

## Innocent III and England

By

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Medieval men were in most things more logical than modern men; even when they were wrong it was their premise not their policy that was at fault. And precisely because later ages lost the medieval sense of logic, they laughed at medieval men and made pointless jokes about how many angels could sit on the point of a pin. Most of all, perhaps, they were logical about their religion; for they knew that every religion “impresses its image on the society that professes it, and the government always follows the changes of religion”:<sup>1</sup> and, instead of adopting the impossible slogan “keep the Church out of politics,” they gave heed to a divine command “Render therefore to Caesar the things that are Caesar’s: and to God the things that are God’s.” The whole history of Church and State throughout the medieval period becomes a meaningless and an irritating puzzle unless seen as a constant interplay between the spiritual and the secular to maintain this delicate balance. The story of Innocent III and England, if it is to be intelligible, must find its place within this general pattern.

This paper begins with the dispute between England and the papacy over an election to the see of Canterbury. The beginning of the quarrel, seemed simple enough: King John’s refusal to accept Stephen Langton as archbishop of Canterbury. The sequel was something quite different: the interdict laid upon England; the personal excommunication of the king; the threat of deposition by the forces of Philip of France under mandate of the pope. The end of the quarrel – John’s acceptance of Stephen Langton as archbishop of Canterbury – was also simple enough: but, when John solemnly declared England to be a fief of the papacy and the pope to be the political suzerain of his kingdom, the issue became serious. The baronial party realized its seriousness, when Innocent used his new political power to annul the Great Charter of liberties it had wrung from a reluctant king: the entire English community realized it, when a boy of nine, the ward of the pope, ascended the throne of England and Italian ecclesiastics from the papal court assumed posts of effective political authority in England. The intrinsic importance of the subject, therefore, needs no apology; indeed; it can hardly be overstressed, not because the period was typical, but because it was exceptional. Its very uniqueness forces the attention. For when King John declared the realms of England and of Ireland to be fiefs of the papacy, he

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<sup>1</sup> Lord Acton, *Political Thoughts on the Church in History of Freedom and Other Essays*, edited by J. N. Figgis and R. V. Laurence, p. 193.

established a relationship unprecedented in English history in that day and without parallel since.

As Innocent's dispute with the English monarchy began with the death of an archbishop of Canterbury and a disputed election to that see, we are at once faced with the problem: who had the right to elect the successor and how was the election to be held. Throughout the twelfth century there had been a widespread demand for ecclesiastical reforms, among which canonical and valid elections were prominently mentioned. The main trend at the time, and one which was accepted by all canonists by the middle of the thirteenth century, was to substitute election by chapter for election by the clergy and people.<sup>2</sup> The first two archbishops of Canterbury after the Norman conquest were without doubt the personal nominees of the king. William Rufus thought so little of the rights of a free Church that he refused for years to fill the vacancy created by Lanfranc's death, preferring, as he said, to be his own archbishop. When Henry I consented to the election of Anselm's successor, he summoned, besides bishops and prelates, the chapter monks of Canterbury to take part in the election. From this election to the see of Canterbury – the third after the Norman conquest – until the death of the tenth archbishop of Canterbury – Hubert Walter, who died in 1205 – every archbishop of Canterbury was elected by the chapter of Canterbury monks. The *procedure* of election was becoming fixed even though in *fact* other influences often determined the election: election was by chapter monks, confirmation by the suffragan bishops, assent by the king and formal approval by the pope. The king's influence in the actual election, though not canonical, was real and apparent. Becket's election in 1162 demonstrated the royal influence not less than the chapter's rights; for, when the chapter somewhat reluctantly elected him, the bishops gave their confirmation only after explicit disapproval. Finally during the reign of Henry II, when Archbishop Baldwin – no friend of the Canterbury monks – attempted to replace secular clergy as the electors to the see of Canterbury, the protests of the monks, strengthened by papal influence, won for them explicit royal approval of their elective rights.

