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A MOST CHRISTIAN KING: CHURCH AND STATE DURING THE REIGN OF
HENRY III OF ENGLAND

A Thesis

Presented to the

Graduate Faculty of the History Department

and the

Faculty of the Graduate College

University of Nebraska

In Partial Fulfillment

of the Requirements for the Degree

Master of Arts

University of Nebraska at Kearney

By

Mason Smith

July 2022

THESIS ACCEPTANCE

Acceptance for the faculty of the Graduate College, University of Nebraska, in partial fulfillment of the requirements for the degree of Master of Arts in History, University of Nebraska at Kearney.

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Thesis Abstract

The reign of Henry III (1216-1272) was one of many firsts. The first reign under the Magna Carta, a watershed reign for relations with the Papacy, and demonstrated the degree to which Church and State were integrally united during his reign, to the degree that it is anachronistic to speak of them as two separate institutions. The reign of Henry III was marked by religious sensibility from the beginning of his reign in the minority, shepherded by his regents: Papal Legates and his educator Bishop Peter Des Roches.

Henry's life reflected his position in relation to the English Kingdom and the Church. Pushing for integration with the Royal Papacy, Henry at times even went against his own interests in favor for the church as a whole. The ways in which Henry III pursued his reign and moderated the integration of Church and State reveal a genuine concern for the teachings of the church, both by Henry and by the Papacy. This is in strong contrast to previous historiography on Henry III and church relations, which often reads in a modern Church/State dichotomy into the historical situation, assigns Machiavellian political motives to the Pope, or paints Henry as naïve, unable to shy away from the desires of his Papal overlords, even at the cost of the well being of his Kingdom because of his personal piety. Narratives of the First and Second Barons war often center on them being conflicts between neo-absolutists in the Church and Kingdom versus Democratic reformers. This thesis seeks to argue that Henry III was motivated primarily by a worldview that eschewed the Church/State dichotomy that we live with today, and identified the opposition with violence and chaos. By viewing his tenure through this lens the historical events of his reign become much more intelligible.

Table of Contents

<i>Thesis Approval.....</i>	<i>i</i>
<i>Thesis Abstract</i>	<i>ii</i>
<i>Table of Contents</i>	<i>iii</i>
<i>Acknowledgements.....</i>	<i>iv</i>
<i>Introduction and Historiography: The Unipolar World of Henry III.....</i>	<i>1</i>
<i>Chapter One: The Context of Two Swords Rule and Regency Years of Henry III....</i>	<i>15</i>
<i>Chapter Two: Henry III's personal rule to the Second Barons' War.....</i>	<i>44</i>
<i>Chapter Three: The End of the Personal Rule and the Second Barons' War.....</i>	<i>63</i>
<i>Conclusion.....</i>	<i>83</i>
<i>Bibliography.....</i>	<i>87</i>

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Mo vè mèrsi en prèmyé plas Bondjè-la, ki fé linivèr-la e tou lê byin.

Mo vè mèrsi vyèrj-la don “wi” fé nô salut posib.

Mo vè mèrsi moman e popa.

Mo vè mèrsi mô chère épouz.

Mo vè mèrsi tou mô famiy ki linm mò.

Mo vè mèrsi Andrew Willard Jones pou rekouvèr in charpent de penséy ki m’ap izé
toulintour mô tez.

Introduction and Historiography: The Unipolar World of Henry III

Luke 22:38 Douay-Rheims Version: But they said: Lord, behold here are two swords.

And he said to them, it is enough.

King Henry's reign began under auspicious circumstances. Crowned as a nine-year old boy, son of King John—who died fighting his own barons after years of conflict in the Kingdom— Henry began his reign as a direct subject of the Pope. For England was entrusted to the papacy by his Father King John in 1213, in a desperate attempt to end an onerous interdict on the Kingdom and to restore peace to the embattled realm.

Although his Father King John did not seem to shy away from excommunication, if it meant some political gain could be had, King Henry III maintained a scrupulous friendship with the Holy See. Though moments of tension did certainly exist, King Henry III fulfilled his duties towards his suzerain and healed the relationship between the English Monarchy and the Papacy. Even in moments when it would have been of great political advantage to disobey, Henry bent the knee to a succession of Popes, sometimes even to disastrous political results at home.

Rather than being a result of the King's naivety and the desire of a succession of Popes to take advantage of that naivety for political purposes, I argue that the actions of Henry III and the Popes he most directly dealt with, were instead a result of a fundamental philosophical and religious understanding of the Church's relationship with the state. Rather than Machiavellian power schemes motivated by secular desires, Henry III and the various Popes were operating in relationship to an established framework for

advancing the cause of peace in the land and maintaining the freedom and independence of the Church.

I argue that this framework in which the Medieval English government operated was an integral vision of the operations of the Church and the State. Any attempt by historians to drive a wedge between the religious and “secular” motivations are actually misperceiving the reality of government forces interacting within the framework of the political philosophy, as opposed to two fundamentally distinct poles fighting for supremacy.

This political philosophy has been known under different titles in English-language historiography. As a modern political movement, popular throughout the nineteenth and early twentieth centuries in countries such as Portugal, Spain, and France, this political philosophy is called “Integralism”. When used in the context of the Medieval and Renaissance world, Andrew Willard Jones calls the philosophy a “Sacramental Kingdom” and applies this moniker specifically to the Kingdom of France under King St. Louis IX.¹

In most iterations of the name, a Sacramental Kingdom or “Integralism” is a political philosophy that does more than blur the distinctions between Church and State. Instead, it posits the existence of the distinction between Church and State to be artificially imposed by a combination of the historiography of enlightenment and liberal

¹ Andrew Willard Jones, *Before Church and State: A Study of Social Order in St. Louis IX's Sacramental Kingdom*, Steubenville, OH: Emmaus Academic, 2017.p. 3

thinkers between the eighteenth and twentieth centuries and a fundamental misunderstanding of Catholic theology. In the Sacramental Kingdom of Henry III the church and the state were integrally united in such a way that speaking of them as separate institutions is only a weakness of modern English semantics. This was not a throne and altar alliance, because the throne and altar were united fundamentally, and Henry's decision making followed this principle. The crown of Henry III did not have an ecclesiastical policy because the crown was not a self-contained power distinct from the Church. If we approach his reign from this perspective, the events make much more sense than viewing Henry as a *Homus Simplex*, unduly beholden by his piety to the Church.

Narratives of Henry III then tend to follow this formula. Henry III is labeled as an especially pious or an especially religious King. But what historians often mean is that Henry III is pious or religious in the modern sense, in that he enjoys going to church, listening to sermons, and patronizing Saints. Hence, Carpenter includes an entire chapter on Henry III's acts of piety in his monograph *Henry III: The Rise to Power and Personal Rule 1207-1258*.² Henry III's personal faith rendered him a *simplex*, unable to exercise fully his political sovereignty in the face of the Machiavellian power schemes of the Popes, who used and abused the English Kingdom by imposing "ridiculous" agreements on a King without the backbone to stand up for his secular rights.³

² David Carpenter, *Henry III: The Rise to Power and Personal Rule, 1207-1258*, (New Haven, CT: Yale University Press, 2020), p.273.

³ Ibid pp.636-637.

What I argue is that Henry III was not a Royal Sovereign with a chain of piety around his leg. Sovereignty as something distinct from the Catholic Faith is an enlightenment and modern conception, not a medieval one. To read this conception backwards into the Medieval era is to be anachronistic. Henry III did not bend the knee to the Pope out of a misguided sense of piety, that of a King who is religious, who betrays his secular duties, but as the legitimate expression of a *Religious King*. I argue that Henry was seeking to maintain a Sacramental Kingdom, one where the boundaries of the religious and the spiritual were not existent, where they were united in the government as a sacramental, which unites God's grace with a material object. As historian Andrew Willard Jones defines it in his book *Before Church and State*, the Sacramental Kingdom was not an alliance between throne and altar, but the fundamental union of both.⁴

To quote Cardinal Henry of Susa, a contemporary of Henry III, from his work *Summa Aurea*:

These three types, namely, the laity, the secular clergy, and the religious, are a trinity: but in the holy union of the Church and in the Catholic Faith they are a unity. Likewise, the Persons of the Father and the Son and the Spirit are a Trinity, but in essence and divinity a unity.

This world was no mere theory either, promulgated from the halls of papal power but either unknown or ignored to the princes. I argue that Henry III himself knew of the theory of the relationship between Papal power, the Church, and the State. His understanding of this theory explains his actions far better than to ascribe to him the role of the naïve believer, as historians are often wont to do. It also helps explain the actions

⁴ Jones, *Before Church and State*, p.162.

of the various Popes that had encounters with Henry, especially those of Pope Innocent IV. I argue that what was going on in England between the two Baronial wars and the reign of Henry was not the Church jockeying for secular power, but the intrinsic recognition on the part of Henry and his compatriots that the secular and the religious were *United*.

Before enunciating the historiography of the Kingship of Henry III, it pays here to explain what I *am not* arguing for. I do not argue that Henry III was a perfect man, or even a good one. I am not seeking to defend his personal conduct in a personal capacity, or to rescue anyone's image. I do not argue that Henry was an effective ruler either. Henry III was a flawed man, as humans tend to be. He was often indecisive, and he struggled with a temper. At times, Henry could be capricious. At one point he pushed the Pope as far as to brush up against the possibility of an excommunication.⁵ What I do argue is that historical conceptions of Henry III are often anachronistic, and by viewing Henry III in the context of the Integralist framework it far better explains the actions of himself and the Popes he encountered.

The primary source historiography on the reign of Henry III is exhaustive in scope and was made all the more available through the digital revolution. Several chronicles are contemporary to the reign of Henry III. The most exhaustive of all of the Chronicles is Matthew of Paris's *Chronica Majora*. Matthew of Paris was an English Benedictine Monk, who had intensive access to the inner workings of the throne and the

⁵ Ibid p.438

state of the realm. Henry III was aware of Matthew of Paris writing about him, directing him in his writing and visiting him often.⁶ Much has been made of the often-negative portrayal of Henry that Matthew of Paris provides. In my own reading, it seems that Paris mainly has a view of Henry as a naïve king. Oftentimes, Paris portrays Henry as the naïve victim of “foreign” powers (including, in Paris’s estimation, the Pope).⁷ It is not so much that Henry is portrayed as a *bad* king, but more so as a one who is taken advantage of.

Not unlike many other Medieval Chroniclers, Paris frequently records miraculous events and seemingly ominous portents as well as secular historical events. Paris is extremely anti-Emperor, and this colors his chronicle. Despite any problems these issues or biases may present for the modern historian, there is no primary source chronicle on the reign of Henry III more exhaustive than this one. It is up to the historian then to ensure that any biases are considered when drawing from the Paris’ chronicle.

The second chronicle that I draw from, however briefly, is the Lanercost Chronicle. Ostensibly written at Lanercost in Northern England, historian A.G. Little argues that the chronicle was originally a Franciscan Chronicle adapted by the Augustinian Priory there.⁸ A northern English Chronicle through and through, it follows an anti-Scottish bias, but for my purposes it is useful in so much as it portrays the opinion

⁶ Ibid p.171

⁷ Matthew Paris, *Matthaei parisiensis, Monachi Sancti Albani Chronica Majora*, ed. H.R. Luard, Vol 1, (London: Longman and Co. 1880), p.286

⁸ A. G. Little, *Franciscan Papers, Lists and Documents*. (Manchester: Manchester University Press, 1943), Pp. 42-54.

of Henry III and his reign among the religious of Northern England, or at least the religious of Lanercost Priory.

The final primary source pertinent to the aims of this thesis is the record of the correspondence of Henry III and his royal court. The correspondence was compiled by Walter M. Shirley in 1865. Some of the letters are translated from the original Latin, but most are not. For the purposes of this thesis, it is important to see the way in which Henry III interacts with the realm, especially regarding the Church and the State.

The Secondary historiography on Henry III is surprisingly limited in scope, if copious in detail. The first major work on Henry III was by F.M. Powicke, who had a decidedly negative view of the Papacies' treatment of Henry III.⁹ Powicke's two-volume 1947 monograph *King Henry III and the Lord Edward: The Community of the Realm in the Thirteenth Century* is exhaustive on the life of Henry III, and like other historians, operates in the traditional anachronistic Church versus State paradigm. A sort of whiggish impulse is also revealed at times, such as when Powicke waxes poetic about how the followers of Simon de Montfort were true Christians fighting against Royalist and Papal oppression.¹⁰ Nonetheless, Powicke's monograph provides a large amount of detail on the life of Henry III, acting as a survey text of sorts for the life of Henry III.

Truly little secondary scholarship was published on the reign of Henry III for a long time. The next major secondary work on the reign of Henry III is by the historian

⁹ F.M. Powicke, *King Henry III and The Lord Edward: The Community of the Realm in the Thirteenth Century Vol. 1*, (Oxford, Oxford University Press, 1947), p.345

¹⁰ Ibid pp.539-540

David Carpenter, who wrote *Henry III: The Rise to Power and Personal Rule 1207-1258* in 2020. Carpenter also organizes his monograph in the manner of a historical biography of Henry III but focuses more thematically on details such as Henry III's court and his piety. Like this thesis, Carpenter relies primarily on the chronicles of Matthew of Paris, as well as the records of the Royal letters and exchequers when consulting primary sources.

The weakness of Carpenter's monograph is much like the weaknesses of Powicke and Matthew of Paris (Carpenter draws from Paris more than any other Chronicle coincidentally). Carpenter argues that Henry was *Homus Simplex*, taken for a ride by the Papacy, extorting the kingdom to fulfill the political ambitions of the Papacy.¹¹ Like Paris and Powicke, Carpenter does not portray Henry as bad, but merely as naïve. Henry is almost viewed as a “victim” to the extortionist Papacy. The Papacy is depicted as engaging in political and economic scheming, severely limiting the English Kingdom in its financial extortions.

A better understanding of the interactions between Henry III and the Papacy would be served by better knowledge of Catholic doctrine and political ecclesiology. Carpenter's understanding of Catholic theology reveals itself as limited at times in the monograph. For example, Carpenter mentions as a truism that the Church teaches that most men “neither wholly good or wholly bad” will go to purgatory.¹² In reality, the Church has never taught on the number of souls which will go to Hell, Heaven, or

¹¹ Carpenter, *Henry III the rise to power and personal rule* p.632

¹² Ibid p.277

Purgatory. Carpenter mentions that Peter the Chanter had to a great degree filled in the Church's understanding of Purgatory and references Le Goff's *La Naissance du Purgatoire*. But Le Goff merely ascribes the first mention of the word Purgatory to Peter the Chanter in reference to an intermediate state after physical death for expiatory purification.¹³ The closest contemporary Church Council to speak on Purgatory was the Second Council of Lyon, which states:

(On the lot of the deceased) But if the truly penitent have died in charity, before they shall have satisfied and omitted their sin through worthy fruits of penance from those that have been committed, their souls will be cleansed by the pains of purgatory or satisfying punishments. As brother John explained to us, to them (those in purgatory) the votes of the living faithful, namely, the sacrifices of Mass, prayers, almsgiving, and other devotional services, which were wont to be made by the faithful for the other faithful, according to the institutions of the Church are of great advantage. (Translation mine).

Nothing is mentioned here, or any other place on the relative number of those who go to Heaven, Hell, or Purgatory. This misunderstanding does not derail the totality of Carpenter's monograph on Henry III, but it does illustrate the nuances of Catholic theology as it relates to the Medieval world. By viewing questions of Medieval governance acting first from a foundation of Catholic theology contemporary to the governance, a unique perspective can be gained.

Aside from these two more general survey texts on the reign of Henry III, some additional secondary scholarship has been written on more specific details on Henry III

¹³ Jacques LeGoff, *The Birth of Purgatory*. Trans. Arthur Goldhammer. (Chicago: U of Chicago P, 1986), pp. 362–366

and his relationship to functions of Church and State. Much of this scholarship is old, but there are some more recent works on the subject.

