Development of Episcopal Elections in the Early Twelfth Century

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Episcopal elections and abbatial appointments were at many times controversial leading up to the First Lateran Council in 1123, in that many elections did not abide by the canons and laws designated for such elections.¹ The First Lateran Council advanced the development of elections; instituting changes to where elections were held, who participated in elections, and how certain individuals participated in elections. Rights of secular powers, including the King, were greatly restricted, however, secular authorities managed to keep minor influences, particularly in Germany. Ecclesiastics held great sway over medieval communities and whoever occupied ecclesiastic positions directly shaped their surrounding region. Changes implemented to elections starting with the decrees of the First Lateran Council thus began a chain reaction throughout medieval Europe. The development of episcopal elections beginning in 1123 was therefore very important to the evolution of both the church, and European society as a whole during the twelfth century and on.

In order to analyze the changes that occurred to episcopal elections in the twelfth century it is important to first look at how elections were canonically supposed to run in centuries prior. In the period directly following the fall of the Roman Empire, leaders of the Christian church began creating new laws and canons to build up the church’s strength, and create a unified institution. The rules developed by early leaders and Popes were the laws that would theoretically be followed and enforced up until the twelfth century. Specifically in dealing with episcopal elections, it was Gregory the Great’s ideas which were used as guidelines until the time of the investiture controversy. Gregory the Great’s decrees involving episcopal elections are seen in his many letters. One such letter was written to an

individual named Benenatus, a fellow bishop, who visited the city of Cumae in March of 592 C.E. where their bishop had recently died. Benenatus wrote to Gregory asking the procedure for filling the empty position, in response Gregory stated, “we want you to advise the clergy and the people with one and the same consensus, seek out a priest to be appointed over them.” Gregory then continued to describe the character the prelate should possess stating, “He must be found worthy of such an important ministry, and must in no way be rejected by venerable church canons.” Gregory concluded his letter by instructing that once those steps had been taken to send the bishop elect to Rome in order to be consecrated. The process laid out in Gregory’s letter was the dominant process which would be followed for episcopal elections until the late eleventh century.

On a broad scale, Gregory the Great’s guidelines for episcopal elections can be seen as the best possible course, but in reality elections were conducted much differently. First, an elected official was to be chosen by the clergy and the people, with both groups playing a part in the election. The clergy generally consisted of bishops from neighboring regions that travelled to the city with the vacant See to participate in an election. This is different from later medieval times in that a closed group of electors, such as the cardinals, did not solely have the power to elect an official; instead a candidate was chosen by all individuals and clergy present at the election. The collaboration of both the people and the clergy was a crucial part of the election process because consent was required from both parties in order to make an election legitimate. On the other hand, that also meant that the consent of laity was required.

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3 Ibid, Gregory to Benenatus, March, 592 C.E.
4 Ibid.
5 Ibid.
7 Ibid.
since they fit into the category of the people. Lay opinions though, generally held more weight than those of the lower clergy and peasantry. A Dictum of Celestine I expressed that particular process of electoral theory stating, “A bishop should not be given to those who are unwilling to receive him. The consent and wishes of the clergy, the people, and the nobility are required.” The approval of laity and nobles was therefore, generally also required in order to make a new bishop’s election legitimate. The function of secular powers in episcopal elections would become very controversial in the eleventh century.

Episcopal elections preceding 1123 were plagued by interference from laity, causing many problems for the church. First and foremost, lay involvement in episcopal elections allowed secular powers to exercise control and power over the church itself. This was especially true in regards to smaller benefices and churches that often did not possess much power. Secular authorities were able to exercise control over the church for a couple of reasons. First, lay approval was required in order to legitimize a candidate’s election to an ecclesiastic office. Since canon law dictated that approval of all persons was required to make a prelate’s election valid, laity were legally granted the right to participate in elections. Secular powers interfered primarily by having candidates of their choice elected to important positions so they could then exercise their own will through those chosen prelates. Secular powers were able to accomplish such actions unhindered for the simple reason that they had the most power in their individual regions. A large rise in comital power occurred in the tenth and eleventh centuries as Counts, Dukes, and private castellans gained more power, and the influence of the King began to diminish. The more power an individual wielded, the more influence they possessed in an

