels (*esse in consiliis magnificentior*).[95] The latter interpretation is similarly employed in the *Sermones arboris* sermon on seeking counsel from brothers in a chapter: 'For greater things were fitting for Alexander, therefore, in counsel, one ought to see what is expedient for the person who seeks the counsel.'[96] Caution needs to be applied, therefore, not only in tempering the frankness of one's speech where necessary, but also in ensuring that it takes into account the station and circumstances of the one to whom it is being given.

A prominent biblical *exemplum* of rulers' reluctance to take counsel was that of Holofernes, the head of Nebuchadnezzar's conquering Assyrian army, from the book of Judith, a

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[93] Seneca the Elder, *Declamations* [*Suasoriae*], I.5. This text does not appear to have been in common use by the high middle ages; manuscripts from this period containing Seneca's *'Declamationes'* generally only include his *Controversiae*.

[94] Seneca the Elder, *Suasoriae*, I.8.

[95] John of Salisbury, *Policraticus*, VII.25; John of Wales, *Communiloquium*, I.vi.8.

[96] '*Cum de hoc consilium requireretur, respondit unus consiliarius Parmenius nomine quod si ipse esset Alexander uteretur hac condictione. Cui respondit Alexander, Et ego quidem ea uterer si essem Parmenius, ac si diceret, non pensasti condictionem meam et nobilitatem meam sed tuam. Maiora enim Alexandrum decebant. In consiliis igitur videndum est quid persone expediat consilium petenti.' Sermones arboris*, no. 38 (*Causam tuam tracta*), Vatican, Arch.Cap.S.Pietro.G.48, f. 16va (see above, Chapter 3, p. 158n239).

common subject of sermons for the feast of St. Andrew. Eudes de Châteauroux's sermon, for example, begins by relating how Holofernes, inflamed with anger upon hearing of the Israelites' plans to resist him, called together his princes and leaders to seek information about this people.[97] In response, the Ammonite leader Achior counselled Holofernes to investigate the current state of affairs between the children of Israel and their God – based on their history, if they were guiltless, the Israelites would be divinely defended, and the Assyrians would not be able to withstand them. Instead of thanking Achior for his advantageous counsel (*utile consilium*), however, Holofernes was enraged at the implication that his army could be so easily defeated by a foreign God and commanded that Achior be dragged to the side of the very mountain upon which the Israelites were encamped and left there, bound to a tree. Eudes de Châteauroux's subsequent explication of this passage employs several levels of interpretation, but his initial, literal interpretation focuses on its demonstration of 'human perversity'. Achior spoke the truth and gave good, advantageous, and spiritually sound counsel, and yet Holofernes was enraged, something which Eudes considers an all-too-common human tendency: 'in this is apparent our perversity, we who only wish to hear what is pleasing to us'.[98] He quotes the Roman proverb, 'Courtesy begets friendship – the truth, hatred',[99] and lists various ways in which humans tend to abuse counsel:

> We seek counsel and we do not agree with it and wish to do what we have planned, regardless of the counsel given to us. Peter said, 'Lord, should we strike with the sword?' and not waiting for counsel and a response, he struck [Luke 22:49]. Some seek counsel after the fact. Others seek assent and approbation … Others seek

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[97] Eudes de Châteauroux, *Sermones de sanctis,* sermo 1 (theme: *Ligaverunt Achior,* Judith 6:9) , BnF lat. 15947, f. 1r-5r (*RLS* 4,435 no. 515). See also the anonymous sermon on the same theme in BnF, Nouv. acq. lat. 270, f. 89r; Schneyer, *Wegweiser zu lateinischen Predigtreihen* (Munich, 1965), p. 359.

[98] '*Iste Achior verum dixerat et bonum consilium dederat ut apparet ex premissis, tamen ex hoc indignatus fuit contra eum Holofernes, et in hoc apparet perversitas nostra, qui nolimus audire nisi quod nobis placet, iuxta illud Prov. xviii°* [v.2], *Non recipit stultus verba prudencie nisi ea | dixeris que versantur in corde suo*.' BnF lat. 15947, f. 1va–b.

[99] '*Veritatem respuimus et odimus, iuxta illud Ennii, Comitas amiciciam, veritas parit odium*.' BnF lat. 15947, f. 1vb. Eudes incorrectly attributes the proverb to the Roman poet Ennius; Cicero, *De amicitia,* xxiv.89, correctly attributes it to Terence, *Andria*, i.41: '*Obsequium amicos, veritas odium parit.*'

> counsel so that they can say that it was done thus out of counsel. Yet it says in Ecclesiasticus 37, 'Before every action, stable counsel.'[100]

While Eudes counsels those taking counsel to guard against being swept away by angry reactions to the truth, his commentary demonstrates an awareness of the potentially fraught position of the would-be counsellor.

In medieval contexts, sanctity could offer some licence for frank speech, but successful admonition as seen in hagiographical works was still often best tempered with courtesy and wit.[101] Adam of Eynsham's picture of Hugh of Lincoln († 1200), for example, was of a man well known for the devastating frankness of his speech ('*sincerissima libertas*').[102] He was said to be highly esteemed by Henry II for his holiness, and in return Hugh told the king and his companions what was right,

> in season and out of season, in every case and business, at all times and in all places, reproving, exhorting and rebuking [the king] with all long-suffering and pleasant teaching,[103] and, acting on the excellent advice of St Benedict, he alternated according to the times between sternness and persuasion [*blandimenta*].[104] By a combination of earnestness and circumspection, and of firmness and courtesy [*efficaciter et modeste*], now by a witty exposition of certain matters, now by inspiring stories of illustrious men, he so won the king's heart, that he could generally make him do whatever he wished.[105]

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[100] '*Consilium petimus et non acquiescimus et volumus facere quod habemus in proposito qualecumque consilium nobis detur. Petrus dixit, Domine, si percutimus in gladio, et non expectato consilio et responso, percussit. Quidam petunt consilium post factum. Alii assensum petunt vel approbationem … Alii petunt consilium ad hoc ut possint dicere, quod de consilio talium factum est, cum tamen dicat Ecclus. xxxvii°* [v. 20], *Ante omnem actum, consilium stabile*.' BnF lat. 15947, f.1vb.

[101] On the admonition of kings in twelfth-century English episcopal *vitae*, see Ryan Kemp, 'Images of Kingship in Bishops' Biographies and Deeds in Twelfth-Century England and Germany', PhD thesis (Aberystwyth University, 2018), pp. 168–93. On classical influences on medieval ideals of courtly speech, see Stephen Jaeger, *The Origins of Courtliness: Civilizing Trends and the Formation of Courtly Ideals, 939–1210* (Philadelphia, 1985), esp. pp. 36–40, 115–19, 161–8.

[102] Adam of Eynsham, *Magna vita sancti Hugonis*, ed. and trans. Decima L. Douie and David Hugh Farmer (London, 1961), III.xi, p. 122. See also Ryan Kemp, 'Hugh of Lincoln and Adam of Eynsham: Angevin Kingship Reconsidered', *The Haskins Society Journal* 30 (2018), pp. 144–50.

[103] cf. II Tim. 4:2

[104] *RSB*, cap. 2.

[105] *Magna vita*, II.vii, p. 69.

Although known for his candour, Hugh's mode of persuasion could also be more subtle and sensitive to audience and occasion. His counsels are often described as being given *eleganter* or with courteous reproach (*urbana invectio*).[106] His effective manner of discourse joins with his reputation of sanctity to lend his counsels persuasive force.

This mixture of candour and wit similarly appears in an episode in the *Chronica majora* from Henry III's reign, recorded first by Roger Wendover and then augmented by Matthew Paris. In June 1233, Henry had summoned the earls and barons of England, but they refused to appear; enraged, he tried to compel their presence judicially.

> In this conference [*colloquium*], a certain brother Robert Bacon of the Order of Preachers, who preached the word of God before the king and those bishops present, told the king openly in a free voice [*libera voce patenter regi dixit*] that he would never enjoy lasting peace unless he removed Peter bishop of Winchester and his kinsman Peter de Rivaux from his counsels [*a consiliis suis removeret*].[107]
>
> When the others who were present testified to this, the king, somewhat recollecting himself, inclined his heart to reason. And when he saw him thus softened [*mitigatum*], a certain cleric of the court, pleasant in speech [*iocundus in sermone*], namely Roger Bacon,[108] said, pleasantly and charmingly, nevertheless cynically rebuking [*iocunde ac lepide, cynice tamen reprehendens*], 'My lord king, what is most harmful to those navigating across the sea?'
>
> The king said, 'This is known by those who carry out their work in the great waters.'[109]
>
> And the cleric said, 'Lord, I say it is the rocks and crags [*petrae et rupes*]', as if to say, 'Peter des Roches [*Petrus de Rupibus*]', for such was the name and surname of the bishop of Winchester.[110]

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[106] *Magna vita,* III.12, p. 122; III.10, p. 117.
[107] Text from this point forward is an insertion by Matthew Paris.
[108] Whether the shared name between Robert Bacon and Roger Bacon is a coincidence or an error is unclear.
[109] cf. Ps. 106:22.
[110] *CMj,* III, pp. 244–5.

As Matthew Paris presents it, the sterner admonition which accompanies the friar's sermon, assisted by the agreement of those present, renders the king more receptive to reason, thus leaving him potentially more open to the witty riposte of the courtly cleric.[111]

Although it is bishops and other clerics whom Matthew Paris most frequently depicts admonishing Henry, on occasion these frank rebukes come from more unlikely challengers to royal power. In 1252, for example, while Henry III was staying in London, Isabelle, countess of Arundel (then a widow in her early twenties), came to his private room to plead for the restoration of her claim to part of a wardship that the king had claimed for himself. According to Matthew's account, Henry responds to her with harsh reproaches, re-establishing his earlier claim. Isabelle, however, 'although a woman,' replies 'with unwomanly fearlessness', castigating Henry for his failure to meet his responsibilities as king, particularly with regard to justice. She tells him baldly, 'You do not govern either yourself or us well', and – ignoring Henry's derisive attempts to belittle her – cites his long history of faithlessness in promising to observe rights and liberties and then transgressing them and extorting money from his subjects. In making her appeal, Isabelle, together with all his faithful subjects, calls upon the higher authority of God, the ultimate judge, speaking out against those counsellors who bewitch and infatuate the king (*'te fascinantes et infatuantes'*), turning him from the path of truth in their eagerness for their own profit. By the end of her speech, the countess's admonition has put Henry 'to shame and silence' – rather like the challenged tyrants of Valerius Maximus, shamed by the wit and bravery of their challengers.[112] Henry knows that the young countess has spoken the truth and has been quite civilly rebuked (*satis civiliter redargutus*). His silence, however, is

[111] Henry's reaction to the jest is unrecorded, but it does not appear to have had any immediate effect upon his actions. For historical context, see David Carpenter, *Henry III: The Rise to Power and Personal Rule 1207–1258* (New Haven, 2020), pp. 135–6.
[112] See above, p. 183.

not a sign of repentance: after the countess leaves, 'he continued incorrigible, and would not acquiesce to these or other salutary words'.[113]

Matthew Paris was well known to both king and countess, and his account of this encounter is broadly borne out by the historical record. A royal letter of April 1254 shows Henry pardoning the countess an amercement of 30 marks incurred during this conflict over the wardship, on the explicit condition that 'she says nothing opprobrious to us [*nobis nulla dicat opprobria*] as she did when we were lately at Westminster'.[114] Clearly it was a memorable incident for him. Matthew's account emphasizes several times the seeming incongruity between Isabelle's identity as a young woman and her actions in admonishing the king and offering him 'salutary words'. Although Isabelle speaks the truth plainly and boldly, her speech is presented as neither impassioned nor unseemly, instead demonstrating a fearlessness and maturity which transcend the expectations of her age and sex.[115] In essence, Matthew uses Isabelle to show Henry up: a young woman demonstrates eloquence and civility, calling upon ideals of justice and divine authority, while her middle-aged king shows himself to be volatile, irascible, and easily led astray.[116]

Clearly not all admonitions met a receptive mark, and the dangers of untempered *licentia* were often learned through practical experience. Around 1250, the Franciscan Adam Marsh's own experiences with Henry III prompted a letter to Simon de Montfort advocating the importance of restraint in speech:

> Although it belongs to magnanimity to openly proffer the speech conceived in the heart with freer boldness [*liberiori audentia*], without distinction of persons, it is

[113] *CMj*, V, pp. 336–7. By his own report, Matthew similarly 'fearlessly reproached [*impeterritus redarguet*]' Henry with no better result: the king having promised to reconsider the matter of a charter injurious to St. Alban's, his recollection then apparently 'passed away with the sound of his voice', leaving Matthew without redress: *CMj* (1250), V, pp. 129–30.
[114] Susanna Annesley, 'Isabella countess of Arundel's confrontation with King Henry III', §§10–11 (Fine of the Month: August 2009), https://finerollshenry3.org.uk/content/month/fm-08–2009.html.
[115] On female counsel, see Chapter 3, pp. 147–154, and Chapter 5, pp. 252–257; also, Rebecca Reader, 'Matthew Paris and Women', in *Thirteenth Century England VII* (Woodbridge, 1997).
[116] Annesley, 'Isabella', §6.

> always advantageous [*opportunum*] for the magnanimous man to moderate the motion of his tongue within the dwelling of his heart. Otherwise, his unrestrained [*laxata*] speech, immoderately spoken as he pleases, might provoke offence, and so impede the great works of his magnanimous virtue.[117]

Adam seems to indicate that he himself has caused offence in this manner, for he admits that he has 'incurred the king's displeasure, I think on account of [preaching] the word of life', and has been denied access to both Henry III and queen Eleanor.[118] Negotiating the duties of churchmen or counsellor without overstepping the line or giving offense could obviously be fraught, although moderating one's tongue and employing courtesy and wit could certainly help to mitigate the harshness of difficult counsels and criticisms.

Forms of Persuasive Discourse: Preaching and Disputation

While the terminology and categories of classical authorities certainly informed medieval treatments of deliberative and suasive speech, arguably the greater influence on broader society came from the forms of public discourse developed within the schools themselves. Training in Holy Scripture, as Peter the Chanter famously noted, consisted of three exercises: lecturing (*lectio*), disputation (*disputatio*), and preaching (*predicatio*).[119] Both public preaching, informed by rhetoric, and scholastic disputation, informed by dialectic, had important implications for suasive speech, not least in the influence they exerted over more private and informal modes of discourse. The lines between public and private speech were not firmly drawn. While Cicero made a distinction between the oratory of *contentio* and the more conversational discourse of *sermo,* the same rhetorical precepts applied to both.[120] Those accustomed to public forms of preaching and disputation were accordingly primed to apply its lessons to more private deliberative and suasive speech.

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[117] Adam Marsh, *Letters*, no. 141, vol. 2, p. 348. Lawrence dates the letter to 1250, while R.M. Haas suggests a later date of October 1252, 'Adam Marsh (de Marisco), a Thirteenth-Century English Franciscan', PhD diss. (Rutgers University, 1989), p. 386n95.
[118] *Letters*, no. 141, vol. 2, p. 348.
[119] Peter the Chanter, *Verbum adbreviatum*, I.1, p. 14; repeated by Thomas of Chobham, *Summa de arte praedicandi*, prol., ed. Franco Morenzoni (Turnhout, 1988), p. 4.
[120] Cicero, *De officiis,* I.xxxvii.132; see also, II.xiv. Similarly, the *Glossa,* ad I Cor. 2:4, noted that *sermo* is what happens in private (*in privatim*), while *predicatio* happens in public (*in communi*); thirteenth-century writers, however, continued to use *sermo* as a term for both private conversation and a public sermon.

Preaching and the Ars praedicandi

The rhetorical principles of persuasive speech – eloquence serving truth and wise counsel – saw a distinctive application from the twelfth century as preaching became a widespread form of public address, developing its own rhetorical guidelines while still reflecting the influence of elements of classical rhetoric. Preaching was inherently persuasive; its success was determined by how effectively it could induce its audience toward the desired response, turning away from evil to do good. The role of a preacher was therefore explicitly equated with that of a counsellor.[121] Preaching shared characteristics with more intimate interpersonal counsel, but it differed in being necessarily open, public, and directed to many people, rather than to a single individual, and was therefore more consciously oratorical.[122]

From its earliest beginnings the Church had employed sermons as a means of teaching, admonishing, exhorting, and encouraging its people. However, although regular preaching to the laity is visible from the early Middle Ages, there was little interest in defining the practice through rhetorical theory before the twelfth century, when the emergence of major heresies and a related increase in attention to the need for moral instruction encouraged the use of public, catechetical preaching.[123] The beginnings of the mendicant orders in the early thirteenth century soon created a pool of men specifically trained to preach to every level of society, making use of the now proliferating preaching aids. Paris

[121] See above, pp. 47–49.
[122] Alan of Lille, *Summa de arte praedicatoria,* I (PL 210:112).
[123] On the history and practice of medieval preaching, see A. Lecoy de La Marche, *La chaire française au moyen âge, spécialement au XIIIe siècle* (Paris, 1886); Jean Longère, *La prédication médiévale* (Paris, 1983); David L. D'Avray, *The Preaching of the Friars* (Oxford, 1985); Nicole Bériou, *L'avénement des maîtres de la Parole* (Paris, 1998); Beverly Mayne Kienzle (ed.), *The Sermon* (Turnhout, 2000); Carolyn Muessig (ed.), *Preacher, Sermon and Audience in the Middle Ages* (Leiden, 2002).

in particular became a prominent centre for the creation of sermons and preaching aids, favouring a style which was 'brief, pointed, and presented with a flourish'.[124]

The fourth book of Augustine's *De doctrina christiana* had sanctioned and even encouraged the use of classical rhetoric in order to defend truth and keep eloquence attached to wisdom. While the genre of preacher's manuals (*artes praedicandi*) which emerged around the end of the twelfth century set out a new structure and elements for the thematic sermon accompanied by *distinctiones* and *exempla,* the early examples in particular explicitly cited rhetorical theory and definitions from the classical rhetoric familiar to Augustine.[125] Thomas of Chobham's *Summa de arte praedicandi* (c. 1220), for example, explicitly states that oratorical training is essential to the office of the preacher, referring to its goal of persuasion towards *honestas* and *utilitas*:

> Rhetoric is the art of speaking in an orderly fashion with the aim of persuading.[126] Similarly, the entire intention of the preacher ought to be to persuade people to what is *honesta* and *utilia* for them, and to dissuade them from what is *inhonesta* and harmful [*dampnosa*]. And thus the end that the preacher and orator have in view is more or less the same.[127]

A rhetorical education is therefore of practical use to the preacher in the performance of his duties. Thomas would have received such an education himself studying in Paris, where

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[124] Mark Zier, 'Sermons of the twelfth century schoolmasters and canons', in *The Sermon*, ed. Kienzle, p. 340.
[125] On *artes praedicandi,* see Harry Caplan, 'Classical Rhetoric and the Mediaeval Theory of Preaching', *Classical Philology* 28:2 (1933); Marianne G. Briscoe, *Artes praedicandi* (Turnhout, 1992); Margaret Jennings, '*Non ex virgine*: The Rise of the Thematic Sermon Manual', *Collegium Medievale* 5 (1992); Phyllis Barzillay Roberts, 'The *Ars Praedicandi* and the Medieval Sermon', in *Preacher, Sermon and Audience in the Middle Ages*, ed. Carolyn Muessig (Leiden, 2002); Siegfried Wenzel, *Medieval 'Artes Praedicandi': A Synthesis of Scholastic Sermon Structure* (Toronto, 2015).
[126] Cicero, *De inventione*, I.v.6.
[127] Thomas of Chobham, *De arte praedicandi*, VII, p. 262; trans. *MG&R*, p. 625. See also Murphy, *Rhetoric in the Middle Ages,* pp. 317–26.

he was also heavily influenced by the theology masters Peter the Chanter and Peter of Poitiers.[128]

The *artes praedicandi*'s instructions in preaching method largely focused upon increasing a sermon's persuasive efficacy, particularly by securing the goodwill (*benevolentia*) of the audience. As Augustine notes, the more that wholesome things are sought for their sweetness, the more easily may they do their work.[129] Following rhetorical principles, Thomas of Chobham admits that the process of capturing an audience's goodwill and attention may be difficult, particularly when attempting to persuade them away from things that please them and towards things that displease them. He nonetheless encourages the preacher to persist, since there is otherwise small benefit to any sermon given that an inattentive audience is unlikely to retain what it hears.[130] The *artes praedicandi* accordingly proposed various methods for securing goodwill, including the demonstration of the *utilitas* as well as the *honestas* of the subject matter in order to establish its worth.[131]

Some preaching manuals advocated the use of a protheme (*prothema*), which involved the brief exposition of a theme to prepare the audience's hearts before moving on to the sermon's principal subject. Not infrequently, such prothemes did so by emphasising the benefits of listening to godly counsel. Stephen Langton († 1228), for example, begins one of his sermons with a protheme from Proverbs: 'Listen to counsel and receive discipline, so that you may be wise in your latter days'.[132] The word of the Lord, Stephen expounds, gives counsel for doing good and discipline for turning away from evil; memorably retain it, and it will supply wisdom. Calamitous counsel (*consilium infelix*), however, will make a

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[128] Baldwin, *Masters*, pp. 34–6, 107–116; Franco Morenzoni, *Des écoles aux paroisses: Thomas de Chobham et la promotion de la prédiction au début du XIIIe siècle* (Paris, 1995), pp. 13–21; *MG&R*, p. 614.
[129] Augustine, *De doctrina christiana*, IV.v.8.
[130] *De arte praedicandi*, VII.1, p. 264.
[131] Alan of Lille, *De arte praedicatoria*, I, cols. 113–4.
[132] Prov.19:20. Troyes BM, MS 1100 (s. XIII), ff. 249v–50r (*RLS* 5,496, no. 383).

person live badly and render him a fool.[133] A protheme from another Clairvaux manuscript emphasises the good counsel which is found in Christ: 'it is said that the counsel of a wise person ought to be willingly heard, especially when he is merciful to the extent that he most willingly counsels the ill-advised, and wise to the extent that his counsel is able to profit the listener' – therefore we should most willingly listen to Christ, who is both.[134] As was often the case, this protheme ends with an invocation to prayer: 'let us ask the Lord to give us grace, to me in speaking, to you all in hearing'.[135] Such requests helped to demonstrate the humility of the speaker, so that he should not appear to be supported only by his own prudence.[136] By requesting divine aid, preachers could also position themselves as speaking with the authority which that aid provided.

The favour of both God and audience having been reasonably secured, the whole sermon should then, according to the *artes praedicandi*, be delivered in a manner likely to prove both memorable and persuasive. Thomas of Chobham tells preachers that appropriate embellishment is necessary for a sermon to avoid seeming base and shabby, although the style may vary according to the audience and the loftiness of the subject at hand.[137] Preaching manuals sought a balance, warning against seeking praise with verbal ostentation but advocating brevity and the use of *exempla* (in moderation) to retain the audience's interest and aid retention.[138] The effectiveness of the argument could also be increased by their careful ordering and arrangement (*dispositio*): Thomas likens the process to

[133] '*Consilium illud infelix est quod facit hominem male vivere, quod eum infatuat in fine. Verbum Domini consilium est ad bonum faciendum, et disciplina sive castigatio ad malum declinandum. Utile est illud audire et memoriter retinere, quia per ipsum pr[est]atur sapiencia in fine.'* ibid., f. 249v. The same protheme begins an anonymous sermon, Troyes BM, MS 1368 (s. XIV), f. 32va (*RLS* 9,652, no. 27).

[134] '... *dicitur consilium sapientis libenter debet audiri maxime quando est tam misericors quod consulit inconsultum libentissime, quando tam sapiens est quod eius consilium potest audienti proficere. Et ideo verbum tanti domini, scilicet ill[ius] Christi* ...' Troyes BM, MS 1596 (s. XIV), f. 42r (*RLS* 6,611 no. 34).

[135] '*Et ideo in principio rogemus dominum ut det nobis gratiam, mihi proferendi, vobis audiendi*.' ibid.

[136] cf. William of Auvergne († 1249), *De arte praedicandi,* prol., in A. de Poorter, 'Un manuel de prédication médiévale. Le ms. 97 de Bruges', *Revue néo-scolastique de philosophie* 25:98 (1923), p. 197.

[137] Thomas of Chobham, *De arte praedicandi,* VII.2, p. 268; VII.2.4, p. 301.

[138] Alan of Lille, *De arte praedicatoria*, I (PL 210:112–14).

positioning one's soldiers, positioning strong arguments and authorities first to draw the audience in, weaker ones in the middle, and the very strongest at the end, where they are most memorable and compelling.[139] Such arrangement could also add variety. In his own discussion of rhetorical structure, Brunetto Latini advocates the use of arrangement to make old material seem new, catering to the audience's taste: 'This precept is very effective in giving sermons [*sermoner*] and in all things, for one must always take care to put at the end what pleases and stirs the heart of the audience most.'[140] The *artes praedicandi* also instructed preachers to end with an epilogue, recapitulating their reasoning and drawing a conclusion, so that the audience might fully understand and better remember what was said.[141]

A key method of increasing the efficacy and interest of one's sermon was to tailor it more specifically to its audience, with the preacher tempering his counsel to their particular capacity and needs.[142] Extant *ad status* sermon collections, which directed each sermon toward a particular class and condition of people, reflected the growing diversity of lay society in the thirteenth century, as well as a desire to address the specific circumstances and temptations faced by different audiences.[143] These model sermons provided preachers with material to counsel and exhort almost every figure of medieval society, both lay and religious, from Benedictine monks to students of law, from nobleman to servant girls, from crusaders to invalids.[144]

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[139] Thomas of Chobham, *De arte praedicandi,* VII.2.3, p. 268.
[140] *Tresor,* III.11a.5, p. 302; *Treasure*, p. 290.
[141] Thomas of Chobham, *De arte praedicandi,* VII.3, p. 303.
[142] See William of Auvergne, *De arte praedicandi,* prol., p. 197.
[143] See D'Avray and Tausche, 'Marriage Sermons in "Ad Status" Collections', pp. 72–5; Carolyn Muessig, 'Audience and Preacher: *Ad Status* Sermons and Social Classification', in *Preacher, Sermon and Audience in the Middle Ages*, ed. Carolyn Muessig (Leiden, 2002); Christine Boyer and Sophie Delmas, 'Modèles de prédication pour modèle de gouvernement? Le cas des sermons *ad status* au XIIIe siècle', in *Apprendre, produire, se conduire: le modèle au Moyen Âge* (Paris, 2015).
[144] The three major *sermones ad status* collections of the thirteenth century belong to Jacques de Vitry (75 sermons); Humbert de Romans [*Sermones I*] (100), and Guibert de Tournai (110, of which ~75 pertain specifically to *status*). Extracts of Jacques de Vitry's sermons are contained in *Analecta novissima spicilegii solesmensis*, ed. J. B. Pitra ([Paris],

The most directed form of preaching, however, occurred in a preacher's private conversations. Humbert de Romans puts forward much of the same advice for this form of discourse as he does for public preaching. For example, he encourages the use of *exempla* in conversation as well as public sermons, and for similar reasons: when chosen carefully, such *exempla* are not only more enjoyable to listen to, but are also more moving, easier to grasp, and leave a deeper impression upon the memory.[145] Since spiritual counsel could be delivered both in public sermons and in private conversations, speakers were encouraged to give due consideration to the ways in which context would impact the efficacy of their words. Humbert sees a particular role for more private discourse, reminding the aspiring preacher that a private conversation (*colloquutio specialis*) concerning what is good is often more fruitful than a public sermon (*sermo communis*), and for two reasons. Firstly, in conversation one can persuade (*suadere*) the person of what is most necessary to him or her, just as a doctor is able to tailor his prescription to a particular patient in a private consultation in a way he cannot do in a public lecture.[146] Secondly, the words of such conversation often pierce more deeply than those of a sermon, like an arrow aimed directly at one target rather than shot haphazardly at many. There is also therefore a greater likelihood for a direct response from the one being taught as a result of teaching given so personally. According to Humbert, such conversations can be a source of merit for the preacher, who uses his tongue for good not only in public sermons but also in individual exhortations (*in singularibus exhortationibus*).[147] Unlike model sermons, this category of counsel by its very nature does not survive in textual form, but its potential influence was no less substantial.

