

... by all odds, the Investiture Controversy is the hardest perennial in the medievalists garden of debate. - Karl F Morrison<sup>1</sup>

In Western Europe in the early middle ages, secular and ecclesiastical authority were intermingled. Christ's kingdom was seen as one. Kings had assumed some of the roles and trappings of priests, and some bishops ruled as feudal lords. The church lacked a machinery of government; the pope had little jurisdictional or coercive power. To implement ecclesiastical policies, it was necessary to enlist the power of the secular arm - which varied in its piety and willingness to do the will of the papacy.<sup>2</sup>

The monastic reforms of the tenth and eleventh centuries revived the study of canon law, which the papacy increasingly sought to apply uniformly throughout the church. Many practices which had by this time become traditional royal prerogatives began to seem unlawful. Simony<sup>3</sup>, purchase of church offices or the sacraments for money or favours, was condemned.

It had been long standing practice that lay authorities, as protectors of their local churches, installed newly elected church leaders in the *secular* rights and possessions of their churches. In practice, however, the secular power figure would often convert this into a power to appoint, subverting the canonical election or appointment process. At times the church office would be sold to the highest bidder or exchanged for favours. The reformer popes rightly considered this a form of simony.

The popes also objected to the secular authorities investing bishops with the symbols of episcopal office, the ring and crozier, especially as this could give the impression that the secular power was imparting spiritual authority. The liturgy of consecration had become a lesser solemnity than the investiture.

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<sup>1</sup> Editor's introduction to *The Investiture controversy : issues, ideal and results*. - New York: Holt, Rinehart and Winston, 1971, p.1.

<sup>2</sup> *The English church 1066-1154* / Frank Barlow. - London: Longman, 1979, pp.268-9.

<sup>3</sup> The offence of Simon the sorcerer in Acts 8.9ff.

On number of occasions between 1049 and the accession of Pope Gregory VII in 1073, the papacy prohibited this investiture by laymen.<sup>4</sup>

Gregory attacked lay investiture particularly vigorously, issuing a number of decrees against it from 1073 onwards:

Inasmuch as we have learned that, contrary to the establishments of the holy fathers, the investiture with churches is, in many places, performed by lay persons; and that from this case many disturbances arise in the church by which the Christian religion is trodden under foot: we decree that no one of the clergy shall receive the investiture with a bishopric or abbey or church from the hand of an emperor or king or of any lay person, male or female. But if he shall presume to do so he shall clearly know that such investiture is bereft of apostolic authority, and that he himself shall lie under excommunication until fitting satisfaction shall have been rendered.<sup>5</sup>

There were intense efforts by a few church leaders in the late eleventh and early twelfth centuries to separate clerical and lay elements in society and to renew clerical leadership intellectually and administratively.<sup>6</sup> Integral to this was a struggle to bring ecclesiastical appointments under church control. Though an understanding was developing of the boundaries between secular and ecclesiastical authority, Gregory VII attempted to achieve reform while maintaining a unitary world view. He claimed ultimate authority for the chair of St. Peter and sought to subordinate kings as well as other bishops to Roman authority. Perhaps influenced by the ungodly behavior of some monarchs, Gregory excluded kings from the spiritual hierarchy and placed the role of kings below that of the merest deacon. This they could not accept.<sup>7</sup>

Gregory VII had, impetuously and intolerantly, opened a grand debate on the broad issue of the relationship between *sacerdotium* and *regnum*, had applied moral principles, and had made vast claims which were more a vision of a new worlds than a political programme. Inevitably the disputation began to narrow to particular problems. And when the post-Gregorians concentrated on the investiture of bishops and abbots, denied to the lay powers any rights over the church's temporalities, and, by prohibiting the performance of fealty or homage to the prince by prelates, tried to achieve the total independence of the *sacerdotium* from the *regnum*, by thus advancing too far in the one direction they made retreat inevitable.<sup>8</sup>

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<sup>4</sup> The forgoing summary is based on Karl F. Morrison, Editor's Introduction to *The Investiture controversy : issues, ideal and results* . - New York: Holt, Rinehart and Winston, 1971, p.1-2.

<sup>5</sup> From the text of the 1078 reenactment of the 1073 decree (the original of which has been lost), translated in *Select historical documents of the middle ages* / Ernest F. Henderson. - London: George Bell and Sons, 1910), p. 365 and cited by Paul Halsall in the *Internet Medieval Source Book* at <http://www.fordham.edu/halsall/source/g7-reform2.html>.