The English Church and The Papacy in the Middle Ages, a collection of essays edited by C.H. Lawrence has a section on the relations between the Church and State in the thirteenth century. In this section, written by C.H. Lawrence, Lawrence argues that Henry sought to repay the Papacy for its tutelage and protection it provided during the conflict with the barons by underwriting the debts of the Papacy.¹⁴ By doing so, the Kingdom was nearly bankrupted. The Barons rejected the demands of the Papacy and rebelled against the King. Henry was only extricated from the situation by the Pope saving him through the declaration of a Crusade against the Barons.¹⁵ Thus, Lawrence argues for a form of quid pro quo in the relationship between the Papacy and Henry III, regardless of Henry's personal piety. Lawrence also continues the standard historiographical theme of referring to Henry as "foolish" for agreeing to the Pope's demands for funding.¹⁶

Since the 1965 publishing date of *The English Church and The Papacy in the Middle Ages* a few notable journal articles have been written about Henry III. A few are of interest to this thesis, most notably *Did Henry III have a policy?* by M.T. Clanchy and *King, Magnates, and Society: The Personal Rule of King Henry III, 1234-1258* by D.A. Carpenter. Clanchy argues that Henry III's policy in the realm pointed towards an

¹⁴ C.H. Lawrence, "The Thirteenth Century" in *The English Church and the Papacy in the Middle Ages*, (London, Burns and Oats, 1965) p.131

¹⁵ Ibid p. 132

¹⁶ Ibid.

evolving theory of Royal absolutism, one that the magnates simply could not accept (hence their rebellion).¹⁷ As this thesis will demonstrate, Henry III's government policy was beyond enlightenment-influenced conceptions of Absolutism vs. the rights of the nobility/people, because it was based in the religious theories of kingship and good governance. These theories did not allow for the King to be vested with absolute power as absolute power was something vested in the Spiritual realm alone, wielded in turn with the Secular power, but higher than it in rights and responsibilities. By missing the distinctly religious character of Henry III's rule, Clanchy falls back on our quite modern understanding of power on a sliding scale, two diametrically opposed axes with the King or a religious authority on one hand, and a collective mass of interest groups, in this case the nobility, on the other.

Meanwhile, Carpenter argues that King Henry III's reign was characterized by a sort of laxity, and it was only his failure to mediate the personal conflict amongst his court on behalf of his Lusignan in-laws that he was driven to ruin in the barons war.¹⁸ Furthermore, Carpenter argues that those who argue for an interpretation of King Henry III's reign as an attempt at Royal absolutism are mistaken. Rather, Carpenter portrays Henry III as being a relatively lax ruler, who would prefer to go on a religious pilgrimage rather than to rock the boat by dealing head on (let alone to exploit) a political crisis.¹⁹

¹⁷ M. T. Clanchy, "DID HENRY III HAVE A POLICY?" *History* 53, no. 178 (1968): 203–16. <http://www.jstor.org/stable/24407009>, 207-219.

¹⁸ D. A. Carpenter, "King, Magnates, and Society: The Personal Rule of King Henry III, 1234-1258." *Speculum* 60, no. 1 (1985): 39–70. <https://doi.org/10.2307/2852133>. p.40

¹⁹ *Ibid* p.61

Carpenter opines whether Henry III might have been inspired to maintain the realms peace by his religious patron, St. Edward the Confessor, or whether he feared the sort of conflict that nearly deposed his father.²⁰ It is certainly a step in the right direction to ascribe to Henry III a religious motivation for the peacefulness of his reign is a step in the right direction, but when placed in the broader context of religious belief on the union of Church and State and the meaning of good Christian governance, there is much more to be found here.

This thesis will be laid out broadly chronologically, examining both the theology of the English Medieval state and the biography of Henry III. Thus, Chapter One will focus on one hand on the theological background of Catholic Political Science in the era preceding the reign of Henry III, and on the other hand, it will examine how these principles were inculcated and made manifest in the early years of the regency and personal rule of Henry III. Before the reign of Henry III, the role of the King in relation to that of the Church had been elucidated by a wide range of Church councils and Papal pronouncements. Having been raised by Bishops and Legates as a ward of the Pope, Henry III was steeped in these traditions and came to champion them throughout his rule. The Regency of Henry III is thus a period where England is rebuilt after the disastrous Barons war sustained in the last years of King John, and the new heir to the throne was raised with the principles that would hopefully avoid another civil war in the future. Finally, Chapter 1 examines the Magna Carta, the document signed by King John and

²⁰ Ibid

repeatedly confirmed by Henry, in the context of the Integralist theological principles elaborated by Church teaching.

Chapter 2 examines the next period of Henry III's life and the bulk of his personal rule. The thesis will examine the major events of his personal rule, ranging from the conflict in France over the continental possessions, the Royal marriage, Henry III's complicated relationship with the Holy Roman Emperor, The "Sicilian Business" and more. These events will be analyzed through the lens of the Integralist political theory relevant to the era. The Papal controversy between Emperor Fredrick II and the Popes Gregory IX and Innocent IV raged during these periods and provided ample opportunity for the doctrines of Church-State integration to be developed and confirmed. Henry's reaction to these events is especially important, as he sought to signal allegiance to the Pope while at the same time tried not to come out too strongly against Fredrick II, who was married to his sister.

The third chapter will examine the years of the Barons' war (and the period just after) through the lens of Church and State Integralist theory. In this era, Henry III was first stripped of all real temporal power by his Barons, led by Simon de Montfort, and then held hostage by them until the intervention of the Papacy and the French King (King St. Louis IX) rescued him and restored him to personal rule. This era is especially relevant to the purposes of this thesis, as the Papacy charged King Louis IX with arbitrating the dispute between Henry and his Barons. Upon ruling in Henry's favor through the publication of the *Mise of Amiens*, the Baronial revolution radicalized. Eventually, the Royalist armies triumphed, and Simon de Montfort was killed. The

remaining Baronial forces attempted to hold out from a single castle under siege by the Royalists, and Henry was prepared to exact his revenge by stripping all of the remaining Barons of all of their titles and privileges. Papal intervention followed, and Henry was forced to show mercy to the Barons, subjecting them to lower penalties than he previously desired.

Chapter 4 will conclude with the end of Henry III's life and his legacy, specifically the memories of his reign as recorded in the chronicles and the theological developments that proceeded his reign. The purpose of this study is to provide an alternative perspective to the traditional Medieval Historiography on Henry III and other Medieval rulers. By examining the issues of Church and State from an Integralist perspective, by meeting the events from the perspective of the belief system that they operated on, the events can be better explained and understood in their proper context. By viewing the integration of Church and State in England within the broader context of Western European Religious and Political Theology, we can come to understand that the Church and State project of the Middle Ages was not a Machiavellian struggle for power between two naturally opposed poles, but rather the pursuit of what Henry III, King Louis IX and the Papacy considered to be true peace and justice.

Chapter One: The Context of Two-Swords Rule and the Regency Years of Henry III

Luke 2:52- Douay Rheims Version: And Jesus advanced in wisdom, and age, and grace with God and men.

Part One: Philosophical Background

King Henry III was raised into the kingship in difficult circumstances. England was in the midst of a great conflict that began between his father, King John of England, and King Phillip II, which then spiraled into a conflict with the Papacy and finally a conflict with the Barons. It is in this political context that Henry, just a boy of nine years old, was crowned King in Gloucester Cathedral. A Civil War in England was still very much going on in England. But a series of theological and political developments in England and in the broader Medieval world provided both a model for the Kingship that Henry III would come to pursue and a way in which Henry could consolidate control over his fractured Kingdom. In contrast to his Father John, who spent much of his reign an enemy of the Church and a disturber of the peace, King Henry would be brought up into an ancient religious and political tradition that would ensure his legacy as “a most Christian King.” But, in order to examine this tradition of Henry III, we must examine its context.

The political model known as “Two Swords Theory,” the “Gelasian dyarchy” or “Integralism” was first elucidated by Pope St. Gelasius I in a letter to the Eastern Roman Emperor Anastasius I Dicorus. Pope Gelasius was writing in the context of the ongoing Acacian Schism, the first breaking of Communion between the Church in Rome and the one in Constantinople. This schism lasted for 35 years, from 484 to 519 A.D. Despite the

Schism, it was still considered customary for the Pope to write the emperor announcing his election, which Gelasius did not immediately do. Having been prompted to implore the emperor to heal the Schism by taking up the Roman position, and to apologize for his tardiness, Gelasius wrote the letter now known today as *Famuli vestrae pietatis* in 494. In it, Gelasius explains to the emperor the theological origins for the position of power from which he is writing, explaining from the beginning of the letter:

For there are two, O emperor Augustus, by which the world is principally ruled: the sacred authority of pontiffs and the royal power. Among which how much heavier is the burden of priests, such that they will have to render an account to the Lord at the time of judgment even for those very kings. For you know, O most merciful son, that although by dignity you preside over the human race, nevertheless you devoutly bow your neck to the leaders of divine matters, and from them you await the causes of your salvation, and you recognize that, in partaking of the celestial sacraments, and being disposed to them (as is appropriate), you must be submitted to the order of religion rather than rule over it.¹

Here Pope Gelasius argues the two fundamental poles of power in the world, the religious power, and the temporal power. Pope Gelasius is the representative of the highest religious power on Earth, while the Byzantine Emperor (in this case Anastasius I Dicorus) is the representative of the highest secular power (presiding “over the human race”). Nonetheless, Gelasius does not portray these two powers as being somehow on equal footing, nor that the religious power must bow in deference to the secular power, but that the religious power is higher than the secular one and truly commands it, even though the relationship is meant to be mutually beneficial to both parties.

¹ Gelasius, “*Famuli Vestrae Pietatis*,” trans. HHG, The Josias, November 11, 2020, <https://thejosias.com/2020/03/30/famuli-vestrae-pietatis/>.

What are the reasons for the superiority of the Divine Power over the Secular one, according to Gelasius? First and foremost, according to Gelasius, because the members of the secular power receive the means of their salvation through the sacraments through the religious power. The secular power must be disposed to them, just as one must be suitably disposed to God in order to receive the sacraments in the first place. Gelasius argues that man must be oriented towards his final end, which is *good*, as achieved through the sacraments. Echoing Aristotle's thinking in the *Nichomachean ethics*, Gelasius argues that the emperor is oriented through the intercession of the persons of the clergy towards his final good in Heaven just as Aristotle argues that the realm of the political must be oriented and subverted to the common good.² For Gelasius, this common good is one's salvation. And just as one must subvert their material needs to the good of their souls end in Heaven, so too must the Emperor subvert his political needs to the good of his own, and his own people's souls, so that: "you (the Emperor) who rule the age, might be able to rule with Christ" (in Heaven).³

The immediate necessity of the letter was to convince the emperor to heal the Acacian Schism, but the ramifications of the letter would be long lasting in Christian political thought. The Papacy continued to act as a dynamic and independent political force throughout European History. Among other things, Charlemagne was crowned Emperor of the Romans, The Peace of God movement was pursued, The First Crusade was called, and many other events shaped the Papacies' Central relationship with

² Aristotle, *Aristotle in 23 Volumes*, Vol. 19, translated by H. Rackham. (Cambridge, MA, Harvard University Press; London, William Heinemann Ltd. 1934), p.1094.

³ Gelasius, "*Famuli Vestrae Pietatis*".

European political history. But the intellectual doctrines surrounding the idea of a fundamental integration of Church and State continued as well.

For example, Bernard of Clairvaux, one of the most influential thinkers in the Church in the era immediately preceding the life of Henry III, wrote quite extensively on the issues of Church and State relations *vis a vis* the power of the Papacy. Bernard of Clairvaux was an influential author in Medieval Europe, a Benedictine Abbot, and a strong proponent of the Papacy. Bernard preached multiple crusades and supported the views of the Papacy through his theological writings, his sermons, and his participation in various Church councils. Bernard writes in his *De Consideratione*⁴ that, of the “two swords” of power in the world, what he calls the *gladius materialis* and the *gladius spiritualis*, the spiritual sword was superior and the ultimate dominion over both swords belonged to the Papacy.⁵

As Power ultimately flowed downward from God, as opposed to modern conceptions of power that specify that it flows upward from the people, The Papacy acted as a sort of mediator between the Divine and the Temporal, bestowing favor and moderating the secular impulses of power. It is for this reason that the crowning of rulers was done by the Pope or by an available cleric, such as the Archbishop of Canterbury in the context of the English monarchy. Power flows downwards from God to reach the

⁴ Bernard of Clairvaux, “De Consideratione,” in *Patrologia Latina*, ed. Jacques Paul Migne, vol. 182 (Paris: Clerical University Library, 1879), p. 728.

⁵ Ibid.

agent of the *gladius materialis* (the monarch) through the agent of the *gladius spiritualis* who crowns them.⁶

These two powers would be united through the agency of an independent Church, which would act as a sort of check and guide on the worst and best impulses of the *gladius materialis*. Just as the Church acted as a moderator on the impulses of the individual with the goal of growing virtue and achieving merit on the pathway to Heaven, so too would the Church and the integrated Kingship work together to moderate the impulses of government to achieve virtue and provide for the spiritual and material well-being of the citizens of the commonwealth.

Part Two: The Movement in England

But it was not just in Medieval France and Rome that this doctrine of Church and State integration was established. Indeed, the English government maintained a special relationship with the Church power for much of its history. Cardinal Reginald Pole, writing in the aftermath of the English Reformation observed this, noting that the Church in England began with the introduction of missionaries sent by Pope Eleutherius at the request of the British King Lucius. Furthermore, Pole observed, after England was dominated by the Pagan Saxons it was the Papal mission of Pope Gregory the Great that

⁶ A point of interest here, Pope Leo III “resurrected” (in the eyes of Western Medieval Europeans) the Western Roman Empire by crowning Charlemagne *Imperator Romanorum* in Saint Peter’s Basilica in 799. The idea that the Papacy had the authority to restore the Western Roman Empire in the person of the Pope’s choosing argues for the degree to which the Medieval Western Church believed that Power flowed downward from Heaven through the Church, where the Pope would ultimately be the final arbiter of the temporal and spiritual power, even to the point of believing itself to have the authority to crown someone as “presider over the human race” (to borrow the expression from Pope Gelasius), which the Roman Emperors were thought of to do.

restored the faith there.⁷ The decision on behalf of King John to place his Kingdom under the patronage of the Pope was not so much a break with the past as we will see.

Wulfstan, or Wulfstan I as he would later be called, was the English Bishop of London, Archbishop of York, Advisor to the English King and author of several English law codes from the decades immediately preceding the Norman conquest. Wulfstan was one of the last prestigious non-Norman Bishops in England. Wulfstan was a prolific writer and homilist, assisting in several law codes and eventually became the primary author of Royal legislation under the Danish King Cnut the Great. Wulfstan's numerous political tracts, written mostly in the Old English vernacular of the era (as opposed to the language more common in Royal legislation at the time, Latin) speak to a profound desire to integrate more and more the religious and the Royal structures of government, and particularly to the superiority of the religious structure. Wulfstan's law codes had a long legacy beyond his death. His law codes continued to be observed until at least through the reign of Henry I of England, who swore to uphold the law codes extant through the reign of King Edward the Confessor, which were authored by Wulfstan.⁸

For example, in his political tract *On Sanctuary* Wulfstan argues that the Sanctuary of God is the highest and most inviolate of all of the forms of sanctuary, *surpassing* only the sanctuary provided by a King.⁹ Wulfstan goes on to argue that there

⁷ Eamon Duffy, *Fires of Faith: Catholic England under Mary Tudor* (New Haven, CT: Yale University Press, 2010). p.36

⁸ Frank Barlow, *Edward the Confessor*, (Berkeley: University of California Press, 1970), p.178.

⁹ Wulfstan, "The Institutes of Polity," in *Old English Legal Writings*, trans. Andrew Rabin, vol. 66 (Cambridge, MS: Harvard University Press, 2020). p.23

do exist those who, due to “pride and also their birth” (a charitable reference to some members of the nobility) “refuse to heed their spiritual betters”.¹⁰ Wulfstan argues here for the cooperation between Church and State and the place of the state as the integration of the two factors *but* with the acknowledgement that the Church, the *gladius spiritualis* (to borrow the term from St. Bernard of Clairvaux) was the higher of the two, hence the annoyance expressed by Wulfstan towards the nobility who “refuse” their spiritual betters (the clergy).