1888), vol. 2, pp. 344–461; sermons 1–36 edited in *Sermones vulgares vel ad status*, ed. Jean Longère (Turnhout, 2013). Guibert de Tournai's are printed in several early modern editions, e.g. *Sermones ad omnes status* (Lyon, 1511), although nearly a dozen sermons are missing from these compared to the manuscripts: cf. BnF lat. 15943 (s. XIII), ff. 120v–145r. See also the *Sermones arboris* collection, above, p. 115n57.

[145] Humbert de Romans, *De eruditione praedicatorum*, VII.xl, pp. 466–7; idem, *De dono timoris,* prol., ed. Christine Boyer (Turnhout, 2008), p. 3.

[146] Framing spiritual care in medical terms goes back to Gregory the Great, *Regula pastoralis*, I.1.3.prol. (PL 77:14). Comparisons between the spiritual counsel of preaching and confession and the physical counsel of the physician abound: see, for example, Guillaume Perrault, *Sermones in epistolas,* in *Guilielmi Alverni opera omnia*, vol. 2 (London, 1674), sermo XXXIV, p. 44b–45a; sermo CVI, p. 158a. On this collection, see Siegfried Wenzel, *The Sermons of William Peraldus* (Turnhout, 2017).

[147] Humbert de Romans, *De eruditione praedicatorum*, VII.xxxviii, pp. 462–3.

The *artes praedicandi* demonstrate both an awareness of the need to be persuasive in preaching and the importance of rhetorical arrangement and style in achieving that end. Nor would preachers have been the only people whose discourse was influenced by these principles. The proliferation of preaching to lay people in the thirteenth century, particularly by the mendicant friars, meant that preaching was a form of suasive oratory which reached every level of society, religious, secular, and lay, from paupers to kings. Such widespread practice has potential implications not only for how those in the audience received admonition and counsel, but also for how they might deliver such counsel themselves.

Disputation and Deliberative Debate

Whereas the rhetorical principles of preaching were specifically applied to more intimate forms of unilateral counsel, the more deliberative forms of multilateral counsel (where multiple people sought to give their own counsel concerning a matter at hand) were more open to influence from another form of discourse cultivated in the twelfth-century schools: the disputation. While disputation was based upon dialectic rather than rhetoric, with the specific end of truth rather than persuasion, the structure and ideals of disputation provided a model for public deliberation in which opposing views were aired within a context of reasoned debate rather than altercation – not unlike the rhetorical model of Cato and Caesar. Rather than casting disagreement solely as a negative situation, discussions around disputation saw the benefits of bringing opposing opinions into reasoned and deliberative discourse.

Dialectic, the third element of the *trivium* alongside grammar and rhetoric, focuses upon logical argumentation, judging whether arguments are true or false, plausible or implausible. It tends to follow a question-and-answer format, rather than the unbroken

discourse of rhetoric.[148] According to a popular early definition, dialectic is 'keen-edged *disputatio*, which distinguishes the true from the false'.[149] Over the course of the twelfth century, the meaning of *disputatio* evolved from a simpler form of spiritual investigation and theological dialogue to a more particular type of intellectual debate, with a more precise procedure and terminology.[150] This development was due in part to the recent recovery and translation of Aristotle's *logica nova*, and in particular the *Topica* and *De sophisticis elenchis*.[151] By the end of the twelfth century, the disputation had already become an essential element in the pedagogy of the schools. It was prized not only as a method of investigating the truth, but also as valuable mental exercise: frequent disputation on all sort of topics, says John of Salisbury, if kept within appropriate bounds, allows one to obtain 'a well-stocked vocabulary, fluent speech, and retentive memory, in addition to mental subtlety'.[152] The practice of scholastic disputation also spread outside the schools and universities during the thirteenth century, particularly at the hands of the Dominican Order, who used preaching and disputation in the outside world in order to combat heresy, incorporating the practice of disputation into their scholastic educational system.[153]

The basic structure of the school *disputatio* – whether the regularly held and public *disputatio ordinaria,* or the *disputatio privata*, held by a master for the benefit of his own students – was the setting of a question beforehand by the presiding master, followed by

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[148] Boethius, *De differentiis topicis,* IV (PL 64:1206).
[149] Rabanus Maurus, *De universo* (PL 111:414C); Hugh of St Victor, *Didascalicon*, II, p. 47.
[150] Murphy, *Rhetoric in the Middle Ages*, pp. 102–6; Alex J. Novikoff, *The Medieval Culture of Disputation: Pedagogy, Practice, and Performance* (Philadelphia, 2013); Olga Weijers, *In Search of the Truth: A History of Disputation Techniques from Antiquity to Early Modern Times* (Turnhout, 2013); idem, *A Scholar's Paradise: Teaching and Debating in Medieval Paris* (Turnhout, 2015).
[151] On the relation between Aristotelian and medieval dialectic, see Marta Spranzi, *The Art of Dialectic between Dialogue and Rhetoric: The Aristotelian Tradition* (Amsterdam, 2011), pp. 53–6.
[152] John of Salisbury, *Metalogicon,* II.8, ed. J.B. Hall and K.S.B. Keats-Rohan (Turnhout, 1991), p. 67; trans. Daniel D. McGarry, *The Metalogicon of John of Salisbury* (Berkeley, 1955), p. 90. See also Novikoff, *Medieval Culture of Disputation*, pp. 110–14.
[153] *De oudste constituties van de Dominicanen (1215–1237)*, ed. Antoninus Hendrik Thomas (Leuven, 1965), dist. II.29, p. 362; Novikoff, *Medieval Culture of Disputation*, pp. 156–63; M. Michèle Mulchahey, *"First the Bow Is Bent in Study– ": Dominican Education before 1350*, pp. 171–4.

arguments furnished by a student *respondens* and counterarguments furnished by another student as *opponens*.[154] This was often followed, either immediately or at a later time, by a *determinatio,* or summing up, by the master. Bachelor's candidates in Paris were required to conduct their own disputations during Lent, setting the questions, orchestrating the disputations, and afterwards providing their own solution.[155] An extra-ordinary form of disputation which had developed in Paris' Faculty of Theology by the second quarter of the thirteenth century was the *disputatio de quolibet*, held twice a year during Advent and Lent. In these sessions, the questions, instead of being set by the master in advance, could be proposed by anyone present (*a quolibet*) on any appropriate subject (*de quolibet*), often resulting in twenty or more diverse questions in a single session.[156] These quodlibetal disputations were open to the public and could attract large crowds of students, masters, and even ecclesiastical and civil authorities from outside the university.[157] In addition to the high involvement of the audience, both as proposers of the questions and then as witnesses to the ensuing disputation, the quodlibet also required a particularly high level of involvement from the master, both in dismissing any questions deemed inflammatory or unprofitable, and in delivering the final *determinatio*.[158]

The rise of the disputation, and in the thirteenth century, the quodlibet, was accompanied by a critical awareness of its potential dangers and abuses. From the twelfth century onwards, discussions of how disputations ought to be conducted sought to mitigate certain pitfalls, particularly the potential of disputations to foster vices of pride, anger, and malice. Peter the Chanter's discussion of disputation stresses the *modus disputandi* necessary for the

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[154] Brian Lawn, *The Rise and Decline of the Scholastic "Quaestio disputata"* (Leiden, 1993), p. 13.
[155] Weijers, *Scholar's Paradise,* p. 111.
[156] On quodlibetal disputations, see Novikoff, *Medieval Culture of Disputation*, pp. 143–5; Weijers, *In Search of the Truth*, pp. 133–5; Palémon Glorieux, *La littérature quodlibétique de 1260 à 1320* (Le Saulchoir, Kain, 1925); Christopher Schabel (ed.), *Theological Quodlibeta in the Middle Ages: The Thirteenth Century* (Leiden, 2006); John F. Wippel, 'Quodlibetal Questions, Chiefly in Theological Faculties', in *Les Questions disputées et les questions quodlibétiques dans les facultés de théologie, de droit et de médecine*, ed. Bernardo C. Bazàn (Turnhout, 1985).
[157] Glorieux, *La littérature quodlibétique,* vol. 2, p. 10.
[158] Wippel, 'Quodlibetal Questions', pp. 160–2.

process to occur without engendering quarrels or contention. Although he is adamant that disputation and altercation should not be considered synonymous, his warnings clearly imply that the former has a dangerous potential to descend into the latter. He quotes from II Timothy, writing,

> *It is not appropriate for a servant of God to quarrel*, noisily protesting with an eagerness for bickering and defending his error with tragical noise, *but to be gracious to all* … *modestly admonishing who resist* the truth [II Tim. 2:24]. … Also, *not in contention* [Rom. 13:13], for altercation does not befit the holy, but rather discussion [*collatio*].[159]

Avoiding potential altercation requires a moderation in speech: words should flow 'by falling in drops, without uproar and a great outpouring'.[160] Outward bearing and decorum are also important in maintaining the correct *modus*: someone engaged in disputation should avoid physical agitation and exaggerated movement in the manner of a boxer or an actor, instead speaking sparingly in a low voice. Peter also cautions against haste in speech: disputants ought to put forward their words, not hurl them, and proceed step by step, with a measured pace.[161] Nor should they reach a resolution too quickly, particularly when the nature of the disputed question could involve danger to souls. Precipitate haste is explicitly contrasted with the considered nature of counsel: Peter recites half a dozen verses from Ecclesiasticus – '*Do nothing without counsel*'; '*A man of counsel will not neglect understanding*'; '*Before every action stable counsel*';[162] etc. – before pointing to the example of the saints of the early Church, 'who resolved nothing and responded to nothing unless deliberation and counsel had already been held [*nisi deliberacione et consilio prehabito et precedente*].'[163] Counsel and disputation are therefore far from antithetical – indeed, the potentially combative nature of disputation only increases the need for it to proceed deliberatively and through considered counsel.

[159] Peter the Chanter, *Verbum adbreviatum,* I.5, p. 31; cf. *Glossa,* ad II Tim. 2:14. '*Collatio*' can refer to general discourse or discussion, as well as to a more academic form of comparative debate (as in Peter Abelard's *Collationes*).
[160] *Verbum adbreviatum,* I.5, p. 31.
[161] ibid., pp. 31–2.
[162] Ecclus. 33:4, 32:22, and 37:20.
[163] *Verbum adbreviatum,* I.5, p. 33; see, for example, the early church's Council of Jerusalem in Acts 15.

The concerns expressed over behaviour and demeanour in disputation remained current throughout the thirteenth century, in both religious and secular educational settings. Humbert de Romans, for example, expressed similar concerns for disputations amongst Dominican students. Writing on the order's various duties and offices just after his retirement as master-general in the mid-1260s, he not only instructs the *magister studentium* to arrange and prepare students to participate in disputations, but also to monitor their behaviour within the disputations themselves.[164] The prior should remind students to conduct themselves in disputations with appropriately pious behaviour (*se habere religiose*) and would also deliver pertinent admonitions for those who failed to do so, based on the recommendations of the *magister*. If anyone behaved *reprehensibiliter* in a disputation, the matter was also to be brought up in chapter. Indeed, anyone found conducting himself in a notably contentious manner, without expectation of an amendment to his behaviour, might be forced to undergo a change of scenery by way of correction, sentenced to silence 'outside the schools in some other charitable place [*in aliquo loco charitative*]' – by which it seems to imply a place more conducive to the development of charity, away from the potential temptations of the scholastic disputation. A particularly high standard of behaviour was expected when outside visitors (*extranei*) were present at the disputation. Such visitors were to be treated with honour and allowed to participate as opponents or respondents; should they express themselves badly, the brothers were to refrain from shaming or contending with them.[165] Vincent de Beauvais gives similar instructions on restraint and correct intention in disputation in his treatise *De eruditione filiorum nobilium*, written in the late 1240s for the benefit of Louis IX's children. He not only warns against the evils of contentious disputation, but also of their pervasiveness: 'Today there is hardly one found out of many thousands who is restrained in disputation, but nearly all are contending and fighting [*contendunt et dimicant*], and therefore throw the truth into confusion rather than bringing it to light [*elucidant*].'[166] Educational programmes such as these gave generations of educated men, religious and lay, training in publicly expressing

[164] Humbert de Romans, *Instructiones de officiis ordinis,* XII.iv, in *Opera de vita regulari* (Rome, 1888), vol. 2, pp. 260–1; Mulchahey, *Dominican Education*, pp. 169–71.
[165] Humbert de Romans, *Instructiones,* p. 261.
[166] Vincent de Beauvais, *De eruditione filiorum nobilium*, XXI, ed. Arpad Steiner (Cambridge, MA, 1938), p. 73.

disagreement with reasoned argument within established boundaries of respectful behaviour, without resorting to contentious quarrels – lessons which could easily apply to discourse beyond the scholastic exercise.

A particularly important deliberative lesson which could be learned from the practice of disputation was to allow for the benefits of opposition. The explicit goal of scholastic disputation was to inquire into a question, to mitigate doubt, and to pursue the truth regarding a matter of uncertainty. This involved the presentation of opposing arguments and refutations in an orderly fashion before a definitive solution was delivered by the master. This process could be more collaborative than is apparent at first glance. Redactions from scholastic disputations could display a significant element of humility and fairmindedness, incorporating opposing arguments which were seen to have contributed value to the discussion, even while providing refutations to their position.[167] Even the final answer was not always presented as the definitive truth, with some masters expressing a willingness to be persuaded by better argumentation in future.[168] Opposition and dispute were framed as an aid, not a detriment, to investigating the truth. The open-mindedness of those engaged in medieval disputation should of course not be overstated, particularly with regard to matters of theological doctrine and orthodoxy. In disputations intended to defend the faith against heresy – a type perhaps more commonly experienced by wider society – the side of truth was predetermined.[169] Even under such circumstances, however, the intended emphasis remained upon reasoned debate rather than impassioned altercation. For both clerics and laymen educated with such values, this training seems

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[167] Weijers, *In Search of the Truth,* pp. 131–3. Others, admittedly, were less charitable, referring to an opposing opinion as ridiculous or near insanity: idem, *Scholar's Paradise*, p. 124.

[168] Weijers, *In Search*, pp. 120–2.

[169] Such debates could claim important audiences: the Disputation of Paris in 1240 regarding accusations of blasphemy against the Talmud, conducted between the Franciscan Nicholas Donin (a converted Jew) and four French rabbis, was held at the French royal court and attended by the queen-mother Blanche of Castile and possibly Louis IX. See Robert Chazan, 'Trial, Condemnation, and Censorship: The Talmud in Medieval Europe', in *The Trial of the Talmud, Paris, 1240*, ed. Robert Chazan, Jean Hoff and John Friedman (Toronto, 2012), pp. 35–6; Hyam Maccoby, *Judaism on Trial* (London, 1993), pp. 153–67. On medieval Christian/Jewish disputation more generally, see Novikoff, *Medieval Culture of Disputation*, pp. 172–221.

likely to have influenced their views of behaviour when offering counsel in public deliberative settings as well.

Wider Influence

Both preaching and disputation – forms of discourse shaped by the teaching of schoolmen but exercising a reach far beyond the schools themselves – had the potential to shape discourse in the more individual and unofficial settings where counsel and deliberation most often occurred, including in the private conversations which are by their very nature largely hidden from the historical record. The principles of how to be persuasive in public preaching were explicitly envisaged as applying to more private conversations, allowing for salutary counsel to be tailored even more precisely to its audience. The terminology and *modus* of disputations, meanwhile, particularly the less structured quodlibetal disputations, could inform deliberative discussions and the exchange of perhaps contradictory counsels well beyond the academic halls. While explicit references to such influence are rare, the prevalence of these practices – whether experienced as student, practitioner, or audience member – remain sufficient to make more subtle traces of evidence all the more resonant and indicative.

While these forms of discourse were likely most influential on clerics and friars educated in the schools, potential influences of form and terminology can also be seen in the discourse of educated laypeople, especially those (like Louis IX) with considerable contact with the friars. The Dominican Geoffrey de Beaulieu, for example, describes the grace of Louis's speech with his counsellors and *familiares* 'in the friendly *sermones* of his sweet conversations [*in amicabilibus dulcium collocutionem suarum sermonibus*]'.[170] While the phrasing might be shaped by Geoffrey's own clerical education, his hagiographical account is borne

[170] Geoffrey de Beaulieu, *Vita et sancta conversatio piae memoriae Ludovici quondam regis Francorum*, LI, in *RHGF*, vol. 20, p. 25. On Louis IX's relationship with mendicants, see Lester K. Little, 'Saint Louis' Involvement with the Friars', *Church History* 33:2 (1964); Jacques Le Goff, *Saint Louis*, trans. Gareth Evan Gollrad (Notre Dame, 2009), pp. 252–65, pp. 610–14.

out by the layman Jean de Joinville, who relates that the king often gathered his intimates together to instruct them in morals and theology, sprinkling his speech with *exempla*.[171] On rare occasions, kings might even turn their hand to preaching sermons themselves.[172] Louis IX, for example, was reported to have preached homilies at several mendicant houses in and near Paris,[173] while according to Matthew Paris, Henry III preached a threatening sermon on the theme of Psalm 85:10 ('Justice and peace have kissed') to the clergy of Winchester Cathedral in 1250 to coerce them into electing his half-brother Aymer de Lusignan as bishop.[174] Disputation could also impact more informal discussions. Joinville relates that, when at home, Louis IX would sit on the foot of his bed after dinner, and rather than being read to by a friar, would insist that no book was so good 'as a *quodlibet*, that is, where everyone says what he pleases'.[175] These less formal discussions described by Joinville bore similarities to quodlibetal disputations in structure as well as terminology: Louis himself would introduce topics for discussion, playing master and therefore final arbiter over his *familiares*' debates.[176] A practice of such informal discussion and debate *comme quolibez* also created a context of intimacy and friendship in which counsels and reproaches could be shared and contrary opinions safely raised.[177]

A particularly explicit consideration of the benefits of debate and multilateral discussion are found in the letters of Adam Marsh, who was both a Franciscan trained in the schools and a famed spiritual counsellor intimately involved with political and ecclesiastical affairs.

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[171] e.g. Joinville, *Histoire de saint Louis*, VIII–IX, ed. Joseph de Wailly (Paris, 1874), pp. 15–18.
[172] Suzanne Cawsey, *Kingship and Propaganda: Royal Eloquence and the Crown of Aragon, c.1200–1450* (Oxford, 2002), pp. 56–7.
[173] William Chester Jordan, 'Louis IX: Preaching to Franciscan and Dominican Brothers and Nuns', in *Defenders and Critics of Franciscan Life*, ed. Michael F. Cusato and G. Geltner (Leiden, 2009).
[174] *CMj,* V, pp. 179–181.
[175] '…*comme quolibez: c'est-a-dire, que chascuns die ce que il veut.'* Joinville*, Histoire de saint Louis*, CXXXV, p. 240; Glorieux, *La littérature quodlibétique*, vol. 2, pp. 42–3.
[176] Joinville, *Histoire de Saint Louis,* IV, p. 9–10.
[177] See for example, Joinville's description of the orderly deliberations held by Louis IX in Acre over whether to return to France, *Histoire de saint Louis*, LXXXII–LXXXV. See also Brunetto Latini's discussion of the orderly procedure to be followed when a lord calls a council, discussed below, Chapter 5, pp. 242–243.

Around 1250, Adam wrote a letter to Master John de Stokes, a member of Bishop Grosseteste's household, who had previously written to him of his difficulties in 'winning the hearts of [certain] distinguished people'. Adam responded:

> I am driven with all my poor strength by an urge to restore peace among churchmen, and also by the bond of a special friendship [*singularis amicitie necessitudo*] with each one of you. But the creator of souls and lover of souls commands heaven's rectors by the force of eternal law to display the wisdom of a serpent and the simplicity of a dove[178] for the salvation of souls; though He sometimes encourages disagreements without animosity [*dissensiones sine odio*], and is known to allow contests of sweet disputes [*suavium litigiorum certamina*], not to engender conflict but to establish concord; but discerning piety is ever active for the protection of beloved truth in such a way that true charity suffers no harm.[179]

The word he uses for 'contests', *certamina*, has forceful connotations, including physical battle, but it can also be used for exercises of training and testing. The book of Wisdom, for example, from which Adam frequently quotes, refers to the wisdom that is found in the 'contest of her [i.e. Wisdom's] speech' ('*in certamine loquellae illius*').[180] *Litigium* and its cognates, on the other hand, are only ever used by the Vulgate in a negative sense, in reference to quarrels, dissensions, and legal disputes, as in the verse from II Timothy quoted by Peter the Chanter above.[181] Adam's pairing of *litigium* with such a positive term as *suavis* is therefore unusual, although given the conscious complexity of Adam's Latin it is likely no coincidence that his choice of adjective, *suavis*, shares its root with *suadere*, 'to persuade'.[182] These debates can be suasive rather than divisive.

Adam enters into more explicit consideration of deliberative discussion and debate in another letter, written to Simon de Montfort around the same date, while Simon was the

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178 Matt. 10:16.
179 Adam Marsh, *Letters,* no. 118, vol. 2, p. 306.
180 Wisd. 8:18.
181 See above, p. 201.
182 Huguccio, *Derivationes,* entry S210.2 (*SUEO*), p. 1121: '*Item a suavis suadeo -es -si -sum, hortari, consulere, monere, quod autem dicitur suadere quasi suavia dare vel dicere.*'

royal lieutenant in Gascony and complaints regarding his governance were already being made to Henry III.[183] Unlike his letter to John de Stokes, this letter addresses an aristocratic layman, albeit one with close connections to mendicants and other ecclesiastical 'reformers' such as Robert Grosseteste.[184] Alluding warily to the 'very great matter' which Simon has previously referred to him, Adam enters into an explicit consideration of discussion and debate as a means of arriving at the correct course of action. He begins by contrasting the dead letter (*mortua littera*), which presents but a single meaning, with the living voice (*vox viva*), which communicates its ideas in many forms (*plures forme*). The more complex nature of speech allows it to grapple more effectively with doubtful matters, for in the face of uncertainties, 'mute writing cannot at all answer anxious questions in the way that can be done by the multiplicity of speech [*multiplicitas sermonis*].'[185] He continues:

> I know very well that courses of action, above all those related to great matters, are in no way so prudently or so beneficially communicated through written words as are those which are eloquently and advantageously revealed through the diligence of deliberations and the many-sided nature of discussions [*per diligentiam tractuum et multiformitatem discussionum*], as a result of the illuminations of divine clemency when those involved sincerely seek the honour of God and work for eternal life.
>
> Is not this the reason why the blessed Apostles, each of whom received an immeasurable outpouring of the Holy Spirit, and the totality of ecclesiastical persons in their discernment, and the princes of the world with their shining wisdom, and the assemblies of lay people, have not ceased from the beginning of time to search [*investigare*] for what is right and to decide on courses of action through the living inquiries of conversing with one another [*per colloquiorum vivaces disquisitiones*]?[186]

Here, Adam highlights the 'many-sided' nature of such discussions and the need to come together in person in order to investigate a matter and determine what is right.[187] He is clear that important decisions should not be matters for individual insight alone, or for the

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[183] Adam Marsh, *Letters*, no. 142. Dating based on Haas, 'Adam Marsh', p. 380n67.
[184] J. R. Maddicott, *Simon de Montfort* (Cambridge, 1994), pp. 84–105.
[185] Adam Marsh, *Letters*, no. 142, vol. 2, pp. 350–51.
[186] ibid., pp. 350–53.
[187] See similarly Grosseteste's expressed longing to meet with Walter Cantilupe, in order to carefully discuss the subject at hand with him, 'for through mutual discourse [*per mutuam collationem*] many things are often made clear which in individual inquiries entirely escape notice.' Grosseteste, *Epistolae*, no. 99 (to Walter Cantilupe, 1242), p. 304. See above, Chapter 2, pp. 94–95.

one-sided counsel of a letter. Even the Apostles, direct recipients of the outpouring of the Spirit at Pentecost, did not possess sufficient knowledge and discernment within themselves to make great decisions without meeting together in councils. Rather, such matters may be best hammered out in many-sided communal discussion and debate, particularly in 'great matters' in which there may be uncertainty and grounds for fear. When undertaken with diligence and God-fearing sincerity, the very multiformity of discussion can be a means of receiving divine illumination. While 'mute writing' is all that is now accessible to the historian, Adam's letters – and the tantalizing traces found in such sources as Matthew Paris and Joinville – point to a much richer foundation of deliberative and interpersonal counsel lying just behind them in the practice of oral conversation.

