Chapter 1

HENRY, KING OF THE ENGLISH

Medieval kings had little time, even if they had the inclination or capacity, for routine administrative matters: kingship was about much more than totting up accounts. Henry I spent much of his public life in military campaigning or in governmental activity in a wider sense, moving about his dominions, presiding over councils, dispensing patronage, and receiving emissaries. Yet his court was in a very real sense the centre of government as well as of political life, and the knights of his household formed the nucleus of his army. The king personally presided over the hearing of important legal cases; he confirmed charters, issued new ones, or directed a course of action to be taken in individual disputes. Though the need for delegation was growing, it was still he who gave the orders. The king must have known his servants personally, and their high calibre was a direct reflection of his own ability to choose men who would serve him well. At every stage, therefore, administration could not help but be shaped by the king’s personality, his style of kingship, and his objectives, and it is to these that we now turn.

As an individual Henry I was complex and in many respects highly unpleasant, but he also possessed in abundance many qualities which equipped him well for ruling England.¹ In an age which still put a high premium on the military abilities of a king, Henry was at the head of his troops when it counted, and was present at two of the decisive victories won in Normandy, at Tinchebrai in 1106 and Brémule in 1119.² He may have lacked the military reputation of his father, or Rufus’s verve, but he was no mean exponent of the art of war.

¹ Henry I attracted generally favourable comment from contemporary chroniclers, and recent historical writing has tended to emphasize the positive achievements of his reign. It is as well not to forget the darker side of his character: he was a remarkably cruel man, see C. N. L. Brooke, The Saxon and Norman Kings, Fontana edn. (London, 1967), pp. 172–8. C. Warren Hollister has argued that Henry’s cruelty should be set in perspective, ‘Royal Acts of Mutilation: The Case against Henry I’, Albion, x (1978), 330–49.
² OV gives the most detailed accounts of Henry’s campaigns in Normandy: for Tinchebrai, vi, 88–90, and for Brémule, ibid., 234–42.
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He was also undoubtedly a shrewd judge of character and of the course of events, cautious before taking action but decisive and ruthless in carrying out his plans. His caution can be seen in his initial conciliatoriness towards the powerful sons of Roger of Montgomery, of whom the eldest, Robert de Bellême, controlled vast estates on both sides of the Channel and was renowned as one of the greatest military commanders of the day. Having surmounted the challenge to his position from his brother Robert in 1101 Henry moved against Robert de Bellême in the following year, confiscated the lands of the entire family in England and Wales, and sent them into exile. Some years later he lured Robert to his court in Normandy, arrested him, and kept him in prison for the rest of his life.3 His own brother also he kept in prison for almost thirty years after capturing him on the field at Tincherebrai.4

Yet if he was ruthless to his enemies he was both faithful and generous to his friends. Some friendships, such as that with Richard de Redvers, went back before 1100, whilst others were formed afterwards.5 In the early years of the reign Robert, count of Meulan, was the most influential of Henry’s lay advisers, but there were other able men close to the throne such as Robert FitzHaimon and his brother Haimo the steward.6 As death removed these men, a younger generation filled their places. They included Henry’s brother-in-law David, the brothers Payn and Eustace FitzJohn, and the Breton, Brian FitzCount, but the two who came to the forefront were Henry’s nephew Stephen of Blois and his eldest illegitimate son Robert. Both were lavishly endowed with lands for reasons that were both political and personal. Henry seems to have been deeply attached to Stephen in particular.7 As events turned out, the result of his generosity was to be the undoing of his plans for the succession, for it provided Stephen with the wherewithal to mount a successful attempt on the English throne in 1135, but Stephen had received his lands in stages, and in

3 Ibid., v, 298, 308, 314; vi, passim.
4 Ibid., 98.
5 For Richard see DNB, entry by J. H. Round.
7 Robert was married to the heiress of Robert FitzHaimon and in 1122 was created earl of Gloucester, see DNB, entry by K. Norgate, and for his charters, Earldom of Gloucester Charters. The Charters and Scribes of the Earls and Countesses of Gloucester to A.D. 1217, ed. R. B. Patterson (Oxford, 1973); for Stephen’s lands see R. H. C. Davis, King Stephen (London, 1967), pp. 7–12. C. N. L. Brooke suggested that Henry I may have been specially fond of Stephen, Saxon and Norman Kings, pp. 179–82.
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the early days Henry's heir William was alive. By the time Henry's problems over the succession became apparent, the damage had been done.