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election. This was especially prominent in Francia, in areas such as Aquitaine and Normandy, where the King was more or less a ceremonial figure. In Normandy during the eleventh century for example, Duke William (The Conqueror) exercised undisputed control over the church. William himself appointed candidates to all episcopal positions, and his approval was required before any ecclesiastic decree was to be issued anywhere in Normandy. William’s power in Normandy represented an extreme case, but such actions occurred everywhere in Europe during the eleventh century and became a big problem for the church because the church was losing control of its own institutions. In many instances, individuals appointed to episcopal positions by laity put secular interests before those of the church; thereby placing control of their institution in the hands of secular powers and not of the church. The Roman Church was thus unable to complete its mission.

The second problem that stemmed from the process of episcopal elections before the First Lateran Council was laity’s control over church properties. Many churches’ lands were given to them by nobles or the King as benefices or fiefs. The layman who granted the land therefore felt he had the right to administer that land as he pleased. Laity then exploited the church’s wealth and lands through puppet bishops which they had previously appointed. This problem occurred everywhere across Carolingian Europe, and again was extreme in Normandy where lay patrons held tithes through the church for their own benefit and freely distributed church lands how they pleased. Along the same lines, another way secular powers controlled elections was through a system of propriety churches.

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10 Ibid.
12 Ibid.
13 Brooke, The Issue of Law, 8.
14 Paul Joachimson, “The Issue of Government: Conflict of Church and Empire.” The Investiture Controversy: Issues, Ideals, and Results. Ed. Karl F. Morrison (New York: Holt, Rinehart and Winston, 1971), 13. A propriety church was a church or abbey built on private property by a laymen or other secular power which then granted him control over propriety interests and ultimately allowed secular individuals to check the Church’s power and control.
Kings generally benefitted the most from proprietary church systems since they owned the most churches and bishoprics, as well as their properties. The Kings ownership of church lands gave the King a sense of entitlement to that institution’s wealth, land, and people. The King was able to thus use his control over church property to control episcopal elections; further limiting the Roman Catholic Church’s influence and power. An example of such occurred in Tuscany during the ninth century not by a King, but by a noble named Boniface who was the Count of Lucca. Boniface and his heirs were able to expand their rule over the rich lands of Tuscany through contracts and exchanges by exploiting the lands that had been given to the churches in the area by imperial favor. By manipulating those contracts, Boniface himself was able to gain control of those properties, and thus he was able to exploit their resources. Election processes before the First Lateran Council in 1123 were plagued with corruption, but in the late eleventh century reforms began that were essential to the development of episcopal elections leading up to 1123.

The first large step in the development of episcopal elections occurred in the mid-eleventh century upon Pope Clement II’s election following the papal schism. The schism was solved when King Henry III stepped in and facilitated the election of Pope Clement II after a synod held at Sutri in December of 1046. With the election of Clement II, the reform movement of the church began in full. Reformers such as Peter Damian, Clement II, as well as the later reformer popes like Leo IX, sought to restore and renew religious life throughout Europe. It was Pope Gregory VII (1073-1085) however, who contributed the most to the development of elections in that period during the investiture

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15 Ibid.
16 Ibid, 26.
17 Ibid.
19 Ibid, 57. A synod is a Church council usually called to discuss matters of doctrine.
20 Blumenthal, *The Investiture Controversy*, 64.
controversy. Gregory was upset with the corruption of the Church, specifically with lay investiture and the problems it brought concerning elected churchmen and property.\textsuperscript{21} The controversy however, was the main catalyst for instituting reforms to episcopal elections in the early twelfth century. During the investiture conflict, synods were held in both 1078 and 1080, which began the process of permanent alteration to episcopal elections.\textsuperscript{22}

