



"The English Church and its Gradual Move towards a Reformed Church: Church-State Relationships from the Early Middle Ages to the Eve of the Reformation."

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Abstract:

This article tracks and examines the different stages that led to the establishment of the English church through the Church-State relationships and its gradual move towards a Reformed Church in the sixteenth century. The Church of England traces its roots back to the early Christian church; nevertheless, it acquired its Anglican character with a strong connection to the state at the time of the Reformation. This article will consider the events that led to the move of the 'English Church' to a Reformed Church. Within this perspective of the move towards a Reformed Church, we deemed it important and necessary to consider the state of the English church from the introduction of Christianity to England to the eve of the Reformation which gave it the title of a Reformed Church.

Keywords: English Church; Church-state Relationship; Middle-Ages; Reformed Church; Papal authority.

The research:

Covers the following issues:

- 1- How did the English Church evolve towards a Reformed Church
- 2- The germs of the Reformation started in the early Middle Ages
- 3- Bibliographical data
- 4- The qualitative, chronological and thematic approach
- 5- The character of the English Church as distinguished and crystalised through centuries to develop into a Reformed Church
- 6- The article invites to ponder on the attribution of the English Reformed Church to the early Middle-Ages

1. INTRODUCTION

Since early in its history, the English church was divided into two provinces; Canterbury and York, each headed by a Primate of the rank of Archbishop. The established Church was subject to political and religious changes. Besides the religious role played by the Church, it assumed new official functions and it took part in law-making through its presence in the House of Lords. Its representatives were known as Lords Spirituals. Though the Church-state relationship was symbiotic, it was marked by perpetual ups and downs.

The history of the English Christian Church will be considered through the Church-State relationships which will be examined from the Early Middle Ages to the eve of the Reformation. The efforts of the English monarchs to keep the English church free from Papal authority and usurpation started long before Henry



VIII's breach with Rome. The church-state relations throughout the whole medieval period to the Reformation will reveal much of the contention that emerged between the two. The English Reformation led to the birth of a Reformed Church, also known as the Established Church of England described, mostly, *via media* (a middle way between Catholicism and Protestantism).

2. The English Church before the Norman Conquest (1066)

Most of the arguments regarding the first introduction of Christianity to Britain were attributed to legend. Yet, as far back as the second century, the religious history of Britain begins with the period of Celtic Christianity followed by that of Anglo-Saxon. Both Celts and Anglo-Saxons adhered to Catholicism with some differences in rites and much of a bitter and hostile racial antagonism unabated, notably, in Ireland; the home of the Celts.¹ The third century marked the period for the presence and spread of Christianity in England, and its connection with Rome appears, first, with Saint Alban's martyrdom in Britain during the Diocletian persecution of 303 CE, Later, the English clergy marked their participation in the Christian councils of Arles (314) CE, Wicea (325) CE, and Rimini (359) CE, and we learn that the English Church at that time was Episcopal.

About 410 CE, the Romans withdrew from England and left their government to the Britons. This departure led to the waning of Britain; with a state of confusion in its Church and a spread of heathenism. By 450 CE, the Teutonic tribes, known as barbarians, invaded England, their settlement led, eventually, to

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the establishment of seven small kingdoms with boundaries that were in constant change. Kent was dominated by the Jutes. Essex, Sussex and Wessex were taken by the Saxons, and East Anglia, Mercia and Northumbria were inhabited by the Angles. The kings of these states ruled on an alternate basis for a certain period. It happened that while some of the inhabitants of the invaded areas were driven out of their dwellings, others were subjected.

“For a century and a half, we hear nothing of the British Church, till the Silence is broken by the querulous voice of Gildas (500-570) who informs us of the degeneracy of the clergy, the decay of religion, the introduction and suppression of the Pelagian Heresy and the mission of Palladius to the Scots in Ireland. This long isolation accounts in part to the trifling differences and the bitter antagonism between the remnants of the old British Church and the new church imported from Rome among the hated Anglo-Saxons.”²

2.1. Christianity under the Anglo-Saxons

The Anglo-Saxon conquest (450) CE and the devastating wars that followed beset British Christianity with insecurity. The Britons, who were in a state of weakness, could not resist the aggressions coming from the Picts and the Scots from the North. They asked for help from the two German princes; Hengist and Horsa. From this time began the emigration of Anglo-Saxons to Britain. Philip Schaff, an eminent Christian historian describes the Anglo-Saxons as follows:

“They belonged to the great Teutonic race and came from the Northern parts of Germany and could never be subdued by the Romans.”³



Within a century and a half, the Anglo-Saxons dominated England. The Britons were either driven to the mountains of Wales and the borders of Scotland or reduced to slavery. The new settlers established an octarchy of eight Kingdoms: Kent, Sussex, Wessex, Essex, Northumbria, Mercia, Bernicia and Deira; with the last two kingdoms, generally, united, under the same ruler.⁴ The state of English Christianity at the Anglo-Saxon conquest is described as follows:

“Christianity was nearly extirpated in Britain. Priests were cruelly massacred; churches and monasteries were destroyed, together with the vestiges of a weak Roman civilisation. The hatred and weakness of the Britons prevented them from offering the Gospel to the conquerors, whom in turn would have rejected it from contempt of the conquered”⁵

In 596 CE Pope Gregory I sent a mission to Brita in led by the Benedictine Abbot, Augustine (?-604). Kent was the missionaries' first targeted station. By that time, Ethelbert (560-616) CE, became king. It was on the agenda of Gregory I, to direct a mission to the Anglo-Saxons because they were submerging in idolatry. This objective was achieved through the opportunity of the alliance of the French monarch; Ethelbert was converted and baptized in 597 CE, and Augustine was ordained the first Archbishop of England with a long line of successors. Later, another mission of thirty monks was sent in 601 CE, to support Augustine in his missionary work headed by Lawrence (also referred to as Laurentius) (d. 619) and Mellitus (d. 624). The latter was appointed the first bishop of London and became, eventually, the third Archbishop of Canterbury.

The Roman Christianity brought to England was different from that practised in the different parts of England which followed Celtic rites, namely, concerning Easter, baptism and the tonsure. These rites were a source of antagonism between the Saxons and the British clergy. Roman missionaries were successful in establishing churches in Kent and Essex thanks to the support of King Saesberht (d. 616/617) a relative of Ethelbert who favoured Christianity. Gradually, the Roman mission developed its native clergy and the process of the Christianization of the other kingdoms within Britain was made easy by the marriage of kings with Christian wives.⁶ By the seventh century, the two forms of Christianity; Celtic and Roman coexisted on an equal basis.

In an attempt to win the Celtic Christians to the Roman tradition, Augustine held two conferences with English bishops in 603 CE demanding to be recognized as their head along with the acceptance of the celebration of baptism and Easter according to the rites of the Roman Church. Later, the second bishop of Canterbury, Laurence (also Laurentius), sent letters to the Irish and the Britons inviting them to espouse the Roman rites, but their efforts were in vain.⁷

Oswald efforts were geared towards ending the controversy. For that purpose, he summoned a synod at Whitby (664) CE. Bishops from Northumbria, Essex and Wessex met to discuss issues relating to the calculation of Easter and the shape of the tonsure. The result of the theological meeting ended with Oswald's or (Oswui) in favour of the Roman rite which, eventually, became predominant in Northumbria and Essex.⁸

Theodore (also referred to as Theodorus), archbishop of Canterbury (669-690) (canonized Theodore of Tarsus), resorted



to the suppression of what remained of the Celtic rites in the Teutonic kingdoms of Britain between 688-690 CE. In 673 CE, he called for a national church council to meet at Hertford where it was declared obligatory to fix the Easter issue according to the Roman rite. Concerning Wales, Welsh bishops acquiesced to the archbishop of Canterbury. It was at that time of Theodorus and the Venerable Bede (673 -735) the father of English theology and history, that the process of fusion of English Christians was completed.

