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978-0-521-08929-6 - Church and Government in the Middle Ages: Essays presented to C. R. Cheney on his 70th Birthday

Edited by C. N. L. Brooke, D. E. Luscombe, G. H. Martin and Dorothy Owen
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IN THE MIDDLE AGES**

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Christopher Cheney

Frontispiece

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C. R. CHENEY
ON HIS 70TH BIRTHDAY
AND EDITED BY
C. N. L. BROOKE
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AND
DOROTHY OWEN

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FOR CHRISTOPHER CHENEY
FROM US ALL
IN HOMAGE AND AFFECTION

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CHRISTOPHER CHENEY

ON A SUMMER DAY in the early 1960s a visitor returned to a Lakeland cottage remote from the abodes of men to find awaiting his attention a small, tidy pile of proofs, delivered by hand. They were a part of a notable ornament to medieval scholarship, *Councils and Synods with other documents relating to the English Church*, vol. II; their arrival shows a quality which no serious user of that book, nor any reader of Christopher Cheney's other books and papers, can fail to recognise: a quiet persistence which sees every inquiry through to the end. There is about all he writes a deceptive modesty and an elegant simplicity, so that it is easy superficially to imagine that the quality of his scholarship is akin to Thomas Hearne's who, 'with learned dust besprent', was almost incapable of error in the transcription of texts. In Hearne, however, this was a natural failing, quite unaccompanied by any critical faculty; in Cheney native ability goes hand in hand with training, thought and common sense – of quite uncommon dimensions – sharpened and deepened by a mind of exceptional subtlety, perception and penetration. By these means the apparent simplicity of his productions is wrought.

His chosen field of research has been mainly in the twelfth and thirteenth centuries, and in Anglo-Norman, papal and ecclesiastical history; in these areas his mastery is widely acclaimed. But no reader of *Notaries Public in England* could fail to observe the sweep of his learning over the late Middle Ages and the whole of western Christendom, to which many of his papers bear witness. Two fields are peculiarly his. Characteristically, he represented British scholarship in the little band of experts who set up the Commission Internationale de Diplomatie; and his achievement in diplomatic was also recognised by his election in 1965 as a corresponding member of the *Monumenta Germaniae Historica*. He is one of the few British scholars who moves with complete assurance in the labyrinth of medieval canon law. He is the doyen of those who study conciliar and episcopal legislation. His patient, brilliant disentangling, dating and editing of the conciliar

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canons of the English church in the thirteenth century is enshrined in many articles and above all in *Councils and Synods*, II, one of the great works of erudition of our time. It has always been his delight to keep close to the sources of our knowledge of the past, to whose understanding his direct contributions have been very numerous, as the Bibliography of his writings shows; and his indirect no less, for he has had a hand in many enterprises, large and small. The latest is the Centre for Episcopal Acta at York, which is adorned by his own collection of notes, and the British Academy project for their publication, which he has inspired and led.

Paul Sabatier once wrote that ‘many folk see’ in the scientific criticism of historical evidence ‘only the hammer of destruction and demolition. That is very unjust, for when the moment comes, it can also take the mason’s trowel and raise above the ruins constructions built to last.’ Cheney’s instruments are much subtler than hammers and trowels; but his constructions (in a different way) have as lasting a quality as Sabatier’s. Many who have used his editions and papers must have felt this. It is a rare lesson in humility for any scholar to compare the papers reprinted in *Medieval Texts and Studies* (1973) with the original editions. In most cases only the slightest changes were needed – or are likely ever to be needed; yet every page and every reference has been weighed, and slight redrafting here and there, substantial rewriting in a few places where new learning has advanced the subject, reveal the intricate, meticulous skill of a great craftsman. But he is never meticulous just for the sake of it, and a measured judgement of what is useful and sensible plays over every sentence and every footnote.

This sense, and the warm humanity and human insight, which live at the root of his idea of history and link all his scholarship inextricably with the kindness and wit which are equally characteristic of him, lend depth to his work. There is more of the twelfth and thirteenth centuries in his Ford Lectures, *From Becket to Langton* (1956), than in many flashier books; and some of it is eloquently revealed. ‘Did he surrender the Church’s interests to the claims of the lay power?’ – he asks of Hubert Walter (p. 41). ‘That question touches the root problem of his career and the anomalous position of bishops in twelfth-century society. I doubt whether the question can be answered. But this much can be said. Hubert knew his Angevin masters well and was flexible and firm enough to live with them... So he was able to hold *regnum* and *sacerdotium* in England in equilibrium while he lived. That in itself was

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a great service to the Church. Her government, as then constituted, required the service of sinners as well as of saints.'

His judgements can be shrewd, and most of us who have worked with him have sooner or later felt as if we were Gasquet in harness with Edmund Bishop; but his criticisms are given in so plain and kindly a manner that we have never felt from him the affront sensitive minds can rarely avoid when made to face their failings. None who know him well can fail to learn from his own modesty a supreme lesson in scholarly humility. To his pupils in many places, Cairo, London, Oxford, Manchester and Cambridge, he has been a kindly and an exacting teacher, unstinting in expense of time and skill for them, never putting other men's tasks aside for his own. Many scholars could tell of advice freely given, of prompt and thorough criticism of unpublished work, of rare information supplied, of rare books and even manuscripts lent or given 'because you'll make better use of them than I shall'.

This volume is offered to Christopher Cheney for his seventieth birthday as a token of affection by a group of his friends. Our number could easily have been multiplied if the urge to produce a book of manageable compass and the exigencies of publication had not confined us. Many, we know, would wish to join us in our tribute to him. All of us have sat at his table and learned from him, and offer him our token of affection and thanks.