It was declared at the synods of 1078 and 1080 that from that point on, no clergy were to receive the investiture of a bishopric, abbey, or church from the hand of any layperson; if any man did, they and the noble who had invested them would both be excommunicated.\textsuperscript{23} Ecclesia stated investiture had in their minds, “caused many disturbances in the church by which the Christian religion is trodden under foot,” and so their decree was justified.\textsuperscript{24} Thus, lay investiture was formally banned. A great uproar arose from secular powers, and another great schism occurred; this time between the church and state. Eventually, multiple negotiations between King Henry V and Pope Paschal II failed around 1110, prompting Henry to pursue violent action.\textsuperscript{25} Paschal, having no other option was thus forced to concede rights of investiture back to Henry in 1111.\textsuperscript{26} By 1122 however, political opposition and pressure forced Henry V to again renegotiate with Pope Callixtus II, and the agreement made initiated the great transformation of episcopal elections.\textsuperscript{27}

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\textsuperscript{22} Ibid, 104-5.
\textsuperscript{23} Ibid.
\textsuperscript{24} Ibid.
\textsuperscript{26} Chodorow, "Ecclesiastical Politics and the Ending of the Investiture Contest", 613-40.
\textsuperscript{27} Miller, \textit{Power and the Holy in the Age of the Investiture Conflict}, 120.
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The agreement created was called the Concordat of Worms of 1122. The Concordat did not completely and decisively end the problem of investiture, but it did change the rules surrounding episcopal elections. Within the Concordat of Worms, both Henry V and Callixtus II made concessions in an attempt to reunite church and state. Callixtus II’s concessions began first, stating that from then on all elections of bishops and abbots within the German Kingdom, or that pertained to the German Kingdom, were to take place in the presence of the King without simony or violence. The King was also granted the right to appoint candidates in disputed elections, but only after first seeking counsel from the present ecclesiastics. Lastly, Callixtus granted Henry the right to invest elected candidates with the regalia by means of the scepter, both within and outside of Germany. With that change, Henry V was also granted the right to invest a chosen individual prior to his consecration. King Henry V’s concessions to the Roman Church began first by remitting all investiture rights by ring and staff, thus giving up his right to invest candidates with their spiritual powers. Henry next agreed that within the Kingdom of Germany there would be canonical election and free consecration in all churches. Lastly, all regalia and possessions of the church which had been taken from the beginning of the investiture conflict until 1122 were to be returned to the Roman Church, and those properties which had been destroyed would receive aid in restoration. The Concordat of Worms was greatly important to the development of episcopal elections, changing many of the procedures dominant in pre-1122 elections, but its overall vagueness left many of its stipulations up for interpretation. Issues over varied

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30 Ibid.
31 Ibid.
33 Miller, *Power and the Holy in the Age of the Investiture Conflict*, 120.
34 Ibid.
35 Miller, *Power and the Holy in the Age of the Investiture Conflict*, 120.
interpretations of the agreement led the Roman Catholic Church to try and legally solve all problems the next year at the First Lateran Council.

The First Lateran Council of 1123 was crucial to the development of episcopal elections. Ecclesiastics present sought to end all problems concerning interpretations of the Concordat by transcribing its decrees into canon law. The First Lateran Council did not simply solidify the exact agreement at Worms, but rather constructed new canons for the grey areas. Decree three first stipulated that no one was to consecrate as a bishop, an individual who had not been canonically elected.\textsuperscript{36} This law formally ended the appointment of non-qualified individuals, and also placed emphasis on the idea that only individuals canonically elect could be validly consecrated. Decree eighteen of the First Lateran Council next stipulated that priests were to be appointed to churches by bishops themselves, and that nobody was to receive tithes and churches from any lay person without the consent of the bishops first.\textsuperscript{37} Decree eighteen therefore formally confirmed that no layman was, from that point on, allowed to invest an individual without the consent of the bishops first which effectively limited the amount of interference laity could run in elections.\textsuperscript{38} These stipulations did not apply to the King however, but rather his rights involving investiture were made clear by the agreement at Worms and did not need to be further addressed. The last decree of the First Lateran Council concerning episcopal elections was decree eight. Decree eight dealt with problems that arose, once again, over property and dealings with the regalia. Decree eight stipulated that no laity had the power to dispose of any ecclesiastical business or property, and warned, “if any prince or other lay person should arrogate to himself the disposition or donation of ecclesiastical possessions, let him be regarded as sacrilegious.”\textsuperscript{39} Property issues would