2.2. Church-State Relationship

During its early period of ecclesiastical history, the Church enjoyed independence and freedom in its activity. Neither of the Church nor State was recorded to have exerted influence over the other. The missionary approach geared towards the Christianisation of the king produced a *de facto* conversion of both the nobility and the population. This state of affairs, as argued, led the Church to rely on the power of the King.⁹ Church-State relationship in that period was referred to as "the symbiotic relationship" between them. Also, the Bishops' learning opened for them important positions in England, notably, their holding of official titles such as councillors to the king. The church-State relationship at that time is described as follows:

“Civil and ecclesiastical influences that should work in the same direction was a natural consequence of this close connection between the leaders of the two interests. The relationship of the ruling

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monarchs with the central governors of the Church at Rome was one of *entente cordiale*. The popes' admonitions were obeyed by the kings and kings' petitions to the pope were not rejected."¹⁰

This situation remained unchanged till the beginning of the ninth century when the Anglo-Saxon kings combined into a single kingdom. As early as the ninth century, a system of taxation was imposed on England by the Church of Rome; the taxation was known as Peter pence. The relationship between Church and State was one of understanding and amity.

The secular and ecclesiastical administration was directed by the king with the assistance of the Archbishop of Canterbury. The temporal aspect of bishops as temporal magnets allowed them to discuss and enact laws affecting spiritual and secular spheres of life. Laws relating to ecclesiastical affairs touched to the preservation of peace within the Church, the right of asylum, due payments to the Church the duty of repairing Church buildings the observance of holidays and feasts and penal proceedings against the clergy. The internal affairs of the Church were dealt with under the presidency of the Archbishop in assemblies and councils where the king and secular magnets took part.

On the one hand, the concerted work of clerics with secular officials in inflicting ecclesiastical penances urged to secure the payment of compensations by evil-doers and secure these payments by law. On the other hand, the bishops were allowed by the state to collect fines for a misdemeanour of secular officers in their places of work.¹¹ One consequence of the connection of prelates with lay or secular officials led to the prelates' invigilation over the lay officials and served as a "counterpoise to their influences"¹² This period witnessed an



increase in the number of monasteries, as a result of which the Church acquired more independence.

In the course of the tenth and eleventh centuries, in almost one-third of all the bishoprics, secular canons were removed and replaced by monastic chapters. Up to the tenth century, we learn that the principle of appointments to bishoprics by free election was still in practice, yet by large; their nomination was among the prerogatives of the king via the national council. Philip Schaff argued that this was recorded as the first attempt in the judicial sphere to withdraw from laymen all jurisdictions over the clergy.¹³

2.3. The organisation of the Church.

From the ninth century onwards, the Anglo-Saxon Church underwent a division into two archepiscopal provinces over which the Archbishop of Canterbury and York presided. Early in the Christianization of the Anglo-Saxon kingdoms, each state had one bishop except for Kent. From 673 CE, bishoprics proliferated thanks to the efforts of Archbishop Theodore (602-690) – also known as Theodore of Tarsus-. The bishop's work consisted of the dissemination of the faith through preaching and baptism. With the increase in the number of the clergy, superintendence emerged as clerical work. Later, they had to visit their dioceses and hold regular diocesan synods once a year. In their work of superintendence, from the beginning of the ninth century, bishops were assisted by archdeacons.

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Little by little the Episcopal dioceses organized themselves into smaller districts which became the office of the clergymen. Gradually, these boundaries witnessed a change, epitomized by the end of the eighth century, into the division of the whole Anglo-Saxon kingdoms into parishes. Each parish; constituted of some churches, came to amass property in different forms and ways. Property accumulation ranged from donations of landlords to gifts bestowed on religious occasions. Other sources of wealth accumulation came from tithes which were, in the beginning, given voluntarily, but ended up in successive taxation in the garb of ecclesiastical or civil ordinances.¹⁴

In the ninth century, England was attacked by the Danes who pillaged and destroyed monasteries. In 878 CE, Alfred the Great (849-899) CE induced them to settle under their ruler Guthrum I (d.890) CE. The latter was, eventually, baptized, and took the name Aethelstan. External attacks went on for another century, but the Anglo-Saxon kings were successful in retaking their lands from the Danish. However, Danish attacks were renewed by the end of the tenth century. The conflict was ended by the division of the realm between the Anglo-Saxon king Eadmund Ironside (d.1016) and the Danish leader; Cnut the Great (995-1035) CE, who had embraced the Christian faith and was favourable to the Church. Soon after the division of the realm and after the death of Eadmund, Cnut the Great became the first king of all England in 1017 C, and since his accession to the throne, heathen attacks to England stopped.¹⁵



3. The English Church under Norman Rulers (1066-1075)

William the Conqueror came to the throne of England with a claim to hereditary rule over England. In his conquest of England, he resorted to the consent of Pope Alexander II who gave him the benediction of the Church.¹⁶ In his description to the Normans, Kendall writes:

“The Normans were men possessed of vigour, spiritual as well as physical, which was altogether new to the English people. They were at the forefront of every movement on the continent and their coming to England meant great things for the English Church as well as for the English nation. Their methods were rough and hard. They despised the English and were hated in return.”¹⁷

The Norman Conquest of England in 1066 did much in changing the course of English history, even though some Anglo-Saxon institutions continued to exist in the various social and economic spheres of life that were existent before 1066. The English Church took a Norman character thanks to the efforts of William who brought it in line with its counterparts in the Continent. With the culture he brought with him, a new aristocracy emerged in England that was French in language and culture. During his reign, political concern was oriented towards Continental affairs, namely, those of Normandy. New forms of land tenure and military service were established. The Norman style castles erected by the Normans were also a symbol of the new monarchy and its power.

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It is pointed out that the period following the Norman Conquest was marked by important developments in monarchy, government and religion. An important point characterizing Christianity during the early Middle- Ages to the period of the Reformation was the acquiescence of England to the authority of the Pope. Still, the Church managed, here and there, to preserve independence in the management of Church affairs. This happened even though: "Medieval men and women were born members of the Church, just as they were born subjects of the monarchy."¹⁸

Theodore, also known as Theodore of Tarsus (602-690), Archbishop of Canterbury, was successful in laying the foundation of the organization of the English church. Christianity was the religion of the English people in the different parts of England, yet heathen practices kept on surviving for some time. Throughout its history, the English church relied on such monarchs as King Edmund of East Anglia, and King Alfred who embraced Christianity and favoured its propagation.

Hitherto, the English church enjoyed a life of independence from Christendom. Despite the acknowledgement of Papal authority and its consciousness of being an integral part of it, it always managed to settle its internal affairs without any reference to external authority. On two occasions, historians recorded the attempts of Rome to dominate the English church. Yet the response of the English church demonstrated independence that emphasized its status on an even keel with the Roman Church. The first incident was in the eighth century under Offa (b796-d?) king of Mercia. Offa was in favour of the presence of a Roman ambassador to help him face the protest of Canterbury



against his efforts to establish an Archbishopric at Lichfield. A second incident is related to bishop Wilfrid (633-709) CE, one of Theodore's great suffragans, who was enjoined by the king and the Witan (the council of Anglo-Saxon kings) of Northumbria for challenging the king and taking the case abroad. This freedom, as noted, was not to last for long and on the eve of the Norman conquest, the life of the church was in a state of stagnation, and its influence began to wane. It was in such circumstances that the Norman Conquest made its way to England.¹⁹

The Norman invaders worked for the consolidation and sharpening of civil power in England, especially, when Gregory VII, became Pope in 1073 CE. The latter was determined and vociferous about subordinating civil powers to the Papal authority of Rome. The desire of ecclesiastical authority to encroach upon the power of civil authority was to lead to opposition and confrontation of Church and State. It is important to note here that this period was marked by the authority of the Church and its clerics. Norman bishops established their dioceses in the great towns and built their colossal cathedrals and, eventually, they concerned themselves with the introduction of new services to the Church.²⁰

The initiation of the Pope's claim in civil authority appeared after the reigning pontiff, Alexander II who blessed William in his invasion to Britain. His successor, Gregory VII, "seized the opportunity of advancing a claim to temporal dominion"²¹ Gregory VII demanded from William the Conqueror to pay his debts of the Peter pence²² and required the homage of the