It must be borne in mind that this trend in episcopal elections was only one aspect of the growing unity and administrative development of the Church: a development that usually was opposed by temporal sovereigns because it encroached upon their powers and was, at the same time, distasteful to a large number of local clergy, who were both jealous of the influence they could assert in elections and convinced that their knowledge of local conditions made them better administrators of their local dioceses. We must not, however, fall into the error of looking upon this development as nothing more than another attempt of the pope to assert his authority. The substitution of the chapter for the clergy and people was an attempt to lay down regular methods of procedure, to minimize

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<sup>2</sup> Cf. F. M. Powicke, *Stephen Langton* (Oxford, 1928) pp. 78 et sqq.

interference and to combat simony; even though Archbishop Baldwin was probably right in thinking that the best men available were more likely to be elected by the suffragan bishops than by the chapter monks, whose predilection for monks as candidates for the episcopacy was unhealthy for the Church in England. F. M. Powicke is emphatic in his statement that the Church had no notion of doing away with the co-operation of the lay powers. "Elections must be free and lawfully conducted, but the acquiescence, and even the advice of the lay ruler is of the greatest importance; it safeguards the harmony which should pervade society."<sup>3</sup>

What, then, were the facts of this disputed election? Archbishop Hubert of Canterbury died on July 12, 1205. If some of the details of the dispute are questioned, the general picture is clear enough. All the chroniclers tell pretty much the same story. King John came post-haste to Canterbury, spoke kindly to the monks and intimated that one among them might well succeed to the vacant see. He asked the monks only one thing: that they postpone the election until November 30th, the feast of St. Andrew.<sup>4</sup> For whatever reason – whether for fear of John's intimidation or to prevent external influence upon the election – a fraction of the monks met secretly and elected their sub-prior, Reginald, to the vacant see. Reginald was immediately sent off to Rome to obtain papal confirmation on the understanding that he keep the plot secret and thus enable the monks to present the king with a *fait accompli*.<sup>5</sup> No sooner had Reginald passed over to France, however, than he announced to the world that he was the archbishop-elect and he proved his point by producing written proof of his secret election. The damage done, Reginald hurried on to Rome where, consonant with the monks' policy of haste and with his own policy of imprudent publicity, he demanded of Innocent immediate confirmation, and, at the same time, went about the city displaying his credentials as the newly elect of Canterbury. Innocent, however, no doubt to the disappointment and chagrin of the sub-prior, instead of complying with the request for immediate confirmation, put him off with the reply: "se velle deliberare donec majorem haberet certitudinem de præmissis."<sup>6</sup>

In England, John's hasty and intemperate action complicated the issue and, incidentally, placed himself in a very unfavourable position. It seems certain that an appeal against Reginald's election was promptly made, at least nominally, on behalf of the bishops who claimed rights in the election; but it is likely the appeal was, in fact, made at the instance of the king, who, indifferent to the form of election, was determined, it now became clear, upon the election of his own

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<sup>3</sup> F. M. Powicke, *Stephen Langton*, p. 82.

<sup>4</sup> Gervase of Canterbury, *Gesta Regum*, p. 98.

<sup>5</sup> *Roger of Wendover II*, p. 11.

<sup>6</sup> *Roger of Wendover II*, p. 11.

candidate, John de Grey, Bishop of Norwich. It is entirely probable that a candidate of John's selection would in the end have been consecrated archbishop of Canterbury, had John been willing to wait Innocent's judicial decision. At any rate his bargaining position would have been strong. Up to this point, the monks of Christ Church monastery had acted in haste and with, at best, a pseudo-legality; and John could count, in this instance, upon the support of the bishops because they were anxious to maintain a general principle, not to select a particular candidate. John, however, possessed neither of foresight nor patience, selected his own candidate and arranged for his election by the now thoroughly terrified and submissive Canterbury monks. And to consummate the rash act, John before it was possible to have the election confirmed at Rome, "misit electum illum in possessionem rerum omnium ad archiepiscopatum pertinentium."<sup>7</sup> As the monks had unwisely planned to present the king with a fait accompli, so John now attempted to force the pope's hand. Matthew Paris' comment is apt: "factus eat novissimus error peior priore, sic ut rerum exitus evidenter ostendit."<sup>8</sup>

Negotiations went on for more than a year during which time charges and counter-charges were despatched to Innocent's court. Unable to discern the truth of the matter from the bewildering maze of contradictory evidence, Innocent ordered witnesses to appear at his court. Among the witnesses were twenty monks from Canterbury chapter, who were to have powers of election should both of the "elect" be declared incapable of succeeding to the see. In his final decision, given in December of 1216, Innocent declared definitely that the sole right of election rested with the Canterbury monks. The election of Reginald, however, was no true election, and since de Grey's election was also declared invalid "non propter indignitatem personae sed propter iniquitatem processus," Innocent ordered a new election on the spot.<sup>9</sup> The election was held then and there by the twenty Canterbury monks, who had received powers to act in the name of their chapter, and Stephen Langton was chosen to the vacant see.