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EDITORS' PREFACE

THE ESSAYS collected here are concerned with the history of church and government in England and on the continent of Europe between the eleventh and the early fourteenth centuries, with occasional extensions. This subject is illustrated through the eyes of different types of officials – among them English royal justices, Norman bishops and monastic archdeacons – and of scholars, such as Master Gratian, Master Vacarius and John Baconthorpe. Each essay is a discussion of a major historical text or of a vital group of documents and seeks to show how they can contribute to the common theme.

The volume is designed as a modest tribute to a deeply respected friend and colleague, Christopher Robert Cheney, Emeritus Professor of Medieval History in the University of Cambridge. Our aim has been to draw together original studies in a coherent volume related to the field of scholarship in which he has excelled. The book opens with a brief appreciation of C. R. Cheney and closes with a Bibliography of his writings.

The editors wish to thank all the contributors most warmly for their ready collaboration and help, and the Syndics and Staff of the Cambridge University Press for publishing the book. They are particularly grateful to Mrs Mary Cheney for her kindness, help and encouragement. Dr Marjorie Chibnall assisted most generously with the Index.

C.N.L.B.
D.E.L.
G.H.M.
D.M.O.

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ABBREVIATIONS

| | |
|--------------------------|---|
| AA.SS | <i>Acta Sanctorum</i> ... ed. J. Bollandus and others (Antwerp, Brussels, 1643, etc.). |
| BEC | <i>Bibliothèque de l'École des Chartes</i> . |
| BIHR | <i>Bulletin of the Institute of Historical Research</i> , University of London. |
| BL | British Library, London. |
| C. | Code, in Justinian's <i>Corpus Iuris Civilis</i> . |
| Cant. D. & C. | Canterbury, Dean & Chapter Muniments. |
| CCR | <i>Calendar of Close Rolls</i> (HMSO, 1902-). |
| Councils II | <i>Councils and Synods with other documents relating to the English Church, II: A.D. 1205-1313</i> (2 vols., Oxford, 1964). |
| CPL | <i>Calendar of Patent Letters</i> (HMSO, 1893-). |
| CPR | <i>Calendar of Patent Rolls</i> (HMSO, 1901-). |
| CUL | Cambridge University Library. |
| CYS | Canterbury and York Society. |
| D. | Digest in Justinian's <i>Corpus Iuris Civilis</i> . |
| DNB | <i>Dictionary of National Biography</i> , ed. L. Stephen and S. Lee. |
| EDC | Ely Chapter Records, University Library, Cambridge. |
| EDR | Ely Diocesan Records, University Library, Cambridge. |
| EHR | <i>English Historical Review</i> . |
| Foedera | <i>Foedera, conventiones, litterae (etc.)</i> , ed. T. Rymer, re-edited A. Clarke, etc. (3 vols. in 6, Record Commission, 1816-30). |
| HMSO | His/Her Majesty's Stationery Office. |
| Inst. | Institutes in Justinian's <i>Corpus Iuris Civilis</i> . |
| JL | <i>Regesta pontificum Romanorum... ad annum 1198</i> , ed. P. Jaffé, 2nd ed. S. Löwenfeld, etc. (2 vols., Leipzig, 1885-8). |
| Lambeth, Reg. | Reyn. Lambeth Palace Library, Reg. Reynolds. |
| LRO | Lincoln Record Office. |
| MGH | <i>Monumenta Germaniae Historica</i> . |
| MGH. SS. | <i>Monumenta Germaniae Historica</i> , Scriptorum series. |
| Migne, PG. | <i>Patrologiae cursus completus, series graeca</i> , ed. J. P. Migne. |
| Migne, PL. | <i>Patrologiae cursus completus, series latina</i> , ed. J. P. Migne. |
| MTB | <i>Materials for the History of Thomas Becket</i> , Archbishop of Canterbury, ed. J. C. Robertson, RS (7 vols., 1875-85). |
| Novel | Novellae Constitutiones in Justinian's <i>Corpus Iuris Civilis</i> . |
| Parl. Writs | <i>The Parliamentary Writs and Writs of Military Summons...</i> ed. F. Palgrave, Record Commission (2 vols. in 4, 1827-34). |

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| PR | Pipe Roll, published by the Pipe Roll Society, London. |
| PRO | Public Record Office, London. |
| PUE | <i>Papsturkunden in England</i> , ed. W. Holtzmann. <i>Abhandlungen der Gesellschaft der Wissenschaften zu Göttingen</i> , phil.-hist. Klasse, neue Folge, xxv (1930–1), dritte Folge 14–15 (1935–6), dritte Folge 33 (1952). 3 vols. Berlin (1 and 2), Göttingen (3). |
| <i>Regesta</i> | <i>Regesta Regum Anglo-Normannorum</i> , vol. I, ed. H. W. C. Davis (Oxford, 1913); vol. II, ed. C. Johnson and H. A. Cronne (Oxford 1956). |
| RS | Rolls Series, London. |
| S. | Secretum (Bodleian Library, Oxford, MS. Wood empt. I). |
| TRHS | <i>Transactions of the Royal Historical Society</i> . |
| VCH | Victoria History of the Counties of England. |
| Wake, <i>Clergy</i> | W. Wake, <i>The State of the Church and Clergy of England...</i> (1703). |
| WAM | Westminster Abbey Muniments. |
| Wilkins | <i>Concilia Magnae Britanniae et Hiberniae</i> , ed. D. Wilkins (4 vols., London, 1737). |