English dominions. Giving homage meant for England its subordination to the Holy See in Rome. William paid the tribute and refused the homage retorting that he held the kingdom of England of God only and his sword. Regarding this state of affairs, it was argued that William the Conqueror prepared the way for Papal intrusion.²³

Under the reign of William I, the system of Anglo-Saxon jurisprudence was subject to alteration. William leaned towards the adoption of Danish law, his English subjects reminded him of the oath he made at Berkhamstead where he consented to the observance of the laws established by their Anglo-Saxon king to the realm. As a result, in a general council, he ordained that the laws of Edward the Confessor (1003-1066) CE, the last Anglo-Saxon king, with additions and alterations he made. Despite the confirmation for the preservation of the Saxon system as the basis of Canon Law, one of the important alterations touched to the separation of the Church courts from the civil courts. Before the adoption of this measure, cases of breaching the Church law were treated under common courts.²⁴

The aim behind this ordinance was to make effective the withdrawal from the secular courts all cases on issues on 'the guidance of souls' and made them the exclusivity of the ecclesiastical law.²⁵ Thus, as argued, for the first time, relatively, the state recognized an independent ecclesiastical power; this recognition constituted a firm basis for the Church's claims in all future disputes with the state.²⁶

That separation between church courts and lay courts were implemented by Lanfranc (1005-1089). With the support of the Conqueror, Lanfranc introduced the necessary reforms. For



instance, he was responsible for the introduction of rural deans in England, as officers for local supervision of clergy and people. The rural deans' duty was that of discovering and punishing immorality. In Lanfranc's time, archdeacons also spread to all the English dioceses, eventually, almost every county in England had its archdeacons, while before the Conquest such officers were limited in number. These provisions, destined for the organization of the Church, were in a Norman-style pattern and the new Normans became the leaders of the English Church. William, I resorted to the removal of the Saxon prelates from their bishoprics and their replacement with Normans and Italians: who were described as having no concern with the civil state in which they lived and gave their homage to a foreign power.²⁷

Concerning his position towards Rome, the Conqueror made it clear by stating that: "No Pope should be recognized as Pope in England without the royal authority; "²⁸ In his definition to the relation of Church and state, he was emphatic about depriving the Church from the right of passing new church law and from excommunicating any of his servants without his consent. Nevertheless, William I's strength was in having a strong Archbishop like Lanfranc. The latter supported him so that:

” Papal claims, admitted in principle, were not admitted in practice. Appeals to Rome, free communication between English ecclesiastics and Rome, were kept in check”²⁹

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Canon laws that regulated and organized the Church in its religious affairs extended the ecclesiastical authority to the social and legal spheres of life of the English people by their

involvement in marriage and inheritance issues. Another means, through which the Church exercised its authority, in those days, was through ex-communication which resulted in the deprivation of the individuals from enjoying their rights as Christians. On ex-communication Philip Schaff writes:

“Excommunication was the exclusion from the sacraments, especially the communion. A bishop could excommunicate anyone who refused canonical obedience. But the bishop could only be excommunicated by the Pope, and the Pope no power on earth”³⁰

It is also important to note that in 1072 CE, William I integrated the higher clergy (prelates) as peers in the governing body of England. Nevertheless, it was in the perspective of William to keep the Church under control. Eardmer 1060-1126) CE; English historian, theologian and biographer of Saint Anslem, described William I’s position towards the Church as follows:

"Some of the things which he ordered to be newly observed through England, I will set forth.... . He would not endure that anyone in his should, save at his bidding, admit the chosen pontiff of the Roman city as pope it had first been shown to him. Nor did he suffer that the primate of his realm, to wit the archbishop of Canterbury.....presiding over a general council of the Bishops should enact or forbid ought, save such things as were according to his royal will and had been first ordained of him. Nor yet did he grant that it should be permitted to any of his bishops to appeal, excommunicate....."³¹



3.1. Church-State Relations under William II, (1056-1100)

William II was the third son of William I, who reigned between (1087 -1100) CE, was known as William Rufus and William the Red. Under his reign he expected the danger of the clergy bursting into an organized body with the Archbishop of Canterbury; as the primate of England, and the council of the national Church, was likely to happen.³²

After the death of Lanfranc (1005-1089) CE; the Archbishop of Canterbury, the post remained vacant. To avoid any eventual surprise on the part of the clergy, William II declared himself its Archbishop. Pressure from the nobility and the clergy went on for several years, but ended with the appointment of an Archbishop in 1093, however, the permission for holding a council of the national Church was declined.³³

The clergy provided an important source for the king to amass money. These funds were derived, especially from lay fiefs. ‘A lay fief was a property held through homage to a higher lord, but without being the outcome of clerical or other positions held by appointment. An ecclesiastical crown fief became a knight’s fee (or propriety) after the death of the occupant. In the absence of an heir, they became the crown’s property.’³⁴

3.2. Church-State Relations under the Reign of Henry I (1068-1135)

King Henry, I was strongly determined about preserving the powers he inherited from his forefathers. For instance, the resolutions of Church councils under his reign were formulated with his consent or the secular magnates (noblemen).³⁵ The prominent struggle between the church and the state during his reign appeared with Saint Anslem (1033- 1109); Archbishop of Canterbury over Investitures.³⁶ A digression needs to be opened here to explain the source of the problem. When William I invaded England in 1066; he granted lands in both England and Normandy to a monastery at Bec in Northern France. In one of Anslem's visits to these lands, William II; son of William I (the Conqueror), named him Archbishop of Canterbury (1093). The See had remained vacant since the death of Lanfranc (1089) and during which the king confiscated its revenues and got the equivalent of all the lands in gold. When Anslem accepted the position, he did it reluctantly and accepted mainly because of reforming the English Church. To accept his consecration as bishop was linked to William II's restoration of the lands of Canterbury and his acknowledgement of Urban II as the rightful Pope instead of Clement III. The bad health condition of William II and his fear of death pushed him to agree on these conditions, and Anslem (1033-1109) was consecrated bishop.

However, after his recovery, the conflict erupted again when William II demanded from Anslem the sum of money he needed



for annexing the Duchy of Normandy to his dominion, but Anselm having already provided the king with an important sum on behalf of the Church, refused to comply with William II who demanded the double of the sum.³⁷ Another argument emphasized the refusal of Anselm to do so save for simony³⁸ Anselm's refusal was met by William's deprivation of Anselm from the pallium Anselm retired to Rome then to France during the latter years of William II.³⁹ (end of digression)

During that time King William II was plotting against his brother Robert to seize control of the Duchy of Normandy and annex it to his territories. For this, he needed money and supplies. Anselm, on behalf of the church, offered a considerable and very generous sum to William, but he refused the offer and demanded double the amount. Anselm refused such an unreasonable demand. From that moment William began to plot ways of getting Anselm removed from his position as Archbishop of Canterbury by any means that he could. William even in effect tried to bribe Pope Urban II to depose Anselm in return for an annual tribute to be paid by the king to the pope.

At the Continental level, namely in Germany, a quarrel over Investiture was going on against emperors, Henry IV (1056-1106) and Henry V (1106-1125). In England Henry, I invited Anselm to return to England, but Anselm refused to give his homage to the king. Anselm also refused to consecrate the bishops invested with pastoral staff and ring.⁴⁰

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After long negotiations with the Pope and the Archbishop, the king's efforts were geared towards upholding his rights. Finally, a meeting at the gemot (a legislative or judicial assembly in Anglo-Saxon England) was held in London (1107). A settlement was reached whereby the king relinquished the right of Investiture concerning staff and ring. However, he retained this right about the Chapters, in addition to his right in filling the vacant Sees.⁴¹ Anselm withdrew his opposition to pay homage to bishops concerning their temporal possessions. It is observed that "In the future as in the past, they were in this regard subject to feudal law." This success encouraged the Church for more demands.⁴²

The second issue under Henry I's reign was the Canterbury-York dispute. The issue was about the position of the Papal legate. This position was attributed to the Archbishop of Canterbury in 1126 CE which meant that the Archbishops who had hitherto been subjected to the king, had become the representatives of the Papacy. As a consequence of these events, the Papacy had the right to intervene with the Archbishop's administration. As the power of the Church increased in England, its authority increased with it and led, eventually, to an increase of appeals to the Pope which manifested in the succeeding reign of Stephen.⁴³

3.3. Church-State Relations under the Reign of Stephen (1097-1154).

Stephen was the grandson of William I (the Conqueror). He was also known as Stephen of Blois, and his reign lasted from 1135 to his death in 1154. His reign was marked by anarchy resulting from the war with his cousin Matilda. He was succeeded by Henry II, Matilda's son; the first of the Angevin Kings.