Just as Cardinal Henry of Susa argued that society was divided into the three divisions of laity, secular clergy, and the religious clergy (mirroring the divisions of the trinity), Wulfstan made a similar observation in his political tract *The Institutes of Polity*. Here Wulfstan argues that the institution of the State, personified by the throne, only stands atop the three pillars of society that support it. These pillars are, *firstly, those who pray*, then those who work and finally, those who fight.¹¹ Wulfstan argues that if any of these foundations were to fall, the Kingdom itself would crumble. How then must the foundations be strengthened? According to Wulfstan, the three pillars must be strengthened through the liberal application of “God’s wise law.”¹² If the Christian faith weakens, if injustice is allowed, or if God’s law is not exalted, then the Kingdom will fall, and the entire world will be at a loss.¹³

¹⁰ Ibid p.29

¹¹ Ibid p. 41

¹² Ibid p.43

¹³ Ibid

Wulfstan's division of society is interesting as it compares to Cardinal Henry of Susa's. Wulfstan's division of society into three groups places the religious (those who pray) as first in the hierarchy, while Cardinal Henry of Susa does not differentiate between the three in value.¹⁴ Henry of Susa divides the realm of the clergy into two groups and does not differentiate between the laity who work and the nobility, while Wulfstan does. Interestingly, Wulfstan refers to the nobility as "those who fight", who "protect the land by waging war with weapons".¹⁵ Wulfstan did not know the work of Henry of Susa, as his death preceded Henry's life by roughly two hundred years, but perhaps one could view Wulfstan's division of society as a form of Anglo-Saxon inculturation to the same idea expressed later by Henry of Susa. What is important here is that just as Henry of Susa viewed Society as a United Secular and Religious sphere, Wulfstan viewed Medieval England in the same way. For Wulfstan, Society is one, represented by the King on the throne, but if any pillar were to falter, then the society would crumble.

It is one thing to argue that Wulfstan was an advocate for the Sacramental Kingdom mentality in his political tracts, where he argued politics in the realm of theory, but what about practice? Wulfstan helped author many law codes under multiple Kings for the Medieval Kingdom of England. Today historians are divided on the extent to which Wulfstan's law codes were actually enforced, as there are few instances of charters

¹⁴ The key here is understanding of Wulfstan's use of the word *an* for first. If he meant first in the sense we use it today in English, he probably should have used the Old English word *Fyrest*. Instead, he used *an*, which denotes a sense of completeness, primacy, and set-apart-ness from the rest of the nouns in the sentence (from those who work and those who fight, to be exact).

¹⁵ Ibid p. 43

or records of legal disputes surviving that reference these laws.¹⁶ Nonetheless they represent a major pillar of law code from the Anglo-Saxon era and were respected and enforced, at least on the books, through at least the reign of Henry I. So, what then is the Integralist content of Wulfstan's law codes?

Wulfstan participated in the drafting of several royal law codes, but he participated the most in the proclamations, legislation, and law codes of Cnut.¹⁷ In all of the codes and proclamations, Wulfstan emphasizes the government's role in ensuring and supporting the internal holiness of the English people. The state is the insurer of justice, especially for the downtrodden, the widow and the stranger.¹⁸ Those in positions of power are required to meditate on the scriptures concerning their own judgment, before passing judgment on others.¹⁹ But the authority from which this justice flows from is not ultimately the person of the King or the collective will of the people, but from God.

In Cnut's law proclamation of 1020 we see Wulfstan, through the mouth of the King Cnut who allowed Wulfstan to edit his proclamation on his behalf, ascribe the Kingdom and his own successes strictly to the providence of God. Even more, Cnut charges his men to support "the rights of the Church and my royal authority and the welfare of the whole people" as if they are one in the same.²⁰ As if any doubt remains as

¹⁶ Andrew Rabin, "Preface," in *Old English Legal Writings*, vol. 66 (Cambridge, MS: Harvard University Press, 2020), p.xxvi.

¹⁷ Ibid p.xxx

¹⁸ Wulfstan, "Law proclamation of 1020," in *Old English Legal Writings*, trans. Andrew Rabin, vol. 66 (Cambridge, MS: Harvard University Press, 2020). p.225

¹⁹ Ibid p.255

²⁰ Ibid p.229

to Wulfstan's motive here, the next paragraph is key. Here Wulfstan (through the King Cnut) declares:

*If anyone-either cleric or lay, Danish or English-is so bold as to act in opposition to the Law of God **and** opposition to my royal authority **or** in opposition to secular law and he refuses to repent and refrain in keeping with the teachings of my bishops, then I ask, and indeed command, Earl Thurkhil to bring the offender to justice, if he can. If he cannot, then I desire him to wipe him from the earth or drive him from the land with our combined strength, whether he is of higher or lower status. And further, I command all my reeves, for the sake of my friendship and all they possess and their very lives, to govern my people with righteousness everywhere and to hand down just rulings with the oversight of the bishops of their shires, and to act with such mercy thereby that **the bishop deems it just** and the subject can abide by it (Emphasis mine).²¹*

What we see here is the structures of power intimately bound up with the apparatus of the Church and its hierarchy and Wulfstan does not hesitate to show that the penalty is the same regardless of the station of the person, whether of high or low standing. Those who violate the law of God are seen as violating at the same time the authority of the King, who in Wulfstan's conception, is the personified head of the State. God's law is seen as synonymous with the King's law, while secular law is viewed as something compatible and in support of God's law. The next step is noteworthy here as well, for the remedy seems to be the teachings and commandments of the English Bishops. Law cannot be understood then separately from the integral business of the faith, as it is buoyed and suffused by faith every step of the way. Even the ultimate penalty in some ways mirrors the ultimate canonical sanction of excommunication. Those who cannot be brought to justice are to be driven from the land, just as the excommunication drives the soul from the boundaries of the Church. This shows that a

²¹ Ibid p.229

violation of the peace, of justice, mirrors those who violate the faith. This punishment of banishment mirrors the punishment for violent heretics prescribed by Pope Innocent later during the Albigensian crisis. Those who violate the peace violate the faith, as in this worldview the secular and the temporal are integrally united.

And what of the laws? Wulfstan requires that justice be handed down on the local level with the support and consent of the bishops, in the spirit of Mercy. Here again we see that justice from the secular perspective is not divorced from the teachings of Christ, who was known in the Medieval Era by the name of justice.²² The Bishops are given the final say in the acts of justice and the rights of the subjects are to be respected.

How much was Henry III influenced by Wulfstan, if at all? Wulfstan's law codes promulgated under the reigns of Cnut remained in force until at least the reign of Henry I, who specifically made an oath to obey and support the laws of Cnut and his predecessors Edmund and Æthelred.²³ Aside from that we cannot say for sure the degree to which the Law codes, political writings, or the life of Wulfstan directly influenced the reign of Henry III, but we do have a few hints.

First of all, the Magna Carta, and the Law codes of Wulfstan have a few passages that suggest the same concerns for justice regardless of the status of the accused, and both maintain the power and superiority of the Church in the face of the encroachment of the nobility. So, at the very least, the themes of justice established by Wulfstan lived on

²² Jones, *Before Church and State* p.5.

²³ Barlow, *Edward the Confessor*, p.178

through the legislation of Henry III. For example, on the topic of the independence of the Church, Wulfstan teaches through the law code of Cnut that: “Every Church is, by right, under Christs own protection, and every Christian has the particular obligation to show great respect for that protection...and the most faithfully to be respected is the protection of God, and after that the King’s”.²⁴ While the Magna Carta of 1215 and 1225 both state: “FIRST, THAT WE HAVE GRANTED TO GOD, and by this present charter have confirmed for us and our heirs in perpetuity, that the English Church shall be free, and shall have its rights undiminished, and its liberties unimpaired.”²⁵ Both texts then, only two hundred years apart, place the power of the Church as higher than that of the King’s, and that the King has a duty to respect it.

Secondly, Henry III seems to have had at least a passing devotion to the cultus of Wulfstan’s nephew, also a Bishop and known as St. Wulfstan. Henry’s father John often venerated the tomb of St. Wulfstan while in Worcester and was ultimately buried there next to St. Wulfstan. Henry was crowned near the tomb of St. Wulfstan at age nine and Henry III presided over the renovations and expansions of the Worcester cathedral itself. Henry would offer prayers and pay for candles and other religious items at all the sites he visited, and so one wonders to what extent he was aware of the uncle as he was busy venerating the tomb of the nephew.

²⁴ Wulfstan, “Cnut’s Oxford Legislation,” in *Old English Legal Writings*, trans. Andrew Rabin, vol. 66 (Cambridge, MS: Harvard University Press, 2020). pp.212-213

²⁵ G.R.C. Davis, tran., “The Magna Carta of 1215,” British Library, 2014, <https://www.bl.uk/magna-carta/articles/magna-carta-english-translation>.

Henry would at least visit the Cathedral at Ely where the elder Wulfstan was buried on at least five occasions separate from his coronation.²⁶ Both Henry and his son would be present in 1252 when the Cathedral was formally rededicated, and Matthew of Paris records lavish spiritual festivities lasting for several days.²⁷ The tomb of the elder Wulfstan had a reputation for being the site of miracles through at least the twelfth century, apparently the curing of diseases, and the lack of decay present in Wulfstan's corpse, according to the Chronicle produced there at Ely, the *Liber Eliensis*.²⁸ Given the spiritual sensitivity to praying at the sites of Holy figures and Saints while traveling that Henry maintained through his life, is it going too far to suggest that among the several days of "spiritual festivities" or at one of his many visits to Ely Cathedral, Henry might have venerated the tomb of the Archbishop of York whose law code was extant through at least the reign of his predecessor of not even a century previous?²⁹

Part Three: Integralism and Norman England

Moving on from the Anglo-Saxon period, from the very beginning of the Norman project in England the involvement of the Church as superior in the integration of Church and State is evident. William of Poitiers wrote a chronicle of the Norman conquest of England called the *Gesta Guillelmi II ducis Normannorum*. If William of Poitiers is to be

²⁶ "Houses of Benedictine monks: Abbey and cathedral priory of Ely," in *A History of the County of Cambridge and the Isle of Ely: Volume 2*, ed. L F Salzman (London: Victoria County History, 1948), 199-210. British History Online, accessed April 28, 2022, <http://www.british-history.ac.uk/vch/cambs/vol2/pp199-210>.

²⁷ Matthew of Paris, *Chronica* vol 2 pp. 515-516.

²⁸ Janet Fairweather, trans. *Liber Eliensis: A History of the Isle of Ely from the Seventh Century to the Twelfth*. Woodbridge: The Boydell press, 2005. p.186

²⁹ Carpenter, *Henry III the rise to power and personal rule* p.317

trusted, and historians do debate the historicity of the chronicle, the Papacy gave its blessing to William to seize the throne of England. According to William: *Seeking the approval of this pope, whom he had informed of the business in hand, the duke received a banner with his blessing, to signify the approval of St Peter, by following which he might attack the enemy with greater confidence and safety.*”³⁰

The idea that the Papacy had the capability of selecting the claimant to a throne in opposition to one (Harold Godwinson) who already claimed it, in opposition to the selection of the traditional *Witan*, ascribes a level of power to the papacy that is nearly absolute.³¹ The Pope literally plays “Kingmaker” in this situation. By this act, the Church confirms its central role in the political scene of Medieval England, as the original source of the Norman Kingdoms legitimacy is the donation of the banner signifying the approval of the Papacy. But as would later be seen during the reign of King John, as easily as the Church can give approval to the functioning of the Royal government, attempts to unravel the Church and State cooperation can result in the Church’s approval being taken away.

During the reign of King John, a controversy played out that would see the King excommunicated and the Kingdom under Papal interdict. King John desired that his candidate to the throne of the Archbishopric of Canterbury would be elected Archbishop. The Pope on the other hand, had his own pick for the position. With neither side willing

³⁰ Guillermo de Poitiers, *The Gesta Guillelmi of William of Poitiers*, trans. Marjorie Chibnall and Davis R.H.C. (Oxford: Clarendon Press, 1998), p.105.

³¹ The *Witan* was the traditional assembly of nobles in Anglo-Saxon England.

to budge, Pope Innocent III placed the Kingdom of England under Papal interdict, with the exception of baptism for newborns and final confession for the dying.³² This began a sort of spiritual and temporal arms race as Papal pronouncements increased, leading to King John's excommunication and a crackdown on the fees and privileges of the Church in England. There is a possibility that the Papacy was preparing to have Phillip II of France invade England to depose John, though historians disagree about whether this was true or whether the Pope was merely planning a contingency plan in case Phillip successfully invaded England on his own accord.³³ Regardless of the reality here, we at least see the Papacy claiming the right to select the King of England in theory, if not necessarily in practice.

John would eventually reconcile with the papacy. England would become a fief of the Church. In exchange for a sum of money to the Pope as the feudal lord (rarely actually paid) the Papacy would become a major supporter of the Kingdom of England and her King and would take their side in the events to come. For as the Kingdom of England was languishing under the interdict and excommunication, as the social fabric eroded due to the disruption of the regular functions of the Church, plots were brewing that would bring war to the shores of England. War broke out between John and his Barons. There was almost a moment where agreement between the parties was had through the signing of the Magna Carta, which stipulated rights both for the Barons and

³²Ralph V. Turner, *King John: England's Evil King?* (Stroud: Tempus, 2005), P.128.

³³ Ibid p.133

the Church, but at John's insistence the Charter was abrogated by the Pope and the barons who rebelled were excommunicated.

This episode between the Pope, King John, and the Barons, is now often viewed as an overstep of the powers of the Papacy, or else a shameless attempt by King John to avoid the restrictions of the Magna Carta. King John, who has no history of being a pious ruler, very well might have been thinking strictly from the perspective of temporal power when he petitioned the Pope to annul the Magna Carta. By doing so, King John was acting in contravention to an oath he made to the Barons to avoid doing this very thing.³⁴ Turner, like most historians, always quotes from the same section of Pope Innocent's annulment of the Magna Carta where he describes the agreement as shameful, illegal and unjust, "thereby lessening unduly and impairing the king's rights and dignity".³⁵ But when viewed in the broader context of the Papacy's pursuit of justice, a different interpretation emerges.

Indeed, the Papacy up to the point of the abrogation of the Magna Carta had been in contact with the Barons. What emerges here is not a rejection of the Baronial project to prevent absolute rule or to lessen the powers of the King, but a distrust of the Barons' use of violence to affect their aims. Just as in Occitania, Pope Innocent was more concerned with the use of violence to buttress political aims than in the power or prelates relative to the King.³⁶ Violation of the peace of the realm to effect a political goal was abhorrent, as

³⁴ Nicolas Vincent, tran., "The Papal Letters of 19 March and Their Reception in England (May 1215)," The Magna Carta Project, 2015, https://magnacartaresearch.org/read/feature_of_the_month/May_2015_2.

³⁵ Turner, *King John*, p.190.

³⁶ Jones, *Before Church and State*, p.127.

violations of the peace were violations of the faith, in the mind of Pope Innocent there was no distinction between the Secular and Temporal Sword, instead the concepts were fused under the banner of justice.³⁷

How do we know Pope Innocent approached the crisis of the first Baronial war in this mindset? Let us examine his correspondence with the Barons as well as the *full text* of his annulment of the Magna Carta. In March of 1215, Pope Innocent sent this letter to the Barons:

Innocent...to his beloved sons, the magnates, and barons of England, greeting and apostolic benediction. It is a grievous trouble to us that, as we have heard, a difference between some of you and our well-beloved son in Christ, John, illustrious King of the English, has arisen over certain matters recently in dispute; a difference which will cause serious loss, unless the matters are quickly settled by wise counsel and earnest attention. We utterly condemn it, if (as alleged by many) you have dared to form leagues or conspiracies against him and presumed arrogantly and disloyally by force of arms to make claims which, if necessary, you ought to have made in humility and loyal devotion. Lest, therefore, the King's good intention should be thwarted for reasons of this kind, by apostolic authority we denounce as null and void all leagues and conspiracies set on foot since the outbreak of dissension between the regnum and the sacerdotium, and under sentence of excommunication we forbid the hatching of such plots in future, prudently admonishing and strongly urging you to appease and reconcile the King by manifest proofs of your loyalty and submission, rendering him the customary services which you and your predecessors paid to him and his predecessors. And then, if you should decide to make a demand of him, you are to implore it respectfully and not arrogantly, maintaining his royal honour, so that you may the more easily gain your object. We are asking the King in our letter and praying him in God's name, and enjoining it on him as he hopes to have his sins remitted, to treat you kindly and to hear your just petitions graciously, so that you too may know with rejoicing that, through divine grace, he has had a change of heart, in virtue of which you and your heirs ought to serve him and his successors with more willingness and devotion. Wherefore, we have thought fit to request and counsel you, and by apostolic letter to order, that you should be careful so to behave in this matter that the realm of England may rejoice in the peace it desires, and that we may grant you in your necessities (if occasion arise)

³⁷ Ibid p.136.