<sup>6</sup> *Saint Anselm : a portrait in a landscape* . / R.W. Southern. - Cambridge: Cambridge UP, 1990., p.233

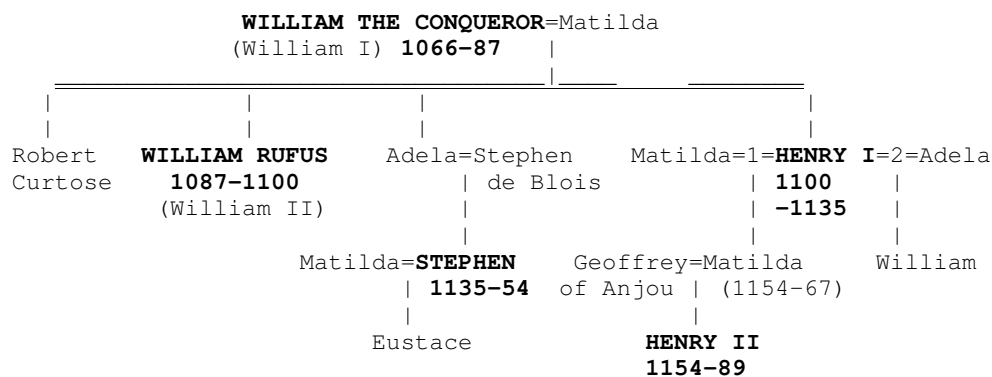
<sup>7</sup> Barlow., *op.cit.*, p.270.

<sup>8</sup> *Ibid.*, p.271

King Henry IV of Germany considered Gregory's decree against lay investiture an abridgement of his authority over the episcopacy. He convened a synod which declared Gregory deposed. Gregory in turn excommunicated Henry and declared him deposed. Thus ensued a controversy which was to be a leading issue in the reform debates as a whole.<sup>9</sup> The long, complex and sometimes violent controversy in Germany<sup>10</sup> came to an end in the Concordat of Worms between Pope Calixtus II and Henry V in 1122.

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### MONARCHS OF ENGLAND 1066-1189



### BISHOPS OF ROME 1066-1124

Gregory VII	1073-1085
Victor III	1087
Urban II	1088-1099
Paschal II	1099-1118
Calixtus II	1119-1124

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The investiture dispute was most powerfully played out between the popes and the German kings. But there was also a significant dispute in England. And it is the English dispute which is the principal topic of this paper. The period during which Norman rule was established in England was one of change in the relationships between ecclesiastical and secular authority. Gregorian reforms, strongly asserting the central authority of Rome in its relationships with the local churches of Western Europe, were not wholly acceptable to the Western monarchies. There was a growth in the scope and

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<sup>9</sup> Morrison, *op.cit.*, p.2.

effectiveness of the papal administration which increasingly intervened in local church life. At the same time, the Norman monarchy established in England a powerful and elaborate government often opposed to papal intervention.<sup>11</sup>

In England the investiture controversy was one among a number of occasions to friction between church and monarch - some due to papal intervention, and others due to interference in the church by the monarch. There were financial clashes, for example. The demands of the Norman treasury were heavy, and their methods of raising cash not always fair and lawful. The Crown sporadically pillaged or borrowed church wealth.<sup>12</sup> During any vacancy in a see, it was also customary for the crown to take charge of the revenues of the see. This led to unconscionable delays in filling bishoprics subject to royal patronage. The most spectacular examples were the vacancies in the Archbishopric of Canterbury following the death of Lanfranc (from May 1089 to September 1093) and that of his successor, Anselm (from April 1109 to April 1114).<sup>13</sup> There were legal disputes also. The lay investiture matter was one of these, and occurred within the larger context of control over episcopal elections.

Fundamentally at stake was the rightful extent of papal jurisdiction at a time when both papal authority and royal power were growing. The Norman kings were not anti-papal, but they were cautious about the extent of papal power. Thus, for example, William I had sought and obtained papal blessing on his claim to the English throne. He had also permitted the Archbishop of Canterbury to convene councils of the English church, but required the councils' decrees to have royal approval - a safeguard against Gregorian reforms which might impinge on royal prerogatives.<sup>14</sup>

Though the practice of lay investiture had been prohibited by Gregory VII in 1075, knowledge of the decision reached England late. Archbishop Anselm discovered the decree in 1099 during a long exile abroad in the reign of

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<sup>10</sup> For a brief summary, see *A History of the mediaeval church* / Isard Wilhelm Frank. London: SCM, 1990, pp.65-68.