Compared to the previous monarchs, King Stephen's reign is described as one that is pliable and compliant to ecclesiastical claims. This pliability came under the form of payment to the clergy who with the support of the nobles, Stephen was able to access the throne after taking it from Matilda.⁴⁴ The Second Charter of Liberties of Stephen, (1136) made a direct mention of the confirmation of the king by Pope Innocent II. What follows is a series of concessions that the Charter makes in favour of the Church:

- 1- It declared the ecclesiastical courts exclusively competent.
- 2- He promised the Chapters the management of the bishoprics' possessions during Episcopal vacancies.
- 3- The testamentary dispositions of the clergy.⁴⁵

4. The English Church Under Plantagenet Rulers Church-State Relations under Henry II (1133-1189)

The House of "Plantagenets" was a royal house that originated at Anjou in France. Modern historians use the name Plantagenet to identify the four distinct houses that distinguish English monarchy. Henry was the son of Geoffrey of Anjou and Matilda, daughter of Henry I. He was king of England between 1154-1189). Henry II contributed to the development of common law. At the beginning of his reign, law and justice were under the control of feudal lords.⁴⁶ It was during his reign that another great struggle surfaced between Church and State. An important Christian figure at that time was Thomas Becket. The latter held two important positions. He was a representative of the Church

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and a royal chancellor. Becket was elected by the king and Archbishop of Canterbury. Henry II had one objective; that of putting the Church under his control. This led, eventually; to Becket's resignation from the post of the chancellorship. The controversy began at the Synod of Westminster in 1163 CE.

The king called for the limitation of the right of the clergy to be tried by ecclesiastical courts. The reign of Henry II is described as:

“... one of the most import for radical improvements in the administration of secular law...” Therefore, it was believed that: “these proposals touching the spiritual courts were only parts of a more extensive scheme of reform.”⁴⁷

Reaching no agreement, the issue was debated again at the Council of Clarendon in 1164. Henry II reiterated his wish for the validation of the law of his forefathers. For the prior applicability and practice of this law, it was stated that the Constitutions were endorsed by both the barons and the bishops; who were partly intimidated by the king's coercions. In such circumstances, Becket ended up in acquiescence.⁴⁸ Concerning the Constitutions of Clarendon, Jordan Paul Carr argued:

“Several of the constitutions gave the crown clear dominion over the lords and their courts as well as over the Church and its canon law courts. One of the areas with which the Archbishop of Canterbury Thomas Becket took issue with, was the denial of the ecclesiastical courts to appeal to Rome and the Pope.”⁴⁹

4.1. The Constitutions of Clarendon (1164)

The Constitutions of Clarendon (1164) established the new role of the monarchy in judicial affairs. It included sections that aimed at establishing the way royal courts were to operate. The



Constitutions aimed at defining the limits of secular and ecclesiastical courts. They were composed of sixteen articles of which ten were considered by the See of Rome as:

“So hostile to the rights of the clergy that Pope Alexander III passed a solemn condemnation on them”⁵⁰

The Constitutions of Clarendon touched to Papal prerogatives, by removing its right for interdicts and ex-communication, thus: counteracting much of the clergy's powers in the country in favour of that the crown. Section Eight of the Constitutions of Clarendon states the following:

“Concerning appeals, if they shall arise from the archdean they shall proceed from the bishop to the archbishop. And if the archbishop shall fail to render justice, they must finally come to the lord king, so that by his command the controversy may be terminated in the court of the archbishop, so that it should not proceed further without the consent of the lord king.”⁵¹

This section of the Constitution is of paramount importance in that it prevented the possibility of the clergy to appeal to the court of Rome in judicial disputes. By his adoption of these rules, Henry II not only placed monarchy at the top of the judicial hierarchy of the Church in England but also marked a step, through the law, towards the independence of the Church in England from that of Rome.

Section four of the Constitutions of Clarendon considered it illegal for ecclesiastical officers to leave the kingdom without the king's permission, as for section seven of the Constitutions, declared the protection of lay officials from ex-communication.

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It was made clear that the judgment of the clergy must be brought before the king.⁵² The conditions stated in the Constitutions of Clarendon concerning the Church and the clergy, hindered clerical power *vis à vis* that of the monarch. As a result of the Constitutions, Henry II was successful in strengthening the power of his kingdom by bringing the clergy under his power. A copy of the Constitutions of Clarendon was sent to the Pope with a request that he too would be a competitive rival, but the latter denied consent. The request was resent supported by letters from the Archbishops of Canterbury and York, still, the Pope remained firm on his position.

A complaint by one of the temporal magnets was brought before the king's court claiming that the archepiscopal court did not do him justice. A summon was, consequently, issued against Becket, the Archbishop who left it unanswered. As a result of this negligence, the king called him to appear before the council of Northampton (October 1164). Becket was sentenced to the payment of a fine and was required to provide an account of his administration to the chancellorship. This state of affairs led to Becket's repudiation of the royal verdict and appealed to the Pope in Rome. Becket was sentenced to imprisonment, but he managed to flee to France. While there, he went to Sens, in Burgundy, and met the Pope. The latter declared the sixteen chapters of the Constitutions of Clarendon in contradiction to the canons.⁵³

As a result of the severe measures that the Pope was to take against the king, Henry II became reconciled to Becket and allowed for his return. Becket went back to England and exulted at the number of excommunications from Rome. This attitude provoked the king and the result was the murder of Becket in the Cathedral of Canterbury in 1170 CE.⁵⁴ The way Becket died



promoted him to the rank of a martyr. As for Henry II, he was brought to a contract with the Pope's legates in 1172 where he promised the following:

- 1- Allow free appeal to Rome with the execution of Papal decisions.
- 2- Abolition of the customs was introduced during his reign to the ecclesiastical courts.
- 3- Release the bishops from the oath for observing the Constitutions of Clarendon, without renouncing to the Constitutions themselves.⁵⁵

4.2. Church-State Relations under Edward I (1239-1307)

Edward I, the eldest son of Henry III, reigned in the period between 1272-1307. Edward I's efforts were geared towards the strengthening of the power of monarchy to oppose the encroachments of the See of Rome. His reign is distinguished for its administrative efficiency and legal reform. He introduced a series of statutes that aimed at strengthening the crown. His amendment of English Common Law earned him the name of the "English Justinian." Through parliament, Edward enacted important Statutes between 1275-1290. The Statute relevant to the English Church was the Statute of Mortmain (1279), which led to the Crown's control of the acquisition of land by ecclesiastical bodies.

4.3. The Statute of Mortmain (1279)

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Before the law came into practice, the church was the recipient of land in the form of gifts; As a result, it became opulent in land possession whereby each cathedral had its estates. The vicars,

who as minor clergy and whose work consisted in taking care of the cathedral, like their superiors, had also their share in land in return for prayers for the donators. This state of affairs led to the issue of 'Mortmain'. Mortmain meaning 'dead hand'; was a concept that referred to the idea of tax payment to the king whenever land changed hands and belonged to a new proprietor after the death of its owner. Concerning the Church and its possession of the land, it was exempted from tax. Therefore, the king received no tax from the Church.