*the necessary help and favour. Given at the Lateran, 19 March, in the 18th year of our pontificate.*³⁸

Pope Innocent does not outright dismiss the concerns of the Barons here, but rather, is concerned about their means of reconciling the dispute. Rather than a man influenced by his “pride in his lordship over England,” as Turner would suggest, we see here a Pope who is willing to push for reconciliation from both sides.³⁹ Innocent even hints that at least some of the concerns of the Barons are just, praying that the King has a change of heart. The issue here is the methods of the Barons.

Rather than supplicating themselves in front of their superior John and presenting their cases as an infringement of justice, Innocent accuses the Barons of forming leagues and conspiracies, of attempting to press their claims by force. This infringement on the peace of the realm is a spiritual infringement just as much as it is a temporal one. It is for this same reason that Innocent fears that by engaging in conspiracies and threatening violence, the “royal honor” or authority of the King will be diminished. As the King’s honor is threatened, so too is the honor of God. The message here is clear, grievances, legitimate or not, are not to be solved through the destruction of authority, which flows downward from God, but through the methods of peace.

It is peace that is the ultimate goal here, as the disruption of the peace requires a great price to be paid. As St. Augustine wrote in his *City of God*, nothing that can be

³⁸ “The Papal Letters of 19 March and Their Reception in England (May 1215),” The Magna Carta Project, 2015, https://magnacartaresearch.org/read/feature_of_the_month/May_2015_2.

³⁹ Turner, *King John*, p.194

spoken of, longed for or achieved is so desirable as peace.⁴⁰ The first conciliar decree beginning the “Peace of God” movement in France began with the words “Splendid is the name of Peace”.⁴¹ As Innocent admits, perhaps the Barons do have legitimate complaints, but not so grave as to justify the formation of intrigues and armed conspiracies. Peace is simply too valuable of a good to be disturbing for so little a price. Whether King John had this philosophical foundation or not is irrelevant, for Innocent the principle was at work and justified the reason for taking John’s side against the Barons. Just as Augustine was satisfied with even cynical conversions of rulers to Christianity provided the ultimate aims of the Kingdom of God were satisfied through the moral force of their rulings, so too was Innocent not worried about whether King John was making the right decision opposing the armed conspiracies of the Barons, even if for the wrong reason.

Finally, after the petition of King John to annul the Magna Carta, Innocent wrote this letter to John and the Barons in August of 1215, annulling the Magna Carta and formally excommunicating the rebel Barons:

John, the king of England, our dearest and illustrious son in Christ, has greatly offended God and Church, and we have excommunicated him and placed his kingdom under ecclesiastical interdict. Under the inspiration of Him who does not wish the death of a sinner but a conversion that the sinner may live, has now had a change of heart. He has humbly rendered satisfaction to God and the Church. He has granted his kingdom and that of Ireland to blessed Peter and the Roman Church. He has received it back from us as a fief [feudum] having promised us a tribute of one thousand marks each year. He has taken the oath of fealty to us...And even wishing to please omnipotent God more has also taken the sign of the living cross and is making magnificent preparations to go to the aid of the Holy Land. But Satan, who is always envious of good deeds, has stirred up the barons of England against him with his deceitful stratagems... These vassals

⁴⁰ Augustine, *City of God* Book 19, Section 11

⁴¹ Head, Thomas. “The Development of the Peace of God in Aquitaine (970-1005).” *Speculum* 74, no. 3 (1999): 656–86. <https://doi.org/10.2307/2886764>, p.656

conspired against their lord and swore oaths publicly against him. They joined with his enemies and others and presumed to wage war against him. They occupied and ravaged his lands and captured the city of London, the chief seat of the kingdom. The king appealed to our court and informed them that he would grant them justice before us, to whom this case belongs by reason of feudal lordship [ratione dominii pertinebat]. They completely refused to submit. Consequently, John was compelled by force and fear, that would cause the most reasonable of men to fail [vir constantissimus], to enter an agreement with them that was not only vile and base, but illegal and iniquitous. This agreement diminished and derogated his rights together with his honor. Because the Lord has said to us through the prophet: I have placed you over nations and over kingdoms to root up and to pull down, to overthrow and lay in ruins, to build and plant anew" [Jeremiah 1.10] and also through another prophet: Destroy the conspiracies of impiety and relieve those torments that wear the people down [Isaiah 58.6]...With the counsel of our brothers the cardinals, we completely reject and condemn this agreement (Magna Carta) and order under the penalty of excommunication that the king should not obey it and that the barons with their accomplices should not ask that it be obeyed...We declare that the charter and all things connected to it is null and void forever.⁴²

Rather than being an unfailing partisan for King John, Pope Innocent opens the letter by describing just how wicked John had been in the past. Innocent lists the means by which John has returned to the good graces of the Church and does not hesitate to list the price of this grace. Innocent is not seeking her to dominate the Barons, to punish them for their insolence in questioning the ruling of the King. Innocent is not basking in the pride of temporal power he has over the King, seeking to safeguard his pawn. Instead, Pope Innocent is describing to the Barons just how bad the situation had to become in order to justify the excommunications that were to follow.

Innocent does not deny the Baron's case, even here at the end. Innocent argues that John would, given time and grace, "grant them justice." But the Barons crossed a line

⁴² *Selected Letters of Pope Innocent III Concerning England (1198-1216)*, edited and translated by C.R. Cheney and W.H. Semple (London: Thomas Nelson and Sons, 1953), pp. 212-216

by holding the country hostage, by coercion through the form of arms, and by holding the city of London in opposition to John. As we shall see later during the life of Henry III, the Papacy had little problem with the document of the Magna Carta itself, but instead how it was forced on King John. The problem was John being forced through fear and violence to submit to the charter. An agreement which has been given assent through coercion is no agreement at all.

This interpretation of Innocent's position on the Magna Carta is even more apparent when one considers his position on the Statutes of Pamiers. The Statutes of Pamiers was a legal charter issued by Simon de Montfort the elder in the context of the Albigensian crusade. Many of the themes and remedies prescribed in the Statutes of Pamiers are mirrored in the Magna Carta. There were even some English knights who served under Simon, including the brother of one of the strongest Magna Carta Supporters—Archbishop Stephen Langton. It is not a great leap of logic to imagine that these returning knights were responsible for bringing some of the ideas from the Statutes back to England. Yet, the Papacy not only allowed the Statutes of Pamiers to be promulgated, but later used them as a foundation for the other peace documents bringing the Crusade to a close.⁴³ Thus, it was not the content of the Magna Carta itself that presented problems for the Papacy, but the degree to which the Magna Carta was forced by threats of violence and intrigue on the King.

⁴³ Jones, *Before Church and State* p.65

What followed was the First Barons' War, a war in which the excommunicated prince of France would seek the throne of England with the support of the excommunicated Barons. King John would not live to see the conclusion of the war, as he came down with a bad case of dysentery and passed away in 1216 while the war against the Prince of France and the Barons was still very much being prosecuted. Now, King John's nine-year-old son would be King of the threatened Kingdom of England.

Part Four: The Early Life of Henry III, the Barons War, and the Church-State Project

King Henry III was crowned at nine years old at Gloucester by the Papal Legate, Guala Bicchieri. Henry's early life was suffused with the teachings of the Church and the presence of the members of the Church in government. At the age of four Henry was given over to the care of the Bishop of Winchester, Peter Des Roches. Peter was many things, a committed Bishop, a Loyalist to the dynasty, a despiser of English customs and an integral part of the Royal government despite his episcopal duties, going as far as to sit as King John's Justiciar.⁴⁴

Henry's early minority, burdened by the continuing war, began with the Papal Legate as its head, followed by William Marshal, the guardian King John appointed for Henry while on his deathbed. In his coronation, Henry did formal homage to the Papal legate, who was given complete authority over Henry to protect the Kingdom.⁴⁵ Almost immediately after the coronation the new regency council decided on two major courses

⁴⁴ Carpenter, *Henry III The Rise to power* p.5

⁴⁵ D.A. Carpenter, *The Minority of Henry III*. (Berkeley, US: University of California Press, 1990) p.13

of action that would help decide the war. First, they declared the Baron's war, on behalf of the authority of Guala, a religious Crusade. Secondly, they issued a new copy of the Magna Carta, sealed by Guala as the Papal Legate with responsibility for Henry's regency.⁴⁶

But why did Guala issue the new copy of the Magna Carta? Many historians, such as Carpenter, suggest that the about face was due to the political realities of the war. Carpenter suggests that with the new papacy of Pope Honorius III, perhaps the turn would be allowed by the papacy in a bid to end the war. Carpenter suggests in another monograph, *The Minority of Henry III*, that the papacy would find some of the modifications present in the 1217 document more pleasing than the original 1215 Magna Carta.⁴⁷ But this interpretation is assuming a more secular series of motivations for Papal support of the English monarchy in opposition to the Magna Carta. A closer examination of the two copies of the Magna Carta finds that all of the stipulations involving the English Church are relatively the same. If anything, the 1217 promulgation protects the Church even less, as it does not specifically mention the free Papal election of English Bishops as the 1215 version does.

Why then does Guala endorse the 1217 Magna Carta and not the 1215? The reason is hinted in the letter from Pope Innocent, his Papal Bull abrogating the 1215 document and the letter of instruction given for the promulgation of the 1217 charter. The promulgation instructions for the 1217 decree: "We have conceded these charters to the

⁴⁶ Carpenter, *Henry III rise to power* p.10

⁴⁷ Carpenter, *Minority of Henry III* pp.21-25

barons and all other men of our realm through the common council of our kingdom, and our lord legate, representative of the Pope, has confirmed them through his seal.”⁴⁸ As we recall from the letter and Papal Bull of Innocent, the desires of the Barons *prima facie* were not evil, but their methods for trying to achieve their aims were. Through taking up arms and forming conspiracies the Barons were disturbing that “sweet name of peace” that the Church so strenuously defended. By disturbing this peace, the Barons separated themselves from the good graces of the Kingdom and the Church, even before the merits of their call for rights could be decided. A right extracted by intrigue and armed conspiracies is no right at all, while a right that is *conceded* out of free will, that has no impediment *prima facie* with the teaching of the Church, promulgated in order to bring an end to a conflict is a true right, and worthy of the seal of the Papal legate. Later, The Church in England would even be made responsible by Henry for distributing copies of the Magna Carta!⁴⁹

The definition of the Baron’s war as a Crusade is significant as well. Henry even went as far as to take the cross of a Crusader, though he was only nine-year-old.⁵⁰ But how could the Papacy through Guala declare a Crusade in a conflict that was to a great extent over the issue of royal power and taxation? Innocent even went as far as to label the rebel Barons as worse than heretics!⁵¹ The reason was because in the moral

⁴⁸ Henry of Winchester, “Proclamation of Magna Carta, 1217,” The National Archives (The National Archives, July 17, 2015), <https://www.nationalarchives.gov.uk/education/resources/magna-carta/proclamation-magna-carta-worcester-1217/>.

⁴⁹ Carpenter, *Henry III The Rise to power* p.617

⁵⁰ Carpenter, *The Minority of Henry III*, p.13

⁵¹ Sean McGlynn, *Blood Cries Afar: the Forgotten Invasion of England, 1216*. (Stroud, UK: The History Press, 2013,) P198

imagination of the Papacy, Guala, and Henry, rebellion against the King was considered to be synonymous with heresy. Just as in Southern France during the Albigensian Crusade, those who violated the peace were heretics just as much as those who held or preached erroneous beliefs. As Jones describes in *Before Church and State* on the Albigensian Crusade, “to make war on the Church was to make war on the King, and vice versa.”⁵² These foundational experiences, being under the power of the Papal Legate, taking the Crusader vow against the Barons, and wondering how the war would turn out would have an indelible mark on the young Henry and would influence his decisions and personal philosophy for the rest of his life.

The signing of the new copy of the Magna Carta, combined with a reversal of fortunes in the Baron’s war and the continued resistance by the English Church to crown Louis King, eventually led to a victory for the loyalist forces and the signing of a peace treaty at Lambeth in 1217. Signed by Guala acting *in persona Henrici*, the treaty was generous to many of the rebels, lifted the excommunications and recognized Henry as the true King of England.

Part Five: After the First Barons’ War

As Henry grew older, he slowly consolidated royal power, partially with the help of his guardians and the Papal Legate. Indeed, Henry would later go on to reflect on the support the Papacy gave him in his early reign, writing a letter to the Papacy declaring he could never part from his Spiritual Father (The Pope) and his Spiritual Mother (The

⁵² Jones, *Before Church and State* p.136

Church) due to their aid in helping him secure the throne during the Baron's war.⁵³ In these Early years, Henry rarely flexed his Royal muscle, but for a few small instances that reveal the character of religious influence and priorities during his regency. Rather than participating in grand tournaments, a popular pastime with the male nobility of this era, Henry established for himself the reputation as a peaceful king. Not only did he not attend tournaments, but he, with the support of the Church, pronounced blanket bans on them.⁵⁴

The young Henry, though still under regency, developed an early reputation for piety, visiting shrines and distributing alms on a large scale.⁵⁵ An early devotion of his to the Marian apparition of Our Lady of Walsingham began during this period, and we have the first instances of Henry visiting the tombs of his canonized ancestors, a practice that would continue throughout his life.⁵⁶ Thus, Henry's governmental emphasis on cooperation with the Church was reflected in a personal standard of piety as well. Indeed, the first recorded direct order historians have from Henry III was directed on behalf of providing relief for lepers within the Kingdom, a pious act by any stretch of the imagination.⁵⁷

⁵³Turner, G. J. "The Minority of Henry III. Part I." *Transactions of the Royal Historical Society* 18 (1904): 245–95. <https://doi.org/10.2307/3678076> p.259.

⁵⁴ Carpenter, *Henry III rise to power and personal rule* p.24

⁵⁵ Ibid p. 33

⁵⁶D. A. Carpenter, "King Henry III and Saint Edward the Confessor: The Origins of the Cult." *The English Historical Review* 122, no. 498 (2007): 865–91. <http://www.jstor.org/stable/4493985>, p.867

⁵⁷ Walter Waddington Shirley, ed. *Royal and Other Historical Letters Illustrative of the Reign of Henry III.: From the Originals in the Public Record Office*. Nendeln, England: Kraus, 1965. Vol 1, p. 104-105.

One notable incident was the replacement of Cardinal Guala with a clergyman named Pandulf. Guala asked leave to retire in 1218, and this leave was granted, resulting in the Bishop-Elect Pandulf being chosen as Legate and effective head of government in his stead.⁵⁸ Pandulf would be head of government to an even greater extent than Guala was, concentrating even more power in himself as the lead regent.⁵⁹ Pandulf would continue in this capacity until 1221, when he was recalled from his position as legate at the behest of the Archbishop of Canterbury Stephen Langton and installed as the English Bishop of Norwich. A new legate with lesser authority in the Kingdom would then be installed, though as we shall see, this did not mean that the influence of the Church over the affairs of the Kingdom would wane. Indeed, Pandulf would be replaced in the regency triumvirate by Archbishop Langton.⁶⁰ Thus, two-thirds of the people ruling England during the entire span of the regency would be high-ranking members of the clergy.

