

## Were there any fundamental causes of dispute between Church and State between 1070 and 1170?

When William the Conqueror arrived on the shores of England, he brought with him the papal banner, and it was under this legitimising symbol that he took the throne from the native English king. Four years later, Lanfranc was created Archbishop of Canterbury at the express recommendation of the pope, and it appeared as if king and pope shared common interests for the church in England. Indeed, Gregory VII told William that 'among kings we embrace you with peculiar affection.'<sup>1</sup> Yet constantly under the surface was the rivalry over jurisdiction between the king in his own land and the universal rights of the Church. For although Gregory also said that 'the apostolic and royal dignities excel all others in this world, and that almighty God has apportioned his governance between them'<sup>2</sup> it was an uneasy relationship, at least as far as the king was concerned. A sporadic conflict developed, that would last for centuries, and although for most of the time the king and Church were in harmony, from time to time flashpoints

The harmony of Church and State was both necessary and useful to the king. Clerics made up for the first part, by far the bulk of the king's administration. Although this might well be *faute de mieux*, it is unsurprising that the men who ran the king's chancery and exchequer at the end of Henry I's rule were the bishops of Salisbury, Lincoln and Ely. Churchmen formed the literate elite of medieval world, and as the written word became more and more prominent in government, literate churchmen became more and more necessary. The Church also held a firm grip over the social structure of the whole of Europe, in that oaths for whatever purpose were always the domain of the church, quite apart from its trump card of holding the path to heaven. It was a pious age, strengthened by the Cistercian-spearheaded revival of monasticism appealing to some, and the prospect of absolution on Crusade for others. All rulers of the time ultimately obeyed the Church, from pure personal piety at times of crisis, including William Rufus when he thought himself dying in 1093, to which I shall refer later. The good relations between Church and State were a top priority for kings as much as for clerics.

The English Church in the 12th century was also not an integral body that kings could play around with, in the way that Henry VIII could do 400 years later: it was a branch of the Church Universal, theoretically a power far outstripping the king's own. Indeed, Gregory VII told William I that 'the Christian religion has so disposed that after God, the royal power shall be governed by the care and authority of the apostolic see'<sup>3</sup>, before demanding his homage. The Church's ultramontane tendency constituted a great threat to the enjoyment of power on the part of English kings, and although William was able to refuse fealty on the grounds of lack of precedent<sup>4</sup>, the problem never really disappeared in the next century and a half. Indeed, John was forced to submit to Innocent III in order to receive his kingdom as a papal fief. This is not to say that the papacy continued to demand fealty, and indeed Gregory maintained his high opinion of William 'although in certain matters he does not behave as devoutly as we might hope.'<sup>5</sup> It did show that kings could not hope to avoid being held to account for tinkering with the local

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<sup>1</sup> *English Historical Documents* volume 2 no.96

<sup>2</sup> *ibid.* no. 100

<sup>3</sup> *ibid.*

<sup>4</sup> *ibid.* no. 101 'I have not consented to pay fealty, nor will I now, because I never promised it, nor do I find that my predecessors ever paid it to your predecessors.'

<sup>5</sup> *ibid.* no.102

Church. Kings indeed felt the need to counter the *pope's* tinkering, whether it be by discouraging prelates from visiting Rome<sup>6</sup> or by restricting or controlling the arrival of papal legates.<sup>7</sup>

Yet although the Church and churchmen were so useful to the various kings of England, and although they were well aware of the watchful eye of Rome on all their ecclesiastical dealings, almost all English kings acted with intense jealousy over the Church's rights.