The Statutes of Mortmain came to reestablish the prohibitions against donating land to the Church because of avoiding the payment of taxes. The Statutes draw their roots from the *Magna Carta* (1215) which emphasized the prohibitions against the subjugation of land. Two Statutes of Mortmain were enacted for that purpose; in 1279 and 1290. Another concern of the law was to curb any eventual attempt at abusing, for instance, people on their deathbeds and their encouragement for donating portions of their lands.⁵⁶ An argument suggests that the King was not disturbed by Church possessions' inland, but through the Acts, his aim was not geared towards the elimination of gifts given to the Church but rather limit its desire for buying more land.⁵⁷

It is equally important to note that it was during Edward I's reign that the clergy acquired more rights. The diocesan clergy, for instance, were recognized as part of a national synod, which meant that they stepped into a representative power. In the first decade of his reign, it was decreed that at least two representatives chosen by the clergy of every bishopric should



attend the national synod. Their attendance aimed not only at redressing grievances and grant subsidies but would also call for their participation in the deliberation on the general welfare of the Church. In this respect Carwithen further argued saying:

"No measure was so admirably calculated to form a banner against the usurpations of a foreign spiritual power as a national and representative convocation. This was far from being the only or the most important measure of Edward I for reducing Papal supremacy. He attempted to repress that pernicious (harmful) custom of enriching foreigners with the ecclesiastical property of England."⁵⁸

The clerics and their prelates (superiors) at that time, imposed on monasteries and their related houses to devote a large part of the Church's wealth to be conveyed out of the kingdom. Consequently, it was decreed that any person found guilty of such an act would be grievously punished for disobedience of the king's injunctions. Arguing about Edward I, Carwithen writes:

"His projects were long in arriving at maturity. Their effects at first, were scarcely perceptible and probably were not contemplated even in them by himself, they contained with the germ of the Reformation."⁵⁹

4.4. The Statute of Carlisle (1307)

Carlisle; a city in Cambria in the Northwest of England, gave its name to a Statute enacted by King Edward I and his parliament. The immediate issue of discussion related to the governance of Scotland, however, the Commons brought it to the attention of the assembly the Papal interference in the internal affairs of England. The content of the petition reads as follows:

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“To our lord the king, the earls, barons and the whole community of the land pray for aid and remedy for the oppressions listed below, which the pope causes to be carried out in this realm and to the disinheritation and prejudice of the king and his crown'. Papal provisors, they argued, were detrimental (harmful) to the entire realm of England because the Holy Church in all its estates of prelacy in this realm was founded by the king, and by their ancestors”⁶⁰

The king, with the support of his parliament, had authority over ecclesiastical matters; notably, about the vacancy of benefices.⁶¹ Custody should be retained by the king and his nobles.⁶² The petition emphasized two issues: the first being the appointment of an increasing number of foreign bishops to English benefices. Second, the revenues raised into the English Church were taken out of the realm.⁶³ The Statute of Carlisle made it a serious offence to the dispatching of clerical tax out of the kingdom of England. Furthermore, it made it clear that foreigners, residents in England, or native English were both subject to the law in case of a breach.⁶⁴

5. Church-State Relations under the Reign of Edward III (1312-1377)

Edward III, known as Edward of Windsor, was the eldest son of Edward II of England (1284-1327) and Isabella of France (1295-1358), daughter of the French king Philip IV (1268– 1314). He became king at the age of fourteen, in 1327. His father, Edward II, was subsequently murdered. Isabella and Mortimer acted as regents on behalf of the young Edward, but in 1330 Edward seized control of power and his reign lasted for fifty years. It is important to note that two of Edward's grandchildren (Richard II



and Henry IV) became, eventually kings of England. The royal houses of Lancaster, York and Tudor were all descended from Edward III.

The fourteenth century was marked by the birth of national sentiment in England; Edward III worked in the direction of the upholding of England's national consciousness and rights. He believed in English supremacy and his endeavours were geared towards that objective. The English realm and the English Church were being infiltrated by Papal authority through aliens; notably, the Italians and the French who took hold of the key positions in England. His reign is described as follows:

“The reign of Edward III fills a distinguished space in the national annals. It is in his reign that the parliament is supposed to have assumed its present form by the separation of the Commons from the Lords. It is in his reign also that the outline of the English convocation, obscurely to be traced in the reign of Edward I, was filled up. The bishops having a double capacity, as spiritual governors and temporal barons, sat both in the upper house of Parliament and the upper house of convocation, but in either respect, the two legislative bodies were not only distinct but preserved an analogy in their constitution.”⁶⁵

Opposition to Papal encroachment made further advancements and spread to all the regions of the realm, with the king at their head. More effective in the attack on the Pope was Wycliffe who was vigorous in his attack on the Pope that he was described not only as a precursor of the English Reformation but as a typical prototype.⁶⁶

5.1. Wycliffe: The Precursor of the English Reformation

Wycliffe was born in 1324 in Yorkshire; he received his education at Oxford where he graduated with a degree of Doctor in Divinity and a Master of logic and philosophy. **He** lived in the fourteenth century which is one of the outstanding periods in the history of England. His calls emphasized the separation of England from the See of Rome, the rejection of Papal jurisdiction and the opposition to its corruptions. Wycliffe opposed the court of Rome in its practice of sending provisors to ecclesiastical benefices, a matter which led to the enactment of statutes that will be considered in the fore coming pages. ⁶⁷

Wycliffe was a prominent figure in the fourteenth century in the history of England. He first gained popularity in the political sphere of life of England with his questioning whether the payment of the tribute which King John had promised to the Papacy shall be continued. Under his influence, it was decided that the payment should cease. Wycliffe substantiated his opposition as follows:

- 1- The tribute had no foundation in the Christian tradition
- 2- If it was to be taken, it had to be spent for the country's benefit
- 3- He also believed that their status as sinners would deprive them of the right of authority and property of any kind. ⁶⁸



Men of authority like John of Gaunt, the third son of Edward III saw in Church endowments a good opportunity for enriching himself at the detriment of the Church.⁶⁹ An eventual fact in the history of Papacy was to turn Wycliffe into a bitter opponent. In 1377, the Babylonian captivity had come to an end and the Popes who had lived in Avignon for seventy years because of current political conditions returned to Rome. In 1378, there was a vacancy in the Papal chair; two Popes were elected and one of them, the nominee of the French cardinals, went back to Avignon. This resulted in a bitter rivalry between the Popes which stirred Wycliffe's thoughts on questioning the office of the papacy itself.

A public disputation with a monk in defence of royal authority brought Wycliffe to the notice of the duke of Lancaster; the king's brother. In 1374, he was joined as a member of an embassy at Bridges to discuss with the Pope on issues relating to the freedom of the English Church. Yet, Wycliffe's involvement in this meeting exposed him to the evils and corruption of the Roman Church. Back to England, his emboldened attack on the Papal hierarchy assumed larger proportions. He criticized the Pope's encroachment to royal authority and criticized the secular and monastic clergy for their vices.⁷⁰ In public lectures that Wycliffe gave at Oxford, he attacked the Friars in a vociferating language for corrupting the character of the Church and he came to regard the clerics in their different titles as a dark spot that marred the ecclesiastical history of the Church. He believed that:

“The speciality of the monks originally had been the mission of retirement.... of the world, and spend the days in

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quietness and prayer. Their vows were those of poverty, celibacy, and, to a greater or less degree, of silence. In carrying them out they became the builders, the architects,

the copyists, the agriculturalists, the chroniclers, and the philanthropists of the Middle Ages. Their wealth became enormous. Instead of the plain and simple life of poverty, They erected edifices that were palaces, and... lived like kings on lordly fare, being clothed in fine linen and purple."⁷¹

After he retired from the university, Wycliffe gave himself to public lecturing where he continued to denounce Papal usurpations and the clergy's vices and expressed his defence of royal supremacy. The outcome was that a prosecution was instituted against him in Rome. Retired to Lutterworth, he gave himself to the translation of the Bible into English. In 1381, he wrote a treatise on the Eucharist where he expressed his opinion on the matter and was firm in his opposition to the doctrine of Transubstantiation for which he was condemned and lost the protection of Oxford.⁷² In his attack on the doctrine of transubstantiation, he was emphatic about the non-real presence of Christ in the Eucharist and the non-change in the substance of the bread and wine.⁷³ On the importance of Wycliffe, it was argued:

“To connect the history of the English Church with the biography of Wycliffe is not to invest that celebrated individual importance beyond his merits. His influence on the public transactions of that period was greater than is commonly supposed, and the progress of religious knowledge may be estimated from the support, as well as, from the opposition which he experienced. As long as he defended royal prerogatives against the usurped jurisdiction of the Pope, so long had he the countenance of the duke of Lancaster, and so long he was supported by the King and parliament. But, when he ventured against the common notion of the real presence, he was deserted by his powerful friends.”⁷⁴