In 1220 Henry III experienced a second coronation. Seeking to cement his authority in England, Pandulf, Bishop Peter and the Justiciar Hubert de Burgh petitioned the Papacy to have Henry crowned a second time.⁶¹ Henry's first coronation was widely seen as a hurried affair, expeditiously done even as the Barons' war raged around them. This coronation would be far more lavish. Henry would be crowned both times in a ceremony that historians today call the "Third recension of the English coronation." This

⁵⁸ Turner, *Minority of Henry III* p.292

⁵⁹ Ibid p.295

⁶⁰ Carpenter, *Henry III the rise to power and personal rule* p.25

⁶¹ Ibid p.17

ceremony has many features that actually date back to the Anglo-Saxon period, while borrowing some of the practices from the coronation of the Holy Roman Emperor.⁶² In these coronations, Henry made an oath to preserve the Church and the people and was consecrated with holy oils, with a prayer emphasizing the transfer of authority from God to the King.

One of the most notable achievements of Guala, and Pandulf, was the implementation of the Lateran IV reforms throughout the Kingdom of England. Some historians ascribe the implementation of these reforms more to local Bishops than to the Papal Legates, but nonetheless the pastoral reforms of Lateran IV were implemented during this early period of Henry IV's reign.⁶³ With the spread of the Lateran reforms came the spread of Mendicant orders in the Kingdom of England.⁶⁴ The arrival of the friars themselves also constituted a feedback loop, wherein the Friars spread the reforms of Lateran IV even more as they arrived in England.⁶⁵

Given that his Father John had such a reputation for resistance to the Papacy, regardless of the change of direction in his last years, how did the young Henry conceptualize his own relationship with his lawful *suzerain*? A few early anecdotes provide us with the answer. There were several reports of King John burning horrifically in Purgatory related to Henry in the first years of his reign.⁶⁶ In 1226, the same year that

⁶² Roy C. Strong, *Coronation: From the 8th to the 21st Century* (London: Harper Collins, 2006). pp.43-44

⁶³ Henry Mayr-Harting, *Religion, Politics and Society in Britain*. Harlow, England: Pearson Longman, 2006, p.260

⁶⁴ Carpenter, *Henry III rise to power* p.45

⁶⁵ Harting, *Religion, politics and society in Britain* p. 270

⁶⁶ Carpenter, *Henry III rise to power* p.277

one particularly terrifying vision was related to him of his Father suffering horribly in Purgatory, Henry backed down from his plan to invade France and recover the continental possessions. Upon hearing the order of the Papal Legate, under penalty of excommunication, Henry ordered his invasion fleet to disperse.⁶⁷ One wonders if a vision of himself in purgatory clothed in burning kingly robes, like what was recounted of his father in the vision he heard was on his mind as the Legates threat was read out before his royal assembly. As we shall see, this would not be the first time that the Papacy directly intervened in the relations between Henry and other political entities.

⁶⁷ Ibid p.43

Chapter Two: Henry III's personal rule to the Second Barons' War

1 Samuel 16:13: Then Samuel took the horn of oil, and anointed him in the midst of his brethren: and the spirit of the Lord came upon David from that day forward...

Part One: Faltering Early Years of Personal Rule

King Henry III finally began his majority in the year 1227, signaling a major change in his administration.¹ No longer would England be ruled by the mostly theocratic triumvirate regency it had experienced since Henry was nine, though Hubert in particular would remain a shining star in court. Henry would now have the powers of patronage on his side to influence domestic policy and had much greater control over domestic policy. So how then does Henry spend the years of his personal rule when we view it in the context of Church and State integration? As we shall see, Henry's years of personal rule continued the themes we have seen previously. A close relationship with the Church, a foreign policy animated by the desire to remain within the Church's good graces, and the desire to recover the continental possessions were all hallmarks of King Henry III's personal rule.

Almost immediately after assuming personal rule, Henry began drawing up plans for an invasion of France. His father, King John, had lost almost all of his continental possessions in France, a deeply felt loss for the English monarchy. Perhaps Henry was buoyed by the Papacy of Pope Innocent III questioning the legitimacy of the seizure of Normandy in 1204 when it was taken by King Phillip.² Though the new Papal legate

¹ Ibid p.58

² Innocent III, Pope. Die Register Innocenz' III. 7: 7. Pontifikatsjahr, 1204/1205, Texte und Indices. Ed. Othmar Hageneder, Andrea Sommerlechner, with the collaboration of Christoph Egger and Rainer

under Pope Honorius III had nixed Henry's ambition to reconquer the territory in 1226, the legal justification for the territory belonging to the Kingdom of England remained. Though this time the Papacy would not prevent Henry from trying to take his continental possessions back, they would not support him in the war either.

Henry's invasion of England, though not a disaster, was a defeat for the English. Henry returned back to England with little more to show than *status quo antebellum*. Henry would try one more time in 1242 to recover his continental possessions in France, to equally mediocre results. Henry responded to attacks many times throughout his reign and was involved in a minor border skirmish with the Welsh king, but for the most part the years of personal rule for Henry were years of peace instead of war. But where Henry failed in the art of war he succeeded in the realm of religion. In the years following his first invasion of France he would be far more successful supporting the faith and the role of the Church in England than in recovering his ancestors' possessions in France.

Indeed, almost immediately after returning home to England in 1230 Henry had to deal with a domestic rebellion. Two former members of the triumvirate that had ruled the regency, Hubert and Peter Des Roches were in conflict with each other and Henry found himself in the thick of it. At one point, he ordered that Hubert be taken under any means necessary, inadvertently resulting in the breach of sanctuary. Henry was scolded by the Archbishop of London but acquiesced when the bishop escorted Hubert back to the

Church.³ The conflict continued until a low intensity civil war broke out in the Kingdom. Henry's youth and inexperience showed. With one of his mentors and the son of another in open conflict he continued to make poor decisions, though none as bad as the breach of sanctuary. Finally, intervention by the newly consecrated Archbishop of Canterbury and the death of one of the parties in the conflict brought peace to the realm. Henry, according to the Wendover Chronicle, wept for the death of his former enemies and decided to accept the deal ending the conflict drawn up by the Archbishop.⁴ Henry had Mass said for the repose of the soul of his dead enemy to the acclamation of the Wendover chronicler.⁵ This reaction was to the astonishment of all those present, and singled out just how different the reign of Henry would be compared to that of his Father John. Henry looked back on these years of political adventures, an invasion of France, intrigues, and low-intensity civil war with horror. He had endangered his soul and was almost led into political and military ruin. In a letter to the emperor, Henry listed these sins and made an amendment to do better.⁶ Still, his Father John in his place had sought to control the Church, Henry took the Church's advice in brokering peace. It is in this realm of religion that Henry would find the majority of his success.

³ Paris, *Chronica* vol 3 p.226-229

⁴ Carpenter, *Henry III Rise to power* p.151

⁵ Wendover, *Flores The Flowers of History* by Roger De Wendover: *From the Year of Our Lord 1154, and the First Year of Henry the Second, King of the English*, ed. H.G. Hewlett, vol. 3 (Rolls Series, 84, 1886-89) p.289-290.

⁶ Carpenter, *Henry III rise to power* p.163

Part Two: The Domus Conversorum and foreigners in the court

Even as this small conflict in his own realm brewed, Henry was hard at work securing the power of the Church and in his mind, the souls of his kingdom's inhabitants. The Fourth Lateran Council had spent quite a bit of ink detailing how relations between Christians and Jews should be regulated, and paid particular attention to Jews who converted to Christianity.⁷ Possibly in reaction to this missionary current in the Fourth Lateran Council or as a particularly unique feature of his own personal piety, in January of 1232 Henry III established a house for converted Jews to live in London at the King's expense, known as the Domus Conversorum.⁸

Under English law Jews had to forfeit their property once converted, and often experienced a negative reaction from both Christians and Jews if they attempted to return to their Jewish faith, so the Domus was conceived as a source of respite from poverty, antisemitic Christians and their former co-religionists.⁹ The Domus would become a fixture of London religious life for hundreds of years to come, surviving even the English reformation and the Edict of Expulsion under Henry's son Edward. The Domus would finally close roughly four hundred years after it was opened, in the year 1608.

Henry had always had an inquisitive theological mind, eager to participate in theological discussion.¹⁰ It is doubtless then that Henry had some knowledge of the many

⁷ Lauren Fogle, *The King's converts: Jewish Conversion in Medieval London*, (Lanham: Lexington Books, 2019) p.29

⁸ Carpenter, *Henry III rise to power* p.110

⁹ Fogle, *The Kings converts* p.25

¹⁰ Carpenter, *Henry III rise to power and personal rule* p. 275

Papal pronouncements protecting Jews and especially Jewish converts, from Pogroms and other attacks. With this in mind the idea of the Domus makes a lot more sense.

Another instance involving the Jews reveals Henry's theological acumen on the issue. In Fulda in 1235 a group of Jews were accused of the ritual murder of Christian boys and the consumption of their blood. The investigation indicted the entire Jewish population of Germany for ritual murder and cannibalism as a people. The Emperor Fredrick, doubting this result, sent letters to many of the monarchs asking them to send learned scholars who were converts from Judaism to confirm or deny these accusations. Henry was the only monarch to send a reply, dispatching two learned Jewish converts who were familiar with the Talmud and the Hebrew language. These converts successfully argued on their former co-religionists' behalf and Fredrick published an edict forbidding anyone in the Empire from making accusations of this sort against the Jews again.¹¹

For some of those Jews who converted during Henry's reign, they could find profitable service in his employ. Several converts from Judaism were knighted and found themselves directly employed in the King's service.¹² They were employed as escorts, guards, sergeant at arms and even bodyguards for the King. Their past as members of a different religion seemed to have little importance for the level of trust granted to them in the King's service, and we see Henry several times in these historical records providing these high-ranking converts with favors of land, debt forgiveness or even amnesty for minor crimes.

¹¹ Fogle, *The Kings converts* p.81

¹² Ibid p.58

For that matter, Henry was widely criticized by many of his English contemporaries for promoting “foreigners” within his court over Englishmen, and even of acting against the aims of the Kingdom in favor of the Papacy. Even before the great upheaval prompted by the ascendancy of the “Savoyards” in England, we find Matthew of Paris very early on lamenting the position of “foreigners” in the Kingdom. In Paris’s chronicle of 1237, Paris even goes as far as to say that:

Hence it came to pass that, where formerly noble and bountiful clerks, guardians and patrons of churches, used to make themselves renowned throughout the whole of the adjacent country, by entertaining travelers and refreshing the poor, there debased men, void of morals, and full of cunning, agents and farmers of the Romans, now scraped together all that was useful and valuable, and transmitted it to foreign countries to their lords, who were living daintily on the patrimony of Christ, and bragging on the possessions of others.¹³

But despite these scathing, repeated criticisms that Henry *enriched* foreign overlords (in this case, Paris is making a veiled reference to the Papacy) at *the expense* of the Kingdom, a closer analysis of the facts contradicts these criticisms. As Carpenter demonstrated in his landmark article *Kings, Magnates and Society: The Personal Rule of Henry III*, Henry did not either oppress his nobles financially nor did he surround himself with foreigners to the exclusion of the English nobility.¹⁴ Instead, Henry made use of foreigners in his court, and dutifully obeyed the dictates of his suzerain the Pope, even in the face of domestic criticism on account of this practice. In an era where riots against foreign “roman” clergy were taking place in England, Henry promoted and showed no

¹³ Matthew Paris, *Matthew of Paris English History*, trans. J. A. Giles, vol. 1 (London: Cox Brothers, 1852), p.51.

¹⁴ Carpenter, *Kings, Magnates, and society* p.57

animosity towards foreigners.¹⁵ As we shall see, Henry's inability to keep control of his magnates in the face of this increasing criticism would ultimately lead to the 1258 rebellion.

All of this is not to say that Henry had some kind of modern progressive understanding of religious pluralism or multiculturalism. This is also not to say that Henry only promoted foreigners in his court based on their merit. The number of people promoted from his own extended foreign family members suggests otherwise.¹⁶ Henry believed in the superiority of his own faith over others and on two occasions forced Jews to move their synagogues in order to build a Church on their land.¹⁷

But for those who were co-religionists, whether they be originally from another faith or simply from another cultural group, there is no evidence of Henry holding any enmity or sense of superiority against them. This is a confirmation of the Church's teaching on Baptism, which holds that all the baptized belong to the same Kingdom of God. But this teaching does not abolish distinctions either. The Great Commission orders the Church to "make disciples of all nations," and the Book of Acts records Christians speaking in all of the "tongues" of the cosmopolitan marketplace the disciples were in. Thomas Aquinas taught that it belongs to piety to hold a particular love for the country of your birth.¹⁸ On the other hand, Steven Grosby observes that the Church teaches that:

¹⁵ D. A. Carpenter, "King Henry III's 'Statute' against Aliens: July 1263." *The English Historical Review* 107, no. 425 (1992): 925–44. <http://www.jstor.org/stable/574222>, p.926

¹⁶ Carpenter, *Henry III the rise to power* p.165.

¹⁷ Fogle, *The Kings converts* p.77.

¹⁸ Thomas Aquinas, *Summa Theologia*, Four articles on piety II of II:101

“that land promised by God in Judaism was no longer a bounded, national territory, but the eternal paradise of the “New Jerusalem” of heaven” and so, on the one hand Christians have an obligation of loving their own country and on the other of recognizing the universalizing message and citizenship of the Kingdom of God.¹⁹

Thus, one had to be careful to find a balance between love of one’s own country and the recognition of all of the baptized as part of the same kingdom of God. Based on the evidence, Henry exemplified this balance. Unlike many other English Kings, Henry learned English at a young age, probably from his English caretakers.²⁰ Despite the criticisms of Matthew of Paris and many of the recalcitrant English nobles, Henry had a deep love of England and did not impoverish its nobility on account of the Pope (though as Carpenter surmises, his taxes on the English Church and the people on behalf of the Papacy were high).²¹ What the nobility and the English Church mistook for traitorous behavior on behalf of the far off Roman sovereign, was in reality a deep understanding of the broader Kingdom of God and Henry’s legitimate obligations to his feudal suzerain the Pope.

Henry was finally married in 1234 to Eleanor of Provence. Like almost all Medieval marriages, the reasons for the wedding were more focused on political aims

¹⁹ Steven Grosby, “National Identity, Nationalism, and the Catholic Church,” Oxford Handbooks Online, July 7, 2016, <https://www.oxfordhandbooks.com/view/10.1093/oxfordhb/9780199935420.001.0001/oxfordhb-9780199935420-e-61>.

²⁰ Carpenter, *Henry III The rise to power and personal rule* p.3

²¹ Carpenter, *Kings Magnates and society*, p.98

than pre-existing love between the spouses.²² Eleanor and Henry went on to have five children survive childbirth and unlike many nobles from the time period (including his father, King John), Henry had no known concubines or illegitimate children.²³ This fact alone helps support the idea of his Royal piety.

With Eleanor of Provence came a large number of Savoyard nobles, members of her family, whom Henry married into English nobility, elected into the office of the Archbishop of Canterbury, and otherwise integrated into the Royal demesne of England.²⁴ It was these foreigners (adding to the already present Lusignans, his half-brothers from Poitiers, and the demands of the papacy) that helped to foment the nationalist revolt that was the 1258 Baronial rebellion. This sentiment would take time to reach its explosive conclusion however, so let us leave that subject here for now.

Part Three: Ideological Underpinnings of the Personal Rule

In this period of personal rule, Henry reveals to us his own view on the idea of the two keys, on the integral relationship between Church and State, on Sacramental Kingship, as Andrew Willard Jones calls it.²⁵ There are three occasions where we see Henry endorse, reflect or otherwise acknowledge the necessity or reality of the deep integration of Church and State, the inseparable bond between the secular and the

²² Margaret Howell, *Eleanor of Provence: Queenship in Thirteenth-Century England*, (Oxford, UK: Blackwell Publishers, 2001) p.1

²³ Margaret Howell, "The Children of King Henry III and Eleanor of Provence". In Coss, Peter R.; Lloyd, Simon D. (eds.). *Thirteenth Century England: Proceedings of the Newcastle upon Tyne Conference*, 1991. Vol. 4. Woodbridge, UK: Boydell Press. P.72

²⁴ Adrian Jobson, *The First English Revolution: Simon de Montfort, Henry III and the Barons' War*. (London, UK: Bloomsbury, 2012) p.8

²⁵ Jones, *Before Church and State* p.162

religious. First, in the crisis with Fredrick II, Henry supported the Papal line multiple times through the imposition of taxes, directly in writing and acquiescence to the Church's claims to Temporal power. Then in 1248, Matthew of Paris refers to the King explicitly stating his own conception of the two swords theory, and finally in 1250, we see a petition from the Archbishop of Canterbury requesting assistance from the Secular sword on behalf of the religious one. In reality these three instances, passing events in the broader historiography of Henry III, hold the keys to understanding Henry as embodying a certain ideology and system of thinking, instead of simply writing him off as an overly pious *Homus Simplex* as is so common.