It would be difficult to deny Innocent the right to pass judgement upon the validity of Reginald's or of de Grey's election. The question had to do with a canonical election and an appeal had been made to his court. It would not have been difficult, on the other hand, to predict that John would contest the method of holding the election to the See of Canterbury at the court of Rome. The laws for canonical elections were only in the process of becoming fixed but custom and expediency had determined some of them. The constitutions of Clarendon of 1164 had stated: "et in capella ipsius domini regis debet fieri electio."

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<sup>7</sup> Mathew Paris, *Chron. Maj.* II, p. 493.

<sup>8</sup> *Ibid.*

<sup>9</sup> Cf. *Epp Innoc. III*, ix: 34, 205, 206 in *Opera Omnia Innocentii III* edited by J. P. Migne (Patrologia, Series Latina, vol. 215.)

Although it is not clear how many episcopal elections took place in the royal chapel or in the king's presence, some certainly did as we know from protests registered from time to time. But, if ecclesiastical reformers demanded elections removed from the royal presence to ensure freedom of election and if sovereigns acquiesced in the reform, no reformer went so far as to suggest English ecclesiastical elections be held in Rome and no sovereign would ever have allowed it.

Stephen Langton was, of course, the pope's nominee. They had been students together at the University of Paris; and Innocent, impressed with Langton's ability, had called him to Rome shortly after 1198, when he himself had been elected pope; and in 1206, he had promoted him to the position of cardinal priest of St. Chrysogonus. Langton was, without doubt, the most outstanding English ecclesiastic of his day – he was at once a scholar, a master of philosophy, theology and biblical studies and a diplomat, wise in the knowledge of human nature and skilled in the intricacies of diplomacy – and events were to prove that he was not less a patriotic Englishman than a devoted *churchman*. About the form of his election, however, there is serious question. Innocent had vindicated the principle of free election by the monks of Canterbury; a principle that was to be reiterated in John's charter of 1214 and in the rules drawn up for canonical elections in the Fourth Lateran Council of 1215. It is also true that a Roman environment had replaced an English one and the pope's influence had replaced the king's. Langton's election was exceptional. Under normal circumstances, when the election would take place in England, the confirmation at Rome, a working agreement between king and pope was usual. Throughout the whole medieval period the form of election was taking shape and by the thirteenth century the theory of the thing was becoming clear enough: its practice – while quite another thing – was equally clear. For no long period did either secular or ecclesiastical authorities assume in a practical way the sole voice in episcopal elections. It was not until the sixteenth century legislation of the Henrician schism that final victory rested with the secular authority; and, significantly enough, that legislation transformed the “*ecclesia anglicana*” into the Anglican church. When news of this election and of Stephen's consecration reached England, John's stormy anger broke over the heads of English ecclesiastics.

The story of the next six years has been told often enough; the interdict upon England, the personal excommunication of the king and his deposition proclaimed by Innocent together with the papal command that Philip of France enforce the deposition by conducting a crusade against the excommunicate king. Whether or not Philip's victory would have been as complete as he could desire must remain a speculative question but he did have every reason to count upon it. John could not call upon the powerful support of the Church in England not so much, perhaps, because of his antagonism toward Innocent, but because for

the past six years he had threatened English ecclesiastics with every form of torture, had exiled most of the hierarchy and had confiscated a large portion of the revenue of the Church. And the English baronage, although it had given him support against Innocent, was growing ever more restless and discontented. We cannot assume that the discontent preceding the Great Charter began only after 1213. Most modern historians would agree with Sydney Painter's judgement that "John was faced with a French invasion supported by all the power of the Church at a time when but few of his barons could be relied upon."<sup>10</sup> With Philip's forces set for the invasion, however, Innocent, probably at the instigation of Stephen Langton decided upon one last attempt at reconciliation. Accordingly he despatched a delegation to the English king, not so much to present terms of peace, as to give him a final warning.