It was within these politico-religious conditions of the fourteenth century that Wycliffe lived as a distinguished English Churchman who stood as a Reformer before the Reformation leaving behind him a fermenting leaven, first, with the Lollards or the Wycliffites and simmering in the long run, in the movement of the Reformation.⁷⁵

5.2. The Statute of Provisors (1351)

Papal provisors were at the origin of much of the political controversy in England because they were seen as threatening the crown's patronage. The See of Rome and the King were very much concerned with benefices and depended on them as an important source of income:

“The right to appoint one's nominee to lucrative ecclesiastical benefices were of vital importance and both the king and the pope invested immense resources in efforts to assume their rights. The plenitude *potestatis* claimed by the papacy and its subsequent increased use of reservation to benefices caused English patrons, including the king to resist papal appointees.”⁷⁶

The mid-fourteenth century witnessed increasing Papal demands for a tribute on England. The issue of Papal provision in England emerged anew in parliament and the king's purpose behind the summoning of parliament was to secure the raising of money to face his renewed hostilities with France, It was in this context

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that the first Statute of Provisors (1351) was passed. The Statute of Provisors of 1351 was a law enacted to interdict the issue of revenues' transfer from the realm and their placement in the hands of foreigners or aliens. It further emphasized the preservation of the right to the free election of Bishops and other prelates of the Church.⁷⁷ Using the opening of the Statute of Carlisle, the Statute of Provisors stated the following:

“The holy Church of England was founded by (Edward I) and his progenitors, and the earls, barons, and other nobles of his said realm, and their ancestors”⁷⁸

The first Statute of Provisors concerned itself with alien provisors in English benefices. William Stubbs, an English historian and Anglican bishop, writes:

“The great Statute of provisors, passed in 1351, was a very solemn expression of the national determination not to give way to the pope's usurpation of patronage”⁷⁹

The Statute of Provisors (1351) and later that of Praemunire (1353) were landmarks in the establishment of the new relations of England to the Papacy. The Statute of Provisors was regarded as a delivery from a stern and lasting stroke at the exercise of Papal interference in the affairs of England. The impact of the new legislation was:

“The anti-papal sentiment and feeling which had been growing in England since the early part of the thirteenth century crystallized and made itself permanent in the laws of the realm.”⁸⁰

5. 3. The Statute of Praemunire (1353)



The Great Council assembled in 1353 to present a series of petitions to the king including the Statute of *Praemunire* which was included on the statute roll for 1353. The petition brought to the attention of the assembly the necessity of finding a solution to appeals to courts outside of the realm, despite the fact those appeals to Rome had, dropped significantly since 1351; grievances raised in the same year were perceived as an undermining of the king's authority and that of his subjects. By enacting the statute of *Praemunire*, Edward III prohibited the making of appeals to foreign courts.⁸¹ Blackstone, a constitutional lawyer, defines *Praemunire* as follows:

"Introducing a foreign power into the land and creating an *Imperium in Imperio* [State within a State] by paying obedience to other processes which constitutionally belong to the King alone."⁸²

The king's protection of his loyal subjects, by that time, entailed the subject's, protection and that of his possessions by the king and by law. However, in case someone was found guilty of *Praemunire Facias*, he lost the king's protection, he would end up hanged and all his possessions like lands and chattels would be forfeited.⁸³ The Statute made it similarly clear for those who refused to appear after summons for the violation of the law; they would lose the king's protection, and would undergo forfeiture of their goods and chattels.⁸⁴

6. Church-State Relations under the Reign of Richard II (1367-1400)

Important events marked fourteenth-century England such as the Great Plague, the eruption of the Hundred Years' War with France, the Peasants' Revolt and the deposition of two English kings: King Edward II in 1327 and King Richard II in 1399.

Richard II was born in France (Bordeaux) as the son of Edward, the Black Prince and the grandson of Edward III. Being only ten years old when Richard's father died in 1376, the country was ruled by his uncle, John of Gaunt. Richard II, the Plantagenet King, ruled England from 1377-1399. Yet, his crown was subject to usurpation in 1399 by Henry of Bolingbroke, future King Henry IV.⁸⁵

6.1. The Second Statute of Provisors 1390

Pope Gregory XI (1370-1378) maintained his right to Papal provisions in England. For that purpose, the first parliament of Richard II assembled in 1377 to renew this complaint. In 1380, the Commons presented a complaint concerning Papal provision to English benefices. Pope Urban VI (1378-1389) considered it his right to fill the vacancies in English benefices with aliens. Following his instructions, Papal collectors were entrusted with the duty of collecting Papal tax.⁸⁶

The Statute was enacted and stated with determination the condemnation of clerics seeking these Benefices to exile for perpetuity and their abettors, among laymen, were charged with the penalty of treason. By the time the Statute was promulgated, it was concluded that any obedience to Rome on the issue of provisors to English Benefices after 29 January 1390, would result in definitive banishment and forfeiture of their goods.⁸⁷ The new Pope Boniface IX (1389-1404) responded to the Statute of Provisors and issued a bull in February 1391 denouncing and



making null and void the 1390 act and the preceding acts of 1307 and 1351. The bull could not be published in England because the 1390 statute forbade it.⁸⁸

6.2. The Great Statute of *Praemunire*, 1393

Papal claims to ecclesiastical benefices were seen as aggressions since for the most part, it was the Pope's clerics who filled the Benefices. Furthermore, citizens of the realm were encouraged to appeal to the Pope's courts instead of those of the king's. The Commons' grievances on papal Provisions resulted in the enactment of the Statute of *Praemunire* 1393. Richard II's efforts were geared towards reaching an agreement in that respect. The King's efforts were invested in that perspective, respectively in 1393 and 1394 but were in vain.

The Pope called for the repeal of the Second Statute of Provisors 1390. By 1398 it was difficult to reach an agreement for repeal; Boniface IX (1389-1404) was convinced to adopt a more moderate stance regarding the Statute of 1390. The outcome of the agreement between the King and the Pope regarding papal provisions was the Pope's approval to the king's chosen nominees elected by the chapters of Episcopal dignities (prelates).⁸⁹ An agreement was reached on nominating providers to Benefices on certain conditions. First, the posts would be taken on turns between the Pope's legates and those of the collegiate churches. For bishops, who were usually absent, it was stipulated that permanent residence was *sine qui non* with administrative work:

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“Since papal provisors were often absentee beneficiaries, many feared that the care of souls and charitable works, paid with English tithes, would dwindle.”⁹⁰

It was further agreed that no foreigners save cardinals were to be provided to the benefices. Also, the agreement ended on the note that no Papal provision was to interfere with the holder of the Benefice after the agreement was made effective. On these Statutes, Diana Martin argued:

“Generally, Complained that, although previous Kings and noblemen had endowed many churches and various charities, papal provisors usurped the right of the King and lay patrons. These Statutes proclaimed that the pope had increasingly appointed provisors to benefices to such an extent that parliament openly feared that few benefices would be left to Englishmen. Not only did papal authority usurp the authority of the chapters to elect their bishops.”⁹¹

On the difference between the Statutes of Provisors and *praemunire*, Diana Martin argued saying that it was the possible punishment which the King’s courts could inflict. The Statute of Provisors of 1351 ordered the immediate arrest of the defendant. If found guilty, the worst that could happen to someone persecuted under the Statute of Provisors, before 1390, was a fine, loss of the benefice and giving an oath for the future good behaviour. In contrast, the Statute of *Praemunire* ordered that the defendant be forewarned to appear in court. The warning afforded *praemunire* notice of the crime for which they were accused, and the two months allowed them to prepare a defence for a legal proceeding in which severe punishment was possible. Someone charged under *praemunire* could suffer outlawry, forfeiture property, and imprisonment at the King’s pleasure as well as the loss of the benefice under dispute.”⁹²



7. The Plantagenet Rulers of the House of Lancaster: Church-State Relations under the Reign of Henry IV (1399-1413)

Henry of Bolingbroke usurped King Richard II and became Henry IV, King of England from 1399 to 1413. Henry IV was the son John of Gaunt the fourth son of Edward III. He was from the Lancaster branch of the Plantagenet and was the King of England who used English as a mother tongue. Under his reign was the enactment of the last Statute of provisors, and one against heresy. The Lollards or Wycliffites had become a threat to the higher clerical orders. They retired to their places for worship and they were numerous in number to the extent that it was argued that if two persons were met travelling on the road, it was most likely that one of them was a Wycliffite.⁹³

The yearning to assert the independence of the English Church is illustrated in the Statutes of Provisors of 1390 and its reinforcement to the earlier statutes of 1351 and 1562, in addition to the great Statute of *Praemunire* (1398) which forbade and made it an offence to carry appeals from the realm to Rome.⁹⁴ This legislation found supporters among the Lollards who were accused of political and social agitation. They aroused the fears of the nobility, the gentry and the Church whosaw in

them a danger targeting the destruction of the English life as it existed at that time.