\begin{footnotes}
\item[36] Tanner, \textit{Decrees of the Ecumenical Councils}, 190.
\item[37] Ibid, 194.
\item[38] Ibid.
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become a large problem between the church and state in the decades immediately following the First Lateran Council. Disputes surrounding property interfered many times with episcopal elections themselves, as it had in the centuries preceding 1123. The legal and theoretical changes made to the processes of episcopal elections in both 1122 and 1123 advanced elections for the better though, affecting medieval society as a whole.

Following 1123, the kingdoms of Francia, Italy, and Germany experienced great changes, Francia and Italy more so than Germany, however, the Roman Catholic Church as a whole benefitted from the overall transition. After the First Lateran Council, individual churches and bishoprics across much of Europe no longer dealt with frequent lay interference, especially outside of Germany. Nobles were restricted from directly appointing candidates but were still allowed, and sometimes even required, to give their consent of elected individuals. Lack of direct secular presence in elections however, allowed the church to regain control of its institutions and its elections; with cathedral chapters becoming the primary electoral body. Such reforms were in stark contrast in areas like Normandy where before 1123 secular authorities controlled all church action and elections. Bishops and other churchmen alike were able to then freely elect their own officials, ensuring that chosen candidates were morally acceptable for the position and had the interests of the church in mind. The Roman Catholic Church gained much power from this development and was able to thereby transfer its focus away from internal problems, which were diminishing, to Christianity’s mission of educating and serving the peoples of the world. Again, the church’s success in this regard was primarily outside of Germany, since within Germany secular powers still exercised minor influence in episcopal elections. The church’s increased

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41 Ibid.
control of its own institutions and elections also made it far easier to facilitate reforms started back in the mid-eleventh century with Pope Clement II, such as the abolition of simony which similarly plagued the Church.

The evolution of episcopal elections following the First Lateran Council benefitted the church greatly, but the development of elections after 1123 also created a small divide between the church and the state, especially outside of Germany. Within Germany, such a divide was not apparent, and episcopal processes were more complicated than in Francia and Italy due to the King’s rights. In Francia and Italy though, the church was able to create a more definite political distinction between themselves and secular powers. Since nobles or Kings could no longer invest elected candidates with both temporal and spiritual powers, the functions of the Pope and primarily of the other high clergy to invest spiritual rights and to consecrate became far more prominent. The Pope himself gained more power and further legitimized his position as a direct result, which in turn created a larger divide between the church and the state.\textsuperscript{42} The distinction created was not definitive, bishops and other clergy still occupied both temporal and spiritual jurisdictions, especially as judges, but overall the evolution of episcopal elections after 1123 initiated the split of church and state which would expand in ensuing centuries.\textsuperscript{43}

In Germany, the church and state remained intertwined and processes for episcopal elections were far more complex due to the continued influence of the King. To start, episcopal elections

\textsuperscript{42} Kathleen G. Cushing, \textit{Reform and the Papacy in the Eleventh Century: Spirituality and Social Change} (Manchester: Manchester UP, 2005), 86.
\textsuperscript{43} Benson, \textit{The Bishop-Elect}, 307.
following the First Lateran Council were legally designated to occur in the presence of the King himself, or within his court. Such was a major development because before 1123, and even in Francia and Italy after 1123, episcopal elections generally occurred in a church without the direct presence of the King. In Germany however, the King was guaranteed the right to attend any and all elections, if he pleased. Although lower laity had lost their ability to directly influence elections, the King’s presence at elections had greatly increased. Elections within the King’s court benefitted secular powers immensely because they were able to retain a portion of influence through intimidation and sheer presence. On the other hand though, the church was promised free and canonical elections by the Concordat of Worms, and thus secular interference was still limited. In a similar fashion to surrounding kingdoms, the ability of ecclesiastics to conduct free and canonical episcopal elections within Germany allowed the Roman Catholic Church to advance in their goals; though it was not as easy as it was in Francia and Italy.