Religion played a large part in Henry's life, both as a man and as a king. He was a generous benefactor to the religious orders, and his spirituality was marked by a strong, almost morbid awareness of sin and the need for repentance which tended to crop up at critical times in his life. In 1105 at the start of a second campaigning season in Normandy the bishop of Sées preached a highly charged Lenten sermon on the moral laxity of the court as evinced by long hair, after which the king seized a pair of scissors and led the way in a dramatic shearing. Henry showed a special predilection for Cluny which perhaps by the early twelfth century might have been regarded as a slightly conservative taste in patronage, yet the high reputation for efficacy of prayers offered up there for the salvation of benefactors must have exercised a strong attraction for Henry. He was remembered as one of the chief donors towards the costs of rebuilding the great abbey church, and when planning his major foundation in England, it was to Cluny he turned for monks. Reading abbey was planned as a great pilgrimage church and royal mausoleum at a time when Henry's life had been overturned by the death of his only legitimate son William in the wreck of the White Ship. It was generously endowed with land and built on a tremendous and magnificent scale. Henry's generosity towards Cluny had not come to an end with the foundation of Reading, however, for after a timely visit by her abbot to England in 1130 Henry made a substantial annual grant of revenue to the mother house. In 1129 and 1130 he made two other annual grants of revenue to the abbey

8 This is a subject I hope to discuss in greater detail elsewhere, meanwhile see C. N. L. Brooke, 'Princes and Kings as Patrons of Monasteries', in Il Monachesimo e la Riforma Ecclesiastica (1049–1122), Settimana internazionale di studio, 4th, Passo della Mendola, 1968, Miscellanea del Centro di Studi Medioevali, vi Milan (1971), 125–44.

9 OV, vi, 60–8.

10 H. E. J. Cowdrey, 'Unions and Confraternity with Cluny', Journal of Ecclesiastical History, xvi (1965), 152–62. Family precedent could well have had a part to play in turning Henry’s attention towards Cluny, see F. Barlow, The English Church 1066–1154 (London, 1979), pp. 184–5; Brooke, 'Princes and Kings', 136–9, suggests that a factor may have been the presence at Cluny of Henry's nephew, Henry of Blois, but the king may have been a patron of Cluny beforehand. It has been pointed out recently that the aristocracy of Norman England were generous benefactors of Cluny, B. Golding, 'The Coming of the Cluniacs', Battle, iii (1980), 65–77.

11 Brooke, 'Princes and Kings', 137 points out that there may have been earlier projects for royal foundations at Llanthony and Montacute which had come to nothing.

12 B. Kemp, Reading Abbey. An Introduction to the History of the Abbey, Reading Museum and Art Gallery (Wallingford, 1968); the abbey church was 450 feet long, J. B. Hurry, Reading Abbey (London, 1901), p. 4.

13 ASC s.a. 1130; RRAM, ii, no. 1691.
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of Fontevraud in Anjou, and the choice of this house outside his own realms, the scale of his generosity, and the phraseology in which the grants were couched all suggest his anxiety about his own salvation and the well being of his kingdom.\(^{14}\) He had good reason to be worried, in that the marriage which he had arranged between his daughter, now heiress designate, and the heir of the count of Anjou, had run into difficulties and had so far failed to produce the longed-for male child.\(^ {15}\)

The order of Augustinian canons was another major beneficiary of Henry’s patronage. The rule had recently been revived and represented a half-way house between the secular clergy and fully enclosed orders.\(^ {16}\) The order had several attractions for would-be benefactors: their houses were not nearly so expensive to set up as Benedictine abbeys; they could take over existing colleges of canons; and they could be combined with the foundation of hospitals, a form of endowment in which Henry and both of his queens were greatly interested. Matilda founded a major Augustinian house with a hospital attached at London’s Aldgate which may have stimulated Henry’s interest in the order; both he and Matilda were claimed as founders or benefactors of several houses, setting a trend followed by other members of their court.

Henry’s religious patronage is very revealing about the man both in its scale and its direction, supplying clues about his temperament and spiritual anxieties. He was evidently subject to other anxieties, for he is known to have suffered from nightmares,\(^ {17}\) and for a time was afraid of being murdered in his bed.\(^ {18}\) He was concerned about his health and retained a number of physicians in his service, and this concern may help to explain his interest in founding hospitals.\(^ {19}\) Yet there were other much more positive features in his personality. He was a man of abiding curiosity about the natural world, and kept a menagerie of exotic animals at Woodstock.\(^ {20}\) Such curiosity also manifested itself in his thorough investigation of his rights, curiosus perscrutator as Orderic calls him.\(^ {21}\) He was greedy for the things of this world, accused of avarice and the accumulation of a vast store of treasure,\(^ {22}\) and greedy too in diet, for it was eating a dish of lampreys forbidden by his doctors that

\(^ {14}\) Ibid., nos. 1380, 1581, 1687.

\(^{15}\) In 1129 Matilda was evidently in Normandy as no. 1581 indicates, and by 1131 it appears that she had separated from her husband.


\(^ {17}\) JW, pp. 32–3.


\(^ {19}\) E. J. Kealey, Medieval Medicus (Johns Hopkins, 1981), passim.


\(^ {21}\) OV, vi, 100.

\(^ {22}\) Ibid., and cf. HH, p. 312.
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finally carried him off. He was licentious to a degree, and holds the unenviable record of more acknowledged illegitimate children than any other king of England, though, as Warren Hollister has pointed out, his illegitimate children could be used in advantageous marriage alliances to bolster his own power. Like his father and William Rufus, he was passionately fond of hunting, and in his case this is said to have led him to reserve for himself hunting rights over the whole of England, and to have been niggardly in sharing his rights with others. Above all, he was, to use another of Orderic’s phases, a man of tremendous energy. Vigorous, shrewd, and utterly ruthless: it was a notable combination of qualities to bring to his task as king of England.