It was in the perspective of counter-facing the danger emanating from the Lollards or Wycliffites that the statutes for the burning

of heretics *De Heretico Comburendo* (1401) were passed. The suggestion for adopting such measure came from the Church and was endorsed by parliament.⁹⁵ Henry IV, instigated by his clergy, who backed him in gaining the Crown, resorted to the adoption of such harsh measures against the Lollards. The Statute referred to them as 'Confederacies of sedition and insurrection.'⁹⁶ All those possessing Wicliffe's books were called to submit them to their dioceses. Those refusing to comply with the directive were to be arrested and put in jail. In case the offenders refused to abdicate their beliefs, they were burnt on the stake.⁹⁷ Persecution led, eventually, to the extermination of any attempt at reform. While Wycliffe and his thought faded in England, It was taken by his Oxford students to Bohemia where it was to find fuller expression in John Huss (1369-1415) and Martin Luther (1483-1546).⁹⁸

The reign of Henry V (1413- 1422) witnessed the vigorous persecution of the Lollards. The Heresy Act issued in 1414, emphasized that the offence of heresy was civil as well ecclesiastical. The Statute empowered the magistrates to direct their efforts and use their power for the elimination of heresies. In the Statute, the Lollards were charged with state crimes. They were described as 'united in a confederacy to destroy the King and all the other estates of the realm, both lay and spiritual.'⁹⁹

7.1. Church-State Relations under the Reign of Henry VI



When the great schism (1378- 1417) in the history of the Roman Catholic Church was at an end, the Wars of the Roses between the House of York and Lancaster began. This period was marked by a renewed claim of the papacy over England by asserting the prerogatives of their predecessors. The pope wrote to the See of Canterbury blaming the Archbishop for his negligence in preserving and maintaining the right of the Apostolic See and directed a sharp criticism to the Statute of *Praemunire*.¹⁰⁰

The Pope wanted from his prelates in England to assert the rights of the See of Rome by declaring at parliament the unlawfulness of that Statute. The clergy of England also was commanded to preach against the Statute of *Praemunire* for its offensiveness to the See of Rome. In such an atmosphere, ex-communication was denounced against all who denied the unlawfulness of that Statute and the Statute of Edward III and Richard II were declared void. Displeased by the ineffectiveness of the letter he sent to the two archbishops, the Pope directed his blame to the King and parliament. In his letter to the parliament, he emphasized whoever obeyed these Statutes was deprived of salvation and demanded their repeal under pain of damnation.¹⁰¹

A new juncture with a new order of things was on the horizon. The invention of the printing press and the revolution affected the human mind. The late medieval man had become free from the shackles of the imposing dogma of the papacy. Minds had become free to seek after religious truth thanks to humanist thinking that originated in Italy and spread all over Europe. All circumstances gathered together to bring a civil and religious

awakening represented in the Reformation for the Protestants that led to the great schism of the Roman Catholic Church.¹⁰²

8. RESULTS AND DISCUSSION

The Celts and the Anglo-Saxons adherence to Christianity and their differences in rites concerning baptism and tonsure did not prevent them from coexisting. However, by the ninth century and the imposition of the papacy in Rome a taxation on England known as the "Peter pence" was recorded as an early incident that marred the relationship of England with Rome. Also, the bishops' education and learning opened for them the important positions of councilors of the king. The holding of such titles meant their acquisition of temporal power which gradually, inferred the Church of Rome in other aspects of the Kingdom's regulation as well as the English church which never ceased to be a national church. Among the important results regarding the move of the English church towards a Reformed Church as the fermenting sentiment of reform that was simmering till the eve of the Reformation as a result of an accumulation of injustices on the part of the Roman Church and its evil practices. Therefore, the Reformation finds its inception in the early Middle-Ages and epitomized in the sixteenth century.



CONCLUSION

The conclusion of a research paper needs to summarize the content and purpose of the article.

British religious history begins with the period of Celtic Christianity followed by that of Anglo-Saxon. Both Celts and Anglo-Saxons adhered to Catholicism with some differences in rites. By the seventh century, the two forms of Christianity; Celtic and Roman coexisted on an equal basis. In its early history, neither the Church nor State was recorded to have exerted influence over the other. The church-State relationship was to a large extent symbiotic. Also, the Bishops' learning opened for them important positions in England, notably, their holding of official titles such as councillors to the king. As early as the ninth century, the Church of Rome imposed a system of taxation on England; the taxation was known as Peter pence. The temporal aspect of bishops as temporal magnets allowed them to discuss and enact laws affecting spiritual and secular spheres of life. Bishops were allowed by the state to collect fines for a misdemeanour of secular officers in their places of work. This period did also witness an increase in the number of monasteries, as a result of which the Church acquired more independence.

With the Norman Conquest, the English Church took a Norman character thanks to the efforts of William the Conqueror. An

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important point characterizing Christianity during the early Middle- Ages to the period of the Reformation was the acquiescence of England to the authority of the Pope. Still, the

Church managed, here and there, to preserve independence in the management of Church affairs. Despite the acknowledgement of Papal authority and its consciousness of being an integral part of it, it always managed to settle its internal affairs without any reference to external authority. Papacy attempted to dominate the English church. Yet, the response of the English church demonstrated independence that emphasized its status on an even keel with the Roman Church. For instance, Gregory VII demanded from William the Conqueror to pay his debts of the Peter pence and required the homage of the English dominions. Giving homage meant for England its subordination to the Holy See in Rome. William paid the tribute and refused the homage retorting that he held the kingdom of England of God only and his sword.

A series of statutes were enacted for papal prerogatives and the statutes aimed at strengthening the crown. With the Constitutions of Clarendon (**1164**) was removed its right for interdicts and ex-communication. The Mortmain statute prohibited donating land to the Church because of avoiding the payment of taxes. The Statute of Carlisle made it a serious offence to the dispatching of clerical tax out of the kingdom of England. Furthermore, it made it clear that, foreigners, resident in England, or native English were both subject to the law in case of a breach. The Statute of Provisors (1351) and later that of Praemunire (1353) were landmarks in the establishment of the new relations of England to the Papacy. The Statute of Provisors was regarded as a



delivery from a stern and lasting stroke at the exercise of Papal interference in the affairs of England. The statute of *Praemunire*, (1353) prohibited the making of appeals to foreign courts.

This legislation found supporters among the Lollards who were accused of political and social agitation. The Lollards or Wycliffites had become a threat to the higher clerical orders. When the great schism (1378- 1417) in the history of the Roman Catholic Church was at an end; the Wars of the Roses between the House of York and Lancaster began. This period was marked by a renewed claim of the papacy over England by asserting the prerogatives of their predecessors. The late medieval society was marked by a new awareness that delivered it from the shackles of the imposing dogma of the papacy. All circumstances gathered together to bring a civil and religious awakening represented in the Reformation for the Protestants that led to the great schism of the Roman Catholic Church, therefore, the move of the English Church into a Reformed Established Church.