The first occasion requires some background information. Fredrick II, Holy Roman Emperor had been raised as a Papal ward like Henry, except with an even closer relationship to the Papacy. Fredrick's direct guardian was Pope Innocent III, and his tutor was the future Pope Honorius III. The Pope who Fredrick would have the majority of his conflict with was Pope Gregory IX, cousin to Pope Innocent III, briefly Pope Celestine IV and Pope Innocent IV. However, almost from the beginning of Fredrick's rule, hostility between the Emperor and the Papacy began to erupt. After having promised to go on Crusade, Fredrick stalled for time resulting in the collapse of the Fifth Crusade. The Papacy blamed Fredrick, as they had awaited his armies in Egypt and based their decisions on the idea of him fulfilling his Crusader vows.²⁶

²⁶ Honorius III. "Ad Fredericum Romanorum Imperatorem". In *Medii Aevi Bibliotheca Patristica Tomus Quartus*, edited by César Auguste Horoy, 28–29. Paris: Imprimerie de la Bibliothèque Ecclésiastique, 1880.

Fredrick seemed finally ready to fulfill his Crusader vows in 1227 but turned around after he and his army were infected with sickness.²⁷ Many Medieval chroniclers doubted the truthfulness of his sickness, maintaining that he never truly did mean to go on Crusade. Fredrick was summarily excommunicated. This excommunication began a series of conflicts between the Papacy of Gregory IX and the Emperor that historians would later call “The War of the Keys,” so named after the two keys that are affixed to the standard of the Papacy even to this day. These keys represent dominion over Heaven and Earth, which the papacy believes was granted to it in the Gospel of Matthew, Chapter 16, verse 19 where Christ says: “I will give you the keys of the kingdom of Heaven, and whatever you bind on earth will be bound in heaven, and whatever you loose on earth will be loosed in heaven.”.

By 1228 the Papacy was in an open state of war with Fredrick II, whose soldiers had invaded his lands. The papacy responded by forming an army, as well as gathering funds and allies from all over the Christian world in order to fight him. All over the Christian world including, quite naturally, in his Papal Fief of the Kingdom of England. This presented a bit of a problem for Henry, who had been searching for continental allies for many years.²⁸ Nonetheless, when the Papacy called for several assemblies of British nobles to be called to hear the Papacy’s call for special taxes to sustain the war effort against Fredrick, Henry obliged.²⁹ The Register of St. Osmund contains the records of

²⁷ Brett Edward Whalen, *The Two Powers: The Papacy, the Empire, and the Struggle for Sovereignty in the Thirteenth Century* (Philadelphia, PA: University of Pennsylvania Press, 2019), p.19

²⁸ Carpenter, *Henry III rise to power and personal rule* p.79.

²⁹ Whalen, *The Two Powers* p.37

one of these petitions (specifically for a tenth of the value of ecclesiastical property in England) for aid against Fredrick. Henry supported this tax on his subjects and was widely criticized domestically for it.³⁰ By viewing the petition we can see the ideological foundation that Henry was willing to support, even if it cost him domestically.

Bishop Gregory, servant of the servants of God, to his beloved sons, abbots, priors, and other prelates of churches and to the clergy established in the province of Canterbury, greetings, and apostolic blessings. Although it is a natural vice to ignore what is commonly owned, yet it is a virtue of charity, that those may unambiguously encounter an imminent general danger from an individual, treat it as if it were their own interest, those following them, when combined with their strength; and when he does not intend to spare the rest of the body, which threatens the ultimate destruction of the head, the individual members are astonished, that they may defend the head with all their might, without which it is impossible to live. Of course Fredrick, the said emperor, not content with that wherever he had power over the Church of God, trampling openly with earnest malice, overturned ecclesiastical liberty... We clearly see unless the daring of these men be restrained, they would not cease their furious savagery, Therefore to recover the invaded lands and drive off the wrongs; rather, in order to lessen the oppressed churches and protect ecclesiastical liberty, we have seized on the exercise of temporal power, with many having assembled for this purpose armies with ample stipends for this purpose; that there is no need to spare where the Church as a whole is so vigorously attacked.³¹

Gregory acknowledges that Fredrick, by virtue of being Holy Roman Emperor, by virtue of exercising the power of the Temporal Key does have some power over the Church, as we have seen, the secular and the religious keys were not meant to be separate but innately connected.

As Holy Roman Emperor, representative of the divinely ordained Roman Empire in the West, the Emperor had many privileges in the ecclesial realm that ordinary people

³⁰ Carpenter, *Henry III the rise to power and personal rule* p.81.

³¹ Osmund, *Vetus Registrum Sarisberiense: Alias Dictum Registrum S. Osmundi Episcopi: The Register of S. Osmund*, ed. Jones W. H. Rich, vol. 2 (London: Longman and Co., 1884). pp. 144-145 (Translation mine)

or even other members of the nobility did not have. These privileges represented the centrality of the Roman Empire to the worldview of Medieval Christians and the degree to which the Church and State's functions were thought to be integrated. Long before the *Novus Ordo* liturgical reform of 1970, in a time where the non-ordained would never take altar-centric liturgical roles, the Papal liturgy of Matins for Christmas featured the Holy Roman Emperor wearing the stole and dalmatic of the diaconal rank and taking corresponding liturgical roles, doing a reading from the altar.³² This privilege, which sees the Emperor taking on an almost sacerdotal character, represents the unitive nature of Church and State.

Perhaps the idea of the secular ruler taking the temporary place of the priest or deacon at the altar helps explain why Henry mounted the pulpit at the Chapter house of Winchester and delivered a sermon to the monks pushing for his candidate for the Bishopric of Valence. Carpenter, not knowing understanding the sacerdotal nature of Kingship in the Middle Ages found this event a source of confusion.³³ It was not just the Emperor who acted in a sacerdotal manner, as the French King had several sacerdotal privileges as well.³⁴ Regardless, just as it was supposed to be for the Emperor, the religious and the political policy were unitive for Henry. Rather than something forced

³² Dom. Prosper Guéranger, *L'année liturgique Le temps de Noel* Tome I, (Paris: Librairie H. Oudin, 1911) p.222.

³³ Carpenter, *Henry III the rise to power and personal rule* p.487

³⁴ Alexandre Maral, *La chapelle royale de Versailles sous Louis XIV: cérémonial, liturgie et musique*, (Paris, Mardaga Pierre, 2010), p.254.

into the private sector of people's lives, religion was something that suffused every area, both public and private as an integrated whole.

But according to Pope Gregory, the Holy Roman Emperor had abused his privileges. Now the entire Church was threatened. Just as it is too late for the limbs to fight back once the head has been cut off, the Church around the world, even in England, was threatened by Fredrick's conflict with the Papacy. The entire sacramental interconnected worldview of the Church, with its international Papal benefices and the independence of the Church was under attack. This was not theatrics, for if the Papacy did not have ultimate control over the two swords, if the argument was decided that the two swords were equal, or worse, separate from each other, then the entire worldview of the age and of the teachings of the Church were at risk. As a last resort, Gregory IX was forced to turn to the exercise of violence through the temporal sword and engage in a military campaign against Fredrick.

It was this tax plan that Henry had signed off on. But as if Henry's true feelings on the crisis with the Holy Roman Emperor were in doubt, we have another example. Later, as part of Pope Gregory's war plan against the Holy Roman Emperor, a Papal ban was published all over Christendom publicizing the censure against Fredrick. In 1240, Fredrick, upon learning that Henry had allowed the ban to be published in his Kingdom,

expressed his disappointment to Henry.³⁵ Henry responded that he “did not dare to contradict the will of the Pope”.³⁶

Fredrick was even more incensed when he learned that Henry was acquiescing to the imposition of Papal taxes in the Kingdom of England for the purposes of fighting him. He demanded that Henry expel the Papal legate Otto from his Kingdom.³⁷ Otto had been completely integrated into the structures of the English Kingdom. C.H. Lawrence called it the “high-water mark of the resident papal legation in England.”³⁸

King Henry replied to Fredrick that it “was more necessary for him to obey the Papal and Ecclesiastical precepts more than any of the other powers of the world, especially because the Pope is the legal feudal Lord.”³⁹ There would be no expulsion of Otto from the Kingdom. Many historians, such as Brett Edward Whalen (and Matthew of Paris) write this off as Henry’s weakness for the Papacy.⁴⁰

In reality, we see the sacramental mentality at work. Even separate from the Pope being his feudal Lord (and thus being unable to resist him on account of that) Henry first ventures that his first allegiance is always to the Papacy and the Church. This follows the Integralist viewpoint of Church and State, that it is one integrated whole, that one cannot have right mind in opposition to it. In the words of the rite of excommunication, Fredrick

³⁵ Whalen, *The two powers* p.116

³⁶ Matthew of Paris, *Chronica Majora* IV, p.19

³⁷ Ibid pp.4-5

³⁸ C.H. Lawrence, *The Thirteenth century*, pp.138-139

³⁹ Ibid

⁴⁰ Whalen, *The Two powers* p.116

had “separated himself from the society of all Christians,” while the Church held the keys to salvation. Henry would not be like his Father John and shirk the commands of the Church, his allegiance was to them before any other (including his own domestic political considerations). As we shall see, sometimes Henry could use the Church issue to his advantage on domestic issues.

The second example of Henry’s own view of the matter of Church and State integration can be found in the 1248 record of Matthew of Paris. Henry requested an additional tax from his subjects and so he called a parliament.⁴¹ In exchange, the parliament demands from him the ability to appoint key positions in the English government, that of Justiciar, Treasurer and Chancellor. Henry replies to the negative, saying: “Indeed, inferiors must be directed at the will of the King and to the pleasure of the Ordinary.”⁴² Carpenter and Clanchy both translate the term “Ordinari” as meaning the King, the one who has ordinary jurisdiction in the Kingdom.⁴³ Thus, Henry’s response according to their logic would literally read: “Indeed, inferiors must be directed at the will and pleasure of the King”. But another translation of Ordinary is the ecclesiastical Bishop who has regular jurisdiction over an area.

This was the correct translation, as though Henry surely did not want to acquiesce to the demand for popular appointments, he seems to suggest that he also could not make such a decision without the “pleasure” or “direction” of the Ordinary. The highest

⁴¹ Carpenter, *Henry III the rise to power* p.478

⁴² Matthew of Paris, *Chronica vol V* p.20 (Translation mine).

⁴³ Carpenter, *Kings Magnates and society* p.40

ranking Bishop or Ordinary who had jurisdiction over all of England as its Primate was the Archbishop of Canterbury, Boniface of Savoy, who was overseas at the time.⁴⁴ Henry served partially at the direction of the Church, and so even if he was using the absence of the Archbishop as an excuse, the fact that he made this excuse reveals the ideological underpinnings of his regime.

Finally, we find a third example of the sacramental reality of Henry III's kingdom in a letter from Boniface of Savoy, the Archbishop of Canterbury. Boniface was Henry's uncle through his marriage to Eleanor. Henry had moved Heaven and Earth to get Boniface elected, hoping to have a loyal character in court, a family member, someone who could watch over his son Edward in case Henry died.⁴⁵ Boniface would not turn out to be a King's man for Henry, but at the very least the two shared a relatively close relationship.

In May of 1250, Boniface sent a letter to Henry asking for the assistance of what he calls the secular arm. There was a religious dispute, a divorce case that had gone wrong. Boniface relates the story of Maryny and Agnes de Canenvil. Agnes petitioned the Church for an annulment of her marriage with Maryny, but while the case was being decided, Agnes kicked Maryny out of their house.⁴⁶ Boniface wished to restore Maryny back to his former residence while the investigation into the divorce continues, but was unable to do so, as: "And even though we are forced to defend said knight in these things

⁴⁴ Carpenter, *Henry III The rise to power* p.478

⁴⁵ Ibid p.216

⁴⁶ Shirley, *Royal Letters Vol 2* p.61

which concern said appeal by the urging justice, however ... we can't return him to his violently stolen possessions by means of the secular arm."⁴⁷

What Boniface is talking about here is his relationship with the secular arm, which is represented by Henry. Boniface by himself is the arbiter of ecclesiastical law and its sanctions, which are intertwined with the system of secular law and sanctions. In the Medieval context secular simply means "in the world," hence the distinction between the "religious" clergy who were members of religious mendicant orders or monastic orders and the "secular" clergy who were associated with diocesan clergy. Boniface was not speaking to Henry as if he were part of a separate "branch" of government, as if the secular and the religious could be separated but is speaking to him as another connected part of the same body politic. Indeed, Boniface uses the Latin term *brachio* meaning arm. He uses this term because he belongs to the "religious" arm, the arm that deals with issues under its own jurisdiction, even if both arms belong to the same body.

As we can see, the "middle period" of Henry's reign showed himself as a King with an integral concern for the unity of his Church and his State. Henry was criticized even by his own countrymen for the deference he paid to the Papacy, but this was not because he was a *Homus Simplex* but because he was earnestly, if not always tactfully, trying to build the vision of a Sacramental Kingdom there in England. Henry put the Church first in his foreign policy, even when it meant going against such powerful figures as the Holy Roman Emperor. At times, this devotion even allowed him to avoid

⁴⁷ Ibid

unsavory political reforms, as when he dodged parliament's insistence to appoint councilors by pointing out the absence of Boniface of Canterbury. Henry's choices would come to haunt him however, as his involvement in Papal schemes would result in a rebellion brewing in England.

Chapter Three: The End of the Personal Rule and the Second Barons' War

Domine ne in furóre tuo árguas me : neque in ira tua corrípias me. Miserére mei Dómine quóniam infirmus sum: sana me Dómine quóniam conturbáta sunt ossa mea. -Extract from the Canon of the Mass of the Rite of Sarum during Lent as Henry would have heard it

Part One: Henry's "Crusade"--The Road to the Sicilian Business

For some time, a crisis had been brewing in Henry's realm. The influence and presence of foreigners at the court and the fealty paid to the Papacy (both politically and financially) had long been sources of strife in the Kingdom, even reaching back to the days of the regency.¹ But now a venture was brewing that would shake the very foundations of the realm and result in Henry losing his power temporarily.

It had long been the policy of the Papacy to try to keep separate powers controlling the territory north of the Papal States (The Holy Roman Empire) and the territory south of the Papal States (The Kingdom of Sicily). With the death of Fredrick in 1250, the Papacy had a chance to divide the two powers that had been united under Fredrick. But first the news of Louis IX's triumph (quickly turned into defeat) in the Middle East prompted Henry to take up the cross as a crusader, to leave no later than 1256. Many crusaders stretching all the way back to the First Crusade attempted to set their temporal affairs right before leaving on Crusade and Henry would be no different.

To start, Henry made tearful apologies to his citizens begging forgiveness for any harm he had visited upon them during his reign.² He attempted to reform the system of

¹ Carpenter, *Henry III The rise to power* p.50

² Matthew of Paris *Chronica* vol 5 p.114

Justice in his Kingdom to punish rent-seeking Sheriffs and the extreme delays in the justice system.³ Carpenter argues that Henry's attempts were poor at best compared to the system of *enquêteurs* that Louis had established.⁴ It is safe to say that compared to Louis's attempts at reform, they were poor, but they were coming from the same desire regardless of Henry's ability to execute it. Remember, this thesis does not argue that Henry was an effective ruler, but that his actions were motivated by a commitment to the idea of the Sacramental Kingdom, instead of a misplaced attempt at piety.