<sup>11</sup> *An Ecclesiastical history of England : the later middle ages from the Norman conquest to the eve of the reformation* / J.C. Dickinson. - London: Black, 1979, p. 131.

<sup>12</sup> *Ibid.*, p.133.

<sup>13</sup> *Ibid.*, p.134.

<sup>14</sup> *Ibid.*, p.143.

William Rufus.<sup>15</sup> Following the death of William II in August 1100, he returned to England on 23rd September at the urgent invitation of the new King, Henry I. Anselm supported Henry's accession to the throne over the claims of Henry's elder brother, Robert.<sup>16</sup>

Nevertheless, because of the papal decrees, Anselm refused Henry's demand that he renew the homage to the throne previously given to William Rufus - despite the temporalities of the Archbishopric (the revenues of Canterbury) being in the King's hands. Anselm also refused to consecrate bishops which the king had previously invested.<sup>17</sup> Henry was reluctant to quarrel with Anselm, yet unwilling to abandon ancient rights of investiture and homage. He played for time, sending messengers to the pope to see if any compromise were possible. The return of the messengers was long delayed: there was an uneasy truce, during which time Anselm did Henry a number of favours.<sup>18</sup>

The letter the messengers at last brought back from Paschal II, in September 1101, repudiated Henry's right to invest prelates with staff and ring.<sup>19</sup> Despite their mutual respect, Anselm and Henry were thus in direct conflict. Henry, though not violent as Rufus had been, was nevertheless resolute. He summoned Anselm and again asked that the Archbishop do homage, offering him the choice of consecrating the prelates invested by the king or leaving the country. Anselm did neither.<sup>20</sup> In Southern's view, Anselm took this stance not because of an awareness of any long term fundamental importance to the dispute. Rather, for him it was simply a matter of his personal duty of obedience to the pope.<sup>21</sup>

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<sup>15</sup> Southern, *op.cit.*, p.288.

<sup>16</sup> *Ibid.*, p.289-91.

<sup>17</sup> *Ibid.*, p.292.

<sup>18</sup> See *The English church from the Norman conquest to the accession of Edward I (1066-1272)* / W.R.W. Stephens. - London: Methuen, 1904, pp.116-119.

<sup>19</sup> Christ had said "I am the door". If kings therefore asserted themselves to be the door of the church, the pope argued, those they purported to allow to enter were thieves and robbers, as they had not entered by the true door. A bishop was married to his church and such a marriage could not be celebrated except by Christ acting through his minister. *Ibid.*, p.119.

<sup>20</sup> Southern., *op.cit.*, p.293.

<sup>21</sup> *Op.cit.*, p. 234, 294.

Shortly afterwards, the Henry and Anselm agreed that a further embassy be sent to Rome, representing both sides. The reply, though praising the king for his piety, confirmed Anselm in his views and changed little. In his letter of April 1102, Pope Pascal II insisted on the position of his predecessors, forbidding both homage and investiture. But there was disagreement between the content of the Pope's letter and the verbal information conveyed by the bishops who had been messengers to Rome. There was no choice but to send yet another mission to Rome. The intervening compromise allowed Henry to invest some bishops, but some of these had scruples, returning their rings and staves to the King - much to his displeasure.<sup>22</sup>

At last, a letter from the Pope, written in December 1102, arrived in England in Lent 1103. Apparently it would confirm the Pope's earlier letters and repudiate the testimony of the bishop messengers. His patience exhausted, Henry refused to have the letter read, and demanded unqualified submission. Anselm deemed it prudent not to open the letter, remaining respectful to the King but steadfast in asserting his obligation of obedience to the instructions promulgated in the Roman council. At Henry's unexpected suggestion, Anselm, supported by his council, agreed to go to Rome himself to try to resolve the dispute. Anselm deliberately did not open the letter until after he left England in April 1103, by when he could do no more about it.<sup>23</sup> In the letter, Paschal spoke no longer of homage, but condemned investiture yet more vehemently.

What are the bishops doing in the church if the hands of laymen confer the staff, the symbol of the pastor's office, and the ring, thy symbol of faith? The honour of the Church is torn in pieces, the bonds of discipline are broken, the whole Christian religion is besmirched if we suffer lay arrogance to usurp that which we know belongs to priests alone. It is nor for laymen to betray the Church, or for sons to defile their mother with adultery.<sup>24</sup>

The Roman council attended by Anselm affirmed the previous decisions but attempted to keep peace with King Henry by writing to him in flattering terms and deleting the stipulation of excommunication against those who were

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<sup>22</sup> Stephens, *op.cit.*, p.122.