It was apparent to John, when he had listened to the papal delegation that further resistance to the demands of the papacy would result in the gravest consequences to himself and to his kingdom. Without further negotiations he agreed to every condition imposed upon him by Innocent: the acceptance into the realm of England of Stephen Langton as archbishop of Canterbury; the return of the exiled bishops and the monks of Christ Church monastery as well as members of the laity who had incurred exile because of their support of the papal cause, together with the promise to make restitution for all the material damage done by him to Church property during the six year dispute. John's surrender was unconditional: Innocent's victory was complete. To all the world it must have seemed that the long drama had ended with John's surrender to Innocent on May 13, 1213. Traditional diplomacy between monarchy and papacy suggested a return to the status quo with the least possible delay. When, therefore, we discover that John two days later produced the remarkable document – unique in English history – known as the submission, our historic sense receives a distinct shock. And rightly so! The submission is in itself so extraordinary that it shocked contemporary historians and it has puzzled subsequent historians down to our own day.

By the submission of May 15, 1213, John freely surrendered to God and to the papacy the whole realm of England and of Ireland; and, as a sign of this new relationship, the pope was to receive a yearly tribute of one thousand marks; seven hundred for England, three hundred for Ireland. England was a fief of the papacy; Innocent overlord of the English king; John and all succeeding English kings were to be vassals of the papacy. The submission, as conceived in the mind of John was not meant to bind England to the interests of Innocent, nor Innocent to the interests of England; it was meant to bind Innocent to the interests of John. What had brought John to his knees was the knowledge that he could not meet with any hope of success three sets of powerful opponents: the

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<sup>10</sup> S. PAINTER, *William Marshal* (Baltimore 1933) p. 174.

papacy, Philip of France and his own barons. By the surrender of May 13th, John made peace with the papacy and, at the same time, deprived Philip of both a motive and of non-French support for an invasion: by the submission of May 15th, John aimed a blow at the rising discontent of the barons by placing himself under the personal protection of Innocent. John had the qualifications to conceive and carry through such a scheme; a disregard for the honour of his country and a callous - often brutal - efficiency. Contemporary chroniclers and modern historians are unanimous in their condemnation of his character. Utterly selfish, he had no personal experience of honour or loyalty or gratitude and he was capable of inflicting the cruelest sufferings upon man or woman or child. And, in a way, the submission did accomplish what John intended it to do. As, Powicke wrote: "John was very mean, very astute, very reckless and irresponsible, and also very thorough in his ways."<sup>11</sup>

There is not much doubt that the surrender of John to the papacy brought with it anything but sentiments of approval throughout the whole country. The May 13th surrender, it is important to remember, was a return to the status quo; it was not the beginning of something new and unknown: but the May 15th submission was not a return to the status quo; it introduced something quite new, an unheard of relationship between the English monarchy and the papacy. The terms "surrender" and "submission" used in this study are arbitrary, but the distinction is real. And yet we know that Englishmen acquiesced in the submission. There were two positive reasons for their lack of concern: they were ignorant of the designs of John and they knew nothing of the designs of God. No one in May 1213 guessed that John would use the submission as a legal justification for breaking his pledge to the nation in 1215; no one could guess that John, a man of forty-five years in 1213, would die within three years and leave his son and heir, Henry, a boy of nine, to succeed him on the throne. The point is that even were Innocent to be suzerain of all England in the fullest sense of the term, his rights were not likely to affect the lives of Englishmen. Two events of the first importance, the grant of the Great Charter in 1215 and the minority of Henry III, not only proved that the papal overlordship was not merely nominal, but gave rise to problems, inherent in the new relationship, that had not been anticipated by the mass of people who had given their half-reluctant consent to the act.

It has been the custom of English historians to look with displeasure or with regret upon Innocent's interference in the issue between John and his barons that culminated in the grant of the Great Charter. Some have pictured Innocent and John as twin despots in an unholy alliance against the liberties of Englishmen. "In the latter days of John, and through the whole reign of Henry III, we find the

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<sup>11</sup> F. M: Powicke, *Stephen Langton*, p. 101.