Church land held various privileges, which were enshrined not merely in the records of writs, but even the records of trials held throughout the late eleventh and early twelfth centuries. The trial held on Pinnenden Heath, for example, showed that 'the archbishop... also vindicated afresh the liberties of his church and the customary jurisdiction which he was entitled to exercise.'<sup>8</sup> Church land, in this case that of Christ Church, Canterbury, entailed special privileges which, as Pinnenden Heath says, 'the king could claim no customary dues save only three.'<sup>9</sup> In this, there remained a standing barrier to the king's jurisdiction and a check to his pride. It was unsurprising that kings throughout this period found it difficult to abide by the vagaries of canonical election. As it tells us in the *Anglo-Saxon Chronicle* of 1093, regarding William Rufus: 'In this year King William was taken seriously ill in Gloucester in the spring that everywhere he was declared dead; and in his affliction he made many vows to God... And the archbishopric of Canterbury, which had remained in his own control, he committed to Anselm'<sup>10</sup>. It was actually in the king's interests to see that there was no occupant of as many bishoprics as possible, since in times of vacancy, their revenues could easily be diverted into his treasury. And it was a fault which was certainly not remedied, if the Coronation Charter of Henry I<sup>11</sup> or a writ of Stephen<sup>12</sup> are anything to go by: indeed financially, the exile of Becket did Henry II no harm at all.<sup>13</sup> Yet the very fact that kings consistently admitted that the practice was wrong serves to underline that there was a constant temptation for kings to touch resources that were unavailable to them normally, even though the lands were legally inside the kings' dominions. A second irregularity on the part of kings in dealing with bishoprics was the fact that they habitually appointed whomsoever they wished to vacant sees, as often as not without regard to the canons of church law. Certainly the *Anglo-Saxon Chronicle* mentions that in the same period of William Rufus's illness 'he made many vows to God... to protect and secure God's churches, and never again to sell them for money. And the archbishopric of Canterbury, which had remained in his own control, he committed to Anselm'<sup>14</sup>. Likewise, in the reign of Rufus' brother Henry I, it is mentioned that 'While the archbishop was out of the country, the king gave the bishopric of Lincoln to a clerk called Alexander. He was nephew to the bishop of Salisbury. The king did this out of love for the bishop.'<sup>15</sup> In this respect, the kings imposed their power over church positions and reinforced the bonds between office and royal favour. If the king was to be deliberately excluded from

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<sup>6</sup> cf. Lanfranc's absence from the court of Gregory VII, *ibid.* nos. 97, 103 & 104 as well as the Trial of William of St-Calais, *ibid.* no.84: "... I am ready to continue my case in the Roman Church..." "By the Face of Lucca!" cried the king, "you will never go out of my hands until I have your castle."

<sup>7</sup> e.g. Cheney *From Becket to Langton* 'Under Henry II legates and nuncios come to England only after undertaking to do nothing to detriment of the king or realm.'

<sup>8</sup> *English Historical Documents* volume 2 no.50

<sup>9</sup> *ibid.*

<sup>10</sup> *ASC* version E 1093

<sup>11</sup> *English Historical Documents* volume 2 no.19 : 'I now, being moved by reverence towards God, make free the Church of God; so that I will neither sell nor lease its property; nor on the death of an archbishop or a bishop will I take anything from the demesne of the Church... during the period that elapses before a successor is installed'

<sup>12</sup> *ibid.* no.21 'But when sees are vacant and without shepherds, I will commit them and all their possessions into the keeping of the clerks and pious men of the said church until a new pastor may be canonically appointed.'

<sup>13</sup> *ibid.* no.134 'you shall receive into my hand all the revenues and possessions of the archbishop's clerks.'

<sup>14</sup> *ASC* version E 1093

<sup>15</sup> *ASC* version E 1123

jurisdiction over large parts of his realm, it became of the highest importance that he saw the various bishoprics filled by candidates loyal to him.

However, this was not merely against the canons of church law, but counter to the central thrust of papal policy in this era, first outlined by Gregory VII in 1078 and repeated in the presence of Anselm of Canterbury by Urban II in 1099. In practice, this was as often as not ignored, as is shown by the Constitutions of Clarendon, where it says that 'these same customs were recognised by the archbishops and bishops and the earls, barons, nobles and elders of the realm.'<sup>16</sup> However, in direct and legal clashes of canon and customary law, judgement or investiture by laity could not be acceptable. The non-ratification of the Constitutions of Clarendon was due to their incompatibility with canon law, and where in practice the king was able to exercise customs, they were unacceptable when written down. Similarly, in the aftermath of this, at the council of Northampton, the bishops sitting at the case of Becket v John the Marshal are quite specific in saying that 'this is a secular judgement, not an ecclesiastical. We sit here, not as bishops, but as barons'<sup>17</sup>, clarifying that it was only in secular cases that the king's court could pronounce judgement over clerics.

In this case, Henry's spite, like his brother's in the most extreme case of this sort involving William of St-Calais, seemed to show mostly through the fact that in churchmen, his own authority and the authority of his court was denied. Yet even in these disputes, the actual threat that the Church posed was minimal, and as I have already shown, was far outweighed by their usefulness. It was royal pride alone which contrived to cause breaches between Church and State. Both played an uneasy power-game: the king controlled the country but owed his future in the afterlife to pleasing the Church. As long as he was prepared to accept clerical privilege, there was no problem: when he started to hack away at it, a breach soon formed.

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<sup>16</sup> *English Historical Documents* volume 2 no.126

<sup>17</sup> *ibid.* no.129