Conclusion

In describing to a (hypothetical) lay audience how deliberations and negotiations on any sort of business should proceed, and what is most effective for their good outcome, Humbert de Romans notes that

> there are many things which, unless they are diligently discussed [*discuriantur*], cannot be well understood with regards to what may be good in them and what bad, or what good and what better. And therefore just as *disputationes* take place in the schools, so that the truth may be discovered through discussions of this sort, and disputes [*altercationes*] by advocates before a judge, so that it may be discovered what is just, so also in every dealing [*tractatus*] regarding any sort of business, a discussion ought to be held by means of arguments, authorities, and experiences so that it may be discovered what may be more expedient [*expediens*].[188]

Humbert's clear expectation here is that the forms of discourse which were used by those educated in the schools would also be familiar to a much broader population. Indeed, that Humbert intends the material of this sermon for a lay, probably courtly, audience is indicated by its placement in his collection of occasional sermons, where it falls between sermons to be preached at tournaments and at the king's parliament, and one to be

[188] Humbert de Romans, *Sermones* II, sermo LXXXVII (*In solemni tractatu in quocunque negotio*), p. 345. The three elements he considers necessary for an effective *tractatus* are concord, discussion/examination (*discussio*), and intelligent discernment.

preached during formal peace discussions. Although Humbert's three genres of discourse – the scholastic *disputationes* focused on what is true, the legal *altercationes* focused on what is just, and this political *tractatus* focused on what is expedient – do not map exactly onto the three rhetorical genres, the similarity of his tripartite division does invite associations between these contemporary political discussions and the deliberative genre of classical rhetoric. Humbert aligns ordinary deliberations with the more combative *disputationes* and *altercationes* in their use of multilateral argumentation and supporting evidence, while calling for a manner of peaceful concord, putting aside one's own opinion, will, and personal advantage so that the discussions may proceed well as a whole and establish consensus in the end.

On the one hand, rhetorical and dialectical theory and the practices which sprang from them served the purpose of *utilitas* – they provided training in presenting an argument or opinion convincingly and persuasively and equipped the speaker to refute potential opposition. On the other, they addressed issues related to *honestas* – questioning the balance between truthful (and potentially dangerous) counsel and flattering blandishments, and encouraging decorous and respectful behaviour in the face of such opposition. They also served to address issues of necessity and practicability, encouraging an awareness of context and circumstance and the need to suit the demands of a particular time, place, and audience. Medieval counsel was part of an active world of deliberation, suasion, and disputation, both formal and informal, found in bilateral conversations, in persuasive sermons delivered to large audiences, in multilateral deliberations at large councils – a world which has left relatively little visible evidence for historians. While formal considerations of deliberative rhetoric did make explicit connections to counsel, more subtle – although perhaps more significant – influences were the result of models of speech and discourse disseminated though various intermediary models and practices.

The first four chapters of this thesis have explored *consilium* through four key contemporary conceptions: counsel as divine direction (Chapter 1), counsel as choice and supererogatory action (Chapter 2), counsel as an intellectual and relational virtue (Chapter 3), and finally counsel as deliberative and persuasive discourse (Chapter 4). On the basis of these

discussions, the fifth and final chapter will now consider how these multiple perspectives influenced ideals of counsel within the specific context of rulership, both lay and ecclesiastical, and how these ideas were addressed textually and in practice in addressing to those individuals who exercised this power.

Chapter 5

Counsel and the *Princeps*: The Ideals of Political Advice

> *[Princeps sapiens esse debet] in consiliis dandis et accipiendis, quia de magnis rebus habet agere ac disponere, et in magnis rebus opus est magnis consiliis uti.*
>
> A prince ought to be wise in giving and receiving counsels, because he must act and arrange things in great matters, and in great matters it is necessary to make use of great counsels.
>
> Vincent de Beauvais, *De morali principis institutione,* XI [1]

Having examined the multifaceted conception of medieval *consilium*, we now turn to how these considerations were specifically applied to those in positions of power and rulership, whether ecclesiastical or secular, prelates or princes. Any distinction between secular and religious leaders should not be overdrawn here, as many of these ideals around counsel applied equally to ecclesiastical as well as temporal courts – the term 'political counsel' should accordingly be interpreted in its broader sense. While texts describing ideal leadership were often implicitly or explicitly directed at either an ecclesiastical or a secular context, the essential tenets of governance, including the use of counsel, were almost interchangeable. As Gerald of Wales explicitly notes in his *De principis instructione*, both princes and prelates should govern and mould others by their example as well as their power and therefore 'the examples we have given of princes can be applied not inappropriately to instruct prelates too'.[2] Certainly, both princes and prelates encountered a specific tension in the giving and receiving of counsel. On the one hand, their deliberations were likely to concern great and weighty matters with implications for all

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[1] *De morali principis institutione*, XI, ed. Robert J. Schneider (Turnhout, 1995), p. 61.
[2] Gerald of Wales, *De principis instructione*, ed. and trans. Robert Bartlett (Oxford, 2018), I.pref, p. 35; I.xx, p. 395.

those under their rule, necessitating the assistance of outside counsel and experience. On the other, they were obliged to manifest a certain level of dignity and excellence in wisdom, avoiding the appearance of over-dependence on others. While rulers were expected to seek counsel, the decision to then follow the counsel received was generally seen to rest squarely upon the ruler's own shoulders.

This chapter begins with an overview of the sources which explore the counsel of rulers, followed by a brief examination of the commonly cited biblical *exempla* which informed these discussions. Its second section then focuses on a ruler's own counsel, exploring the inherent tensions in these texts between the impossibility of his self-sufficiency and the dangers of over-dependence and, as a consequence, between opposing virtues of magnificence and humility. The third and final section considers the role of the counsellors themselves: their desired qualities and potentially dangerous vices, the benefits and dangers of their role, and their responsibilities for truth-telling.

The texts discussed in this chapter were never intended as political guides to *realpolitik*. This is not to say that they were written by naïve clerics unfamiliar with the workings of ecclesiastical and royal courts – on the contrary, many of these writers spent time at these courts and were intimately acquainted with the most powerful men of the day and their affairs – but their ultimate goal was not the ruler's acquisition of power or the forging of useful political bonds, but rather the presentation of the moral ideals of Christian rulership, one which was in accord with the full liberties of the Church and a maintenance of peace and justice for his subjects.[3] They attempted not to put forth new ideas of political theory or practice but rather to elucidate and reinforce long established moral tenets, reminding the ruler of his responsibilities to God, to himself, and to his people. In their considerations of counsel, therefore, these texts were less concerned with the mechanics of political

[3] Geoffrey Koziol, 'Leadership: Why we have mirrors for princes but none for presidents', in *Why the Middle Ages Matter*, ed. Celia Chazelle et al. (London, 2012), pp. 184–93.

deliberation or the political expediency of choosing certain counsellors, and more concerned with the ability of the ruler's associates to assist his moral progression.[4] *Honestas* is given precedence over *utilitas*. In this sense, these texts, many of which were written by trained preachers, are not dissimilar to *ad status* sermons, tailored to the particular virtues which ought to be acquired and temptations which ought to be avoided by those in power.[5] As in the politics of any age, temporal considerations often took precedence to such ideals in practice, while some rulers more consciously shaped their actions to this ideal than others. These ideals, however, could still form a potent language of argument, shaping the manner in which those in power were praised or criticised.

Advisory Literature

A key source for medieval ideals of rulership are the texts often referred to as 'mirrors for princes' (*specula principum*), though this term was never used as such in the medieval period. The term *princeps*, which these texts did often employ, did not denote specific rank or royalty, but could be used to refer to almost any individual exercising rulership (usually, though not exclusively, men), from local *seigneurs* to kings and emperors, as well as high-ranking ecclesiastical rulers, including the pope.[6] The existence of a definable 'mirrors for princes' genre has proven contentious; this chapter instead considers a broader category of moral-didactic advisory literature from France and England, texts written – usually, though not exclusively, by clerics – in order to offer moral and/or practical guidance to those in positions of leadership, either ecclesiastical (such as prelates or bishops) or secular (such as lords or kings).[7]

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[4] See above, Chapter 3, pp. 142–159.
[5] Schneider, 'Introduction' to *De morali,* pp. xxxvi–xlvi. See above, Chapter 4, p. 196.
[6] István P. Bejczy and Cary J. Nederman, 'Introduction' to *Princely Virtues in the Middle Ages* (Turnhout, 2007), p. 1.
[7] Useful works on 'mirrors' and other advisory works for princes include Wilhelm Berges, *Die Fürstenspiegel des hohen und späten Mittelalters* (Leipzig, 1938); Dora M. Bell, *L'idéal éthique de la royauté en France au Moyen Age* (Geneva, 1962); Jean-Philippe Genet, *Four English Political Tracts of the Later Middle Ages* (London, 1977); Rob Meens,

Since the earliest days of the Church, there had been concerns, expressed in works such as Ambrose's *De officiis* and Gregory's *Regula pastoralis*, that its leaders should be fit for their office.[8] Reforming ideologies of the twelfth and thirteenth century brought such ideals to the fore, emphasizing the importance of a candidate being suitable (*idoneus*) for their prospective positions and drawing further attention to the burdens and cares involved in pastoral ministry and leadership. Often written by those already well-known for providing spiritual counsel, such works could be widely read and applied beyond their original recipients: excerpts from Bernard of Clairvaux's influential *De consideratione,* for example, originally written for Pope Eugenius III, were later quoted in thirteenth-century treatises intended for secular princes.[9] Some treatises took epistolary form, written upon the occasion of the recipient's election to office.[10] Still others were written as general guides to office, such as Humbert de Romans' discussion of the role of the Dominican master-general in his *Instructiones de officiis ordinis*. These advisory texts described the burdens and responsibilities of office and proffered corresponding remedies, both in the form of their own moral counsel and their encouragement that leaders should seek out the counsel of other good counsellors around them.

By their very nature, such advisory treatises implied that a *princeps* would benefit from sound moral guidance and counsel in order to fulfil his weighty responsibilities as a Christian ruler, but their explicit attention to counsel varied. One of the earliest texts now considered to belong to the genre, the influential seventh-century pseudo-Cyprian's *De*

'Politics, Mirrors of Princes and the Bible: Sins, Kings and the Well-Being of Realms', *Early Medieval Europe* 7:3 (1998); Cary J. Nederman, 'The Mirror Crack'd: The *Speculum Principum* as Political and Social Criticism in the Late Middle Ages', *The European Legacy* 3:3 (1998); and Frédérique Lachaud and Lydwine Scordia (eds.), *Le prince au miroir de la littérature politique de l'Antiquité aux Lumières* (Mont-Saint-Aignan, 2007). The debate regarding genre is aptly summarised in Einar Mar Jónsson, 'Les « miroirs aux princes » sont-ils un genre littéraire?', *Médiévales* 51 (2006).

[8] Gregory the Great, *Regula pastoralis,* I.i (PL 77:14).

[9] See below, p. 246.

[10] Peter of Blois, *De institutione episcopi* (PL 207:1097–1112), written 1196 for bishop of Worcester; Adam Marsh, *Letters*, no. 245 (1256/7, to archbishop of York), pp. 574–646.

duodecim abusivis saeculi only advises the ruler to have elderly, wise, and sober counsellors.[11] Amongst the Carolingian mirrors, Jonas of Orleans's *De institutione regia* makes little mention of counsel, while Hincmar of Rheims' *De regis persona et regio ministerio* has a chapter on the king's counsellors solely comprised of quotations from Ambrose;[12] Smaragdus' *Via regia,* written in the early ninth century, considers the topic of counsel in a primarily spiritual sense, while Sedulius Scottus' *De rectoribus Christianis* from the mid-ninth century discusses the topic of the ruler's counsel and counsellors at length.[13] Any direct influence of these Carolingian texts on the mirrors of the thirteenth century is difficult to ascertain, though some did continue to be copied in later centuries.[14]

In the late 1150s, John of Salisbury wrote his wide-ranging *Policraticus* for his friend Thomas Becket. Although not itself a 'mirror', portions of the text proved highly influential to later treatises addressed to rulers, particularly its political section of Books IV to VI with its consideration of Deuteronomy 17 and the responsibilities of a king of Israel, its use of the imagery of the body politic, and its discussion of the dangers of courtly life.[15] In the latter half of the twelfth century, several texts addressed to or concerning particular rulers appeared, including Gerald of Wales's *De principis instructione* (1191, with later additions), and Giles of Paris' *Karolinus* (c. 1200), a verse work written for the future

[11] Ps.-Cyprian, *De XII abusiuis saeculi*, ed. Siegmund Hellmann (Leipzig, 1909), p. 51.
[12] Jonas of Orléans, *De institutione regia* (PL 106:279–305); Hincmar of Rheims, *De regis persona et regio ministerio* (PL 125: 833–56).
[13] Smaragdus, *Via regia* (PL 102:931–70); Sedulius Scottus, *De rectoribus christianis*, ed. and trans. R. W. Dyson (Woodbridge, 2010). See also J.M. Wallace-Hadrill, 'The *Via Regia* of the Carolingian Age', in *Trends in Medieval Political Thought*, ed. Beryl Smalley (Oxford, 1965) and Rutger Kramer, *Rethinking Authority in the Carolingian Empire* (Amsterdam, 2019), pp. 124–39.
[14] For example, a manuscript of *De rectoribus Christianis*, BnF lat. 6779, survives from the thirteenth-century, with a marginal notation in a later hand ascribing possible ownership to Hélinand de Froidmont, f. 1r.
[15] John of Salisbury, *Policraticus*, ed. K.S.B. Keats-Rohan (Turnhout, 1993) [books I–IV]; *Policratici, sive, De nugis curialium et vestigiis philosophorum*, ed. Clement Webb (Oxford, 1909) [books I–VIII]; for English translations, see bibliography. See also Julie Barrau, 'Ceci n'est pas un miroir, ou le *Policraticus* de Jean de Salisbury', in *Le prince au miroir* (Mont-Saint-Aignan, 2007).

Louis VIII of France.[16] Gerald's work makes extensive use of the *Moralia dogma philosophorum,* and bears similarities to both the *Policraticus* and Walter Map's *De nugis curialium*; its first book concerns the princely virtues, referencing *exempla* such as David and Julius Caesar, while the second and third books continue the lesson of how to rule through a historical narrative of the reign of Henry II.[17] Excerpts of the pseudo-Aristotelian *Secretum secretorum* had also begun to circulate by this period, having been translated into Latin from Arabic in the 1120s, although a full translation was not available until c. 1230. This incredibly popular text purported to be an extended letter of advice sent by Aristotle to his former pupil Alexander the Great while the latter was away campaigning in Persia. Presenting itself in the place of a ruler's absent counsellor, the text includes advice on practical matters such as diet, on matters of rulership such as choosing ministers, and on matters of alchemy and astrology. The Franciscan Roger Bacon seems to have had a specific addressee in mind, perhaps Henry III, when he created his own edition of the treatise around 1270.[18]

Early in the thirteenth century, *Policraticus'* application of Deuteronomy 17 to contemporary rulership was incorporated by the Cistercian Hélinand de Froidmont into his *Chronicon* (1211x23) as part of his exegesis on Deuteronomy, itself later incorporated into Vincent de Beauvais' *Speculum historiale*.[19] New advisory literature for princes soon

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[16] Edited text in M.L. Colker, 'The "Karolinus" of Edigius Parisiensis', *Traditio* 29 (1973), pp. 225–325. A later version of Gerald of Wales' work from 1216/17 alludes to a theoretical dedication to prince Louis as well: *De principis*, 1st preface, p. 39.

[17] Frédérique Lachaud, 'Le *Liber de principis instructione* de Giraud de Barry', in *Le prince au miroir* (Mont-Saint-Aignan, 2007); István P. Bejczy, 'Gerald of Wales on the Cardinal Virtues: A Reappraisal of *De principis instructione*', *Medium Ævum* 75:2 (2006).

[18] Roger Bacon, *Secretum secretorum*, ed. Robert Steele (Oxford, 1920); see Steven J. Williams, 'Roger Bacon and His Edition of the Pseudo-Aristotelian *Secretum secretorum*', *Speculum* 69:1 (1994), p. 67; also, idem, *The Secret of Secrets* (Ann Arbor, 2003).

[19] Twentieth-century scholarship considered Hélinand's text on Deuteronomy 17 ('*De bono regimine principis*') to be a *speculum principis* written for Philip Augustus and only subsequently incorporated into the *Chronicon.* However, Meindert Geertsma has recently argued convincingly that the text is in fact a systematic continuation of Hélinand's exegetical commentary within the *Chronicon*: 'Helinand's *De Bono Regimine Principis*: A Mirror for Princes or an Exegesis of Deuteronomy 17, 14–20?', *Sacris Erudiri* 52 (2013). The text is excerpted in PL 212:735–46 and Vincent de Beauvais, *Speculum historiale,* XXIX.121–133, pp. 1227–30.

flourished in France with the mendicants writing under the patronage of Louis IX, a king particularly anxious to be seen as a model Christian ruler.[20] The Franciscan Guibert de Tournai's *Eruditio regum et principum* (1259) was expressly addressed to Louis IX;[21] while the Dominican Vincent de Beauvais' *De morali principis institutione* (c. 1261-2), along with his earlier pedagogical work *De eruditione filiorum nobilium* (c. 1250), was apparently part of a wider project undertaken with Louis IX's encouragement and support.[22] The pedagogical work was offered to Louis' wife Queen Marguerite for the instruction of their son Philip, while *De morali* was offered to both Louis and his son-in-law Thibaud (Theobald) V, count of Champagne and king of Navarre. Thibaud may also have been the intended recipient of the Dominican Guillaume Perrault's *De eruditione principum* (c. 1265).[23] In addition to these, Louis himself drew up a list of instructions (*Enseignements*) for his son, the future Philip III, probably shortly before departure on his fatal crusade to Tunis in 1270.[24]

Three additional thirteenth-century works round out this survey – although they, like the *Policraticus*, do not fit a standard form of the *speculum principis* moral treatise, they all contain detailed considerations of contemporary rulership. The first is a unique epistolary work, the *Somnium morale Pharaonis* (c. 1234-60), written by the Paris-educated Cistercian Jean de Limoges either for (again) Thibaud V of Champagne, or for his father Thibaud IV († 1253).[25] The work itself is a series of imagined letters (in the style of the *ars dictaminis*)

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[20] Genet regards the Capetian court of the later thirteenth-century as having given birth to the true '*miroir au prince*': *Four English Political Tracts*, p. xii. See also Le Goff, *Saint Louis*, pp. 315–28.
[21] Guibert de Tournai, *Le traité Eruditio regum et principum*, ed. A. de Poorter (Louvain, 1914).
[22] Le Goff, *Saint Louis*, p. 320.
[23] Guillaume Perrault, *De eruditione principum*, ed. Stanislas Edouard Fretté, Opera omnia divi Thomae Aquinatis 27 (Paris, 1875) [the work was long misattributed to Aquinas]. See also Arpad Steiner, 'New Light on Guillaume Perrault', *Speculum* 17:4 (1942); Michiel Verweij, 'Princely Virtues or Virtues for Princes? William Peraldus and his *De Eruditione Principum*', in *Princely Virtues in the Middle Ages*, ed. Bejczy and Nederman. The connection to Thibaud V is suggested by a fifteenth-century manuscript: ibid., p. 52n7.
[24] See below, p. 267n234. Louis also composed a separate set of instructions for his daughter Isabelle, queen of Navarre.
[25] Jean de Limoges, *Morale somnium Pharaonis*, ed. Konstantin Horváth, Opera omnia 1 (Veszprém, 1932), pp. 71–126 [hereafter, *Somnium*]. The dating and the identity of both author and recipient of this work has been subject to

between Pharaoh, Joseph, and other characters of the Genesis narrative regarding the interpretation of Pharaoh's dream. These fictional letters contain much discussion of the role of both the ruler and his ministers and counsellors and were intended to instruct Thibaud in responsible rulership: Jean describes his work as a moral exposition on the topic of the art of kingship (*de regia disciplina*).[26] The other two texts are what might be termed 'reference works' with extended considerations of government; they are also the only works discussed here to make use of Aristotle's recently translated *Ethics*. Brunetto Latini's encyclopaedic vernacular work *Li livres dou tresor* was written during his exile in France in the 1260s, possibly composed for Charles of Anjou, Louis IX's younger brother, in an attempt to persuade him to take up political office in Florence.[27] The second part of its third book (sometimes known as Brunetto's *Politica*) deals with the topic of governance: although Brunetto specifically addresses the lordship of those governing cities for the length of a year (i.e. the *podestà* of an Italian city commune), he also explicitly notes that 'all lords, whatever lordship they might have, will be able to learn many good things' from his discussion.[28] Finally, the Franciscan John of Wales' very popular *Communiloquium,* written in the later 1260s as an extensive handbook for preachers, devotes an unusual amount of material to the *princeps* and the governance of the *respublica*.[29] In addition to its

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debate: see Marie-Geneviève Grossel, 'Le miroir au prince de Jean de Limoges (XIIIe siècle)', in *La lyre et la poupre: poésie latine et politique de l'Antiquité Tardive à la Renaissance*, ed. Nathalie Catellani-Dufrêne and Perrin Michel (Rennes, 2019). See also Jaeger, *Origins of Courtliness*, pp. 88–95; Leena Talvio, 'Les citations bibliques dans le *Morale Somnium Pharaonis*', *ARCTOS* XXIV (1990); Nicolas Michel, 'Entre milieu universitaire et espace monastique: la vie et l'œuvre de Jean de Limoges, nouveaux regards', *Revue d'histoire ecclésiastique* 112:3–4 (2017).

[26] *Somnium*, I, p. 72.

[27] See Julia Bolton Holloway, *Twice-Told Tales: Brunetto Latino and Dante Alighieri* (New York, 1993), pp. 60–65; David Napolitano, 'Brunetto Latini's *Politica*: A Political Rewriting of Giovanni da Viterbo's *De Regimine Civitatum*', *Reti Medievali Rivista* 19:1 (2018), pp. 190–91, summarises the scholarly debate concerning the *Tresor*'s patronage. Holloway also notes that the work could serve as a diplomatic/political gift for other important personages, speculating, for example, that the late thirteenth-century Bodleian MS Douce 319 may have been presented to a member of English royalty, *Twice-Told Tales,* p. 236.

[28] *Tresor*, III.73.6, p. 364; *Treasure*, p. 352.

[29] John of Wales, *Communiloquium* (Augsburg, 1475). See Jenny Swanson, *John of Wales: A Study of the Works and Ideas of a Thirteenth-Century Friar* (Cambridge, 1989), pp. 63–107. John's sources suggest that he began the work in Oxford, completing it in Paris; Swanson sees John's work as belonging to the 'humanistic English branch' of the 'mirrors for princes' tradition, rather than to the Capetian mendicant group, pp. 57, 63.

heavy reliance on the *Policraticus,* the *Communiloquium* also makes extensive use of classical sources such as Valerius Maximus, as does John's earlier moral treatise, the *Breviloquium de virtutibus*.[30] The *Communiloquium* also represents a tipping point before William of Moerbeke's translation of Aristotle's *Politics* (c. 1260) and its subsequent commentaries became widely known; while Aristotle's *Ethics* receives a number of citations in the *Communiloquium*, the *Politics* is not cited until John's later work the *Compendiloquium* (probably written after 1272).[31] The date parameters of this thesis end before such works as Giles of Rome's highly successful *De regimine principum* (c. 1277-80) began to offer a more Aristotelian and practical consideration of persuasion within the political sphere.[32]

Exempla

Moralizing texts concerned with instructing leaders and rulers – and their potential counsellors – often turned to the language of biblical *exempla* to illustrate the benefits of good counsel, or, conversely, the harms of rejecting good counsel and acquiescing to evil. Peter of Blois, for example, began his commentary on Job, addressed to Henry II († 1189), with a series of *exempla* calculated to capture not only the king's benevolence, but also his receptivity to the counsels presented by Peter throughout his commentary:

> I begin therefore … supplicating your magnificence humbly and resolutely so that you may be willing to bear with patience the exhortation of your devoted servant, recollecting that when Moses was a leader among the people of God, he received the counsel of Jethro with joy [Ex. 18]; Peter, leader of the apostles, did not spurn the correction of Paul [Gal. 2]; Balaam acquiesced to the speeches of an ass [Num. 22]; and the king and prophet David humbly bore the rebuke of Nathan, a lesser prophet [II Samuel 12]. Even Jesus when he remained in Jerusalem and said that it was proper for him to be about his Father's business, when his parents did not

[30] John of Wales, *Breviloquium de virtutibus*, in *Summa Iohannis Valensis* (Venice, 1496), ff. 239v–259v. See Swanson, *John of Wales,* pp. 41–62; Albrecht Diem, 'A Classicising Friar at Work: John of Wales' *Breviloquium de virtutibus*', in *Christian Humanism*, ed. A. A. MacDonald et al. (Leiden, 2009).
[31] Swanson, *John of Wales,* pp. 7–9.
[32] Giles of Rome, *De regimine principum* (Rome, 1607), esp. III.ii.16–19. The work also differs from its predecessors in its reliance on Aristotle's *Rhetoric*: see Matthew Kempshall, 'The rhetoric of Giles of Rome's *De regimine principum*', in *Le prince au miroir* (Mont-Saint-Aignan, 2007).

> agree, followed them to Nazareth [Luke 2] – a king following his servants, a master his disciples, God humans, the Word of God and Wisdom a carpenter and his wife – and was submissive to them.[33]

Framed in this fashion, receiving counsel and humbly bearing rebuke in no way diminishes Henry's royal authority and dignity, since his models in so doing are leaders, kings, and the Son of God himself. Alexander Neckam († 1217) employed a similar list to highlight the importance of ecclesiastical leaders seeking and using good counsels. According to his commentary on the *mulier fortis* of Proverbs 31, the valiant woman who '*has wrought by the counsel of her hands*' (v. 13) can be said to signify a rector of the church, who 'ought to *seek wool and linen*, not plunder them,' who is 'obliged to work not according to the judgement of his own will, but to use the counsel of those who are called to share in the responsibility.'[34] The leaders of the church have an obligation to avoid unilateral decision-making and instead should utilise the counsel of those who are positioned to offer such counsel with care. In support of this, Neckam lists a host of Old Testament examples of such counsellors, both men and women, and the benefits that accrued to those who heeded them. Many of those they counselled were patriarchs and kings – Moses listened to Jethro, king David to Abigail, Joab and the prophet Nathan,[35] and king Nebuchadnezzar to Daniel[36] – emphasising how fitting it is that leaders in particular should acquiesce to good counsel.

Peter of Blois and Alexander Neckam's shared first *exemplum*, of Moses and Jethro, clearly had a particular significance for those addressing rulers. According to the book of Exodus, after Moses had led the Israelites out of Egypt and into the desert, he would sit by himself

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[33] Peter of Blois, *Compendium in Job* (PL 207:797); on Peter's court involvement, see John D. Cotts, *The Clerical Dilemma: Peter of Blois and Literate Culture in the Twelfth Century* (Washington, D.C., 2009). Alan of Lille specifically refers to Christ's obedience to his mother as a work of counsel: *De arte praedicatoria,* XVI (PL 210:145A).