With the agreement at Worms in particular, the King, Henry V at the time, was given two specific abilities which allowed secular powers to continue interference in episcopal elections. First, the King was granted the ability to appoint a candidate in the case of a disputed election. The ability of the King to appoint candidates directly therefore continued from previous centuries, although the guidelines for how and when the King could appoint an individual had changed. Second, the King retained the right to invest temporal powers by means of the scepter. Nobles in Germany, Francia, and Italy, had lost their rights to investiture, but the King still retained partial abilities. The church had decided that only ecclesiastics should exercise the right to consecrate and invest spiritual powers. The King was thus left only with the right to invest an elected official with the regalia and the power to administer it. That right however, was substantial enough to complicate elections further, giving the King a definitive way to still

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interfere in elections. Many churches both within and outside of Germany had acquired or been given regalia before the First Lateran Council, therefore candidates elected to such churches needed the investiture of the King in order to administer their lands.\textsuperscript{45} The King influenced elections by refusing the investiture of a candidate whom he deemed unfavorable, which would then in turn leave that individual unable to administer his church or bishopric.\textsuperscript{46} As was the case leading up to the investiture conflict, the abuse of such investiture rights created many complications for the church and hindered its progress.

In the decade directly following the First Lateran Council, elections mostly proceeded accordingly; however, episcopal elections soon evolved again. The first additional development occurred following Henry V’s death in 1125, with his replacement by Lothar III as King of Germany.\textsuperscript{47} Lothar felt Henry V’s concessions in the Concordat of Worms hurt his position as King since he was unable to directly invest candidates and was thus unable to prevent the election of candidates who were hostile towards the throne.\textsuperscript{48} Lothar also disliked that bishops, like the Archbishop of Trier and Bishop of Regensburg, had seized the regalia before receiving his investiture.\textsuperscript{49} Lothar felt his royal right of investiture was being undermined, so he confronted Pope Innocent II and a new Concordat was issued in 1133 to solve the problem.\textsuperscript{50}

The new Concordat created added a new element to episcopal elections, particularly to churches that administered regalia. The Concordat declared, “no one elevated to episcopal or abbatial office in Germany should dare to usurp or to seize the regalia before having requested them from Lothar

\textsuperscript{45} Ibid, 253.  
\textsuperscript{46} Ibid.  
\textsuperscript{47} Ibid, 252.  
\textsuperscript{48} Ibid.  
\textsuperscript{49} Ibid.  
\textsuperscript{50} Ibid, 255.
himself”, thus appeasing Lothar’s problem. The new Concordat was originally written solely for Lothar, but subsequent Kings made use of it as well. The Concordat guaranteed that all elected officials who administered churches with regalia needed to gain Lothar’s investiture before they could take office. Again, this provided procedure for secular interference in elections by using the investiture of regalia as a means for choosing candidates. Lothar promptly took advantage of such powers. Shortly after 1133, during an episcopal election in Basel, a prominent Duke, Duke Henry the Proud, felt his power and influence over the region were weakened by the strength of the elected candidate, so he asked Lothar to refuse investiture to the candidate; Lothar obliged. The elected candidate was thereby unable to administer his church, and thus a new candidate had to be elected. Lothar’s actions clearly illustrate how secular authorities still found ways to interfere in episcopal elections after 1123. Two prominent figures in the Roman Catholic Church at the time, Conrad of Salzburg and Adalbert of Mainz, looked at Lothar’s intervention with disdain. Conrad described the incidence stating, “This scandal is the new presumption of the advocates, who ascribe themselves unheard-of rights in the elections of bishops, as though a bishop could not be elected unless they consent.” Conrad felt laity still had too much control in the church, and that ecclesiastics alone should elect their own officials. Adalbert of Mainz shared a similar opinion as Conrad, calling Lothar’s intervention, “the destruction of ecclesiastical liberty”, illustrating the views of many churchmen regarding the actions of the King and the reforms made by the Concordat of 1133. The last important addition to the development of episcopal elections in the early twelfth century came from the canonist Gratian around 1140.