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- 7- Felix Makower. *A Constitutional History and Constitution of the Church of England*. London: S. Sonnenschein, Translation of Die Verfassung der Kirche von, England, n.d. P 1.
- 8- Ibid, p 4
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- 17- J. F. Kendall. *A Short History of the Church of England*. London, A & C Black. 1914. p 24
- 18- LYC Lehmberg, "Medieval British Society 1066-1485"
http://lyceumbooks.com/pdf/histvol1_chapter_06.pdf, p, 128
- 19- Op. Cit. Kendall, p 23.
- 20- Op. Cit. Kendall, p 25
- 21- J.B. S Carwithen. *The History of the Church of England*. Baldwin and Cradock, London, 182. Vol. 1, p 8
- 22- The Peter-pence: An annual tax of one penny from every householder having land of a certain value, paid to the papal see at Rome from Anglo-Saxon times until discontinued in 1534 after Henry VIII's break with Rome.
Source: https://en.oxforddictionaries.com/definition/peter%27s_pence
- 23- Op. Cit. Carwithen, vol I, p 9
- 24- Op. Cit. Kendall p 26
- 25- Quoted in Op. Cit. Makower, p 14.



- 26- Op. Cit. Makower, p 14.
- 27- Carwithen, vol. I, p 10
- 28- Kendall p 25
- 29- Idem,
- 30- Op.Cit. Schaff, vol IV p 335
- 31- Op.Cit.Quoted in: Felix Makower, p 15
- 32- Op.Cit. Makower, p 16
- 33- Op.Cit. Makower, p 16
- 34- Ibid, p17
- 35- Ibid, p 20
- 36- Investiture: The action of formally investing a person with honours or rank. ' *the investiture of bishops* '
<https://en.oxforddictionaries.com/definition/investiture>
- 37- <http://www.normandyvision.org/article31010701.php>
- 38- "Simony: buying or selling of something spiritual or closely connected with the spiritual. More widely, it is any contract of this kind forbidden by divine or ecclesiastical law. The name is taken from Simon Magus (Acts 8:18), who endeavoured to buy from the Apostles the power of conferring the gifts of the Holy Spirit.

Simony, in the form of buying holy orders or church offices, was virtually unknown in the first three centuries of the Christian church, but it became familiar when the church had positions of wealth and influence to bestow. The first legislation on the point was the second canon of the Council of Chalcedon (451). From that time prohibitions and penalties were reiterated against buying or selling promotions to the episcopate, priesthood, and diaconate. Later, the offence of simony was extended to include all traffic in benefices and all pecuniary transactions on masses (apart from the authorized offering), blessed oils, and other consecrated objects.

From an occasional scandal, simony became widespread in Europe in the 9th and 10th centuries. Pope Gregory VII (1073–85) rigorously attacked the problem, and the practice again became occasional rather than normal. After the 16th century, it gradually disappeared in its most flagrant forms with the disendowment and secularization of church property." Source: <https://www.britannica.com/topic/simon>

- 39- Op.Cit. Makower, p 17

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- 40- Staff and Ring: "Investing a candidate also involved giving him a pastoral staff, a ring and during the ceremony, the grateful new bishop received his title to a complex of lavish feudal estates, in turn, did his homage to the ruler which signified that he was a vassal of the King as well as a prelate of the Church. Source: <http://www.wou.edu/history/files/2015/08/Katie-Gray.pdf>, pp 3,4
- 41- Op.Cit. Makower, p 18.
- 42- Ibid, p 19
- 43- Ibid, p 20
- 44- Ibid ,p 20
- 45- Testamentary dispositions have to do with inheritance. It provides clear and concise guidelines to determine the heirs.

"an epoch of over five centuries' duration, in which the English testator's right to disinherit his children or other dependents for any reason that pleased his fancy was, unchallenged. Accepted as an inherent part of the common law, this testamentary freedom had been as carefully protected as the right of private property.... Testamentary disposition was known and exercised using the cwide. This Anglo-Saxon form of will prevailed in the ninth, tenth and eleventh centuries; it contained the characteristics of the post-obit gift (effective at the death of the donor) and the death-bed confession with its accompanying distribution of property. It is stated that there can be no real proof of these birthrights." Source: Joseph Dainow, "Limitations on Testamentary Freedom in England", Cornell Law Review, Volume 25 Issue 3 April 1940, pp 337, 339: <http://scholarship.law.cornell.edu/cgi/viewcontent.cgi?article=2306&context=clr>

- 46- Carr, Jordan Paul, "Feudal Strength!: Henry II and the Struggle for Royal Control in England" (2007). Senior Honors Theses. 134. <http://commons.emich.edu/honors/134.2007>. p 9.
- 47- William Stubbs, Constitutional History of England: In Its Origin and Development. The Clarendon Press, London. Vol I, 5th ed, p 140.
- 48- Op.Cit. Makower, p 22
- 49- Op.Cit. Carr. p 9
- 50- Op.Cit. Carwithen, vol I, p 17
- 51- Op. Cit. Carwithen, vol I, p 10
- 52- Op.Cit.Quoted in Carwithen Idem: p 10.
- 53- Op.Cit. Makower, p 23
- 54- Op.Cit. Makower, p 24



- 55- Ibid, p 24
- 56- Raymond Radigan et al, “Mortmain Statutes and Restrictions on Testamentary Gifts to Chantries”, New York Law Journal, Vol. 256. No 6. July 11, 2016. P 63
- 57- Op.Cit. Radigan et al, P 63.
- 58- Op. Cit. Carwithen, Vo.l. I, p 24
- 59- Op. Cit. Carwithen, Vo.l. I, p 25.
- 60- Op. Cit. Quoted in Gosling, p26
- 61- A Benefice: "an ecclesiastical tenure", whatever that may mean. For our purposes it may do to say that it relates to all that an *incumbent* accepts on his appointment to a *parish* – any endowments, the cure of souls in the *parish*, the *freehold*, the occupation of the clergy residence, be it vicarage or rectory. It used to include *tithes* when they were payable to an *incumbent*;
Source:<http://www.churchofenglandglossary.co.uk/dictionary/definition/benefice>, Accessed on 27/09.2017
- 62- Daniel Frederick Gosling, “Church, State and the Reformation: The Use and Interpretation of Praemunire from its Creation to the English Break with Rome.” Dr of Philosophy, University of Leeds, School of History, September 2016. P 26
- 63- Op. Cit Quoted in Gosling. P26
- 64- Op. Cit. Gosling: p 29
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- 67- Ibid, p 28
- 68- Op. Cit. Kendall pp 61,62
- 69- Ibid. Kendall p 62
- 70- Op. Cit. Carwithen, Vol. I, p 31
- 71- Dyson Hague, Wycliffe: An Historical Study. The Church Record S. S. Publications, Toronto, nd. Pp 21,22
- 72- Op. Cit. Carwithen, Vol. I, p 34
- 73- Op. Cit. Kendall, p 64
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- 75- Op. Cit. Dyson Hague, p 51
- 76- JS Hamilton, Diane Martin, “Persecution of the Statutes of Provisors and Praemunire in the King’s Bench, 1377-1394.” Fourteenth Century England. Vol 4, The Boydell Press, Woodbridge, 2006. p 110

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80- Quoted in: Ibid, p 116

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82- K.R McKilliam, "High Treason",

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84- Op. Cit. Gosling pp, 42,43

85- Grétar Rúnar Skúlason & John Gower, Richard II and Henry IV: A Poet and his Kings, Ritgerð til M.A.-prófs, Háskóli Íslands Deild erlendra tungumála, bókmennta og málvísinda Enska, 2012. Introduction

86- Op. Cit. Gosling P 52

87- Ibid

88- Ibid

89- Ibid .P 55

90- Op. Cit. Diana Martin P111

91- Ibid. P110

92- Ibid, p 111

93- Op. Cit. Carwithen, Vol I, p 38

94- Op. Cit. Kendall, p 65

95- Op. Cit. Kendall, p 66

96- Op. Cit. Carwithen, Vol I, p 38

97- Ibid.

98- Op. Cit. Kendall p 66

99- Op. Cit. Cawithen, vol I, p 39

100- Op. Cit. Carwithen, Vol I, p 39

101- Ibid, p 40.

102- Ibid, p 43.

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