[34] '*Mulierem ergo fortem dici posse rectorem ecclesie, superiora docuere. … Querere debet lanam et linum, non rapere. Operari tenetur non pro voluntatis arbitrio proprie, sed eorum fungi consilio, qui in partem sollicitudinis vocati sunt.'* Alexander Neckam, *Tractatus super mulierem fortem*, cap. 2 *ad* Prov. 31:13, Oxford, Jesus College MS 94, f. 102rb: with thanks to Andrew Dunning for making his working transcription of this text available online (http://mlat.uzh.ch/?c=14&w=AleNeq.SuMuFor).

[35] II Sam. 25; II Sam. 19; I Kings 1.

[36] e.g. Dan. 2.

from morning until night to judge the people, delivering the judgements of God, teaching his precepts, and settling controversies amongst them. Seeing this, his pagan father-in-law Jethro told him, 'The business [*negotium*] is beyond your strength; you cannot bear it alone.' He counselled Moses to continue in his role before the people with regard to the things of God and in judging greater matters, but to appoint able and virtuous men as leaders over smaller sections of the people in order to judge the lesser matters and therefore share the burden of leadership. Moses listened and did all that Jethro suggested.[37] This episode was frequently used by medieval writers not only in support of appointing able and virtuous subordinates, but also as an example of how a ruler or superior might suitably take counsel from someone below him in status or station, without detriment to his position, noting that 'Moses, friend of God, did not disdain to accept counsel from the gentile Jethro'.[38]

Biblical interactions between prophets and kings also provided a natural category of *exempla* for discussions of rulership. The high priest Zadok and prophet Nathan, who admonished king David for his sins of adultery and murder, were seen by John of Salisbury, for example, to represent those clerics who would not permit the king to deviate from the law of God.[39] Other similar pairings included Joseph and Pharaoh, Daniel and Nebuchadnezzar, and John the Baptist and Herod.[40] These relationships varied in their intimacy and efficacy: some of these kings listened to and profited from the counsel and admonitions they were given; others, like Herod, ignored these warnings to their detriment.

The foremost *exemplum* of a ruler failing to heed good counsel was provided by David's grandson Rehoboam. When Rehoboam was to be made king of Israel, the people came before him complaining of the heavy yoke which had been laid upon them by his father

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[37] Exodus 18:13–24.

[38] Vincent de Beauvais, *De morali*, XII, pp. 62–3; also, Guillaume Perrault, *De eruditione principum*, IV.2, pp. 99; John of Wales, *Communiloquium,* I.vi.7.

[39] *Policraticus,* IV.6, [Keats-Rohan] pp. 251. Guibert de Tournai, *Eruditio regum et principum,* I.2.6, p. 24; John of Wales, *Communiloquium*, I.ii.7.

[40] John the Baptist's bold criticisms of Herod, which eventually ended in his death, were a recognized model of preaching to the powerful: Bériou, *L'avénement des maîtres*, p. 307. See below, p. 264.

Solomon and declaring that if he would lighten that burden, they would willingly serve him. Rehoboam first sought the counsel of the old men who had attended his father, who advised him to grant the people's petition and speak to them gently so they would always serve him. But Rehoboam 'left the counsel of the old men [*dereliquit consilio senum*], which they had given him, and adhered to the young men [*adhibuit adolescentes*] that had been brought up with him and attended him'. These young men replied with entirely contrary advice, telling him to refuse the people's request and declare that he would impose an even heavier burden than his father. Having heeded their counsel, Rehoboam ended his reign in failure; his kingdom was divided and much of it was lost.[41]

The dire consequences of Rehoboam's abandonment of good and just counsel in favour of a harsh and unjust rule made him a particularly effective *exemplum* with regard to royal counsel. The greater part of Rehoboam's kingdom was cut off, writes John of Salisbury, because 'he adhered to the counsel of the young, disregarding the ways and precepts of prudence, for it is impossible that an individual should manage his rulership soundly [*salubriter disponat principatum*] who does not act by the counsel of the wise'.[42] Gerald of Wales similarly uses Rehoboam as an example to be avoided: an imprudent ruler abandoned by his people due to his insolence of speech and intemperate behaviour.[43] Discussing the bad ends of tyrants, Gerald concludes that Rehoboam lost the tribes of Israel 'through foolish speech and juvenile counsel [*stultiloquium suum et consilium iuvenile*]'.[44] Multiple writers point to Rehoboam's youth and immaturity as a prevailing factor in his downfall, citing Ecclesiasticus 10:16, 'Woe to the land whose king is a child and whose counsellors feast in the morning' – a lament for a land whose counsellors follow their own desires and whose prince is therefore badly directed. For although Rehoboam was not

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[41] I Kings 12 and I Chronicles 10.
[42] *Policraticus,* V.vi, [Webb] vol. 1, p. 300; trans. Cary Nederman, *Policraticus* (Cambridge, 1990), pp. 70–1.
[43] Gerald of Wales, *De principis instructione*, I.11, p. 144.
[44] ibid., I.17, p. 200.

himself a child – indeed, according to medieval commentaries, was over forty years old – he did not possess moral maturity, as evidenced by his choice of counsellors.[45]

The Oxford-Paris-London *Bible moralisée,* a thirteenth-century illustrated Bible with direct royal Capetian patronage and readership, devotes four pairs of roundels to Rehoboam's narrative (below, Image 8).[46] The first roundel of each pair illustrates the biblical story, while the second provides its signification: 'The wise men [*sapientes*] who counselled Rehoboam signify the worthy men [*probos homines*] who
counsel their princes and lords that they should rule the people wisely and kindly, whose counsel wicked princes contradict.'[47] The accompanying image, of a mitred bishop sitting in the centre, reaching out to the crowned king on his right, strongly implies that it is churchmen, and perhaps bishops in particular, who best fit this role of wise counsellors. In contrast, the next roundel shows Rehoboam surrounded by similarly beardless men, 'oppress[ing] his people by the counsel of the foolish'.[48] The interpretative illustration shows a seated king directing helmeted soldiers towards a helpless figure. The king's outstretched arm only mirrors that of the young man directly at his side, indicating a king whose directives are no longer truly his own. The final pair of roundels concerns the consequences of Rehoboam's actions: the kingdom is divided and Israel falls away into the worship of idols. The emphasis of the imagery here is on the harsh rule and despoliation caused by reckless young counsellors, to the detriment of the very people whom the ruler is meant to support and protect. The *Bible moralisée* does, however, provide its readers with a more positive model in its interpretation of David's flight from Saul and joyful

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[45] '*Haec autem potius de pueritia fatuitatis quam aetatis intelligenda sunt: et de matutino vitii potius quam temporis. … Iuvenes scriptura non semper iuxta aetatem appellat, sed iuxta instabilitatem animi.*' Peter the Chanter, *Expositio super libros Regum,* Bodleian, MS Bodl. 371 (s. XIII[in]), f. 44va. Rehoboam here signifies bad rectors in the Church.

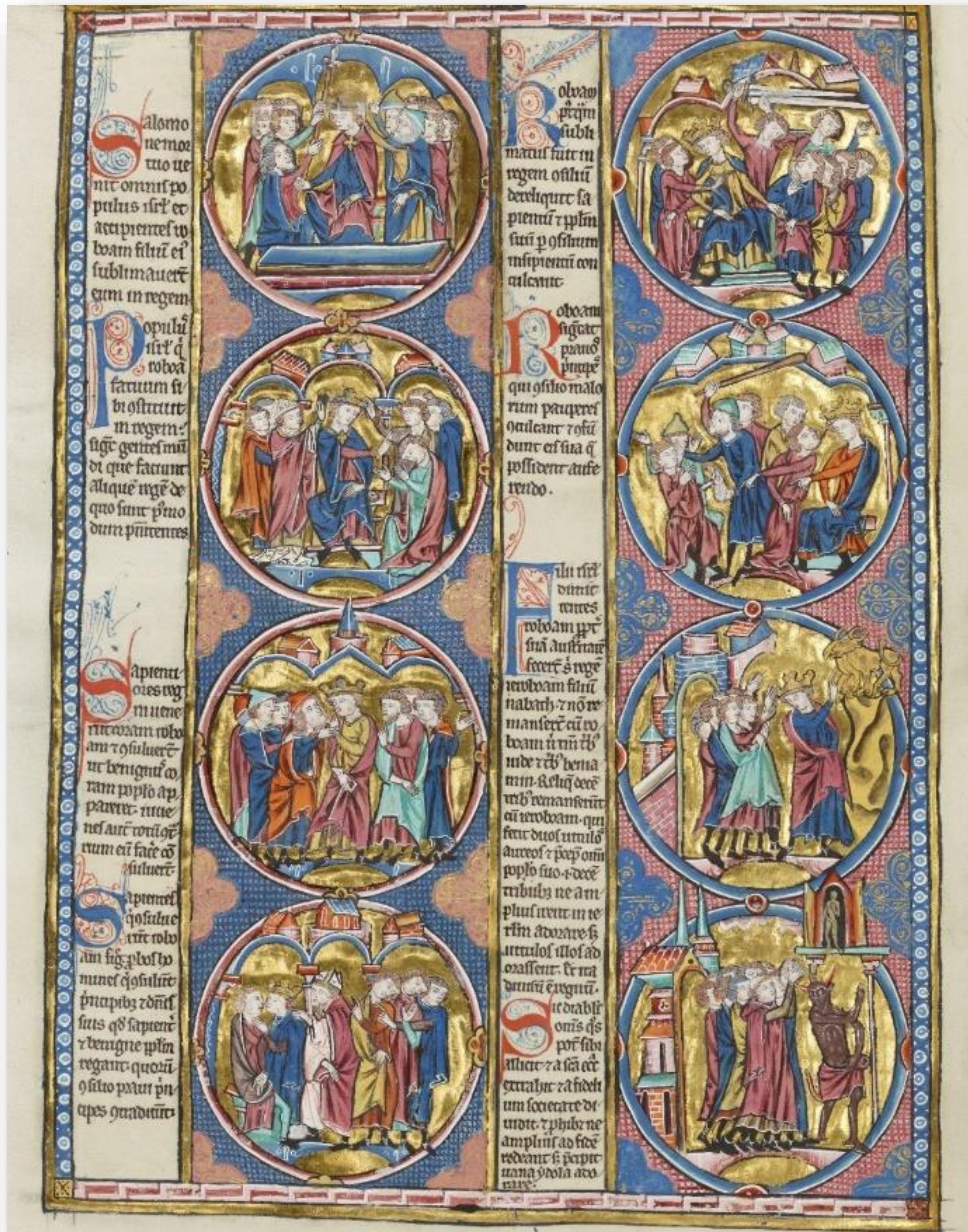
[46] On the dating and patronage of the multi-volume Bible (now divided into Bodleian, MS Bodl 270b, BnF lat. 11560, and BL, Harley MSS 1526 and 1527), see John Lowden, *The Making of the Bibles Moralisées* (University Park, PA, 2000), pp. 1–5, 183–6. Lowden suggests that the Toledo and the Oxford-Paris-London *Bibles moralisées* may have been commissioned by Blanche of Castile for Louis IX and Marguerite de Provence respectively on the occasion of their marriage in 1234.

[47] Bodleian, MS Bodl. 270b, f. 165v: '*Sapientes qui consuluerunt Roboam significant probos homines qui consulunt principibus et dominis suis quod sapienter et benigne populum regnant, quorum consilio pravi principes contradicunt.*'

[48] ibid., f. 165v: '*Roboam … populum suum per consilium insipientum conculcavit.*'

reception by the king of Gath (above, Image 9): 'Here are signified the good clerics and counsellors who come before kings and princes whom kings joyfully receive and honour.'[49]

Image 8 – The story of Rehoboam in the Bible moralisée,
Bodleian, MS Bodl. 270b, f. 165v.



[49] MS Bodl. 270b, f. 144r: '*Hoc significat clericos et consiliarios qui veniunt coram regibus et principibus quos reges gaudenter recipiunt et honorant*.'

Biblical *exempla* such as these provided concise ways to illustrate specific lessons of rulership and highlight particular virtues and vices. While an important model of a ruler with superior wisdom obtained directly from God was provided by Rehoboam's father Solomon (I Kings 3),[50] most *exempla*, both positive and negative, also reinforced the idea of taking counsel from others, regardless of one's own high status and holiness. Indeed, it was precisely the high status of many of these biblical figures – kings and leaders – which made them appropriate analogues for contemporary rulers.

Image 9 - Kings receiving good clerics and counsellors. Bodl. 270b, f. 144r.

[50] Laura Fabian, 'The Biblical King Solomon in Representations of Western European Medieval Royalty', in *The Routledge History of Monarchy*, ed. Elena Woodacre, et al. (Abingdon, 2019).

The Ruler's Counsel

Discussions of rulers and counsel were often careful to emphasize the ruler's unique role and burden of responsibility. Rulers' actions and decisions affected not only themselves, but all those subject to them as well. Both abbots and kings were seen to be representatives of God on earth, and were therefore expected to reflect great conformity to divine virtues.[51] Those who wished to rule others well were also expected to first rule themselves, a hierarchy of concern incorporated into the structure of advisory texts from the Carolingian period onwards.[52] Bernard of Clairvaux therefore prompts the pope to examine himself before considering those below and around him.[53] Likewise, Vincent de Beauvais addresses the ruler's own wisdom before he addresses how this wisdom should extend to choosing his associates, while both Guibert de Tournai and Guillaume Perrault discuss how a prince ought to behave with respect to God and to his own self before they turn to the prince's behaviour towards others.[54] This same hierarchy is applied to counsel: the pre-eminence of the counsel which ought to be found in the good ruler, along with associated virtues of wisdom, prudence, and discernment, is often addressed prior to and independently of his use of others' counsels. This focus placed an emphasis on the unique role of the ruler and his direct accountability to God.

Wisdom was considered a particularly important virtue for rulers, who were not only expected to be wise but also ideally to display a wisdom greater than that of other men. It receives particular attention in Vincent de Beauvais' *De morali principis institutione,* which

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[51] cf. *RSB,* cap. 2. Political *imitatio Dei* could be modelled in, for example, displays of righteous anger: Richard E. Barton, '"Zealous Anger" and the Renegotiation of Aristocratic Relationships in Eleventh- and Twelfth-Century France', in *Anger's Past*, ed. Barbara H. Rosenwein (Ithaca, NY, 1998), pp. 157–60.
[52] e.g. Sedulius Scottus, *De rectoribus,* V, p. 76.
[53] Bernard of Clairvaux*, De consideratione,* books II, III, and IV, in Bernardi opera 3.
[54] Vincent de Beauvais, *De morali*, XI; Guibert de Tournai, *Eruditio regum et principum,* ep. I; Guillaume Perrault, *De eruditione principum*, books II-III. The structure of responsibility employed by Guibert – of reverence for God (and the Church), care for oneself, discipline of one's officials, and protection of one's subject – is derived from *Policraticus,* V.3, [Webb] p. 284, and also appears in Vincent's *Speculum doctrinale*, VII.20, col. 571.

structures itself around a triad of divine virtues associated with the Trinity: Power (Father), Wisdom (Son), and Goodness (Holy Spirit).[55] These three virtues must be held in unison – wisdom without goodness (as Cicero noted) is merely craftiness (*calliditas*).[56] A ruler's wisdom was put to use in many areas, including managing his subjects, establishing laws, making judgements, and in giving and receiving the great counsels required by great matters.[57] Prudence, as 'charioteer' of the other virtues, was also prominent amongst a ruler's necessary qualities, as were its associated sub-virtues.[58] According to Giles of Paris, the prudence, speech, sense, and intelligence of the king ought to surpass that of all those placed below him: the prince should, among other things, be learned, imitate the deeds of the good people of whom he has read in books,[59] and exercise a keenness (*acumen*) of reason over the laity. Whatever is counselled by his men he should be able to exceed by his greater sense.[60] Guillaume Perrault, following *De consideratione,* emphasizes the importance of consideration before action and how necessary prudence is to restrain a prince's fortitude.[61] Likewise, Peter of Blois' *De institutione episcopi* includes foresight in counsel (*in consiliis providus*) and a searching awareness toward all things (*circumspectus ad omnia*) on his list of episcopal virtues. A bishop must act with more deliberation (*consiliosius agere*), first teaching himself what he would teach others, for 'he is not wise who is not wise on his own behalf'. Such wisdom comes from God: following

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[55] Vincent de Beauvais, *De morali*, X, p. 55. This triad also appears in the first three chapters of Guillaume Perrault's *De eruditione principum*.
[56] *De morali*, X, p. 56; Cicero, *De officiis*, I.xix.63. See also John of Wales, *Breviloquium,* I.3, f. 241r.
[57] *De morali*, I.11, p. 61.
[58] On the virtue of prudence, see above, Chapter 3, pp. 111-142.
[59] See also Gerald of Wales, *De principis instructione,* I.11, p. 145, on the exemplary value of history, highlighting the didactic purpose of clerics writing historiography. Joinville records that Louis IX used to relate the deeds of kings and emperors to his children as *exempla* before bed, *Histoire de saint Louis*, CXXXIX, p. 248.
[60] *Karolinus,* V, ll. 17–30, p. 304.
[61] Guillaume Perrault, *De eruditione principum*, III.iv, p. 590; quoting Bernard of Clairvaux, *De consideratione,* I.9, p. 404.

the example of Solomon, the ruler who wishes for wisdom should first serve the Lord's command, and it will be given to him.[62]

This pre-eminence of a ruler's own wisdom and prudence was expected to lead to the similar pre-eminence in his counsels. Ambrose had described the ability to give wise and prudent counsel as an effective means of securing others' confidence, exemplified by such leaders as Moses, 'on whose counsel all Israel waited upon daily' and the wisdom-seeking Solomon.[63] Guillaume Perrault writes that 'this gift [of giving counsel] is especially to be commended in those who have to rule others', citing for example the leader Simon Maccabeus, 'a man of counsel'.[64] John of Wales similarly highlights the need for the ruler's pre-eminence in counsel in the *Communiloquium*: as well as being more just, equitable, clement, and generous, the prince should also be more magnificent (*magnificentior*) in his own counsels, despising contemptible and base things.[65]

Just as a ruler must possess such good counsel within himself, however, he must also be wary of the dangers of evil counsel originating within; it is the ruler's own vices, and not only those of the people around him, which can disturb his counsel and therefore his ability to rule well. John of Wales quotes the Commentator on the *Ethics*, book VI: 'There are two foolish counsellors, pleasure and sadness; these cause many to fall. For counsel is the offspring of the mind and the son of the heart, which the mind brings forth and which is followed by the work.'[66] In other words, when such emotions disturb and corrupt counsel in an individual's own heart and mind, they have a necessary and deleterious effect upon the actions which follow.[67] The prince in particular, according to John, should therefore

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[62] Peter of Blois, *De institutione episcopi* (PL 207:1100); cf. I Kings 3. On this text, see Philippa Byrne, 'I Second That Emotion: Modelling the Anxious Experiences of Thirteenth-Century Episcopal Office', *Emotions: History, Culture, Society* 3 (2019), pp. 11–14.
[63] Ambrose, *De officiis*, II.xi.56.
[64] I Macc. 2:65; Guillaume Perrault, *De eruditione principum,* IV.ii, p. 599.
[65] John of Wales, *Communiloquium,* I.vi.8.
[66] *Communiloquium,* I.vi.7.
[67] See Chapter 2, pp. 66–69.

be free from such deficiencies, such 'evil counsellors' within his own self. Indeed, the prince ought to be greater in each the virtuous actions listed because he is the vicar and image of God on earth, and so ought to be more conformed to God.[68] This explicit expectation for earthly Christian kings to reflect the King of Heaven in their actions gives particular relevance to medieval depictions of divine counsel for elucidating the role of counsel within medieval rulership.[69]

Self-Sufficiency versus Dependence

Discussions of the prince's virtues, particularly in counsel, highlight the tensions in these advisory texts between the magnificence and pre-eminence of the prince and his own counsels, and the advantages, particularly for the young ruler, of accepting others' good counsel with humility and a teachable spirit. The ideal ruler of these texts is required to walk a fine line, avoiding both a heedless overdependence on others and a prideful sense of self-sufficiency. He must be willing to learn, yet not overly given to studies; humbly receptive when necessary, yet never lacking in royal *magnificentia*.

Vincent de Beauvais particularly stresses the danger in a prince relying too heavily on the counsels of others and thereby relinquishing his command. Although there is safety in many counsels, he writes, it nevertheless befits the prince to be preeminent (*precellere*) in counsels, leading more than he is led and not listening so readily to others that he is unable to make thoughtful decisions based upon his own counsel. The prince must remain in control of his own actions, not behaving like an object borne along by the river and suddenly asking dazedly in the middle of the welter of affairs, 'How did I come here?'.[70] He should demonstrate wisdom both in giving and receiving counsels, 'forming his action, not from common precepts (that is, instruction) but from his own nature [*ex natura*]'.[71]

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[68] *Communiloquium,* I.vi.8.
[69] See above, Chapter 1, p. 57.
[70] Quoting Seneca, *Epistulae*, XXXVII.4, p. 256.
[71] Vincent de Beauvais, *De morali*, XI, p. 62, quoting Quintilian, *Institutio,* XI.3.180.

The highest level of deliberation rests with the prince, even when taking counsels from others.[72]

At the same time, a prince intent upon attaining these pre-eminent virtues, particularly wisdom, cannot generate them in isolation. He must therefore be open to learning and instruction, without withdrawing himself from the active business of rulership. Numerous advisory texts relied upon Moses' instruction for the kings of Israel in Deuteronomy 17 to construct a model of Christian kingship which required openness to divine and spiritual instruction. Used in an early example by Jonas of Orleans in his *De institutione regia*, the passage received a more sustained and influential treatment in John of Salisbury's *Policraticus* when dealing with the distinction between the prince and the tyrant.[73] In Deuteronomy, the passage forms part of the law of God taught by Moses to the people of Israel and makes provision for the coming time when the people will seek to have a king to rule over them. It warns the divinely-chosen king against pursuing potential vices, such as the accumulation of wealth and women. Instead,

> after he is raised to the throne of his kingdom, [the king] shall copy out to himself the Deuteronomy of this law in a volume [*exemplar*], that he may learn to fear the Lord his God, and keep his words and ceremonies that are commanded in the law; and that his heart be not lifted up with pride over his brethren, nor decline to the right or to the left, that he and his sons may reign a long time over Israel.[74]

Knowledge of the divine law is considered an essential remedy to the temptations of kingship, preventing the king from deviating from the right path, from pridefully straying off the *via regia*. John of Salisbury associated the king's prescribed copying of the *exemplar* of the Law with wisdom, without which no government can exist or endure.[75]

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[72] See above, Chapter 2, pp. 76–77.
[73] John of Salisbury, *Policraticus*, IV.iv–x.
[74] Deut. 17:14–20.
[75] John of Salisbury, *Policraticus* IV.vi, [Keats-Rohan] p. 253.

In order to reflect upon the law daily, and to manage his affairs, the ruler also needed be proficient in letters: 'An illiterate king is like a crowned ass.'[76] If a prince was worthy of his position by merit of his virtue but happened to be illiterate, therefore, he would need to receive the counsel of literate people so that his affairs might proceed justly. The prince who does not himself read can nevertheless hear what is faithfully read to him and 'stand alongside the prophet Nathan and the priest Zadok and the faithful sons of the prophets who will not permit him to be diverted from the law of God'.[77] Such men are to intervene when the law which is before the ruler's eyes is not made manifest in his soul, instead introducing it to his ears with their speech. In this way the prince is given every opportunity to apply the law of God to his rulership – a model which also allows clerics to assume influential positions around the throne.

Early in the thirteenth century, Vincent de Beauvais incorporated this material from the *Policraticus*, via Hélinand, into both his *Speculum doctrinale* and in his *De morali principis institutione,* explaining in the latter that the prince ought to be 'wise in the written word' (*sapiens in scripturis*), especially in the divine scriptures. The prince must know the divine laws, so that he may be able to establish earthly laws which are consonant with them; he should also understand the complexities of canon law. It is important that the prince possess this knowledge for himself; despite what some others may argue, Vincent stipulates that it is not enough for the prince simply to surround himself with others who know the laws:

> Perhaps someone might say that it is sufficient that [the prince's] counsellors have this discernment of either law, or jurists, from whose counsel he can make statutes and exercise judgements. From this [comes] the same response: that a bishop could provide all episcopal duties through his vicars or coadjutors, yet he who is not suitable [*ydoneus*] for the things which ought to be done is considered unworthy of the episcopate. But just as the office of a bishop is to teach, to consecrate, and things of this sort, so the office of a prince is to enact legitimate statutes and exercise judgements, for which, as was said, expertise in the written word is necessary.[78]

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[76] John of Salisbury, *Policraticus* IV.vi, [Keats-Rohan] p. 251; Hélinand, *Chronicon,* XI.38 (PL 212:736B); Vincent de Beauvais, *De morali,* XV, p. 80; Guillaume Perrault, *De eruditione*, I.2, p. 554.
[77] John of Salisbury, *Policraticus* IV.vi, [Keats-Rohan] p. 251.
[78] Vincent de Beauvais, *De morali*, XV, pp. 79–80.

Vincent does not consider it appropriate for a ruler to offload his responsibilities even onto experienced and learned counsellors; he should not be dependent upon counsel in matters in which he ought to possess some level of expertise himself. Vincent does, however, acknowledge some practical limitations: although the prince is obliged to be wise in many things, he still will not be able to know everything purely by means of his own experience (*per experienciam*), which is why he must learn through reading books, particularly Scripture.