Pope and the King in strict alliance against the English Church and nation.”<sup>12</sup>Or as Dean Hook has it: “Having thus as far as in him lay annulled the liberties of the English realm and Church, the pope issued, under the same date, a bull directed against the barons.”<sup>13</sup> Since Magna Carta has been and still is considered a charter of liberties for Englishmen, it is not surprising that historians would write in this vein upon the subject. The simple statement that Innocent annulled Magna Carta is perfectly true, but it leaves an unfair and an erroneous impression. We can never understand the true story of Magna Carta if we do not take into account its strictly legal aspects in connection with the relationship at the time of its grant; nor can we understand it if we fail to distinguish what Innocent condemned and what he did not condemn.

Innocent condemned Magna Carta on three grounds: the barons had used unlawful means to obtain the charter; John had assumed the cross of the crusader; and, John was a vassal of the pope. Innocent did not condemn the *matter* of the character: he condemned the *manner* in which it had been obtained. The distinction may seem to be merely technical, but it has real meaning; and, unless the doctrine of the end justifying the means is to be held as valid, the distinction must have its practical application everywhere and in every age. And yet we must not forget that Innocent was by nature and by the high office he held an authoritarian. He was likely to favour the authority of the crown. This is not said in the spirit of criticism because the age in which he lived was an age given to authority. The times were not ripe for anything approaching our modern concept of democracy; and near approaches to it in that day led not to freedom but to license and to chaos. Under ordinary circumstances, then, Innocent was likely to have been sympathetic to John as king of England; and, under the special circumstances of the existing relationship between the English monarchy and the papacy, Innocent had added reasons for favouring the king. As supreme head on earth of a united Christendom, the pope’s concern was not limited to any one country: England was but one part of the Christian world. Innocent had dreamed a dream – and a splendid dream it was – of a united Christendom in the West and a triumphant Christendom in the East: in the West, the growth of unity within the Church; in the East, the crusades. For both he had need of the co-operation and the good will of Christian princes. And, whether John knew it or not, when he granted a charter of liberties to the church in England<sup>14</sup> and when he assumed the cross of the crusader, he gained for himself an ally far worthier than his ruthless character deserved.

King John of England died in October 19, 1216. History rightly judged his

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<sup>12</sup> E. Freeman, *The Growth of the English Constitution*, p. 76.

<sup>13</sup> W. F. Hook, *Lives of the Archbishops of Canterbury* II, p. 726.

<sup>14</sup> In 1214, John sought to gain the support of the English clergy by a grant to them of complete freedom of election.

death as fortunate for England; John never served his country so well as in his death. With him out of the way it was possible to form a strongly united party to fight the French invader and Englishmen who had joined in the invasion had no longer any compelling motive to remain under the French banner. John's death, however, created a new problem for England, a problem that was fraught with all the dangers and the uncertainties of the unknown. For John left as his son and heir a boy of nine years. England for the first time was to experience a minority. The prospects were grim enough: the country was divided into two warring factions; Louis of France was in the country seeking the throne of England; and, of special significance to this present study, Henry, the young king, was legally the ward of the pope.<sup>15</sup>

During the minority of Henry III, the pope sent two legates to England: Gualo exercised the papal authority in England until 1218; he was succeeded by Pandulf, who remained as papal legate in England until 1221. The history of the reign of Henry III until 1221 demonstrates pretty clearly that the submission King John made to Pope Innocent III in 1213 was something very real and very effective. As the submission had given Innocent legal justification to annul the Great Charter in John's reign, it gave the pope rights of wardship during the early years of Henry III's reign. No other reason is an adequate explanation for the extraordinary authority possessed by both Gualo and Pandulf during their legations in England. Gualo co-operated so well with William Marshal, the "rector regis et regni," that it is hardly possible to discern where the authority of the one began, where the authority of the other ended. There are indications, however, that point to the legate as possessing supreme power; power, which he delegated generously to his associate. Pandulf, too, worked well with his associates in the government of England, but his tendency to act in high-handed fashion offended at least two of the most powerful men in England – Hubert de Burgh and Stephen Langton – even if it gave clearer evidence of his supreme authority. Both legates served England well and deserved the gratitude of Englishmen for the services they rendered.<sup>16</sup> But we must not lose sight of the principle involved. England was fortunate, not because the submission of King John had given such extensive papal power in England, but because of the men who exercised that power. The pope and his legates proved to be wise counsellors and real benefactors of the kingdom of England, but other men at