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51 Tanner, Decrees of the Ecumenical Councils, 199.
52 Benson, The Bishop-Elect, 259.
54 Ibid.
56 Ibid, 28.
Gratian, in his text the *Decretum*, clearly defined the role of secular powers; stopping their interference in episcopal elections. Specifically, *Distincio 63* of the *Decretum* that defined secular roles. In *Distincio 63*, it is declared first and foremost that laymen should not take part in the elections of bishops. Gratian states that laymen should not be excluded from elections, nor that princes should be barred from filling offices, but that those individuals only need be summoned to elections to give their consent of elected candidates. Gratian goes on to say, “in the election of a bishop, the people must be present” and also that, “clergy and people should take part in the election of a bishop.” Such was simply a confirmation of what was accepted in the fifth century under Pope Leo the Great, but had since been neglected. The clergy and common people had a right to participate in the election of their own officials, and very few felt otherwise. *Distincio 63* lastly stated, “he who attains the episcopal eminence by royal appointment should not be accepted”, thereby definitively excluding secular authorities, except the King, from appointing candidates. Gratian justified the *Decretum* by arguing that what had been blameless in one period may be dangerous in another, and so it must be destroyed. Gratian’s *Decretum* was used throughout Europe as guidelines governing proper episcopal elections. Specifically defining the role of laity in episcopal elections was imperative to abolishing many of the problems surrounding elections in the eleventh and twelfth centuries. Thus, the *Decretum* had a large impact on medieval society and the development of episcopal elections after 1140.

Different aspects of episcopal election evolution in the early twelfth century elicited a variety of opinions from many prominent figures within the church. Differing views among ecclesiastics showed

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57 Ibid.
58 Ibid.
59 Ibid.
60 Ibid., 25.
61 Ibid., 28.
62 Ibid.
that the changes made were not always seen as correct, but they were still widely practiced and accepted. Norbert, Archbishop of Magdeburg (1080-1134), felt certain aspects of episcopal elections, like the seemingly required consent of laymen, were completely acceptable following past ideas from primarily Leo the Great’s doctrine which supported required consent from the King and the *Honorati*, or nobles, in episcopal elections.⁶³ Others like Gerhoh of Reichersburg (1093-1169) avidly believed the ownership of property, as well as the involvement of secular powers in episcopal affairs, were a critical problem for the church at large.⁶⁴ Gerhoh described his views stating, “the regalia and the ecclesiastica are so mingled that a bishop would now seem to rob the monarchy if he wanted to refuse the church’s properties to knights.”⁶⁵ Still others, like individuals from the Bolognese and French Schools, such as canonist Stephen of Tournai (1128-1203), accepted lay participation in elections after 1123, and felt they were a necessity in order to stop machinations.⁶⁶ The alteration of episcopal elections in the early twelfth century thus acquired many opinions, but overall the evolution of elections helped shape medieval development and church influence in the centuries following 1123.

The developments of episcopal elections centered on the legislation of the Concordat of Worms and the First Lateran Council were very important to the progression of medieval Europe in the twelfth century. Many aspects of elections changed, such as the roles of the King and nobles, while other aspects did not, like the participation of the clergy and common people in elections. The evolution of episcopal elections after the reforms of the First Lateran Council and Concordat of Worms allowed the Roman Catholic Church to grow and flourish, and to begin to separate itself from the entity of the state. Medieval society in general thus began to change as a direct result of the development to episcopal elections.

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⁶⁵ Ibid, 309.
elections in the early twelfth century. The Catholic Church was able to exercise more control over its institutions and officials, thereby allowing for more effective promotion of Catholic values as well as an increase in overall power and influence over regional societies. Medieval society accordingly, advanced in the transition towards Enlightenment, progressively breaking through the shroud that had enveloped Europe following the fall of the Roman Empire. For even the smallest addition, like the holding of elections in the presence of the King, instituted a large scale change on all of medieval Europe for the agenda of the elected directly correlated with the policies implemented and enforced at the basic level of society. Those slight changes to important processes, such as episcopal elections, can consequently have the largest impact on the development of a society, thus making that evolutionary process worth examination.
Bibliography

Primary and Secondary Sources