Both Guibert de Tournai and John of Wales also borrow heavily from the *Policraticus* on Deuteronomy to discuss the prince's knowledge and learning, particularly in the written word: John of Wales follows the *Policraticus* quite closely, citing it specifically as his source, whereas Guibert seems to have received it indirectly via Vincent's *Speculum doctrinale*.[79] Guibert refers to Deuteronomy 17 as 'the king's rule' (*regula regis*), and once again stresses the importance of learning the scriptures in particular, by which the kingdom is ruled and from which legitimate laws are derived.[80] Elsewhere Guibert notes that it is impossible to manage a kingdom well without acting by the counsel of divine precepts revealed by God through the ministry of the priests.[81]

Guibert does also accord a place to secular learning. If the *respublica* is to be ruled and battles engaged, if the calm of liberty and the cultivation of justice are to be preserved, then it is books, he says, which teach all these things to completion (*ad perfectum*). Guibert cites a long list of classical experts, from Palladius and Vitruvius to Cato and Cicero, concluding that from these authors one may form a way of speaking and find examples of ways of living. Who, for example, would not want a copy of Vegetius if he were preparing to protect or besiege a castle? Despite his appreciation for classical authorities and the written word, however, Guibert seemingly has no expectations of, or even a desire for, a scholar-king. He notes that it is neither permitted nor appropriate for kings to occupy themselves with such things, implying that kings should not be preoccupied with books

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[79] John of Wales, *Communiloquium,* I.iii.7; Guibert de Tournai, *Eruditio regum et principum*, I.ii.5, particularly borrowing from *Speculum doctrinale,* VIII (*De scientia politica*)*:* see A. Poorter's introduction, *Eruditio*, pp. x–xi.
[80] *Eruditio regum et principum*, I.ii.5, p. 21.
[81] Guibert de Tournai, *Eruditio regum et principum*, II.i.2, p. 45.

instead of attending to the important business of ruling. Instead, the ruler should attend to the examples of former kings and other such figures, examples to which he might conform his own life, from Old Testament figures such as David and Josiah to Louis IX's own predecessor Charlemagne, who ruled not so much by strength of arms or success in battle as by experience and prowess in letters ('*peritia et militia litterarum*').[82] A prince's learning affects every aspect of his rulership:

> Without doubt, we read that learned princes [*principes litteratos*] were almost always provident [*providos*] in the administration of affairs, subtle [*subtiles*] in judgements, circumspect [*cautos*] in precepts, searching [*circumspectos*] in counsels.[83]

By extension, such learning therefore increases the prince's ability to establish peace and justice in his kingdom.

Guibert has here, however, introduced another tension. A prince must be learned enough that he is not entirely dependent upon the expertise and counsels of others, but not so scholarly that he neglects his true responsibilities or pridefully considers himself self-sufficient. This warning against rulers becoming too preoccupied with learning is one of the central themes of Jean de Limoges' *Morale somnium Pharaonis*. While the Joseph of its fictitious letters represents the excellent royal counsellor (*consiliarius virtuosus*), Pharaoh is a model (*typus*) of a *rex curiosus*, and Egypt of a *regnum studiosus,* a king and kingdom given to excessive study and philosophizing.[84] In his first letter, soliciting the interpretation of his dream from his philosophers, Pharaoh glories in the liberal arts which ornament his land.[85] His learned philosophers, however, appear unable to decipher his dream. When at last Pharaoh receives an interpretation from Joseph, it is not the warning of famine from the biblical account but rather concerns the dangers of the king's *curiositas*, a kind of intellectual intemperance which gives excessive attention to useless or inappropriate

[82] Guibert de Tournai, *Eruditio regum et principum*, I.ii.5, p. 21.
[83] ibid., pp. 21–22.
[84] *Somnium,* I, p. 72; Jaeger, *Origins*, p. 94.
[85] *Somnium,* II, p. 73.

matters.[86] The emaciated cattle of Pharaoh's dream, which emerged from the river and devoured the fatter cattle on the bank, represent the material cares (*curae*) of the king's lax heart, preoccupations subject to his personal will rather than to common *utilitas*, which wander widely in royal freedom rather than following the path of justice.[87] Surrounded by competing cares, it too often happens that the king abandons his 'proper spouse' – i.e. care for his royal responsibilities (*regalis cura*) – and allows these foreign cares to reign in its place, which therefore ought to be called not *cura*, but *curiositas* and negligence (*incuria*).[88] Joseph provides Pharaoh with a list of virtuous responsibilities corresponding to the 'royal rule' (*regalis regula*) and the path of righteousness, stressing that Pharaoh has been called to take a share in the responsibilities of rulership, not simply to enjoy the fullness of power (*non potestatem plenitudinis, sed partem solicitudinis*).[89] He therefore ought to apply impartial discernment and judgement in the various areas of his responsibilities, 'being cautiously on guard in avoiding flattering speech, examining counsels, investigating judgements, inquiring into inquiries, visiting every ministerial office, testing everything, proving everything, seeking to understand everything, lest the right ways of the Lord be diverted by some want of caution.'[90] In the undertaking of these responsibilities and cares of governance, kings are also offered divine assistance, the 'fortification of heavenly gifts' (i.e. the seven gifts of the Holy Spirit). We have seen the connection which Robert Grosseteste drew for Henry III between the rule of an anointed king and the seven gifts: Grosseteste saw the gift of Counsel as revealing the order of the world through human skill

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[86] Guillaume Perrault follows the *MDP* in defining *curiositas* as an excessive expenditure of effort for something without much *utilitas*: '*Cavenda est curiositas, quae est non magnae utilitati nimiam operam impendere*': *De eruditione principum*, V.x, p. 613; cf. *MDP,* I.A.4, p. 11. *Curiositas,* etymologically related to *cura*, can also encompass excessive attention to worldly matters or excessive attention given to one's possessions: Richard Newhauser, 'Towards a History of Human Curiosity: A Prolegomenon to its Medieval Phase', *Deutsche Vierteljahrsschrift für Literaturwissenschaft und Geistesgeschichte* 56:4 (1982).

[87] *Somnium,* IX, p. 89.

[88] ibid., p. 90. See also Guillaume Perrault, *De eruditione principum,* III.1, p. 586.

[89] *Somnium,* XI, p. 95. This last phrase, from a fifth-century letter of Pope Leo I, was often applied to the exercise of episcopal and papal office: *CHMPT,* p. 282. See also above, p. 220n34.

[90] *Somnium,* XI, p. 96.

and knowledge, enabling his virtuous actions as a king.[91] Here, the gift of Counsel directs the king in his judicial power, while the gift of Fortitude prevents injustice (*iuris iniuria*).[92]

Although Pharaoh has been receptive to all of Joseph's lessons in the *Somnium*, eventually his former counsellors return to strenuously object. It becomes clear that they have encouraged the king to offload some of his heavy burden of governance upon them: seeking leisure for study, the king has called upon them for their counsel and aid. It seemed more appropriate to them that their *studiosus* king should 'dwell in a well-closed chamber, an impenetrable sanctuary in which to scrutinize scriptures, raising new questions, extending old quarrels, tracing the rotation of heaven with meditations, penetrating the clouds with prayers' than that he should preoccupy himself with servile or lowly works of secular business.[93] The counsellors therefore ask Joseph to moderate the rigour of his counsel, in order to preserve the reputation (*fama*) of the king and his men.[94] At first glance, such a contemplative king, more concerned with prayer and meditation than with the business of the world, might seem attractive, particularly to a Cistercian author, but Jean de Limoges makes it clear, both from the labels attached to these counsellors' letters referring to them as flatterers and back-biters (*adulatores et detractores*), and from Joseph's letter in response, that these men have erred badly, excusing the king's sin while seeking their own gain.[95] Joseph castigates them for foolishly advocating 'thinking more and acting less than is appropriate'. Rather than tending to the infirmity of the king's curiosity, they have aggravated it, encouraging him to constrain action, expand thought, and place divine contemplation (*otium*) before human business (*negotium*). Joseph completely rejects this approach: just as the arms have a particular role to play in the body, and the married man

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[91] Above, pp. 55–56.
[92] *Somnium,* XI, p. 97.
[93] *Somnium,* XVII, p. 111.
[94] ibid., p. 113.
[95] See Jaeger, *Origins,* pp. 91–2. Jaeger points out that Thibaud IV, one of the possible recipients, was better known for poetry composition than rational rule: Jean de Limoges seems to have intended the work as a directed rebuke for the royal *trouvère*, or else possibly as a warning to his young successor.

a particular duty to his wife, so the ruler has a particular and active role to play. One who has been given either a pastoral or ruling *cura* must not put off those responsibilities. Therefore, woe to those, says Joseph, who defile the royal spouse, i.e. ruling Prudence (*regitiva prudentia*).[96] What learning is undertaken by a ruler must serve to support his active rule, making just and prudent laws and judgements for those who have been placed in his care. While he may rely on others, especially while he is young, to educate him and supply experience, he cannot displace his responsibilities onto others' shoulders, becoming over-reliant on others' counsels – particularly if they are willing to employ flattery for their own gain.

Magnificence versus Humility

As much as these texts encourage the prelate or prince to strive to excel in virtue, wisdom, and learning in order that his own counsels may benefit those under his care and command, they remain aware that any ruler is likely to have deficiencies – whether through youth, lack of experience, or lack of expertise – that may best be supplied through the virtues and abilities of those around him. Such is the weight a ruler's responsibilities that it is natural that any single person would, like Moses, find himself insufficient for the task. So Pharaoh in the *Morale somnium*, seeking insight from his counsellors, stresses that both reason and custom dictate that 'when the exertion of a single person is not sufficient to carry the weight of royal rulership, formidable even to a giant's shoulders, he should take care to call together the ministers under him to share in the responsibility [*in susceptae partem sollicitudinis*]', seeking out those who are prudent in good, unpracticed in evil, and endowed with the cardinal virtues.[97] A fragile balance therefore exists between the excellence expected of a ruler and a concern that his insufficiencies should be adequately supported by outside counsel.

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[96] *Somnium,* XVIII, p. 115–16.

[97] *Somnium,* IV, p. 78. A number of these texts dedicate specific chapters to how the prince should give and receive counsel and choose his counsellors, e.g. Vincent de Beauvais, *De morali*, XI–XII; Guibert de Tournai, *Eruditio regum et principum,* I.ii.6; Guillaume Perrault, *De eruditione principum,* IV.ii; John of Wales, *Communiloquium*, I.i.7 and I.vi.1–7.

Writers broaching the topic of leaders seeking counsel were aware that such consultation could run against the grain of a ruler accustomed to his own primacy. To accept instruction or criticism or to seek counsel requires a measure of humility and a teachable spirit (*docilitas*). The starting point of such humility, according to John of Salisbury, is fear of the Lord, without which no ruler can have wisdom. The prince serves God by serving his subjects, who are his fellow servants, while the fear of the Lord also keeps him subject to divine law.[98] Such qualities of humility, combined with discernment and charity, are necessary for good rulership, although they may be difficult to foster in positions of power. Warnings against the *superbia* of kings are repeated so frequently in Scripture, according to John of Salisbury, because it seems that humility can never be sufficiently commended to princes; their ascent to honours often engenders imprudence in the soul. As always, a delicate balance must be struck: John is careful to note that a king should not shun pride to such a degree that he opens himself up to others' contempt.[99]

Such humility should extend to a leader's willingness to take counsel, so long as it is coupled with discernment. According to John of Wales, although the prince should be more magnificent in his own counsels, 'in taking counsels, it belongs to the prince – although he may be well endowed with wisdom – to listen to the opinions [*sententia*] of others, so long as they are sound and useful counsels [*consilia salubria et utilia*]'.[100] By listening to others, one may supply a lack in one's own wisdom. John of Wales quotes Jerome: 'The first who is blessed is the one who is wise in himself [*se sapiat*], the second the one who hears wisdom, but the one who lacks this in both respects is as useless to himself as to others.'[101] Both ecclesiastical and secular leaders were also cautioned against setting too much store by the relative status of their counsellors. Moses, as we have seen, usefully listened to the counsel of one below him, although Jethro 'was both his inferior in dignity and less illustrious in the light of wisdom'.[102] When Arnulf, bishop of Lisieux,

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[98] See Deuteronomy 17:19–20; *Policraticus* IV.vii, [Keats-Rohan] pp. 256–7. Also, Guibert de Tournai, *Eruditio regum et principum,* I.ii.9, pp. 32–6, and Guillaume Perrault, *De eruditione principum,* I.vi, pp. 560–62.
[99] *Policraticus,* IV.vii, [Keats-Rohan] p. 257.
[100] John of Wales, *Communiloquium,* I.vi.7.
[101] Jerome, *Commentaria in Isaiam*, II.3 *ad* Is. 3:3 (PL 24:61); originally Hesiod, *Works and Days,* ll. 293–4.
[102] *Communiloquium,* I.vi.7; also, Vincent de Beauvais, *De morali*, XI, pp. 62–3.

requested Peter of Blois' counsel regarding his desire to resign the episcopate, Peter replied:

> Since you are a man of deep counsel [*alti consilii*] and attested prudence [*prudentiae approbatae*], I marvel that you should ask for counsel from me and other minor persons [*caeteris minoribus*] in a dangerous and difficult matter, unless it is because that is itself prudence, to seek out the counsel of lesser people in difficult matters. For the Lord frequently reveals to a lesser person [*minori*] what is hidden from greater people.[103]

Although writing for secular princes, Vincent de Beauvais takes his guide explicitly from the third chapter of the Rule of Saint Benedict: in receiving counsel, the prince should listen to everyone's counsel and then discern what is best, not spurning the counsel of any person. The final decision of any deliberation rests with the prelate (as in the Rule) or with the prince, but he should not sneer at the sound counsel of any subordinate person – as it says in the *Disticha Catonis:* 'As a lord do not despise the counsel of your servant; never spurn anyone's advice (*sensum*), if it is useful.'[104] This lesson on heeding counsellors based upon their virtues rather than their status was also highlighted by 'Aristotle' in the *Secretum secretorum*:

> O Alexander, do not despise low stature in men. The one whom you see to love knowledge and abound in the way of wisdom and morals and to shun and flee the path of vices – love such a man, and keep him beside you, especially when you see him exerting his mind in these virtues. For such a man is often of good eloquence, well-mannered, courtly [*curialis*] and knowledgeable of the histories of those from the peoples who preceded us. Do not propose anything which ought to be done or postpone anything without his counsel. Love his fellowship, since such a one loves the truth; he counsels what is fitting to the royal majesty and sets aside what is to the contrary. He is firm in mind, constant in heart, faithful and just, or righteous, to his subordinates. … Such counsel directs ministers, and it orders and augments the reign of kings.[105]

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[103] Peter of Blois, *Epistolae*, no. 44 (PL 207:128).

[104] Vincent de Beauvais, *De morali*, XI, p. 63; *Disticha Catonis*, III.10, ed. Marcus Boas and Hendrik Johan Botschuyver (Amsterdam, 1952). This latter text was the standard introductory Latin reader in medieval schools from at least the ninth century.

[105] Roger Bacon, *Secretum secretorum,* III.11, pp. 137–8.

Knowledge and virtue are held up as more vital characteristics than a noble stature, being more useful in supporting and augmenting one's rule.

However, being open to counsel from less important people did not mean being uncritical as to the source of one's counsel. A leader is expected to judge whether or not the proferred counsel is indeed *salubre* and *utile*, and be wary of flatterers with ulterior motives. Peter of Blois instructs the new bishop of Worcester to test every spirit to see if it is from God (I John 4:1), 'lest perhaps that old serpent [i.e. Satan] should hiss something by means of the instruments of his malice', adding that the cunning tricks (*astutiae*) of such people should be easily recognizable by various features such as their manner of suggesting, their gestures, and the quality of their counsel.[106] Several of the princely advisory treatises stress that it belongs to the prudent man to carefully examine counsel and not to slip quickly towards what is false through easy credulity.[107] Vincent de Beauvais even devotes the last chapter of his advisory treatise to warning against the vice of *credulitas*: since flatterers and back-biters often abound in the courts of the great, speaking lies and harmful words, it is a great (albeit common) vice in both prelate and prince to believe too easily (*de facili credere*). Such credulity is an instability of the soul (*animi levitas*), by which it is moved to believe what it has heard quickly and without the examination of reason. Vincent advises the prince to base the speed with which he arrives at credence upon the circumstances, being quicker to believe someone of experience or good morals, for example, than someone inexperienced or of bad morals.[108]

Procedures of Counsel

Little attention is paid in the majority of these advisory texts to the actual procedure of counsel, due in part perhaps to the variety of contexts and circumstances in which such counsel and deliberation could occur. Treatises of moral advice naturally focused on the virtues to be maintained during deliberations and the vices to be avoided more than they did on procedures informed by custom. A general model, particularly for ecclesiastical

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[106] Peter of Blois, *De institutione episcopi* (PL 207:1100).
[107] Guillaume Perrault, *De eruditione principum*, IV.ii, p. 599; from Martin of Braga, *Formula vitae honestae,* II, p. 238.
[108] Vincent de Beauvais, *De morali,* XXVIII, p. 139.

communities, was of course offered by the Rule of St Benedict, in its instruction that the whole community be gathered and everyone allowed their say before the abbot, having considered the matter, delivers a final decision. Little had been codified in writing by the thirteenth century, however, about the deliberative procedure of secular courts. Discussions on how a ruler ought to take counsel were therefore drawn from more general principles of deliberation, with a particular focus on the maintenance of reason and moderation. Gerald of Wales notes that it is the sign of a strong mind not to be thrown into trouble but instead to employ the counsel at hand and not to depart from reason.[109] The ruler should take counsel before he acts – since afterwards it will be too late – and should show no haste or anger in his deliberations, 'for anger blinds the soul, so that it might not see advantageous [*utile*] counsel, and ... hasty counsels often go amiss.'[110] Rulers did have some additional considerations to keep in mind when seeking counsel. A ruler's counsellors must offer advice suitable to his high position: as we saw in the previous chapter, a frequent *exemplum* employed for both princes and prelates is that of Parmenion and Alexander, in which Alexander chides his companion for giving him counsel which might be suitable for him, but not for a leader such as Alexander.[111] The weighty and potentially dangerous nature of the prince's deliberations might also require a greater level of secrecy, in turn limiting the utility of outside counsel, particularly in matters concerning warfare. Giles of Paris cites this need for secrecy as a key reason for princely literacy: if a letter comes by swift messenger containing great secrets for his eyes alone, he should be able to read it himself without witnesses.[112] John of Wales also emphasises that a prince's counsels should be hidden when they concern arduous or dangerous matters. According to his *exemplum,* when the Roman Metellus was asked for his plans, he replied that he would

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[109] Gerald of Wales, *De principis instructione*, I.9, p. 113. Gerald attributes the thought to Terence, although it is actually Cicero, *De officiis* I.xxiii.80, via *MDP*: *De principis*, p. 112n242.

[110] Sedulius, *De rectoribus,* VI, p. 86; see also Vincent de Beauvais, *De morali*, XII, p. 66; Guillaume Perrault, *De eruditione principum*, IV.ii, p. 598. See above, Chapter 2, pp. 66–69.

[111] *Policraticus,* VII.25, [Webb] vol. 2, p. 224; John of Wales, *Communiloquium,* I.vi.8. See above, Chapter 4, pp. 185–185.

[112] *Karolinus*, V, ll. 7–16.

burn his own cloak if he thought it aware of his counsel.[113] John of Wales also holds up the example of the Roman senators, who for generations revealed none of the senate's secrets.[114] The security of such silence may be vital for the *respublica*.

Some practical considerations of the deliberative process are discussed in more detail by the *Secretum secretorum*, a work eponymously concerned with determining who can be trusted to deliberate with secrecy. 'Aristotle' advises Alexander to limit the numbers of ministers and counsellors made privy to his affairs. When consulting them, he should avoid revealing his own plans and opinions:

> [D]o not begin by telling them what you have in your heart, and do not show to any of them your choice regarding the counsel which is before you, and do not indicate that you wish to beg for counsel from them, since then they might despise you, nor indicate your own counsel to them. Therefore test their desires in your mind, just as the brain does with those things which come to it from the senses, and diverge from their counsels in that which is contrary to your own desire.

Although the text elsewhere describes the benefits to a king's rule of a virtuous and knowledgeable counsellor, and even here admits that 'it is not unfitting for a person, when he has salutary counsel, to follow it and enact it', it shies away from appearing to depend too much upon one's counsellors. It is up to the king to direct the method of deliberation, keeping his own cards close to his chest in order to avoid colouring their true opinion – even to the extent of providing contrary opinions to further their deliberations:

> Therefore when you gather them to give some counsel in your presence, do not intermix any other counsel with them – then you may hear in what they agree. If then they respond hastily and agree [with one another] quickly, resist them in this and show them a contrary so that their reflection [*cogitacio*] may be prolonged and they may be slowed in reaching their conclusion, thinking or meditating on their counsel until by much meditation they may come to their ultimate and final counsel.

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[113] Frontinus, *Stratagems*, I.i [attributed by John of Wales to Vegetius]; Valerius Maximus, *Dicta et facta,* VI.iv.5.
[114] *Communiloquium,* I.vi.9; Valerius Maximus, *Dicta et facta,* II.ii.1a. See also below, p. 249.

In the name of secrecy, the king should not even let his counsellors know when he has 'perceived the rightness of counsel in their words, or in the words of one of them', but should simply bring the deliberations to an end, not making his plans known until they have been fully accomplished.[115] In this way he may utilise the fruits of multilateral deliveration without ever admitting anyone else into the actual decision process.

The most detailed procedural considerations amongst these sources are recorded by Brunetto Latini's *Li livres dou tresor,* due to its interest in the governance of the Italian city-communes. Amongst other relevant topics – what the new lord (*seignor*) should do when he arrives in the city, how he must admonish his officials, and so on – Brunetto devotes a chapter to 'How the lord must assemble the *conseill* of the city'. It is a more participatory process than that described in the *Secretum secretorum.* Although the lord is the head and guardian of the commune, 'nevertheless in great and uncertain necessities [*grans besoignes et doutoses*] he must assemble the counsellors of the city, and present and tell the necessity to them, and ask them to counsel [*conseillent*] him on what course seems to be best for the city, and listen to what they have to say.' This is not a *pro forma* consultation. For great matters, Brunetto says that counsel should be sought up to three times or more, and from many different people if necessary, not only at the small and great *conseil* but from other good people as well (citing Scripture on the safety of such counsel).[116] In other words, the focus is on the benefit of the practice of counsel, rather than on any institutional body.

Brunetto Latini is quite specific on the procedure the lord should follow in seeking such counsel. The proposition the lord presents to *les consillors* should be brief and contain only a few sections, in order to prevent confusion and ineffectiveness of thought. Once the notary has read the proposition aloud, the lord should rise and repeat the state and origins of the matter under discussion, using simple and unadorned speech. He may even choose to include an illustrative story (*fable*). Similar to what is advised in the *Secretum secretorum*, he should also present the matter impartially, not giving undue emphasis to any particular section. Having finished, the lord should then instruct those present to be orderly in their

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[115] *Secretum secretorum,* III.9, p. 135.
[116] *Tresor*, III.87, pp. 379–80; *Treasure*, pp. 367–7.

discussion: no one should contradict what the lord has said or begin to praise him or his men. Everyone present should listen to those who are speaking, but the lord should not allow too many people to rise to give counsel. The lord should also order his notary to write down what is said by the speakers, not *verbatim*, but as the essence of their counsel. Once all the facets of the issue have been discussed, the lord should once again give a summary, this time distilling the various opposing opinions which have been given.[117] The position to which the majority of the assembly then subscribes must be firm and stable; it should be recorded by the notary, together with, if deemed necessary, a record of the opinions favoured by each counsellor. The lord can then dismiss the assembly, giving any necessary injunctions for secrecy. The decision of the assembly should be honoured by the lord unless he considers it contrary to the common good; his counsellors, Brunetto Latini writes, are like his limbs and should be greatly honoured by him.

Assemblies such as these are not summoned for any piece of business, but only where necessary for great and uncertain matters.[118] Brunetto therefore also addresses a more informal means of seeking counsel in another chapter, 'How the lord must take counsel with his wise men'.[119] Here the emphasis is entirely on the relationship and conversation the lord has with his men, especially the judges and notaries on whom a great part of his honour and goodness relies. He should often and carefully (*sovent et menu*) gather them together, perhaps in his chamber, 'especially on feast days and at night and in the wintertime' and discuss their duties and learn what matters have come before them and take counsel about the things they must do, recalling what is past, establishing what is present, and preparing for the future (echoing Cicero's division of prudence).[120] The emphasis here is on reciprocal counsel and communication.[121]

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[117] *Tresor*, III.87, p. 380.
[118] On necessity, see above, Chapter 4, p. 171.
[119] *Tresor*, III.95, p. 384; *Treasure*, pp. 372–3. Barrette and Baldwin translate this chapter heading as 'How the lord must seek counsel *from* his wise men' (emphasis mine) but both the original heading ('*Ci dist coment li sires doit conseiller avec ses sages*') and the content of the chapter imply a more reciprocal type of consultation.
[120] See above, Chapter 3, p. 119.
[121] For similar monarchical practices of both formal and informal counsel, see Joinville's description of the deliberations held by Louis IX in Acre on whether to return to France, *Histoire de saint Louis,* LXXXII–LXXXV, and of postprandial conversations held in Louis' bedroom, CXXXV.

The Ruler's Counsellors

In general, however, far more consideration was given by the moral advisory treatises to the ruler's choice of counsellors – particularly in terms of their moral attributes – than to the specifics of the procedures of giving and receiving counsel. By choosing to surround himself with good counsellors and avoiding wicked or foolish ones, a ruler benefited from companions who were not only proven and trustworthy but who could also provide, when required, the moral restraint necessary to help him maintain a righteous rule. While a ruler's foremost counsellor should be God, he will necessarily also be influenced by the companions with whom he surrounds himself (including that most intimate of his companions, his wife) and is therefore instructed to seek out those who are godly and truthful, avoiding those who might lead him into sin.

Primacy is naturally given in many of these texts to divine counsel. A Christian ruler's first responsibility was to God, the ultimate ruler, to whom he was accountable. Kingdoms, rulers were warned, fall when their rulers stray from divine counsel: 'There is no wisdom, there is no prudence, there is no counsel opposed to the Lord' (Proverbs 21:30).[122] However, God would grant his wisdom and counsel to receptive rulers, aiding the men who, as rulers over the people, were his representatives on earth. In several cases, as we have seen, divine support for the burdens of rulership was specifically depicted as taking the form of the seven gifts of the Holy Spirit, including the gift of Counsel.[123] References to God in the context of seeking his counsel also often referred to Christ's title of the Angel of Great Counsel (*magni consilii angelus*).[124] John of Wales, for example, when discussing those whose counsel the prince should listen to, writes that the Angel of Great Counsel is to be consulted in everything, and counsel sought from him who is the Admirable

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[122] John of Salisbury, *Policraticus*, IV.xii, [Keats-Rohan] p. 272.
[123] See above, p. 235.
[124] See above, Chapter 1, p. 34.