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<sup>15</sup> Innocent died three months before the death of John. Pope Honorius, his successor, did not alter in any way the papal policy toward England. Even after his death it was Innocent's spirit that was paramount in English affairs.

<sup>16</sup> G. J. Turner insists that even the charges of Gualo's cupidity are groundless; and he pays high tribute to both Gualo and his master, the pope. *Transactions of the Royal Historical Society*, vol. xviii (New Series) pp. 256 et seq. F. M. Powicke, *Henry III and Lord Edward I*, p. 45-46, pays tribute to these "cultivated and experienced Italians" to whom "later writers do some injustice."

other times might have rendered very different services to the detriment of England and to the detriment of the Church. Not to the policy of John can be attributed the success of the first minority in England, but to the wisdom and the prudence of the papacy.

## CONCLUSIONS

John was not merely stubborn nor Innocent petulant in the quarrel about Stephen Langton and the see of Canterbury, because there was a deep seated principle involved in the election. It was, in reality, a single facet of an essential problem in medieval Europe: the problem of investiture. The archbishopric of Canterbury had a double function: it owed service to both Church and State. The pope, who wanted a free Church in England, had an interest in the election: the king, who demanded an administration independent of foreign influence, was not less concerned about it. Innocent had solid arguments to support his position. The case had been appealed to his court by all parties to the dispute; he, as Vicar of Christ on earth, had a solemn duty to secure able men in high ecclesiastical posts; and Stephen Langton's qualifications for the see of Canterbury rarely have been equalled in the whole history of that see. John's position, however undignified his conduct may have been, was one commonly held by medieval sovereigns. Ecclesiastical officials were, in some respects analogous to secular magnates and, as such, owed feudal fealty to their sovereign. Fundamentally, John asked for nothing more. The independent action of the Canterbury monks roused his anger and Innocent's decision to hold the election in Rome brought the king's wrath down upon the entire Church in England. The outcome of the dispute – a triumph for the papal policy – was, on the whole, beneficial to Church and State: it emphasized the need for canonical elections and brought about a clearer definition of what constituted correct procedure in elections. If the Church were to fulfill one of its prime duties, that of defending the weak against the despotism of the strong, it was, essential that the ecclesiastical hierarchy be independent of the secular sovereign. The conclusion is clear: what might seem to later ages like a petty quarrel about personalities was, in reality, a serious dispute about important principles.

For the same reason, too, Matthew Paris handed down a sound judgement when he described John's submission of the realms of England and of Ireland to the papacy as "famosa" rather than "formosa." He, a near contemporary, saw what Acton six centuries later wrote about: the right role of the Church as the defender of freedom. John's surrender to Innocent on the Langton affair was, it seems clear, engineered from abroad: it was brought about by an all but unconquerable coalition; the moral force of papacy, the armies of Philip of France and open rebellion or half-hidden sympathy of the English people themselves. John was wise when he made his surrender on the ecclesiastical issue for his position was untenable: he was clever, perhaps, but he was not a

statesman when, of his own volition, he added the submission of his kingdom as a fief of the papacy. However base or mean his motives may have been, John converted his defeat into a short-lived but brilliant personal triumph. Encompassed by powerful opponents, he secured for himself the one ally who could prevent an invasion from abroad and make it possible for him to continue his despotism at home.