<sup>23</sup> Southern., *op.cit.*, p.296.

<sup>24</sup> Quoted in Southern, *op.cit.*, p.295.

invested by laymen. Paschal was beginning to sow the seeds of compromise, softening the hard stance of his predecessors. But he temporised and caused confusion. The letter Paschal gave Anselm to deliver to King Henry was more demanding of the King than the letter sent shortly afterwards by hand of William of Warelwast, Anselm's secular counterpart in the delegation to Rome.

Placed in an invidious situation and unable to return to England on Henry's terms, Anselm wrote to the King that he could not do homage to Henry as had been done to his predecessors.<sup>25</sup> Henry reacted by finally confiscating the revenues of the see of Canterbury and placing them, in effect, in trust with two receivers. Anselm was sworn personally to protect the revenues and privileges of his see and reluctantly initiated the protracted proceedings necessary for the excommunication of Henry.<sup>26</sup>

There were further complex negotiations before an eventual compromise between pope and king. Informed of this at Lyons in April 1106, Anselm returned to England. Agreement was promulgated at a council of king and bishops in London on 1 August 1107.<sup>27</sup> The papacy having conceded the question of homage, Henry readily renounced lay investiture as such. Anselm undertook that a bishop-elect should not be denied consecration because he had done homage to the king. The arrangement was continued whereby episcopal elections were conducted by delegates of the diocese concerned but in the royal chapel - implying consultation with the monarch.

This settlement anticipated by fifteen years the Concordat of Worms of 1122 in which Henry V of Germany similarly surrendered the right of investiture by ring and staff. Pope Calixtus II, perhaps building on the settlement achieved in England and France,<sup>28</sup> in turn conceded in the Concordat that elections of bishops and abbots could be made in the presence of the king or his representative and that the elected prelate should receive his temporalities by the touch of the sceptre. In the following year, the first Lateran Council

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<sup>25</sup> Stephens, *op.cit.*, p.123.

<sup>26</sup> Southern., *op.cit.*, p.298-9.

<sup>27</sup> Stephens, *op.cit.*, p.128.

<sup>28</sup> Barlow., *op.cit.*, p.273.

recognised the primacy of the pope in the church and his universal episcopacy but also accepted (reluctantly) the concessions made to Henry of Germany. Barlow notes this as the turning point from which began the history of the church as a separate hierarchically organised institution with its own laws.<sup>29</sup>

Less so in England, where laws of what eventually became the established Church of England were made, confirmed and maintained by the secular power. Even today, diocesan bishops of the Church of England are "elected" by a cathedral chapter only after appointment by the sovereign on the advice of the prime minister.<sup>30</sup> Only since 1977 has the prime minister formally been assisted in this task by a Crown Appointments Commission.<sup>31</sup>

Though of course it would not have been seen as such in the eleventh century, the achievement of effective control by the crown over episcopal appointments in England may be seen as an early step towards the state control of the church seen much later in the proclamation of royal supremacy by Henry VIII in 1534, formal designation of the Church of England as "by law established" under Elizabeth I in 1559, and adoption by Elizabeth of the title of Supreme Governor of the Church of England.<sup>32</sup>

The dispute in England over lay investiture caused some turmoil for about seven years (1100-1106). The dispute was between a king convinced of his traditional authority and privileges, an archbishop convinced of his duty of sworn obedience to papal decree and the popes who made those decrees. The laborious negotiations demonstrate that church and monarchy both saw the dispute to be serious and important. Anselm, much beloved as leader of the church in England, was forced overseas for some years. Henry was willing to incur the wrath of the church. As noted above, what was at issue for Anselm (and presumably for his followers) was not so much the freedom of the church to choose its leaders as its freedom to obey what was seen as the lawful authority of the papacy. Yet, lay investiture was significant as an indicator of

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<sup>29</sup> *Idem.*

<sup>30</sup> *The Church of England : a portrait* / Michael De-La-Noy. - London : Simon and Schuster, 1993, p.32.

<sup>31</sup> *ibid.*, pp.36, 64.

<sup>32</sup> *ibid.*, p.33-4.

larger issues - control of episcopal appointments, the boundary between ecclesiastical and secular authority, and the interplay of power between papacy and monarchy. The English monarchy kept the substance of its powers, while the nominal autonomy of the church and was respected.

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