Counsellor, just as David consulted the Lord before embarking on arduous deeds.[125] He quotes Augustine: 'Who is a more prudent counsellor than Christ? … We seek counsel and have plenty, not from one who is wise, but from Wisdom himself.'[126] He is the one Counsellor of whom Ecclesiasticus says, 'Let one in a thousand be a counsellor to you.'[127] Similarly, a model sermon from the *Sermones arboris* collection instructs the preacher who must speak in the king's counsel (*in consilio regis*) to declare, 'He should be charged with wrongdoing who, having dismissed the counsel of God, seeks the counsel of weak people. As Isaiah says, *Have you no counsellor?* Therefore it is said, *David consulted the Lord.*'[128] Such consultation of the Lord might presumably take the form of consulting the divine law of Scripture, which is why these texts show such concern for the prince's learning, 'for since he is obliged to direct all counsels, statutes, and judgements according to God, he ought in all matters to consult the divine eloquence [i.e. Scripture] in which is contained the solution for every sort of question.'[129] Divine consultation could also take the form of prayer, performed by the ruler himself, and/or solicited from others. Louis IX, for example, was reported to send messages to convents when heavy undertakings befell him in *parlement*, asking them to pray that God would give him good counsel.[130] Similarly, while on his first crusade, he had his people pray that his decision of whether or not to return to France would be in accordance with God's will.[131]

The importance of divine direction also meant that godliness was considered a critical attribute in the human counsellors whom the ruler consulted. Godliness was also

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[125] Is. 9:6; I Sam. 23:2.
[126] Augustine, *Sermones de scripturis,* LX (PL 38:404–5).
[127] Ecclus. 6:6; *Communiloquium*, I.vi.7.
[128] On the *Sermones arboris* collection, see above, p. 115n57; on this sermon, p. 115n60. '*Arguendus est namque qui dimisso Dei consilio petit consilium hominum infirmorum, dicente Ysaias, Numquid consiliarius non est tibi. Ideo hic dicto quod David consuluit Dominum.*' Troyes BM MS 2001, f. 58va. Other MSS have variant readings, e.g. BnF lat. 3276, f. 16rb: '*Arguendus est enim qui deum non consulit in adversis et agendis, ait enim sanctus Ysaias …*'
[129] Vincent de Beauvais, *De morali*, XVI, p. 84.
[130] Guillaume de Saint-Pathus, *Vie de saint Louis,* VIII, *RHGF*, vol. 20, p. 81
[131] ibid.; Joinville, *Histoire de saint Louis,* CXX, pp. 217–18.

considered a measure of trustworthiness, for a man unfaithful to his God would not likely be faithful to his lord.[132] Stability, John of Wales writes, comes through faithfulness to God and attachment to the truth, while those who set their own temporal advantage (*comodum*) ahead of the common good and man ahead of God are always unstable in counsel because of the changeability of the advantages towards which they aim.[133]

Beyond the content of counsellor's actual advice – only passing attention is paid, for example, to practical expertise – medieval advisory literature for rulers is particularly concerned with the influence that friends and counsellors may have on the ruler himself. Sin is considered a contagion, spread by bad society. Nothing is more pernicious than an iniquitous advisor to the wealthy, according to John of Salisbury, and the evil, greedy, and arrogant are no better than a 'human contagion'.[134] Guillaume Perrault warns the prince against having evil people near him, clearly concerned by the impact such associates might have, commenting metaphorically, 'It is not safe for one's health to live with lepers'. Bad companions (*collaterales*) harm the prince in two ways, corrupting him by their company (*convictus*) and counselling him perversely. A bad counsellor is therefore like the eye that ought to be plucked out (Matthew 5:29), i.e. a cause of sin.[135] Princes therefore should be wise in choosing such people, accepting them only once they have been tested and proven, rather than testing them once that have already been accepted: Vincent de Beauvais quotes from Seneca, 'Deliberate with a friend, but deliberate concerning him first.'[136]

The effect of these counsellors extends beyond the person of the prince himself to those affected by his rulership. Both Guillaume Perrault and John of Wales turn to Bernard of Clairvaux's *De consideratione* to apply his instructions on papal companions to those of the *princeps* as well:

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[132] Sedulius Scottus, *De rectoribus*, VI, p. 86.
[133] *Communiloquium,* I.vi.5.
[134] *Policraticus,* V.9 [Webb] vol. 1, p. 322.
[135] Guillaume Perrault, *De eruditione principum*, IV.i, p. 598.
[136] Vincent de Beauvais, *De morali*, XII, p. 65; Seneca, *Epistulae,* III.2.

> Let us come to your companions [*collaterales*] and coadjutors: they are sedulous on your behalf and intimate with you, on account of which, if they are good, they are most efficacious [*potissimi*] for you; if they are bad, they are equally more so to you. Do not say you are well, with a pain in your side: that is, do not say you are good, being supported by evil men.[137]

The body politic cannot afford the injuries caused by bad associates around its ruler. These companions are extensions of the prince's rule, influencing both the prince's decisions and how those decisions are carried out, and so must be chosen with great care. Good counsellors can help to share the burden of leadership, much as Jethro counselled Moses to appoint able men as leaders so that the whole burden would not fall upon his own shoulders.[138] A prelate could thereby be freed from the care of earthly matters in order to focus on spiritual things and the instruction of the people,[139] while a prince, by appointing trustworthy counsellors and officials, could share the responsibilities of rulership and thereby govern more effectively.

There is significant importance, then, in the prince being able to discern between a good counsellor and bad counsellor, and most advisory texts spend time unpacking the characteristics of both. In many of these discussions, the categories are presented as black and white – the *bonus* and the *malus consiliarius* as distinct, objective, and definitive categories. Some nuance, however, was added by the *Policraticus* in a passage subsequently repeated by Guibert de Tournai. Having described the ideal counsellor, John of Salisbury continues,

> But perhaps you will say: *Who is this man? We will praise him*.[140] I do not believe that one should wait for someone to give counsels who has never committed a sin, but rather someone who is not glad to sin, who hates sin, who rejoices in virtue and yearns for it with great desire, namely a man of good will. But this is not to limit one to perfection [lit. 'to a nail', *ad unguem resecandum*]…[141]

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[137] *Communiloquium,* I.vii.1; Bernard of Clairvaux, *De consideratione*, IV.9, p. 455. See also Guillaume Perrault, *De eruditione principum*, IV.i, p. 597.
[138] Above, p. 221.
[139] See Gregory, *Regula pastoralis*, II.vii (PL 77:39).
[140] Ecclus. 31:9.
[141] John of Salisbury, *Policraticus* V.9, [Webb] vol. 1, p. 321; trans. Nederman, p. 84; Guibert de Tournai, *Eruditio regum et principum*, I.ii.6, p. 25.

There is no perfectly good human – John of Salisbury points out that God has found wickedness even amongst his angels – and therefore no perfectly good counsellor. What is to be sought instead, therefore, are those people who, while not perfect themselves, still desire perfection through their love of goodness and virtue.

Descriptions of good counsellors often borrowed heavily from Ambrose's *De officiis*; indeed, Hincmar of Rheims' chapter on royal counsellors was solely composed of such quotations.[142] Although Ambrose primarily considers how a leader himself should be able to give counsel, with models such as Moses and Solomon, his notions of good counsel were also readily transferrable to a ruler's own counsellors:

> Now if you find a person who shows a lively intellect and a real strength of mind and authority [*vivacitate ingenii, mentis vigore atque auctoritate praestet*] – someone who is, in addition, well-qualified to help you by virtue of his example and practice [*exemplo et usu*], capable of delivering you from present dangers, anticipating your future circumstances, warning you of problems which lie on the horizon, explaining the meaning of things, and bringing the kind of relief that is right for the situation in which you find yourself; someone who is qualified not just to counsel you but to help you [*non solum ad consulendum sed etiam ad subveniendum*] – this is the type of individual in whom you will feel confidence.[143]

Mode of life is a particularly telling indicator of the quality of someone's counsel. A good counsellor should clearly demonstrate their *vitae probitas,* uprightness of life.[144] Counsel should therefore be sought from someone who is prudent and just, who is a model to others, 'an example of good works, in teaching, in integrity, in *gravitas*', whose language is wholesome and blameless, whose life is honourable, whose opinions are decorous, and whose counsel is useful.[145] Vincent de Beauvais instructs the prince that there is nothing a ruler should seek more in a counsellor than goodness (*bonitas*) and faithfulness, even if

[142] Hincmar of Rheims, *De regis persona et regio ministerio,* IV.
[143] Ambrose, *De officiis*, II.viii.42.
[144] ibid., II.xii.60; John of Wales, *Communiloquium,* I.vi.2.
[145] Ambrose, *De officiis*, II.x.50 and xvii.86.

perhaps that person has less knowledge (*scientia*), although he does still recommend choosing where possible those who are wise and discerning, skilled in diverse matters.[146]

Age is often recommended as a concomitant of wisdom and experience. The one reference to counsel in pseudo-Cyprian's *De XII abusivis saeculi* prescribes the king to have those who are 'old, wise, and sober as his counsellors'.[147] The *Policraticus*, and later texts which copied from it, saw an ideal group of counsellors in the ancient Roman *senatus*, which according to 'Plutarch' holds the place of the heart within the body politic. It is an office distinguished by the maturity of age of those who hold it and is accordigly called *senatus* from *senectus*, 'old age'. This emphasis on age marks out the role of *senator* and counsellor as the attainment of a particular stage of life: 'For what is more noble than a meeting of elders [*cetu senum*] who, having completed their service, are transformed from ordinary offices to the office of counsel and rulership and in shrivelled bodies exert strength of mind?'[148] John of Wales states that the prince's counsellors ought to be experienced (*experti*) through industry and perspicuity, which is why elders ought to be chosen as counsellors,[149] giving the example of Moses calling the elders (*seniores*) of Israel to counsel.[150] Such counsellors also ought be stable in their counsels, not moved by fear or love or desire. [151] As in the case of Rehoboam, however, age is not necessarily measured in years, 'for indeed the age of the mind [*etas mentis*] is that *sapientia* in which consists the distribution of all duties and the complete art of all living [*artificium totius vitae*].'[152] So Joseph, the ideal counsellor in Jean de Limoges' *Somnium,* is described to Pharaoh as 'a youth in age but an elder in maturity,

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[146] Vincent de Beauvais, *De morali*, XII, p. 66.
[147] Ps.-Cyprian, *De XII abusiuis saeculi*, p. 51.
[148] John of Salisbury, *Policraticus*, V.ix, [Webb] vol. 1, p. 318; trans. Nederman, p. 81. See also Guibert de Tournai, *Eruditio regum et principum*, I.ii.6, pp. 24–5; John of Wales, *Communiloquium,* I.vi.1.
[149] Citing Ambrose, *Hexameron,* I.8.31 (PL 14:140C).
[150] *Communiloquium,* I.vi.4; see Exodus 3 and Numbers 10.
[151] *Communiloquium,* I.vi.5.
[152] John of Salisbury, *Policraticus*, V.ix, [Webb] vol. 1, p. 319.

heavenly in his manner of life [*conversatio*] but earthly in his exile [*peregrinatio*], shining in understanding, fervent with feeling, gentle and sweet [*suavis*] in conversation'.[153]

Often more ink was expended on the counsellors to be avoided than on those to be sought. These included the wicked and ungodly, who might possess worldly wisdom but whose counsel was ultimately worthless since it contravened the counsels of God. The prince was also to avoid the counsels of the foolish, who 'can only love what pleases themselves', and of the young.[154] Counsel should not be sought from those with a vested interest in the matter at hand, 'from a person about a business which concerns him, or concerning what he greatly hates or greatly loves, lest perhaps he should be deceived, or should wish to deceive.'[155] The iniquitous, arrogant, and greedy should also be kept at a distance, for nothing is more pernicious than an iniquitous counsellor to the wealthy.[156] Guibert de Tournai warns stringently against wicked counsellors who love money and are always hungry due to their avarice, immoderately desiring what belongs to others. Their decision-making is compromised, for they cannot seek after both justice and money. Guibert therefore advises princes to provide for counsellors and certain courtiers from public funds so that they are not tempted to despoil the poor.[157] John of Wales is similarly cautious of misplaced affection, warning against the envious counsellor who loves the prince's goods rather than his person.[158]

Only by having companions and counsellors whom he can trust, proven in moral character, wisdom, experience, and motivation, can a leader fully enjoy the benefits of their support and correction. Humbert de Romans touches on the value of having such trusted counsellors in discussing the role of assistant companions (*socii*) to the master-general in his *De officiis ordinis*. He lists characteristics which would make friars fitting for such a role: these men should be god-fearing, zealous for the Order, discerning, of religious and loving *conversatio*, able-bodied, and not desirous of office save as it befits the order. These *socii*

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[153] *Somnium,* V, p. 80.
[154] Ecclus. 8:20.
[155] Guillaume Perrault, *De eruditione principum*, IV.ii, p. 598.
[156] *Policraticus* V.ix, [Webb] vol. 1, p. 322.
[157] Guibert de Tournai, *Eruditio regum et principum*, I.ii.6, p. 25.
[158] *Communiloquium,* I.vi.7.

offer a master-general practical assistance – one of them carries the seal and looks after necessities, the other acts as *notarius* – but the master-general may also appoint a third *socius*, a man of counsel and learning with whom he can hold counsel and confer on the Scriptures – whether on the road or in the house – from whom he can have help in the things he needs to study and to whom he can, when expedient, assign the things he needs to do. Such a *socius* thus provides support to the leader of the order not only in carrying out his necessary tasks, but also in advising him, particularly in spiritual matters. Crucially, these men not only provide the master-general with companionship and support, guarding his secrets, but also serve, when necessary, as moral restraint: when they see in him something to correct, it is their strict duty to tell him of it.[159]

This responsibility of godly counsellors to act as moral restraint had been detailed by Bernard of Clairvaux's *De consideratione*, in a passage which was silently adapted by Guillaume Perrault for application to the secular prince:

> A prince ought to make provision so that he may have people with him to whom he might securely commit all his secrets and share his counsels [*consilia communicet*]; to whom he might pour out all of himself as to another self; who, if he should wish to deviate somehow, would not permit him, would restrain his fall, would rouse him when he is sleeping, check him when he is exulting, correct him when transgressing; whose constancy steadies him when wavering and raises him up when doubting; who encourage those things which are honourable and amiable and of good reputation; who do not despise the common people, do not burden the poor but minister to them; who are humble with the humble, innocent with the innocent, who rebuke the harsh harshly, punish the wicked, and render retribution to the proud.[160]

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[159] Humbert de Romans, *Instructiones de officiis ordinis*, I.xv, p. 193–5. See also Edward Tracy Brett, *Humbert of Romans: His Life and Views of Thirteenth-Century Society* (Toronto, 1984), pp. 134–50. Humbert also requires godliness and discernment in those chosen to be counsellors to the prelate; in matters not great enough to require the attention of the whole *conventus*, they should prevent the prelate from acting according to his own pleasure, *Instructiones,* XXI, pp. 284–5.

[160] Guillaume Perrault, *De eruditione principum*, IV.ii, p. 598. Borrowing from Bernard of Clairvaux, *De consideratione*, IV.15, p. 460 and IV.12, p. 457.

Such people play many roles, not only as counsellors, but also as friends, companions, supporters, and ministers and officials – those around the prince not only counsel but also often act and enact. The dynamic discussed here is not dissimilar to that of the monastic community, in which counsel which encourages good and restrains evil can be seen as an act of shared moral obligation and mutual responsibility.[161]

Women as Counsellors

One notable absence from the counsellors described in princely advisory literature was that of women, specifically queens. While the wives and mothers of rulers certainly participated in giving counsels at the highest levels during this period, active discussions of what this ought to look like were often lacking. Of the advisory texts cited above, only the ninth-century work of Sedulius Scottus contained any sustained consideration of the ruler's wife in the role of counsellor. According to Sedulius, a wife should be the 'author of prudent counsels … for just as ruinous perils are borne of the persuasion of a bad spouse, so many advantages that are pleasing to the Almighty come forth from the counsel of a prudent wife,'[162] quoting I Corinthians 7:14, 'For the unbelieving husband will be saved by the believing wife.' Sedulius added that 'not only unbelievers but also pious and orthodox princes often weigh and listen to the marvellous prudence that is in their wives, not considering their frail sex but gathering the fruit of their good counsels.' He cited, from Cassiodorus, the example of Placilla, wife of Emperor Theodosius, who advised her husband on the divine laws and urged him to rule in a manner pleasing to God, thereby offering her husband 'something of the greatest benefit and an abundance of virtue.' [163]

Advisory texts of the twelfth and thirteenth centuries, however, tended not to share Sedulius' optimistic view of the benefits of wifely moral suasion.[164] Considerations of wifely influence were therefore largely restricted to those treatises directly concerned with the education of young princes and nobles not yet married. In his chapter in *De eruditione*

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[161] See above, Chapter 3, pp. 154–157.
[162] Sedulius Scottus, *De rectoribus christianis,* V, p. 78.
[163] ibid., p. 79; Cassiodorus, *Historia ecclesiastica tripartita*, IX.31 (PL 69:1147–48).
[164] On clerical misogyny, see above, Chapter 3, p. 147.

filiorum nobilium on instructing boys on marriage, Vincent stresses that the choice of a wife must be made with consideration and foresight, since there are many dangers in choosing a bad wife and any error in choice cannot be emended. A good wife, on the other hand, though a rare thing, can be of great value to her husband, since she may soften his anger (*mitigat iratum*) and correct his errors (*errantem corrigit*) – here, Vincent also cites I Corinthians on the salvation of the unbelieving husband.[165] Guillaume Perrault's own pedagogic treatise incorporated some of Vincent's material, adding that a prince ought to choose a good wife because 'if she is good, she is a great helpmeet of salvation [*adjutorium salutis*], since she is most intimate [*familiarissima*]; but if she is bad, she is a great impediment to salvation.'[166]

As agents of moral suasion, women were particularly linked to the virtues of mercy and moderation, supported etymologically by their association with 'softness' (*mollities*).[167] Wives, particularly those of powerful men, could 'soften' their husbands' harshness and temper their justice with mercy, thereby acting as important mediators of counsel.[168] Failing to counsel their husbands well, on the other hand, could render wives complicit in their husbands' offences.[169] The epistolary record contains numerous examples of such requests for wifely mediation and persuasion.[170] Adam Marsh, for example, writes to Eleanor, wife of Simon de Montfort, regarding the divinely instituted role of a wife to

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[165] Vincent de Beauvais, *De eruditione filiorum nobilium*, XXXVII, pp. 147–8. Vincent's chapter on marriage for girls, meanwhile, is more focused on bearing patiently with one's husband's deficiencies, ibid., XLVIII.

[166] Guillaume Perrault, *De eruditione principum*, V.xxviii, p. 627. On the influence of Vincent's text, see Arpad Steiner, 'Guillaume Perrault and Vincent de Beauvais', *Speculum* 8:1 (1933).

[167] See above, Chapter 4, pp. 149–150.

[168] Vincent de Beauvais, *De eruditione filiorum nobilium*, XXXVII, pp. 147–8; Guillaume Perrault, *De eruditione principum*, V.xxvii, p. 627b. The same 'softening' could be framed negatively as seductive (cf. Prov. 2:16) or effeminizing: see suspicions regarding Eleanor of Provence's influence on her husband Henry III, *CMj*, IV, pp. 509–10, and V, p. 360.

[169] See above, Chapter 3, pp. 150–150.

[170] On the value of the epistolary record for the study of female rhetoric, see Shawn D. Ramsey, 'The Voices of Counsel: Women and Civic Rhetoric in the Middle Ages', *Rhetoric Society Quarterly* 42:5 (2012).

serve as a 'help' to her husband. The passage in Genesis wherein God chooses to create Eve, he explains,

> clearly teaches us that a wife is most strictly bound to her husband by her constancy of strength, her prudence of discernment [*per discretionis prudentiam*] and her clemency of kindness to give him the constant care of her assistance [*iugem iuvaminis impendere sedulitatem*] for everything relating to the worship of God, righteous living, and right judgement.[171]

In another letter, Adam Marsh is concerned that Simon may have neglected the considered advice and wise deliberation which would urge him to take on the governance of Gascony, instead entering into incautious treaties or contracts. If this is the case, he tells Eleanor,

> it will be your part, by the most loyal design of your kindly circumspection in a spirit of gentleness, to direct him with calmness of counsels [*per tranquillitatem consiliorum dirigere*] to negotiate with more caution in future.[172]

As Adam portrays it, wifely support as involving assisting one's husband with moral, spiritual, and prudent guidance as much as it does offering him physical and emotional comfort.

Ideas of feminine mercy and of mollifying gentleness were also associated, particularly for queens, with the role of the intercessor, with important biblical models provided by Queen Esther, who interceded before the king on behalf of her people, and the Virgin Mary, queen and *mediatrix* of heaven.[173] These concepts of intercession and of counsel overlap to a certain degree: both are persuasive but not coercive, and both rely on having the ear of the person addressed with whom the final decision for action lies. Intercession, however, is primarily enacted on behalf of a third party, generally with an attitude of petition or supplication and often with a focus on redressing a past action, while counsel is

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[171] Adam Marsh, *Letters,* no. 157, p. 378.
[172] Adam Marsh, *Letters*, no. 159 (c. 1249), p. 384.
[173] Lois L. Huneycutt, 'Intercession and the High-Medieval Queen: The Esther Topos', and John Carmi Parsons, 'The Queen's Intercession in Thirteenth-Century England', in *Power of the Weak: Studies on Medieval Women*, ed. Jennifer Carpenter and Sally-Beth MacLean (Urbana, 1995).

framed primarily in terms of the good of the addressee (if only in terms of their moral and spiritual good in pursuing the right action) and may be directed towards other future action.[174] 'Intercession' denotes suppliance, while 'counsel' denotes a level of authoritative advice. Intercession could, however, be framed as counsel, particularly in urging a ruler to 'incline toward mercy' by referring him more generally to the virtues of godly conduct; female counsel could also take the form of pleading petition, in order to allow a ruler to appear to be graciously granting a woman's petition rather than ceding to her admonitory counsel. Models of such intercessory queenship came increasingly to the fore in the late twelfth and thirteenth centuries with the decline and deinstitutionalization of queenly political power, as the queen's power now primarily lay in her ability to influence the king rather than from her own position of power.[175] Indeed, it was the queen's status as a figure marginal to the seat of power which allowed her to intercede and to give counsel – modifying judgements or supplementing judgements rather than overturning them – without herself posing a threat to that power.[176] The king's judgement could be quietly balanced by the queen's mercy, a division of labour in which 'the queen's mild intercessions may be viewed as essential course-corrections in the navigation of a male-piloted ship of state'.[177]

This expected role of the queen as intercessor is also well documented in the epistolary record. Robert Grosseteste wrote letters to both Queen Eleanor of Provence and her uncle Boniface of Savoy, the recently elected archbishop of Canterbury, asking for her intercession with the king, likely regarding Henry's interference in the Winchester

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[174] Paul Strohm, 'Queens as Intercessors', *Hochon's Arrow: The Social Imagination of Fourteenth-Century Texts* (Princeton, 1992), p. 113; John Carmi Parsons, 'The Pregnant Queen as Counsellor and the Medieval Construction of Motherhood', in *Medieval Mothering*, ed. John Carmi Parsons and Bonnie Wheeler (New York, 1996), pp. 53–4. Strohm distinguishes between 'abject intercession and robust persuasion', although these may operate together, whereas Parsons labels petitionary intercession as counsel.

[175] Marion Facinger, 'A Study of Medieval Queenship: Capetian France 987–1237', *Studies in Medieval and Renaissance History* 5 (1968), esp. pp. 23–40.

[176] Strohm, 'Queens as Intercessors', p. 96. See also Misty Schieberle, *Feminized Counsel and the Literature of Advice*.

[177] Strohm, 'Queens as Intercessors', p. 103.

election. As Grosseteste writes to Boniface, '*happy is the husband of a good wife*,[178] for he is saved through the efforts of his wise wife, once his heart has been changed for the better by her gentle and wholesome persuasiveness [*per eius suavem et salubrem persuasionem*].'[179] Grosseteste therefore asks Boniface to urge his niece to try to change the heart of the king 'in accordance with the prudence bestowed upon her by God'. To Eleanor herself, he quotes Ecclesiasticus 26:21: 'Like the sun rising to the world in God's heavens, so the beauty [*species*] of a good wife is for the adornment of her house.' Just as the sun drives away darkness and brings life-giving warmth, so the brightness and beauty of Eleanor's kindness, goodness, and virtue must produce similar effects in her household, which Grosseteste extends to include both Church and kingdom, 'by countering the horror of error, by proposing what is true, and … by most prudently providing for both [the priesthood and the realm] the peace to flourish, thrive, and grow to perfection'.[180] The queen's bright beauty can display its lustre by persuading the king to cut away these new causes of disturbance and not to allow them to sprout up in future. Grosseteste adds that what the king does in response to Eleanor's persuasion, she will be doing through and in him. He ends by referring her to the example of Esther, 'that excellent, most holy, and most prudent [*prudentissima*] queen', urging her to likewise free her people from their troubles through her persistence (*instantia*) before the king.[181]

Queen mothers could also be found playing the role of counsellor, although their influence on their adult sons was more dependent upon individual personality and circumstances and therefore not often specifically addressed in the manner of wifely influence.[182] Henry III

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[178] Ecclus. 26:11.
[179] Grosseteste, *Epistolae,* no. 86, p. 272; *Letters*, p. 291.
[180] *Epistolae,* no. 103, p. 310; *Letters,* p. 328.
[181] *Epistolae*, no. 103, p. 311.
[182] Lindy Grant, *Blanche of Castile: Queen of France* (New Haven, 2016), pp. 3–4. Louis IX specifically instructed his son Philip to heed his mother's instruction and teaching, *Teachings of St Louis,* ed. David O'Connell (Chapel Hill, 1972), §21. For examples of the counsel of queen mothers in the Castilian context, see Estelle Maintier-Vermorel, 'Le conseil féminin dans les chroniques du règne de Ferdinand III', *e-Spania* 12 (2011).

and Louis IX, for example, had quite different relationships with their mothers. Henry's mother, Isabella of Angouleme, returned to her homeland shortly after her young son ascended to the throne, leaving him in the hands of those responsible for his minority government. She therefore had relatively little personal interaction with him during his reign, although an early letter implies that she continued to desire some right of access to her son's counsels.[183] As her son's regent, Louis IX's mother Blanche of Castile had a far more influential role in guiding and counselling her son, both in his spiritual and moral education and in matters of governance. According to the chroniclers, many of Louis' actions during his early years were taken by her counsel ('*consilio matris suae*'), and he continued to seek her counsel even after he had married and was ruling in his own right.[184] Upon her death in 1252 Matthew Paris described Blanche admiringly as 'a woman in sex, but a man in counsels [*sexu femina, consilio mascula*]'.[185] Her powerful role in governance moved her beyond the normal limits of female persuasion toward the role of the typically male counsellor.[186]

Profits and Perils of a Counsellor's Role

Attendance and service at court had long been seen as a double-edged sword, especially by clerics. Anti-court literature of the period is full of laments of the miseries, snares, and pitfalls of a milieu abounding with the vices of avarice, envy, and deception.[187] And yet arguments could also be made for the good work which could be done by those able to resist the court's worst temptations. Although wary, like many contemporary writers, of the proliferation of regular clerics at royal and noble courts and the corrupting effect which this could have on their priorities and behaviour, Guibert de Tournai spares from criticism those who are chosen as counsellors:

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[183] *Royal and Other Historical Letters Illustrative of the Reign of Henry III*, no. 26, ed. Walter Waddington Shirley (London, 1862), vol. 1, pp. 33–4.
[184] Guillaume de Nangis, *Chronique latine*, ed. H. Géraud (Paris, 1843), pp. 176–7; Guillaume de Saint-Pathus, *Vie de saint Louis*, p. 65.
[185] *CMj*, V, p. 354.
[186] Grant, *Blanche of Castile*, esp. pp. 1–11, 291–327.
[187] Jaeger, *Origins of Courtliness*, pp. 58–66.