Henry began a series of tax extractions to build up his crusading war chest. His efforts to build the war chest from taxes on the Church and the nobility coincided with a drought and heatwave, increasing the animosity in his kingdom toward his efforts.⁵ The English Church, despite requests from the Papacy, never did concede Henry a crusading tax. A rebellion, supported by Alfonso of Castille erupted in Gascony and Henry was forced to land there with an army in 1253.⁶ Crushing the rebellion took money, which of course, required more taxes on the Kingdom of England. By February of 1254, the rebellion had been crushed and Henry had signed a peace settlement with Alfonso, just in time for a new adventure to begin.

The Pope was seeking a way to secure the Sicilian Kingdom in friendly hands after the decades under the rule of Fredrick. After canvassing several possible claimants, The Pope settled on Henry's second son Edmund. The deal was favorable to Henry.

³ Clanchy, *Did Henry III* pp. 215-216

⁴ Carpenter, *Henry III The rise to power* p.527

⁵ Ibid p.551

⁶ Paris *Chronica Majora* vol. 5 p.388

Henry's crusader vow would be commuted to securing the Kingdom of Sicily from Fredrick's son Conrad, and Henry's second son would acquire a sizable Kingdom.⁷ The Pope in return would get a friendly ruler along his southern border, hopefully ending the crisis with the Hohenstaufens that had been a thorn in the side of the Papacy for decades. For many parties, the pact seemed like a win-win scenario. But for Henry, this was not to be.

The death of Conrad and the realization that Henry would not be forthcoming to Sicily resulted in Innocent seeming to go back on his end of the deal.⁸ This left Henry still in debt from Gascony and still behind on his Crusading war chest. But then Pope Innocent IV died in 1254 and was succeeded by Pope Alexander IV, and Conrad was succeeded in Sicily by Manfred. Alexander had a new plan. Henry would pay a massive sum of money to the Papacy *and* would send an army to Sicily. This deal was hated by many in his Kingdom, but Henry signed off on it anyway. According to Carpenter, Henry signed off on it according to his "foolish simplicity" and his "devotion to the Papacy."⁹

Disaster after disaster transpired in Italy as the Papal army continued to lose, this time against Manfred. Appeals to the Papacy to moderate the demand and extend the timeline were met with an affirmative only to the second position. Henry drew up a parliament in 1257 in an attempt to pay for the venture to no avail. The heat between

⁷ Carpenter, *Henry III the rise to power* p.585

⁸ Ibid p.599

⁹ Ibid pp.632-633

Henry and his subjects was now nuclear. Assemblies of Clergy were even denying that their obedience to the Church included paying taxes to the Papacy!¹⁰

Henry turned to the last figure who he thought could rescue him from the crisis, the Archbishop Boniface of Savoy, his uncle. But even this was not to be of any help. A spat between him and Boniface had sprung up when Henry ordered the bishops conference to a meeting while Henry was dealing with an uprising in Wales. Boniface ordered the bishops to instead attend a meeting in Canterbury. Enraged, Henry threatened to confiscate the bishop's land, but as his anger cooled, chose not to do so.

As these events were all unfolding, Henry's own men began to conspire amongst themselves. Finally, in 1258, the powder that had been accumulating in the realm, laid by the "Roman extractions", the promotion of foreigners, the demands for increased taxation and the "Sicilian business" exploded. A posse of armed men entered the Royal presence and forced Henry to swear an oath before the Shrine of his patron Edward to reform the realm and end the provocations of the foreigners.¹¹

Was Henry this stupidly single-mindedly devoted to the Papacy that he would go against the interests of his own Kingdom? Was he a *simplex* in the sense that Carpenter and Matthew of Paris describe him? How could Henry have simply walked into such a crisis?

¹⁰ C.H. Lawrence, *The thirteenth century* p.131

¹¹ Matthew of Paris, *Chronica* vol. 5 p.689

To answer this question, we must investigate the context of Henry's belief system as well as that of the Papacy. As previously demonstrated, Henry felt (astutely) that his very reign was owed to the Papacy.¹² Henry was told of visions of his Father burning in Purgatory. Henry told the Holy Roman Emperor, nominal leader of all of the Kingdoms of Western Christendom, that he would obey the Holy Father above all the Princes of the Earth, even separate from considering the Papacies status as his feudal Lord. Henry viewed his reign in the context of the broader history of Christ's salvation of mankind, asking for paintings of salvation history pertinent to contemporaneous events to be painted so he could reflect on them.¹³ And of course, Henry was motivated by the ideas of prestige and power to be gained by a throne for his second son Edmund.

And the Papacy? The Church labored under the reign of Fredrick II. The Church and Christendom as a whole were scandalized by the war, and Northern Italy was materially devastated.¹⁴ The Temporal power of the Pope had been threatened, and the right of total temporal self-sufficiency of the Papacy was called into question. Surely Henry remembered the exhortations given to his nobles and Bishops by the Legate. Surely Pope Alexander IV remembered as well, he was born in the Papal States and was part of the same extended family as Pope Innocent III and Pope Gregory IX. The idea of returning to that era must have been abhorrent to both parties, made all the more real for

¹² G.J. Turner, *The Minority of Henry III* p.259

¹³ Carpenter, *Henry III rise to power* p.571

¹⁴ Whalen, *The Two powers* p.39

Henry because Alexander threatened to excommunicate Henry if he did not fulfill his obligations.¹⁵

When viewed from this perspective, the issue becomes more than a black and white scheme, the struggle for naked power on behalf of the Papacy and to the detriment of the Kingdom of England. The Church in England was struggling with its very obedience, threatening the rights of the Papacy to tax them.¹⁶ What was at stake was two fundamental worldviews. The worldview of the Church, of Louis IX, of Henry, an interconnected world of Papal benefices, where the spiritual power of the Pope is united totally to the Temporal power backed up by the independence of the Papal states, sharing a border with different dynasties to the North and the South. This contrasts with the world of Fredrick, of Conrad and Manfred. In this world the Pope lacked the degree of temporal rights that they claimed. In this world, Fredrick surrounded himself with Muslim guards who could not be excommunicated. *This* is the world of naked power, and this was part of the calculus for Henry and the Papacy, who espoused the Sacramental worldview. This was more than a stupidly pious sovereign taken for a ride by the Papacy, this was a clash of worlds.

Part Two: The Revolution

Beyond forcing Henry to sign an oath to reform, Henry was forced to make the reforms as well. Thus, in 1258 Henry signed the Provisions of Oxford. These provisions

¹⁵ Carpenter, *Henry III the rise to power* p.631

¹⁶ C.H. Lawrence, *The thirteenth century* p.131

would secure the power of the Barons over the King, would create a system of automatic parliamentary meetings, and would supervise royal appointments. There is little in this document objectionable from the perspective of Catholic dogma, but as we shall see, yet again, the manner in which it was enforced rendered it null and void in the eyes of the Papacy.

Henry would not take this turn of events lying down. He concluded a peace treaty with King Louis IX, he began gathering together loyalists and whole outwardly seeming to support the Provisions of Oxford, while he was sending letters to the Pope asking to be released from them.¹⁷ In 1261, a Papal bull arrived from the Pope absolving Henry and all others from the Oaths taken during the coup and from the Provisions of Oxford. In the letter, Pope Alexander decried the restriction of the freedom of the King and the demands made on him accomplished “by some force.”¹⁸ Once again, the coercion of violence involved in the coup rendered it null and void.

Henry leapt into action, bull in hand, leading together with his son Edward a counter-coup, seizing castles, and purging the ranks of the Sheriffs of any opposition.¹⁹ The Barons backed down and the realm entered a period of disorder. Power shifted between Henry and the Barons as defections on both sides shifted the balance of the Kingdom. Both sides began to raise armies for the seemingly inevitable conflict. Simon de Montfort, the effective leader of the Baronial faction, at this point claimed to have

¹⁷ Powicke, *Henry III and the Lord Edward* Vol 2, p.420

¹⁸ Pope Alexander IV, “Papal Bull Annuling the Provisions of Oxford, 1261,” The National Archives (The National Archives, July 16, 2015), <https://www.nationalarchives.gov.uk/education/resources/magna-carta/papal-bull-1261/>.

¹⁹ Jobson, *The First English Revolution: Simon de Montfort, Henry III and the Barons' War*, pp.61-64

received letters from the Pope annulling the annulment of the Provisions!²⁰ Historians debate whether he did or did not, but it is a possibility, given the degree to which serious reform was considered necessary in Henry's kingdom. Nonetheless both sides remained intractable, and the struggle continued.

Part Three: The Revolution Radicalizes

The Barons, led by Simon de Montfort, acted first, storming the Royal court with armed men, and holding the King, the Queen, and the Lord Edward hostage.²¹ Orders began to be published in Henry's name introducing radical reforms and insulting the Queen (who was of course foreign). This radicalization alienated Louis IX and his wife, who was the sister of Henry III's wife.²² This would play into Henry's hand, as according to the Treaty of Lambeth the arbitrator of last resort in case of a dispute between the Barons and the English King was the King of France, in this case Louis IX. With the situation continuing to destabilize in England and with a Papal interregnum preventing intervention by the Church (Boniface of Savoy had fled England by this point) both Henry and Simon appealed to Louis to intervene. Louis got to work, meeting with representatives of both parties and seeking a way to moderate the dispute.

The situation was difficult to moderate, however. The reality of Louis's discomfort with the radical nature of the revolution combined with his friendly relationship with Henry (they were brothers in law) had strained Louis's relationship with

²⁰ Powicke, *Henry III and the Lord Edward* Vol 2 p.429

²¹ Ibid p.439

²² Ibid p.440

Montfort and Montfort's confidence that Louis could rule effectively and with enough support to do so authoritatively.²³ After much petitioning, the Papacy decided to appoint a Papal Legate to assist the diplomatic mission of Louis and enforce the ruling that he would make. By this point it was clear which side Louis was going to rule on and where the Papacy stood. The Legate they appointed was none other than Gui Foucois, the future Pope Clement IV.²⁴

The appointment of Gui Foucois was significant. Foucois was from Southern France, the region that had been ravaged during the Albigensian Crusade. In its aftermath, Gui had been appointed as one of the head *enquêteurs*, tasked with hearing out and remedying grievances against the local nobility and the King in order to rebuild the Social order in a region that had been so devastated by the Crusade and its prelude.²⁵ Gui had written a series of Ordinances that spelled out punishments for heresy, which was considered not only the infringement of spiritual belief as we commonly think of it today, but those who broke the peace of the realm as well.²⁶ Therefore, Gui was the perfect man for the job.

For this job Gui would need sufficient powers. Gui was given absolute power over the Church in England and its members, with the ability to censure and excommunicate any rebels or those who provide aid to rebels, including Bishops, Archbishops and all the nobility. If censures failed to destroy networks of resistance

²³ Jones, *Before Church and State* p.286

²⁴ Ibid p.287

²⁵ Ibid pp.88-91

²⁶ Ibid p.89

against the King Henry, then Gui was given the power to call a Crusade against the rebels, including the power to commute all other Crusading vows in favor of the Crusade against the English Barons. This power granted to Gui was couched in the same language used during the Albigensian Crusade against those who rebelled in Southern France, revealing the link between the heresy that the French Monarchy fought in France, and the heresy in England that Henry and Louis were to fight together.²⁷

In January 1264 Louis published his *Mise of Amiens*, ruling decisively in favor of Henry and against Montfort by completely abrogating the Provisions of Oxford. To Louis the Provisions of Oxford and the unrest created in the wake of the coup associated with them had been a supreme act of violence. “The rights and honor of the king had been greatly harmed, the realm disturbed, churches oppressed and plundered...and that there was good reason to fear that still worse would follow in the future.”²⁸ Not only had the Provisions caused violence, but the means of their accession had been an act of violence as well, referring to when Simons armed coup stormed the Royal court and forced them upon Henry in 1258. Therefore, just as in the First Barons’ War, the demands of the second and the position of the Church would be determined more by the circumstances of the reforms than the actual reforms themselves.

It is easy for the modern reader to adopt a cynical view on this turn of events. For many the invention into the drama of Louis and the Papacy might seem as a foregone

²⁷ Ibid p.291

²⁸ Louis IX King of the French, *Mise of Amiens 1264* in *Documents of the Baronial movement*, trans. R.E. Treharne (Oxford, Clarendon Press, 1973) pp.286-287

conclusion, as does the award of Amiens. The game was rigged from the start one might contend, of course the King of France and the Papacy would not suffer to see the Royal power stunted or limited in any way. This was proto-absolutism one might say, as M.T. Clanchy argues that the bent of Henry's entire reign had sought to establish.²⁹ Powicke argues that the original Papal abrogation of the Provisions was motivated by his desire to prevent any limitation on the Royal power, identifying this belief with Catholic doctrine.³⁰ Indeed, today Simon de Montfort is lauded as a hero of democracy and representative rule. He is honored by a carved relief in the U.S. House of Representatives, honored there as an advocate for representative government.³¹ At the site of his death in the Battle against the King in Evesham there is a commemorative plaque, unveiled by the Speaker of the British House of Representatives and dedicated by the Anglican Archbishop of Canterbury. The plaque argues that he was a pioneer of representative government.

Framed in this way, the events of the Second Baronial Revolution are relatively straightforward. A struggle of Royal Power, supported by Catholicism versus the democratic impulses of a popular revolt. In reality, the situation is much more complicated, as on closer examination, this framing narrative does not match the events as they transpired.

²⁹ Clanchy, *"Did Henry III Have a Policy?"*, p. 207

³⁰ Powicke, *King Henry III and The Lord Edward* vol 2 pp.422-423

³¹ "Simon De Montfort, Relief Portrait," Capitol Architect, accessed May 23, 2022, <https://www.aoc.gov/explore-capitol-campus/art/simon-de-montfort-relief-portrait>.

Firstly, if Simon de Montfort is to be believed (historians argue about the veracity of his claim), there was a brief moment where the Papacy was on his side, having annulled the annulment of the provisions of Oxford.³² This possibility is not extraordinary. The main complaint of the Papacy in the annulment was that the provisions diminished the Royal dignity through violence, less than a critique of the provisions themselves. The political state of the English realm was quite bad, with discord amongst the nobles and even the English Church getting involved in the dispute. Initially, Boniface of Savoy was part of Simon's reform movement until it moved into its more radical phase, and he fled England. The Church had completely gotten behind the Magna Carta as well, at the point that it was offered freely by the King, instead of forced upon him by the Barons, so limitations of the Royal power *prima facie* were not heretical.

Simon also had some positive history with Louis as well. Simon de Montfort, Earl of Leicester, and leader of the Baronial revolt was the son of a French nobleman (also named Simon de Montfort) who was an important military commander on the Royalist side during the Albigensian Crusade. Simon had been one of the parties to ask for arbitration from Louis, so there must have been some expectation that Louis would rule in his favor.³³ Indeed, the entire Baronial faction (including the Bishops and Simon De Montfort) swore upon the Gospels to obey whatever decision the King of France would

³² Powicke, *Henry III and the Lord Edward* Vol 2 p.429

³³ Jones, *Before Church and state* p.281

come to.³⁴ Nor was the distinction between the Royalists and Baronial forces always such a hard distinction, as at one point Edward had joined the side of Montfort!³⁵

The violence before, during, and immediately after the promulgation of the *Mise* is also a reality. The original coup itself was accomplished through violence, when Simon and a group of other important barons stormed the Royal court. Violence between the Royalist and Baronial forces had been intermittent, though this might be expected since these were the parties in dispute. Upon the reception of the *Mise*, wide scale rioting and mob violence broke out all throughout Baronial strongholds in England.³⁶ Wide scale looting and attacks on members of the nobility took place, sometimes organic spontaneous uprisings from the people, and sometimes egged on by Simon's followers. Matthew of Paris reports that the rejection of the award was "common to almost all the lesser people of the Kingdom of England," to disastrous results.³⁷

Violence against Jews and foreigners was also prevalent as well, becoming institutionalized under Simon's regime. Simon had long held a special animosity against the Jews, expelling them from Leicester in 1231.³⁸ The promise of cancellation of debt to the Jews was one of the rallying cries of his rebellion against Henry, and would loom large once he took control.³⁹ Large scale deadly pogroms against Jewish people broke out in Worcester, London, Winchester, Canterbury, Derby, Lincoln, Cambridge, Wilton

³⁴ Louis IX, *Mise of Amiens* pp.285-286

³⁵ Jobson, *The First English Revolution*, p.26

³⁶ Powicke, *Henry III and The Lord Edward* p. 448

³⁷ Matthew of Paris, *Chronica Book VI* p.61.