The submission of England to the papacy might seem to men of a later age to have been nominal, not real. To contemporaries it was not so. Those who disliked it most were hard pressed for arguments to deny it; and they failed in their attempt. Those who had cause to use it, did so with impunity and without serious protest. Innocent called upon, not his spiritual prerogative as Christ's Vicar, but upon his political prerogative as John's overlord to release the king from the oaths he swore to his rebel barons. The minority of Henry III, too, bore striking testimony to the submission's reality. The extent of papal authority in England during the minority of Henry III may still be matter for debate, but the fact is indisputably clear: the pope had legal claims to the exercise of effective political authority in England. The splendid spirit of co-operation with which William Marshal and Gualo entered into the task of expelling the foreign invader and of reorganizing domestic administration makes it difficult to discern their respective spheres of authority. This much it seems safe to assume of English policy during the legation of Gualo: although it might have been formulated by English administrators, papal directives were always at least implied. But, if Gualo's authority were not supreme, William Marshal alone could claim to be his political superior; and Pandulf's superiority over all Englishmen was such that Tout considered him to have "almost acted as king of England."<sup>17</sup> The pope and his legates were wiser than men thought when their prudence helped to restore that balance demanded by the divine dictum. For it is as dangerous for the freedom of both Church and State to give to God the things that are Cæsar's as to give to Cæsar the things that are God's. The active role played by the papacy in English affairs after the death of John was of the highest service to England's cause. History cannot record what might have happened had not the papacy acted with energy and despatch: but the possibility of a French victory was not remote. And the powerful papal support thrown on the side of England's king was probably decisive in the English victory. Powicke considers the papal policy of conciliation to have been the vital factor in the issue. "The most important step taken by the legate and Marshal in their attempt to divide the ranks of the king's enemies" was the renewal of the charter of liberties. Although this, as Powicke points out, "had been done without papal cognizance,"<sup>18</sup> it was done with the approval of the pope's legate, and because of Innocent's condemnation

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<sup>17</sup> Cf. "Pandulf," in *Dictionary of National Biography*.

<sup>18</sup> F. M. Powicke, *Henry III and Lord Edward I*, p. 6.

of the charter, it could not have been done against the wishes of the papacy. And, as the hand of forgiveness was stretched forth to the English rebels, all the thunders of the Church were directed against the foreign invaders. In later years, Henry himself paid tribute to the papal efforts on his behalf in language too sincere to doubt. “Cum enim essemus orbati patre, regno nostro non solum a nobis averso, sed a nobis adversante, ipsa mater ecclesia idem regnum ad nostram pacem et subjectionem revocavit.”<sup>19</sup> And the judgement of historians agrees with the judgement of Henry III. Nor was England likely to have lived through a minority of almost a decade without serious strife from within the country and from without had not the guiding hand of the papacy given its wise direction.

But principles are more enduring than personalities: and, while the personalities in this case were all right, the principle was all wrong. Theocracy is one extreme; Erastianism another: and, if Theocracy is unwise for no other reason, it is so because it inevitably tends to produce the extreme reaction of Erastianism. Efficient and prudent though the legates and their master, the pope, may have been, they were certain to provoke criticism and resentment to the detriment of what they ought to have valued most; the Church to whose service they were dedicated. Acton’s judgement that we owe the rise of civil liberty to that very conflict between Church and State cannot, I think, be disproven. “If the Church had continued to buttress the throne of the king whom it anointed, or if the struggle had terminated speedily in an undivided victory, all Europe would have sunk under the Byzantine or Muscovite despotism.”<sup>20</sup> Paradoxically, perhaps, the Church, when it became the political suzerain of England, was in danger of losing that freedom it needed to resist the despotism of the State.

These are the reflections, it would seem, that force themselves upon the careful observer of medieval development. And they are reflections that are pregnant with meaning for our own day. Freedom is a precious heritage and one that, being lost, is hardly regained. Macaulay saw the origin of the English constitution in the thirteenth century: “that constitution of which all other free constitutions in the world are copies” and if Burke was right when he wrote that “in history a great volume is unrolled for our instruction drawing the materials of future wisdom from the past errors of mankind,” or if there is truth in the dictum of Bryce that the “conclusions of history have a real value not only to the student but to the statesman,” careful study and thoughtful meditation upon the period of the past which gave birth to the institutions we cherish will not be without its reward.

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<sup>19</sup> *Roberti Grosseteste Epistolce*, edited by H. R. Luard, pp. 338-339.

<sup>20</sup> Lord Acton, *Freedom in Christianity*, in *History of Freedom and Other Essays*, edited by J. N. Figgis and R. V. Laurence, p. 35.