> If nevertheless, by the counsels of their prelates, men of good conscience and those of eminent knowledge belonging to a rule [*regulares*] are chosen by princes and magnates in order that others might be taught [*informentur*] by them, this is not what is deservedly attacked by such [arguments]. For it is not unfitting if among the counsels of princes there are those who might teach justice, encounter dangers, and teach courtiers by warnings and examples. Rehoboam did not choose the counsel of the good, and therefore his kingdom was divided ... So at one time kings in Israel made use of the counsels of the prophets, and so now, men of counsel and conscience restrain many of the things which would otherwise tend toward the detriment of subjects and bringing lords into sin.

Guibert goes on to argue that if such men 'of counsel and conscience' were exalted by the earth, they would protect the poor and the simple, defend the church and clerical liberty, establish peace amongst the people and quiet in the monasteries, kindle religion, and guide judgements.[188] Such benefits are dependent, however, on the strong moral qualities of these men and their ability to continue to speak the truth and avoid flattery.

Jean de Limoges' *Somnium* is even more insistent on the value of good counsellors at court.[189] The work not only warns the ruler against eschewing his court for the sake of contemplative solitude but also gives the same warning to the good men called to the ruler's service, despite the possible dangers which they may face in the court. Unlike in the biblical account, this Joseph, called upon by Pharaoh to interpret his dream, initially cries off, knowing well that the rise from prison cell to the palace could just as easily be followed by a move from the palace to a gibbet. 'Truth begets hatred,'[190] Joseph writes, and 'the anger of the king is the death of the messenger': knowing that his interpretation of the dream may be displeasing to the king, he fears that if he confesses the truth, he will not escape the hand of the king, whereas if he denies it, he will fall into the terrible hands of the living God, condemned by his own words.[191] Pharaoh's response, however, is in strident favour of court service, despite its potential dangers. He assures Joseph that he does indeed wish to be directed by the truth, not deluded by falsity, but he also declares

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[188] Guibert de Tournai, *Eruditio regum et principum*, II.i.13, p. 58.
[189] Jaeger considers the text to come as close to being 'pro-court literature' as any medieval work, *Origins of Courtliness,* p. 95.
[190] See above, Chapter 4, p. 186n99.
[191] *Somnium,* VII, p. 85.

that even if he were to go astray, mistaking darkness for light and light for darkness, Joseph should not on that account bind truth and dethrone reason. Joseph should fear the loss of his own life less than the loss of equity and justice, and prefer death in the pursuit of justice to death from physical illness: 'Who would not rather offer up his head to prudence [*phronesis*] than to madness [*phrenesis*]? … Who would not rather give over his life to the virtues [*virtutibus*] than to the worms [*vermibus*]?'[192] And indeed, over the course of the text, Joseph does restore and reform the king's distorted rule through his words of prudence and foresight.[193] By Joseph's teaching, Pharaoh recognises the dangers of his negligence and *curiositas* and therefore proposes to recall and honour rational and royal *curae,* guarding his heart lest he should wander into such dangers again.[194] Joseph subsequently calls the other counsellors to this same work of providing 'rational, virile, advantageous, and morally worthy recommendations [that] excite the royal prudence, strengthen constancy, regulate justice, [and] decorate temperance.'[195] He recognises that 'civil virtues are constantly surrounded by vices' in the courts, and that it is therefore easy to stray from the right path, but he expects counsellors around the king to employ truth rather than flattery, restraining him from going astray rather than pandering to him with false flattery.[196]

Truth-Tellers versus Flatterers

Advisory texts from the Carolingian period onwards consistently identified flatterers (*adulatores*) as the most dangerous of princely associates and counsellors. Driven by ambition, they are frequently to be found in the courts of the powerful, where they speak what they believe will please their superiors, rather than what their superiors need to hear. As Guibert de Tournai notes, such praise is much more dangerous than criticism, for to err in praising confirms the error and indeed entices the one who is flattered to err even further.[197] Good counsellors, as noted by *Somnium*'s Joseph, must instead be able to speak

[192] *Somnium,* VIII, pp. 87–8.
[193] *Somnium,* X, p. 92.
[194] *Somnium,* XII, p. 98.
[195] *Somnium*, XVIII, p. 118.
[196] *Somnium,* XX, p. 124.
[197] Guibert de Tournai, *Eruditio regum et principum*, II.i.13, p. 59.

even the unpleasant truths which will help keep their king from straying from the right path.

A major criticism of flatterers in the courts is their deceitfulness and duplicity, so contrary to the truthfulness of good counsel. John of Salisbury, who devotes a large section of the *Policraticus* to the criticism of such people, speaks of the flatterer as one who commits injury under the pretence of friendship, 'until finally he blunts the sharpness of reason and extinguishes that modicum of light which may seem to be present'. Under the appearance of love and faith, flatterers practice fraud and deceit against the simple, the credulous, and the friendly, and plug up the ears of their audience so that they do not hear words of truth.[198] Vincent de Beauvais similarly devotes the last third of his treatise to the theme of flatterers and back-biters, whom he compares to double-tongued snakes, praising one to one's face, and spreading slander in one's absence.[199] He lists three factors which make these people particularly difficult for the prince to ward off. The first is their unscrupulousness (*improbitas*) in persistently thrusting themselves forward, or if repulsed, in turning their praises into backbiting criticisms. The second is their craftiness (*calliditas*), by which they hide their wicked intentions and make them seem good. As Cicero writes, 'No one, unless he is very stupid, fails to see the open flatterer, but the crafty and hidden one [*callidus et occultus*] is very difficult to recognize'.[200] The third factor is their audience's desire for praise, which easily entices and captures those whom they flatter.[201]

A whole range of metaphors are deployed to illustrate these dangerous courtiers. Fresh from comparing wicked ministers to blood-sucking leeches and rapacious birds of prey, Guibert de Tournai finds the natural world's analogue to the flatterer in the colour-shifting chameleon (*cameleon*) [202] and octopus (*polipodis*). The chameleon is like those in the

[198] *Policraticus*, III.iv, [Keats-Rohan] p. 176; trans. Nederman, p. 18.
[199] Vincent de Beauvais, *De morali,* XX, p. 99.
[200] Vincent de Beauvais, *De morali,* XXVII, p. 134; Cicero, *De amicitia,* XXVI.99.
[201] *De morali,* XXVII, pp. 133–5.
[202] Guibert likely pictured a horse-like creature, e.g. Bodleian, MS Bodl. 764, f. 27r.

households of kings who dress in soft clothing and who, desiring to please with their soft words, conform themselves to the wishes of everyone, easily changing to different colours by turns, their praise or criticism dependent upon the praise or criticism offered by others. The octopus, camouflaging itself on rocks to lure in unsuspecting fish, is the analogue of those who change their morals to suit their present company.[203] Guibert is grieved by the manner in which such flatterers abound in the courts of princes and noblemen, instilling the poison of flattery in tender ears and deceiving them with blandishments. These flatterers not only lead princes astray with deceit, but they also enable wicked behaviour: they provide metaphorical cushions for those who are acting badly, so that those who ought to be rebuked instead rest easily, propped up by their flatteries. Flatterers also cover over princely misdeeds: the wall which princes build with wicked deeds the flatterers then daub with the trowels of their flattering tongues, hiding its wickedness beneath a bright exterior.[204]

Not only may the soothing words of the flatterers be dangerous in themselves, by encouraging evil behaviour, but they may also crowd out better counsels. The *Policraticus* decries the proliferation of flatterers in the courts, fearing that when opinions come into conflict, it is good and moderate men who will be expelled instead of the flatterers.[205] As opposed to the blandishments of flatterers, the truth is harsh (*aspera*) and often brings forth discomfort (*molestia*) because it refuses to flatter anyone. According to John of Salisbury, however, this bitter truth (*verum amaritudo*) is more useful (*utilior*) and more appreciated by a mind of integrity than the distilled honey of a prostitute's speech.[206] It is therefore the trait of a philosopher to prefer anyone's criticism to praise from one who is mistaken or who flatters, 'for no critic need be feared by the lover of truth': as Augustine says, 'If an

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[203] Cf. the description of the *polypodis* in Eustathius' Latin translation of Basil of Caesarea's *Hexameron*, VII.3 (PL 53:939–40).
[204] Guibert de Tournai, *Eruditio regum et principum*, II.i.10, p. 54. Cf. Ezek. 13:18; Gregory the Great, *Moralia in Job*, XVIII.iv.8. Similar imagery is found in Vincent de Beauvais, *De morali,* XXV.
[205] *Policraticus,* III.vi, [Keats-Rohan] p. 185.
[206] ibid., p. 186.

enemy offers an insult, it should be borne; but if it is a friend who errs, he should be instructed, and if it is he who instructs, he should be heard.'[207]

As a Franciscan, Guibert de Tournai is particularly concerned about the vice of flattery amongst regular clerics (*regulares*) in the courts: 'Since the crime of flattery is exceedingly shameful, it is therefore especially to be reprimanded when it happens in a *vir regularis,* when, having cast off their clean robes, they return to their vomit and frequent the courts dressed like a jester [*hystrio*].'[208] Guibert applies a punishment suitable to the harmfulness of the crime: the empty artifice of *regulares* known to engage in flatteries should be expelled not only from the clergy, but from the whole assembly of the faithful. While Guibert feels very differently about *regulares* and men of good conscience who remain in princely courts out of necessity and utility,[209] it is only insofar as they eschew the vice of flattery and speak those things to princes which pertain to religion and to virtues in liberty of spirit (*in spiritus libertate*). Guibert cites the teachings of 'Aristotle' to Alexander: it befits a king to venerate the religious, to elevate the wise and to confer with them, to raise uncertain questions (*dubitabiles quaestiones*), to ask honestly and respond with discernment, and to honour the wise and noble according to what befits the status of each.[210] 'Therefore,' writes Guibert, 'in those things which pertain to God, princes ought to consult [*consulere*] these [men], and if they put forward to them a word of correction or teaching, to listen patiently. For just as every flatterer is to be avoided by men, so no critic [*reprehensor*] ought to be the object of fear to the one who loves the truth.'[211]

Prelates, especially bishops, were seen to have a particular responsibility to watch over the moral behaviour of temporal authorities and provide both admonition (*admonitio*) and

[207] ibid., III.xiv, p. 229; Augustine, *De trinitate,* II, proem., p. 81.
[208] Guibert de Tournai, *Eruditio regum et principum*, II.i.13, p. 58.
[209] Above, p. 257.
[210] Cf. Roger Bacon, *Secretum secretorum*, I.10, p. 48.
[211] Guibert de Tournai, *Eruditio regum et principum*, II.i.13, p. 59.

counsel – hence the image of the mitred bishop in the *Bible moralisée* roundel.[212] The term '*admonere*' implies a restoration to the memory of what has fallen away;[213] '*admonitio*' is therefore the process by which someone may be recalled from their present wrongs by reminding them of the right path. The Old Testament provided numerous examples of prophets admonishing and warning kings to turn from their sin. Ezekiel's role as a watchman – appointed by God over the house of Israel to warn them of their sin – was particularly associated with the responsibilities of bishops (the Greek term ἐπίσκοπος [*episkopos*] literally means 'watchman').[214] Further models were provided by martyrs and early churchmen: collections like Jacobus de Voragine's thirteenth-century *Legenda aurea* featured men such as Ambrose, Nicholas, Marcellus, and John Chrysostom boldly admonishing emperors. Ambrose's confrontation as bishop of Milan of Theodosius I in 390 AD became a particularly influential model for churchmen rebuking rulers as a function of their office.[215] While Ambrose communicated his admonition to the emperor in at least a notionally private letter, the story which was transmitted to medieval audiences was one of a public confrontation with the emperor at the doors of Ambrose's church, a public performance of *parrhesia*.[216] Sedulius Scottus' chapter on 'why it is glorious for a godly ruler to comply with the most wholesome admonitions and corrections of bishops'

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[212] On the roundel, see above, p. 223. Some theologians reserved *correctio* for prelates, while others (like Peter the Chanter) saw it as every person's responsibility, since to fail to correct sin is to consent to it: Buc, *L'ambigüité*, pp. 350–6. Much of scholarly focus on medieval episcopal *admonitio* has been centred on the Carolingian period, e.g. Mayke De Jong, 'Admonitio and Criticism of the Ruler at the Court of Louis the Pious', in *La culture du haut Moyen Âge*, ed. François Bougard et al. (Turnhout, 2009); Monika Suchan, 'Monition and Advice as Elements of Politics', in *Patterns of Episcopal Power: Bishops in Tenth and Eleventh Century Western Europe* (Berlin, 2011). However, two recent studies have examined the twelfth-century English and German contexts: Björn Weiler, 'Clerical *Admonitio*, Letters of Advice to Kings, and Episcopal Self-Fashioning, c.1000–c.1200', *History* 102:352 (2017); Ryan Kemp, 'Images of kingship', esp. pp. 168–93. On bishops' involvement in politics, see Ambler, *Bishops in the Political Community of England*, pp. 24–9; also Gregory IX's letter to Henry III in 1231, sanctioning his use of bishops as counsellors, *Royal and Other Historical Letters,* Papal Bull no. 27, vol. 1, p. 549.

[213] Papias, *Elementarium,* s.v. *'monet'*, f. 105v.

[214] See, for example, *Etymologiae,* VII.12.

[215] van Renswoude, *Rhetoric of Free Speech*, pp. 87–108, 194–8.

[216] Ambrose, *Epistolarum Classis I*, XL (PL 16:1101–13); Jacobus de Voragine, *Legenda aurea*, ed. Giovanni Paolo Maggioni (Florence, 1999), LV, p. 388.

includes a lengthy account of the episode copied from Cassiodorus, as well as a reference to the penitence of David after the prophet Nathan's rebuke.[217] While later episcopal admonition often favoured classical ideals of courtesy and restraint over the ferocity of the biblical prophets, examples such as the fearless admonitions of John the Baptist were still used to cast the evil of flattery into relief.[218] As Vincent de Beauvais notes, John the Baptist did not speak soothing flattery (*palpabat*) but instead harshly rebuked vices, as when he told Herod that it was not lawful for him to have his brother's wife. Therefore he lost the grace of the court and 'could not dwell with those who wear soft clothing' – and indeed, as medieval readers would have been aware, was imprisoned and soon lost his life.[219] A ruler might be judged to stand in need of this harsher level of rebuke. A letter of John of Salisbury, for example, describes how the archbishop of Rouen 'reproved [Henry II] [*corripiens eum*] – but rather gently [*mitius*], as his manner is, in the spirit of meekness,[220] although God's cause would rather have demanded the application of episcopal severity and authority to the disease of sick reason and faith.' John of Salisbury insists Henry will not prosper unless he heeds more godly counsel, an outcome which he implies will require severe admonition rather than gentle reproof.[221]

Despite the possible dangers, all those who were in a position to offer counsel to those in power were urged by moral advisory texts to speak the truth, even if, in practice, the speaker's manner of speech might usefully be tempered so as to mitigate the offence caused.[222] As John of Wales writes, 'counsellors ought to be endowed with truth, or truth-telling, so that they counsel in the truth those to whom they are counsellors or consuls,

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[217] Sedulius Scottus, *De rectoribus Christianis*, XII; Cassiodorus, *Historia ecclesiastica tripartita*, IX.30 (PL 69:1144–47).
[218] On the medieval use of classical restraint, see Kemp, 'Images of kingship', pp. 46–69, 189–242.
[219] Matt. 14:1–12.
[220] Gal. 6:1.
[221] John of Salisbury, *Letters*, no. 168, ed. W. J. Millor, Harold Edgeworth Butler, and Christopher Brooke (London, 1955), p. 109.
[222] See above, Chapter 4, pp. 180–191.

whether it be a prince or the *civitas* or the *respublica* – not for the pleasure of those whom they counsel but according to the truth of the matter.' While flattery harms in counsels, the truth of counsel gives profit.[223] True friends of the truth make stable counsellors, moved by neither fear nor desire. These are the counsellors which a prelate or prince should desire, choosing like the *Somnium*'s Pharaoh 'to be directed by truth rather than deluded by falsity', surrounding themselves with counsellors such as Joseph, who 'teach the way of righteousness in truth'.[224]

Conclusion

Advisory texts were in no doubt as to the impact that a ruler's counsellors could have on his rule. Their interest, therefore, is not merely in the moral progression of the prince as an individual as a result of good counsel, but also in the welfare of the commonwealth and the broader Christian community. As Sedulius Scottus summarises, 'Just as good counsellors raise the *respublica* up, so wicked ones cast it down into ruinous calamity.'[225] Good counsel is therefore the foundation of good governance – many texts repeated Cicero's *sententia*, 'Arms are of little use abroad unless there is counsel at home'.[226] John of Wales' *Communiloquium* accordingly addresses the subject of the *respublica* before ever discussing the prince – one of its earliest chapters concerns how the political community ought to be directed by salubrious counsels. Quoting Cicero, John notes that

> those giving counsel in the *respublica* do more than other people, for they are like a helmsman in a ship. Some in the ship pump bilge water, others run about, others raise the masts. But the one holding the tiller and sitting quietly at the stern does what is better and much more important.[227]

By the counsel of the wise, therefore – of those who plan, deliberate, and advise – the commonwealth is augmented and ruled and preserved. *Consilium* here is an expansive term, not just advice given from one person to another, but plans of prudent governance which

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[223] *Communiloquium,* I.vi.3.
[224] *Somnium,* VIII, p. 87; XIV, p. 102.
[225] *De rectoribus Christianis*, VI, p. 86.
[226] Cicero, *De officiis*, I.xxii.76, p. 76. Cited for example, in Guillaume Perrault, *De eruditione principum*, IV.ii, and John of Wales, *Communiloquium* I.i.7.
[227] Cicero, *De senectute*, VI.17, p. 26; John of Wales, *Communiloquium,* I.i.7.

may be derived both from a ruler and from those who, by counselling him, support his good rule.

Counsel not only supports a good ruler but is also a means of restraining a foolish one from his worst excesses. Aquinas, in discussing how disorder arises in human government, underlines how even a ruler who has usurped power or been appointed to it through motives of sensual affection is restrained by counsel:

> But disorder of this kind does not exclude divine providence … Nor is the natural order entirely perverted by such disorder, for the dominion of fools is weak unless strengthened by the counsel of the wise. Hence it is said in Proverbs: *Designs are strengthened by counsels, and wars are to be arranged by governments*;[228] and again: *a wise man is strong, and a knowing man stout and valiant: because war is managed by due ordering, and there shall be safety when there are many counsels*.[229] And since he who gives counsel rules the man who takes counsel, and in a sense governs him, it is said in Proverbs: *a wise servant shall rule over foolish sons*.[230]

Not only is a prince's counsel in the hands of God, but it may also be in the hands of those who counsel him. Potential dangers therefore also come from counsellors as well as rulers. Humbert de Romans declares that counsellors of kings who bend their counsel toward what they believe will please them, or who deviate from what is right and give wicked counsel, are very dangerous for the kingdom. He quotes 'a certain wise man' (*quidam sapiens*) who said, 'It is easier for the king to bend towards his counsellors than they towards him'. Indeed, Humbert goes so far as to claim that bad counsellors around the king are an even greater harm to the *respublica* than a bad king.[231]

Moral and didactic advisory treatises were not the only means by which ideals of court counsel were reiterated to prelates and princes in power. Henry III, for example, neither

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[228] Prov. 20:16.
[229] Prov. 24:5–6.
[230] Prov. 17:2. Aquinas, *Summa contra Gentiles,* III.81.2570c; trans. Vernon J. Bourke, *On the Truth of the Catholic Faith*, vol. 3, p. 274.
[231] Humbert de Romans, *Sermones* II, sermo LXXXVI (*In parlamentis regum*), p. 344.

commissioned nor wrote advisory literature, yet the virtues and vices he had painted on the walls of his chamber toward the end of his reign indicate the influence of very similar ethical and moral language.[232] Such ideas could be transmitted by sermons and letters, in confessions and conversations, particularly by those clerics who deemed the benefits of providing counsel in court sufficient to outweigh its dangers. In this sense, princely advisory literature is perhaps less significant as a vector of influence in and of itself than as an insight into the conceptions of rulership and counsel espoused and communicated by its clerical writers. Vincent de Beauvais explicitly tells his royal recipients that he has gathered his volume concerning the morals of princes so that he and his Dominican brothers might have material when it falls to them to persuade princes, knights, counsellors, and other such people, whether publicly or privately, on matters pertaining to *honestas* and the health of the soul.[233]

The impact of such influence depended not only on the strength and persuasion of those advising but also the receptivity of those they sought to advise. Louis IX, whose patronage was instrumental to a number of the texts discussed in this chapter, was certainly a ruler who seems to have responded to such ideals, to judge by the instructions he himself wrote for his son and heir, the future Philip III.[234] In form, his *Enseignements* does not much resemble the far longer 'mirrors' of the mendicants; it is a list of instructions and advice rather than a moral treatise, with very few Scriptural allusions or *exempla* and no references to any other sources. Thematically, however, it bears much in common. Primary attention is given to the future king's relationship with God and his purity of heart, with repeated emphasis on his responsibilities for justice and the defence of the poor. Throughout, Louis

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[232] Paul Hyams, 'What Did Henry III of England Think in Bed and in French about Kingship and Anger?', in *Anger's Past*, ed. Barbara H. Rosenwein (Ithaca, NY, 2018); Paul Binski, *The Painted Chamber at Westminster* (London, 1986).
[233] Vincent de Beauvais, *De morali,* prologus, p. 3.
[234] Louis IX, *Teachings of St Louis*, ed. David O'Connell; Le Goff, *Saint Louis*, pp. 330–40. Versions of the *Enseignements* were recorded in French and Latin by various contemporary chroniclers, including Geoffrey de Beaulieu, *Vita,* XV; Guillaume de Saint-Pathus, *Vie de saint Louis*, pp. 84–6; Joinville, *Histoire de saint Louis,* CXLV; and Guillaume de Nangis, *Gesta sancti Ludovidi*, *RHGF,* vol. 20, pp. 458–60.

stresses that his son's actions – whether in judging cases, bestowing benefices or waging war – should always be done 'with the counsel of prudent men' (*par conseil de preudhomes*).[235] He is to confess frequently, choosing upright and sufficiently learned men as his confessors, in whom he can confide and who can teach him what to do and what not to do.[236] Louis also advises his son to carry himself humbly and to be open to their correction: 'You should so carry yourself that your confessors and other friends may dare confidently to teach and reprove you.'[237] He should listen willingly to the word of the Lord, both in public and in private, and should surround himself with upright associates, both clerics and laymen, holding good conversations with them; equally, he should avoid bad associates and all speech that might lead him into sin.[238] Even when his son has become the anointed king of France, consecrated by sacred unction, Louis maintains that these practices – opening himself to correction, seeking counsel in important matters, surrounding himself with good associates – will aid Philip in maintaining a just and successful rule over his kingdom, 'turning neither to the right nor to the left'.[239]

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[235] *Teachings of Saint Louis,* §§18, 23, 24.
[236] ibid., §§7, 10.
[237] ibid., §7.
[238] ibid., §§11, 13.
[239] Geoffrey de Beaulieu, *Vita et sancta conversatio,* XV, p. 9.

Conclusion

In medieval discussions of *consilium*, the various facets of counsel which have been teased apart over the course of this thesis – spiritual, deliberative, moral, rhetorical, and political – were, more often than not, entwined to create a multidimensional and multivalent concept of counsel, traversing a spectrum between unilateral independence and multilateral interdependence. Set against the backdrop of the infallible and predestined counsels of God, human counsels, fallible as they were, were seen as a means of mitigating life's uncertainties and contingencies through the support of spiritual assistance, an individual's own prudence, the advice of other virtuous and experienced people, or some combination thereof. The multivalent nature of *consilium*, however, also meant that its ideals were not monolithic but rather diverse enough to be utilised to support quite different and even opposing models of what 'good counsel' might look like. The critical factor was the particular circumstances – personal, situational, political, and institutional – in which these ideals were being strategically deployed.

J.G.A. Pocock, in his work on 'political languages', describes the work of intellectual historians as like that of archaeologists. Engaged in uncovering the various language contexts employed in historical texts, such historians not only become accustomed to finding multiple layers of these contexts within a single text, but also repeatedly experience the gratifying surprise of discovering languages which they have learned from their widespread reading cropping up within familiar texts where those languages' presence has been hitherto neglected.[1] In this way, developing a sensitivity to the complex conceptual background of counsel – to the 'languages' of *consilium* – allows us to read even relatively well-known contemporary texts with a new appreciation for the resonances and implications of their use of counsel.

[1] Pocock, 'Concept of a language', p. 23.

A significant example is provided by the *Song of Lewes*, a text written amidst the English political struggles of the latter part of Henry III's reign. On 14 May 1264, just outside the castle of Lewes in Sussex, Simon de Montfort, earl of Leicester, led an army of English barons to victory against the much larger forces of Henry III, forcing the king to surrender and accept their long-contested provisions. Shortly thereafter, the battle was commemorated in the *Song of Lewes,* a Goliardic poem of nearly a thousand lines of Latin verse which both celebrated the earl's divinely-granted victory and presented arguments for the continued necessity of reform.[2] The work of an educated writer, probably a friar, and clearly intended for an educated audience, the *Song* may have been an attempt to win the support of men such as the scholars at Oxford, who could assist Montfort's cause not only with government service but also with their prayers and persuasive public preaching. Indeed, the poem's use of vivid imagery and biblical *exempla* suggests that it may have been seeking to provide its audience with effective homiletic material for just such sermons.[3] The *Song* strategically deploys multiple elements of *consilium*, relying heavily on the model of divine counsel, as well as engaging with notions of liberty and constraint and with the relational aspects of participatory counsel. It also speaks to moral responsibility in giving counsel, and the responsibility to speak truthful correction, particularly to a ruler whose actions impact the wider political community. In short, it calls upon the traditional ideals and language of counsel to support emerging and contested forms of political practice.