³⁸ Robin R. Mundill, in *England's Jewish Solution: Experiment and Expulsion, 1262-1290* (Cambridge: Cambridge University Press, 2002), p.60.

³⁹ Ibid p.254

and Northampton, at times led by Simon's own children.⁴⁰ Some of these attacks completely destroyed the resident Jewish community, such as the attack in Derby.⁴¹

Violence and statutes against foreigners were also a hallmark of the Montfort regime.⁴² One of the first statutes forced upon Henry in 1258 removed from the hands of foreign-born men custody of the King's castles.⁴³ In 1263 their demands went even further. They asked that England no longer be governed by "others" as is "common in all other kingdoms of the world", and that "that aliens must depart from the kingdom never further to return, save those whose stay the faithful men of the realm might with unanimous assent accept".⁴⁴ Chroniclers thus record an "expulsion" of foreigners from the Kingdom which was only reversed after the change in fortunes of the Royalist forces.⁴⁵

Finally, if the issue was Royal power after all, that King Louis and the Papacy just simply could not imagine a world where the Royal power was abrogated, then section eighteen of the *Mise* makes little sense: "But we do not wish...by the present ordinance to derogate in any way from the royal privileges, charters, liberties, statutes and laudable customs of the realm of England which were in force before the time of the provisions."⁴⁶ Since King Louis was the arbiter of the peace in the realm, if he had really sought to

⁴⁰ William Page and J W Willis-Bund, 'The city of Worcester: Introduction and borough', in *A History of the County of Worcester: Volume 4*, ed. (London, 1924), pp. 376–390.

⁴¹ Robin R. Mundill, *The King's Jews*, (London: Continuum Press, 2010), pp.88-89

⁴² This is very ironic because, as is often pointed out, Simon de Montfort was of foreign birth himself.

⁴³ Carpenter, *Henry III and The statute against aliens* p.928

⁴⁴ Ibid pp. 930-931

⁴⁵ Ibid p.935

⁴⁶ Louis IX, *Mise of Amiens*, p.289

destroy “representative government” to preserve the Royal power, why would he leave the Charters and Statutes of the Magna Carta and the Forest Charter here untouched when they limited the Royal power? Louis’s decision here to preserve these previous charters of liberty was confirmed by the Papacy as well, which praised Louis for the decisions he made with the award of Amiens.⁴⁷

Despite all the violence and depredations of the Baronial faction, Henry, at the urging of Louis, was prepared to forgive the Barons and return to *status quo ante bellum*. Simon and the Barons refused to accept the settlement.⁴⁸ A short evenly matched campaign ensued, with victories on both sides. However, a turning point transpired with the Battle of Lewes.

At the Battle of Lewes Henry’s army was completely routed. Henry, his brother Richard of Cornwall, and his son Edward were all captured and held hostage by Simon. Simon was once again almost in complete control of the Kingdom of England, with only some castles still held by the Royalists to oppose him.⁴⁹ But Simon’s power was anything but secure, as dissent had been brewing within it. Even in 1263, criticism of Simon as a foreigner from within his coalition had begun to rear its head.⁵⁰ Soon there would be interference from the Church as well, and slowly his alliance would become increasingly precarious.

⁴⁷ Jones, *Before Church and State* p.298

⁴⁸ Powicke, *King Henry III and The Lord Edward Vol 2*, p.455

⁴⁹ Ibid p.468

⁵⁰ Carpenter, *Henry III and the statue against aliens* pp.937-938

The situation in 1265 was a shaky one for Simon. The Marcher Lords of Wales and many of the Nobles in the North were still loyal to the King. Simon's main advantage was the hostages, the King, Richard, and the heir Edward. As Powicke states: "Hostages and captives were the instruments of peace."⁵¹ Things continued to get worse when the Papal Legate appointed to negotiate the terms Gui Foucois (soon to be Pope Clement IV) was turned away. A brief period of negotiations ensued, but Gui Foucois was unconvinced by the Barons who would not so much as allow him to enter the country. In letters to the Barons, Gui pointed out that the Barons and Bishops had led England into a form of material and ecclesiastical schism. The peace they maintained was one maintained by violence, one that was a decisive break with the organic development of royal power in England, and one that rejected the authority of the Papacy to rule over England, threatening its people with spiritual deprivation.⁵²

In late 1264 all those involved in the rebellion, from Barons to Bishops were excommunicated and their lands put under interdict. Any person either in France or in England who dared to provide them with *auxilium*, *consilium* or *favorem* were also excommunicated as well.⁵³ This formula matches the same formula used in Occitania during the Albigensian Crusade against those who trespassed either Church or State. Like in Occitania, like in the First Barons' War, in the Church's eyes, the Barons were heretics of violence. By seeking to overturn the state through violence they were trespassing against the Sacramental Kingdom of God. Furthermore, Montfort's control of the English

⁵¹ Powicke, Henry III and the Lord Edward p.472

⁵² Jones, *Before Church and State* pp.303-304

⁵³ Ibid p.308

Church and the conditions which he laid upon it (no Papal legate or Legatine orders) threatened to create a schism between the Western Church and The Church in England.⁵⁴ The revolution, created by and maintained through violence, had reached a new degree of radicalism.

This radicalism, both in the religious and governmental reforms, shook the foundation of Simon's coalition. The first major defection was Earl Gilbert, who assisted in the escape of the heir Edward. Edward began raiding the Baronial forces and Simon responded by attempting to intercept him. At the Battle of Evesham, Simon's forces were completely massacred, and both Simon de Montfort and his son were killed in the battle, dying excommunicated by the Church. Henry III was freed, and the bulk of the Baronial forces were dead or were surrendering. With the exception of one major castle and the Isle of Ely, the Baronial opposition was decimated and their power broken, ushering in an era of unity in England that would last into the 1290s.⁵⁵ The victory won by Edward and Henry would have to be followed by a period of reconciliation for it to be complete, and this was the next challenge that was to try his reign.

Part Four: Won the War, Winning the Peace

All that remained between Henry and mastery of the Kingdom of England was the castle at Kenilworth, under siege by Royalist forces. In the meantime, Henry's vaunted temper was on full display, as he sought to severely punish those who had rebelled

⁵⁴ Powicke, *Henry III and The Lord Edward* Vol 2 P.492.

⁵⁵ Michael Prestwich, *Plantagenet England: 1225–1360*, (Oxford: Oxford University Press, 2005), p.121

against him. All rebel lands were immediately sequestered, triggering a period of looting throughout the country as those associated with the Baronial faction were disciplined.⁵⁶ There were two main rebel strongholds remaining, at Kenilworth Castle and the Isle of Ely. Henry was prepared to drag the siege out, but the combination of the shock of the looting of the baronial lands and the degree to which sieging the castle was considered impracticable resulted in the intervention of the Papal Legate Ottobuono de' Fieschi (who would someday become Pope Adrian V).⁵⁷ This intervention could not be ignored either, as he had been granted by Pope Clement almost complete control over the government (both the secular and ecclesiastical arms) of the Kingdom of England.⁵⁸

Boniface of Savoy returned to England in May of 1266, a symbol both of the healing of England and the reconciliation that was to shortly come. The product of this reconciliation at the urging of the Church was the Dictum of Kenilworth of 1266, awarded through mediation by the Legate, Henry, the Barons, and Louis IX. The Baronial faction present in the negotiations was even made up of many former rebels.⁵⁹ The Dictum promised forgiveness and reinstatement of land to the rebellious barons, provided they paid the value of ten years of harvests on the land as an indemnity. No one was to take revenge on anyone, nor commit any further violation of the peace, this oath was to be sworn on the gospels.⁶⁰ Finally, the Legate and the King were exhorted to crush

⁵⁶ Adrian, *The First English Revolution*, pp.150-151

⁵⁷ Ibid pp.156-157

⁵⁸ Powicke, *King Henry III and The Lord Edward* vol. 2 p.527

⁵⁹ Award of Kenilworth in *Documents of the Baronial Movement 1266*, trans. R.E. Treharne (Oxford, Clarendon Press, 1973), p.319.

⁶⁰ Ibid p.337

any mention of Simon as a Saint, “as he died excommunicated according to the belief of the Holy Church”.⁶¹ Those who persisted in this belief were to face both religious and temporal sanctions. Henry’s temper had been quenched by this point, as he even pleaded with Louis on the Baron’s behalf to not raise the indemnity higher than ten years of harvests.⁶²

The following year Henry promulgated the Statute of Marlborough. These statutes went even further to conciliate those who wanted reform in the Kingdom of England by incorporating several of the aims of the Provisions of Oxford.⁶³ This Statute was written with the approval of the Papal Legate, who left his seal upon it.

Once again, just as the First Barons’ War which ended after the confirmation of the Magna Carta sealed by the Papal Legate, the Second Barons War would end with many of the provisions of Oxford confirmed *after* the victory of the Royalist forces and sealed by the Papal Legate. Once again, the matter of reform was not the issue, or else it would not be confirmed afterwards. The manner of the confirmation would be the most important thing as privileges graciously conceded from a position of power to remedy an ill are legitimate, while privileges secured through violence are not.

The work of the peace would be difficult but was supported and inculcated with the power and authority of the Church through every step of the process. The Legate traveled around England to Baronial strongholds, preaching and negotiating forgiveness

⁶¹ Ibid p.323

⁶² Ibid p.536

⁶³D. A. Carpenter, *The Struggle for Mastery: The Penguin History of Britain 1066–1284*, (London, UK: Penguin, 2004) p.382

to Barons who accepted the terms and asked for remission of their sins. Those who had rebelled against the secular power were urged to return to the faith of the Church, as the secular rebellion was considered a religious one as well.⁶⁴ Religious reconciliation and punishment was meted out as well, as the Legate stripped four Bishops who had supported the Baronial cause of their position and sent them to Rome to face trial. Those Bishops who were not stripped of their position were assessed heavy fines.

Justice to the Jews would be forthcoming as well. Henry reversed many of the laws passed by Simon against the Jews and sought to help them reclaim some of their prosperity.⁶⁵ Prosperous Jews were of course a benefit to any kingdom, but Henry surely had a nuanced view on the topic, as our earlier discussion of Henry and the Jews demonstrates. Powicke contends that Henry was so conciliatory to the Jews in the aftermath of the Baronial rebellion that the resulting animosity generated by their debtors (recently restored of their debts, since Simon canceled them all) helped lay the groundwork for the expulsion of the Jews under Henry's son Edward.⁶⁶

The "political crusade" that was the Second Barons War had come to a close, and Henry's reign was to end soon as well. Cynical readers of the Second Barons' War as a struggle for freedom against tyranny have little to go off, as do those who would seek to drive a wedge between Henry and the Papacy's ontological idea of Church and State. Those who threatened violence against the State were considered schismatics, as

⁶⁴Powicke, *King Henry III and the Lord Edward* p.539

⁶⁵ Robert C. Stacey, "The English Jews Under Henry III: Historical, Literary and Archaeological Perspectives". In Skinner, Patricia (ed.). *Jews in Medieval Britain*. (Woodbridge, UK: Boydell Press, 2003), P.53.

⁶⁶ Powicke, *Henry III and the Lord Edward* vol 2 p.517

necessarily violence against the State entailed violence against the teachings of the Church as well. Just as it had been in Occitania during the Albigensian Crusade, just as it was during the First Barons' War, so it was during the Second Barons' War. For Henry and the Church, they were striving against a worldview of chaos, one where power comes (to borrow an expression from Mao) from the barrel of a gun. Privileges seized by violence created a foundation that could only beget more violence, unrestrained as Henry was by any independent moderating force.

Therefore, the Barons expelled foreigners and massacred the Jews, they took the Church in England out of Communion with the Church in Rome, they rioted, and they imprisoned nobles. Their rule was secured by hostages and would have to be ended by violence just as it had been secured by violence, as they refused any other outcome despite their obligations, under Treaty, to obey the arbitration of the French King. Their rebellion against the State was therefore a rebellion against God, from whom all power flows, as it had flown to King Henry when he was given the chrism oil at his coronation. Regardless of the real necessity of reform (which was great and acknowledged by the Papal Legate in the Statute of Marlborough) the way the Barons sought to achieve it was abhorrent to the Medieval conception of Christ, who shared the name of justice.

Chapter Four: Conclusion

John 1:5 Douay-Rheims Version-And the light shineth in darkness, and the darkness did not comprehend it.

Henry passed away on the sixteenth of November, 1272 with his wife in attendance.¹ There might have been some sort of movement centered around the Royal palace to get Henry canonized, as the design of his tomb seems to be made with relics in mind and when Henry's body was exhumed in 1290 it was noted that his body was incorrupt, a typical sign of saintliness.² Nevertheless, any campaign to canonize Henry never went further than the early theoretical stage and he remains off the role of canonized saints.

Henry's legacy can best be summed up by his obituary in the Lanercost chronicle:

*Also, at this time King Henry of England, devout servant of God and the Church, departed from this world, on the feast day of Saint Edmund, Archbishop of Canterbury, after he had ruled over England fifty-six years and four months. He was buried at Westminster...*³

What Henry represented as King was the idea of power as a trust held by secular rulers on Earth on behalf of God. The integration between the religious and the secular power was so complete that the Archbishop of Canterbury referred to them as two arms of the same body.⁴ Because the integration was so complete, rebellion against the King was in turn rebellion against God, and vice-versa.

¹ Howell, *Eleanor of Provence*, p.253

² Ibid p.306

³Lanercost, *The Chronicle of Lanercost*, trans.Herbert Maxwell, (Glasgow, JAMES MACLEHOSE AND SONS, 1913) p.6

⁴ Shirley, *Royal Letters Vol 2* p.61.

From the beginning of his reign, Henry lived this view and expressed to his parliament that the country was ruled through the King and its religious Ordinary. His foreign policy was colored by this view, staying the course with the Papacy even against the concerns of his councilors and his desire to recover the continental possessions.

In this Integralist, Sacramental worldview, the lines between the categories of Church and State only existed as far as they had separate expressions (different arms) within the body politic. In this world view, rebellion against God though heretical belief necessarily breeds violence, because rebellion against God is rebellion against the ultimate authority. Each expression of heretical belief was a little *non serviam*, to use a literary expression. And therefore, those who rebel with violence against the State are guilty in relation to God as well since His authority is delegated to the State. It is for this reason that the Legate told the rebel holdouts to surrender and “reconcile with the Church.”

The idea of rebellion was intrinsically connected with the idea of violence. The violence of rebellion begets violence, which Louis recognized in his *mise*–violence against Royalist nobles, violence against foreigners, violence against Jews, violence against the Church. The foundation of violence begets further violence and destroys the peace which the Church so zealously defended, the peace of which the Bishops in the Peace of God movement stated: “Splendid is the name of Peace”⁵. Rebellion interrupted a

⁵ Head, *The Development of the Peace of God*, p.656

carefully constructed world and threw it into chaos, and thus the Church and the State responded according to that view.

If disagreements with the State do exist, they are to be resolved peacefully and according to the law. According to the Treaty, the arbiter of the disputes was supposed to be the King of France, and the Barons swore to uphold his decision. Their failure to do so did not represent the action of forlorn martyrs of representative government, or of conscience or true religion as Powicke seems to suggest, but of the idea that power comes from the point of the sword.

Today, the Statutes of Marlborough signed by Henry III and the Papal Legate in the aftermath of the Second Barons' War remain the oldest piece of statute law still in force in England as of 2022. In a country that is increasingly secular, with an established Church that split from the Catholic Church five centuries ago, the oldest piece of statute law still in force is one sealed by a Papal Legate and promulgated, of course, by Henry III. This still-extant law remains as a reminder of a time long-since gone, when throne and altar ruled not in alliance, but as one singular whole.

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