While the baronial reform movement and rebellion of the latter part of Henry III's reign may have been spurred on by multiple issues of contention – including the prominence of foreigners at court and taxation for Henry's unsuccessful military efforts – the language of counsel and counsellors was prominent in the documentary arguments of both sides

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[2] The work survives in a single manuscript, the thirteenth-century miscellany BL, Harley MS 978, ff. 107r–114r; see Charles Kingsford, introduction to *The Song of Lewes* (Oxford, 1890), pp. vii–xviii.

[3] Ambler, *Bishops in the Political Community*, p. 169. Textual evidence suggests the writer may have been a friar in the household of Stephen of Bersted, bishop of Chichester, the only other reformer named in the text: *Bishops*, p. 129; Kingsford suggests he was a Franciscan who had studied at Oxford under Adam Marsh and Robert Grosseteste, p. xviii.

throughout.[4] Henry had faced criticism throughout his reign both for acting without sufficient counsel (*inconsulte*) and for harbouring 'evil counsellors', with particular animosity generated against the Sicilian business and the 'alien' Savoyards and Lusignans.[5] Numerous oaths were forced upon Henry that he would 'abide by the counsels of his faithful and natural subjects' and not by the counsel of aliens (*consilio alienigenarum*),[6] and in 1258 the Provisions of Oxford, concerned 'with the reform and redress of the state of the realm', had fifteen men sworn to the king's counsel (*cunseil le rei/consilium regis*) and given the power 'to counsel the king in good faith on the government of the kingdom and on all things touching the king and the kingdom, and to amend and redress everything they shall consider to need redress and amendment'.[7] In Henry's list of grievances against the men of his *consilium* in March 1261, he argued against this expansive notion of counsel and the restrictions it had necessarily placed upon his kingship. When, he argued, 'he placed himself under their counsel [*posuit se in consilio ipsorum*], he did not thereby place himself in their custody [*custodia*]'; as king, 'his word should prevail [*dictum suum staret*]'.[8] Henry complained that, despite having sworn fealty to him, his counsellors now seemed forgetful of their oath, instead abusing the promise he had made to abide by their counsels for the restoration of the state of the king and kingdom, and in the process stripping him of all honour and royal dignity.[9] Henry's counsellors cavilled in their response to his complaints, denying that they wished to hold the king in their custody (*'il nententeronct pas qe lour seigneur*

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[4] On the baronial movement, see *Documents of the Baronial Movement of Reform and Rebellion, 1258–1267*, ed. R.F. Treharne and I.J. Sanders (Oxford, 1973) [hereafter *DBM*]; J.R. Maddicott, *Origins of the English* Parliament, pp. 233–61; Adrian Jobson, *The First English Revolution: Simon de Montfort, Henry III and the Barons' War* (London, 2012); and Laura Slater, *Art and Political Thought in Medieval England, c.1150–1350* (Woodbridge, 2018), pp. 115–62.

[5] Similar accusations were levelled against Henry's father: Nicholas Vincent, 'King John's evil counsellors', in *Oxford Dictionary of National Biography* (Oxford, 2008). On charges of acting *inconsulte,* see for example *CMj* (1258), V, p. 680.

[6] *CMj* (1237), III, p. 383.

[7] *DBM,* 'The Provisions of Oxford', §23, p. 110. The oath sworn by the *consiliarii* of the king in 1257 is recorded in the *Annales de Burton*, pp. 395–7.

[8] *DBM,* 'The lord king's grievances against his council (9 Mar 1261)', §7, pp. 212–4.

[9] ibid., §26, p. 218.

soit en nuli garde') and agreeing that as king he should be heard and listened to, when he spoke well ('*diarra bien*') – a telling caveat.[10]

Unable to come to terms, the king and the barons, led by Simon de Montfort, eventually turned to Louis IX for arbitration in 1263. The Montfortian delegation was led by the learned Thomas de Cantilupe, then chancellor of the University of Oxford, who focused their case on issues of justice and Christian conduct likely to strike a chord with Louis IX.[11] Henry's choice of certain foreigners in his counsels was to the detriment of justice, and it was due to the many grievances and dangers of Henry's reign that 'it was necessary to choose certain discerning and trustworthy men [*aliquos discretos viros et fidedignos*] who might counsel the lord king', who would swear to do so in good faith, to the honour of God and the advantage (*utilitas*) of the kingdom. The situation was framed as natural to any human ruler. The king alone, 'no matter how wise [*sapiens*] he might be, could not suffice to deal with all those things which are involved in the administration of his kingdom'.[12] The king's case, by contrast, was much more succinct and drew largely upon custom and established notions of royal counsel in upholding his right as king to appoint his own ministers and officials without interference by his counsellors. Six of the eight clauses of his petition concerned elements of decision-making taken on by the *consilium* to his own detriment – at issue was not simply poor counsel, however, but rather an unjustified use, almost a usurpation, of his royal prerogative.[13] Despite earlier indications that Louis IX bore some sympathy with the reformers' cause, the French king ultimately agreed with his fellow monarch; he decided for Henry and quashed the Provisions of Oxford, declaring that a king should be able to freely appoint and dismiss his own officials and servants and 'safely call to his counsel both foreigners and natives whom he may think

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[10] *DBM,* 'The grievances of which the king complains', §5 and 6, pp. 222–4.
[11] On the role of Thomas de Cantilupe and other churchmen in the drafting of arguments, see Ambler, *Bishops*, pp. 147–59.
[12] *DBM,* 37B, §12, p. 262. See above, Chapter 5, pp. 229–236.
[13] *DBM,* 37A, pp. 252–6.

useful and faithful to him, as he had power to do before this time'.[14] The Montfortians rejected his decision. Within a few months, their forces were meeting Henry's on the field at Lewes, to settle the matter with force.

In commemorating the barons' subsequent victory, the *Song of Lewes* carries a strong theme of divine providence and support, evident in the manner in which this victory was granted to the outnumbered forces of the brave and righteous Simon de Montfort: 'the wisdom of God, ruling the whole world' is what has effected this outcome.[15] The appeal to divine authority throughout the work is an appeal to the highest possible authority, the Ruler of earthly kings. Simon de Montfort himself is presented as a prudent man of truth and a keeper of oaths (unlike Henry);[16] he is a 'new Mattathias' who acts not out of self-interest, but in the interest of the kingdom and its people (unlike Henry's foreign counsellors).[17] Significantly, Simon is a man who acts by the counsel of churchmen: according to the *Song,* he requested that Stephen, bishop of Chichester, 'choose the best men, who have a lively faith, who have read the decretals, or who have taught … theology and sacred wisdom', telling him that whatever these men counsel by sound doctrine, 'they shall find us ready to adopt'.[18] As a result, Simon is criticised as 'a knight subjected to the sayings of clerics … thus was the wisdom of the earl despised'.[19] In contrast, the king is characterised by his passionate fury and his rejection of moderation.[20]

The latter half of the *Song* is dedicated to laying out the arguments and counter-arguments of the king and his opposing barons. On the king's side, the *Song* lists arguments similar to

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[14] *DBM,* 38 (23 Jan 1264), pp. 286–90. On Louis' sympathies, see Maddicott, *Simon de Montfort*, pp. 258–63; also, Charles T. Wood, 'The Mise of Amiens and Saint-Louis' Theory of Kingship', *French Historical Studies* 6:3 (1970).
[15] *Song,* l. 33.
[16] *Song,* ll. 274–5, 217–32.
[17] *Song,* l. 76. Mathathias was leader of the Maccabean Revolt against the tyrant Antiochus, I Macc. 2.
[18] *Song,* ll. 194–204.
[19] *Song,* ll. 246–8. On Montfort's receptive relationships with churchmen, see Maddicott, *Simon de Montfort,* pp. 79–96; Slater, p. 128.
[20] *Song,* ll. 78, 256. Cf. above, Chapter 4, p. 189.

those which Henry himself had presented in other documents: Henry has argued that he will cease to be a king if deprived of a king's right (*privatus iure regis*), unless he is able to do what he wills (*quicquid vellet*), including appointing his own counsellors and ministers '*se precipiente*', at his own command. His opponents are plotting to make their king a servant, stripping him of his princely dignity and thrusting him down into wardship and subjection, so that he will be unable to reign as fully as the kings who preceded him.[21] This argument, the *Song*'s poet admits, 'has the appearance of fairness', but it must be compared against the barons' arguments, 'so that it may be clear which side is truest'.[22] On the other side, therefore, the barons' argument is essentially framed as a rhetorical question: why would the king not want assistance in amending and improving his rule? The barons protest that they do not seek anything contrary to royal dignity (*honor regius*); they are in fact zealous to reform and magnify the kingly state and to grant their lord aid (*auxilium*) in his peril.[23] The king's true adversaries are his flattering counsellors (*consiliarii regi adulantes*), 'who by deceitful words mislead [*seducunt*] the prince, and with double tongues lead him into error'.[24] These men are worse than those who are blatantly wicked, because they make themselves appear good; they deceive through their pleasant words, so that they appear to be people who speak useful things (*utilia*).[25] In the end, however, they look to their own interests, not those of the *communitas*. Such men, willing to trample the king's native subjects and subdue the kingdom to foreigners, do no less damage to the kingdom than an invasion by a foreign army. Regardless of the king's intention – whether he consents to such despoliation through misguidance or lack of perception, or else causes such harm maliciously – it is his magnates' responsibility to correct his error and to take foresight (*prospicere*) against impending harms. The king, they argue, should wish for their eager and experienced assistance (*zelus peritorum*), so expedient to the interests of many

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[21] *Song*, ll. 489–526.
[22] *Song*, ll. 529–32.
[23] *Song*, ll. 535–46.
[24] *Song*, ll. 548–51.
[25] *Song*, ll. 551–56. See above, Chapter 5, pp. 259–265.

(*magis expediat commodo multorum*), and approve any endeavours to make less oppressive laws which are more pleasing to God.[26]

In presenting and supporting the barons' counter-arguments to Henry's claims, the *Song* draws heavily on the model of divine counsel, calling for the king to emulate God in his rulership and yet simultaneously highlighting the stark contrast between divine infallibility and human insufficiency. Only God is king in truth, and through him the whole world is ruled. He needs neither *auxilium* in order to reign, nor *consilium*, since he cannot err. But human kings, those to whom God has granted to rule his people under him – 'to reign, as it were' (*quasique regnare*) – do not possess such infallibility. They *do* fail and err. They possess neither sufficient strength (*vis*) or virtue (*virtus*) to prevail, nor sufficient understanding (*sensus*) to govern, and therefore require both *auxilium*'s support and counsel's correction (*consilium rectificans*).[27] The implication is that, unless a human king wishes to presume to claim the infallibility of God Almighty, he must accept his need for counsel to correct his errors.

However, divine counsel is not only used as a contrast to the counsel of an earthly king, but also as an exemplary model (one also used later by the Montfortian bishops).[28] The *Song* refers to the example of Christ, who laid open all things to his disciples, distinguishing them as friends rather than as servants and asking their opinion, as if he were ignorant, on matters which he knew perfectly.[29] It is a placatory argument: despite what has been said about the fallibility of human kings, seeking counsel from his barons need not necessarily

[26] *Song,* ll. 557–626, quoting ll. 605–6.
[27] *Song,* ll. 639–54.
[28] In their arguments to the papal legate Gui Foulquois, the bishops argued that as God's appointed ministers did not usurp his authority, neither did those appointed to the king. The legate was unconvinced, pointing out that not only was God not bound to retain his appointed deputies, but he also had perfect knowledge of the future to make perfect appointments. The king, on the other hand, for whom the future remained uncertain, needed to be able to change his ministers with the circumstances. *Papst Clemens IV*, ed. Joseph Heidemann (Münster, 1903), 28D, p. 227, and 29B, p. 229; excerpts translated Ambler, *Bishops*, pp. 164–5. See also above, Chapter 2, p. 85.
[29] *Song*, ll. 935–8. See above, Chapter 1, p. 29.

imply any actual lack of wisdom or foresight on Henry's part. Even if he alone, like a great seer (*vates*), should know what is needful for ruling the kingdom, it would still behove him to share his counsels with his own men, deliberating with them about those things which he ultimately cannot bring into effect on his own. Those who offer him aid should similarly share in his counsels.[30] This argument calls on the language of participatory counsel so frequently employed in reference to divine counsel and applies it to temporal rulership.[31]

The *Song* also considers the concepts of constraint (*artacio*) and freedom in relation to rulership and counsel – as the poem admits, Henry is willing to acknowledge that he requires *consilium* and *auxilium* but continues to insist upon having his own choice of counsellors, chafing at the constraint which has been imposed upon him.[32] But true freedom (*libertas*), argues the *Song,* is not the ability to do whatever one wishes, but rather the ability not to err; it does not allow fools to govern unwisely and is itself bound by law. The king is therefore permitted all things which are good and advantageous (*convenientia*) to the kingdom but not permitted what is evil. The *Song* gives several examples of similar salutary constraint: the constraint placed on a royal child so that he will not be hurt; the constraint of the non-apostate angels who are unable to sin; the inability of God to err, which is not impotence but rather the highest degree of power. The discussion here is clearly informed by theological considerations of free will, including Bernard of Clairvaux's definition of the freedom of counsel as the ability not to sin (in its lower form) and the inability to sin (in its higher form).[33] To be kept from falling through constraint of counsel is not the restraint of slavery but the safeguard of virtue (*tutrix virtutis*). Similarly, those who intervene to keep the king from sinning when he is tempted are doing nothing other than serving the king and freeing him from the slavery of 'those by whom he is led' – in other words, the slavery of bad counsel.[34]

[30] *Song,* ll. 922–30.
[31] See above, Chapter 1, pp. 17–30.
[32] *Song,* ll. 655–64.
[33] Above, Chapter 2, pp. 62–66.
[34] *Song*, ll. 666–92.

If a king truly is another Moses or David, possessing more truth, knowledge, and gifts of God than the whole community (*universitas*), then he should indeed be able to rule his people well and with moderation. If, however, he is less wise than he ought to be, how can he then depend upon his own understanding (*sensus*) to choose those who should supply his lack? In choosing his counsellors by himself, he may be easily deceived and unable to know who will be useful to him. The *Song* therefore turns to another authority besides God which it also deems higher than the king, and which may correct him when erring: the political community (*communitas, universitas*). If an erring king cannot choose good counsellors for himself, 'the *communitas regni* should be consulted (*consulatur*), and what the *universitas* thinks be known', since they will know the customs and law of their kingdom better than outsiders (*extranei*).[35] The *communitas* must see that the best and 'most approved' men are chosen to counsel the king, those who have the will, knowledge, and power to be of profit, and who will suffer when their kingdom suffers – this is the poem's definition of good counsellors.[36] The magnates of the kingdom are depicted throughout as having a particular responsibility to provide the king with corrective counsel. It is their task to see the land 'purged of errors', knowing that the governance of the kingdom is a great matter, concerning the safety or ruin of all.[37]

Although this experiment of conciliar rule was short-lived – Simon de Montfort was killed at the Battle of Evesham only a year later – the discussions and arguments around counsel which it engendered are illuminating. As Sophie Ambler has noted, the political arguments put forward by Montfortian clerics to justify their model of conciliar government were not constructed through a process of scholarly study and contemplation but rather 'in the crucible of political crisis'.[38] In such exigent circumstances, they appealed to the well-known concepts and authoritative models of counsel already in circulation, attempting – albeit ultimately unsuccessfully – to convince an unsympathetic audience that their actions had been justified. Many of the dichotomies and difficulties around counsel are on display

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[35] *Song*, ll. 747–66, quoting ll. 765–6.
[36] *Song,* ll. 777–86, 803–11.
[37] *Song,* e.g. ll. 595–602.
[38] Ambler, *Bishops,* p. 152.

here – and indeed, are being marshalled as arguments and counter-arguments: the use of divine counsel as a model, the tension between the self-sufficiency and the overdependence of a ruler, the extent to which counsel imposes obligations, and the depiction of the giving of counsel as a moral responsibility. The emphasis on the value of good counsel in maintaining a king's good rule which frames the *Song*'s argument is obviously an approach which its anonymous poet believed could be effective, both with his educated audience and perhaps with the wider audience to whom they themselves might preach. That effectiveness, however, also depended on familiarity with a common currency – and authority – of concepts and terminology which acknowledged the complexity of the issues at stake.

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Medieval writers like the poet of the *Song of Lewes* possessed a robust awareness of the many contexts, valences, and facets of counsel which were gathered beneath the overarching concept of *consilium.* As a result, the influence of one category of counsel was readily felt upon others: considerations regarding internal deliberation could inform larger conciliar gatherings, and those of spiritual counsel could similarly inform utilitarian political advice. These ideals of counsel were obviously not unique to the thirteenth century. Both classical and Christian discussions of prudent deliberation can be found throughout the medieval period, alongside the continuous practice and experience of counsel in ecclesiastical, political, and military contexts, and many of the same texts cited throughout this period continued to be put to similar use in the subsequent centuries, reiterating the same languages, concepts, and commonplaces.[39] However, these ideals were invigorated over the course of the twelfth and thirteenth centuries by specific changes in both intellectual and political culture, and through the influence of those individuals who moved between the two.

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[39] See, for example, the wide-ranging entry on *Consilium/Consiliarius* in the mid-fourteenth century encyclopaedic *Omne bonum*, compiled by London clerk James le Palmer: BL, MS Royal 6 E VI/2, ff. 391rb–393va. Combining excerpts from Roman and canon law, patristic and classical writers, the *Secretum secretorum,* and biblical commentary, the entry provides a convenient index to many of the facets of counsel outlined in previous chapters of this thesis, all brought together under the single heading of *consilium*.

The period from c. 1150 to c. 1270 saw a number of significant intellectual changes which impacted discussions around counsel. In the twelfth century, the development of canon law and the synthesizing projects of Gratian's *Decretum* and subsequent collections brought together disparate texts in new ways and prompted new interest in the limitations and obligations of counsel. Supported by broader institutional and pedagogic changes in the schools, other scholastic projects such as Peter Lombard's *Sentences* encouraged commentators and teachers to add more detail to their considerations of concepts such as the gift of counsel than had been provided by patristic writers. In the thirteenth century, the introduction of Aristotelian texts, particularly the *Ethics*, spurred on a more philosophical understanding of the process of deliberation. By the end of this period, writers such as Aquinas were accordingly able to produce discussions of counsel that synthesised theological discussions of the gift of Counsel with philosophical discussions of prudence and deliberation, constructing a wider landscape for conceiving prudent counsel which included both divine illumination and human practical reasoning.

Perhaps most significantly, however, the period from c. 1150 to c. 1270 also saw an increased interest in the applicability of intellectual ideas to practical situations of moral action outside the schools, visible in the interests of Peter the Chanter's school of social and pastoral theology in Paris and in increased concerns with issues of pastoral care. Following the Fourth Lateran Council, a new emphasis was placed upon the ministries of public preaching and private confession, methods of moral instruction taken up with particular zeal by the new mendicant orders. The moral theologians' own discussions of counsel showed little interest in procedures or institutional bodies and practices, focusing instead upon the potential moral benefits of prudent deliberation and persuasive counsel, with a sensitivity to the exigencies of context and circumstance. Even in the courts of power, counsel was still described as primarily a moral and relational act, not an explicitly political one, limiting the arguments which could effectively be made for more substantive political change. However, as the institutional development of government over this period also brought changes in political expectations and practices, these arguments demonstrated the increasing need – even demand – for rulers to provide a coherent justification for the exercise of public authority.

While differences in modern historiographical approaches to English and French political histories often highlight their divergence, this thesis has intentionally examined the two polities together in order to engage with the broader intellectual culture that flourished across both. While differences in university specialties and royal patronage had an impact on the production of certain texts, the movement of scholars back and forth across the Channel makes divisions between the ideas of 'English' and 'French' scholars necessarily somewhat artificial. Even English and French political elites were, as Nicholas Vincent notes, 'bound together as much by intellectual conviction as by ties of blood'.[40] Both the English and French royal courts had interactions with the nearby universities in Paris and Oxford; both were exposed to the influence of the mendicants and other educated clerics attached to them. While the governments of England and France followed steadily diverging political models during this period – with political assemblies playing an increasingly more significant role in England while France continued to favour small groups of *familiares* gathered around the king – in both contexts, *consilium* played an important role, with informal counsel continuing its deliberative function even as terms such as *consiliarius* and *consilium regis* began to take on more political definition. Louis IX's decision for Henry at the Mise of Amiens only highlights their shared notions of the manner in which monarchical counsel should operate, even if political circumstances and differences in personal rulership meant that this notion faced more immediate challenge in England than in France.

The connection between such ideals of counsel as articulated by educated clerics, and the day-to-day practice of counsel and deliberation ('what really happened') in contexts such as royal and aristocratic courts – where many clerics acted as counsellors themselves – is inherently difficult to establish. So much of the practice of interpersonal counsel, preferentially conducted face-to-face and often in private, is necessarily invisible to the historical record, and only briefly and indirectly indicated in letters, sermons, and contemporary historical writings. While the often unrecorded nature of private and

[40] Nicholas Vincent, 'Twelfth and Thirteenth-Century Kingship: An Essay in Anglo-French Misunderstanding', in *Les idées passent-elles la Manche? Savoirs, représentation, pratiques (France-Angleterre, Xe–XXe siècles)*, ed. Jean-Philippe Genêt and François-Joseph Ruggiu (Paris, 2007), p. 24.

informal counsel impedes access to the actual historical reality of political counsel of the period, however, the ubiquity of references to *consilium* in the written sources certainly indicates that it was an activity consciously undertaken with great frequency, and that those engaged in the deliberation of counsel were often aware – or were made to be aware, by clerics serving as counsellors, preachers, and confessors – of its ideals and expectations.

The almost ubiquitous nature of appeals to *consilium* in the period and the consequent volume and variety of extant sources mean that the texts cited in this thesis are necessarily a sampling, albeit with a range designed to present indicative facets of intellectual understandings of counsel. The parameters of the thesis have focused upon educated and predominantly clerical readers and writers – drawing primarily from genres of theology, philosophy, law, and rhetoric – with a particular weight given to popular types of medieval text, particularly moral and theological, which, with their emphasis upon virtuous commonplaces, are less apt to capture modern interest. In reconstructing this broader framework, such commonplaces are important witnesses to what may have been considered integral or fundamental to the connotations of this single term of *consilium*. Through such commonplaces, clerics' ideas could be assimilated into the 'wider imaginative universe' of laypeople, particularly the lay aristocracy, and can therefore serve as a guide, albeit a limited one, to accepted notions of counsel within wider society.[41]

Establishing this broader framework of counsel opens up a number of avenues for further study in textual genres not addressed in this thesis, most notably historiography, chivalric literature, and political and administrative records.[42] Further work, too, remains to be done on how the concepts explicated in this thesis played out in practice within various specific and changing institutional contexts. The focus in this thesis has been on examining

[41] Slater, *Art and Political Thought,* pp. 17–18.
[42] While incidents from historiographical works have been cited throughout the thesis as evidence of the conceptions and practice of counsel beyond the schools, further research might usefully examine the strategic deployment of the ideals of counsel by historiographical texts seeking to construct particular moral and political narratives.

commonalities of language and concepts across various contexts – monasteries, schools, and courts – rather than on elucidating the distinctions between these institutions with regard to counsel, devoting more attention to intellectual practices than to organisational forms.[43] This approach offers an important framework in which to set discussions of counsel, establishing a broader discourse with widespread currency, but it is necessarily in danger of glossing over some of the nuances and pressures of specific contexts. Changing political circumstances could impact the perception of the language and practices of counsel. Most obviously, perhaps, the political legacy of Magna Carta and the minority of Henry III provided an immediate context for political debate which resonated differently from the legacy of Philip Augustus and the minority of Louis IX, or, in turn, the legacy of Louis IX on the politics of Philip IV. The actions of King John were not so markedly different to those of Henry I one hundred years previously, but the circumstances and expectations of his governance had changed. The same could be said of Boniface VIII's claims to papal plentitude of power when compared to the theory articulated a hundred years previously by Innocent III – although expressed in the same language, facets of that language were now being deployed in a significantly different context, which in turn significantly impacted its reception.[44]

Institutional practices and priorities could also shape practices of counsel – ideas of rhetorically suasive counsel, for example, might have more immediate currency for a Dominican engaged in frequent preaching than for a cloistered monk. Such institutional differences are not always apparent from the intellectual sources: the writings of Bonaventure and Humbert de Romans draw on very similar sources in their discussions of counsel, though one might speculate that practices of deliberative counsel may have felt more comfortable for Dominicans, with their built-in structure of proto-democratic assemblies, than for Franciscans, whose order was increasingly riven by disputes over

[43] On the influence of institutional contexts on individuals and their intellectual practices (and vice versa), see Antonia Fitzpatrick and John Sabapathy (eds.), *Individuals and Institutions in Medieval Scholasticism* (London, 2020).
[44] For general overviews tracing the development of 'the state' in this period, see Maddicott, *Origins of the English Parliament*; M.T. Clanchy, *England and Its Rulers 1066–1272*, 2nd ed. (Oxford, 1998); Joseph R. Strayer, *On the Medieval Origins of the Modern State* (Princeton, 1970). For analogous developments within the institutional church, see for example Colin Morris, *The Papal Monarchy: The Western Church from 1050 to 1250* (Oxford, 1989).

hierarchies and obedience. But equally the culture and practices of counsel within an institution would certainly have been impacted by individuals, particularly leaders – whether an individual king or abbot willingly sought others' counsel, keeping himself open to correction, or instead kept his own counsel, emphasizing the authority of his position and the non-binding nature of counsel, would necessarily have ramifications for the surrounding community.

The multivalency of *consilium* inevitably led to its various ideals being placed in tension, even opposition, with the self-sufficient deliberations of one individual set against the responsible intervention of many external counsellors. A diversity of approaches to counsel could therefore exist even within these accepted norms. By examining the complexity of counsel's contemporary intellectual underpinnings, we achieve greater and more nuanced understanding of both these models and the ways in which they were consciously employed. We also develop a greater appreciation of the means by which medieval men and women attempted to utilise their mental, spiritual, and relational resources in order to achieve some measure of confidence and certainty in a world so often beset by contingency and doubt.

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