What, however, of the style of his kingship? This chapter began by emphasizing that the quality of monarchical rule still depended very heavily on the personal role of the king. Kings relied for the maintenance of their authority on their personal presence, ensured by travelling constantly around their realms. On a more mundane level, such peregrination facilitated the exaction of their dues. As the structures of the monarchical state developed, however, it became increasingly difficult for direct personal supervision; kings would have to be able to rely on their agents to collect their revenues and administer their justice. Moreover, all three Norman kings of England had commitments which took them outside England, in the case of the Conqueror and Henry I for protracted periods. Henry spent more than half of his reign outside England; when he was in England he spent most of his time in the south, often at Winchester or London, or at his hunting lodge at Woodstock. Only on one occasion did he venture to the north of England, in 1122, and he made two expeditions to Wales, in 1114 and 1121. For practical reasons, therefore, his reign witnessed further delegation of governmental tasks. Bishop Roger of Salisbury gradually assumed a general supervision of much financial and judicial business, and during the period 1123 to 1126 acted as the king’s viceroy in England. By 1110 at the latest, a central court for auditing royal revenues had emerged, the exchequer, which became Roger’s base of operations, as we shall see in chapter three. Lawsuits were heard here, as well as before the king himself, and increasingly royal justices appeared in the localities (see chapter five).

25 *OV*, vii, 100.
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Delegation meant that Henry had to be able to rely on the men who served him, and they were both able and loyal. Their loyalty indeed was a byword, and was even remarked on by Abbot Suger, the biographer of Louis VI of France. Suger said that only one of Henry's servants, a chamberlain whom he simply identified as 'H', ever plotted against him.28 Such loyalty was born partly from a healthy respect for the king, who had an uncanny knack of detecting conspiracies before they came to fruition,29 and partly because it was well rewarded. One of the features contemporaries noted about Henry's rule was the wealth and influence acquired by many of his humbly born servants, as we shall see in chapter seven.

Another marked characteristic of his reign was the very high level of financial and judicial activity which can be clearly identified by the time of the 1130 pipe roll. More revenue was flowing into the exchequer at that date than in any year subsequently until 1177, and was only exceeded twice in the rest of Henry II's reign (see chapter four). Such a high level of demand was a reflection partly of Henry's avarice, and also of the scale of his commitments abroad.

Finance was closely related to justice, for a considerable proportion of the 1130 revenue arose from the profits of justice and jurisdiction, which were the most lucrative source of revenue after land. The maintenance of good laws was one of the fundamental attributes of medieval kingship, and was one of the promises which Henry had made at his coronation.30 It was one which he evidently took very seriously, and after his death the peace and justice he had brought to England were nostalgically remembered.31 Though his rule was harsh and exploitative, it was still preferable to a breakdown of law and order. Crime had been punished severely, and the crown had begun to intervene increasingly in civil actions through the use of writs, setting important precedents for the future development of common law under Henry II. Royal justice became a force to be reckoned with by the multiplication of justices. Judicial activity encouraged a remarkable renaissance in recording royal legislation in writing which both looked to the past and attempted to set down law current in Henry's own day. Such collections reveal little about their authors and place of composition, as we shall see, but there are signs that the most ambitious work, the Quadripartitus, which aimed to include all the laws of the

28 Suger, Vie de Louis VI, p. 190.
29 OX, vi, 109, 20.
31 See, for instance, the comment of Richard ofHexham, Chronicles of the Reigns of Stephen, Henry II and Richard I, 4 vols., ed. R. Howlett (RS, 1884–9), iii, 140.
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Anglo-Saxon kings as well as the laws of Henry I, must have been written in the hope of attracting favourable notice from Henry I himself. It is difficult to explain otherwise the highly laudatory tone of the proemium exalting justice and the king’s rule.32 Henry had promised at his coronation to restore to England the law of Edward the Confessor, together with the amendments added by William the Conqueror; and the legal literature of the early twelfth century meant that no-one would forget what the law of the Confessor was.

Increasing delegation and high levels of financial and judicial activity are major themes of this book, but they form only part of the total picture of Henry’s style of kingship, and it is important to see them in the context of other outstanding characteristics. First amongst these was his role in relation to the church. As in the case of maintenance of good laws, so protection of the church was one of the promises Henry made at his coronation, promises hallowed by his anointing with holy oil and the reception of a crown. The responsibilities and rights of a Christian king were still potent both in ideological and in practical terms. They were indeed boosted by some of the writing which came out of the great movement for reform in the western church in the eleventh and twelfth centuries.33 One collection of tracts emanated from the Anglo-Norman realm, possibly from Rouen and dating from the early years of the twelfth century.34 One of the tracts (J24) went so far as to say that kings had authority over priests and had been consecrated for the protection of the church and the defence of the faith; that priestly dignity could be instituted by royal dignity, symbolized by the king’s granting of the pastoral staff to priests; that kings could preside over ecclesiastical councils; and that a king’s ordination was in many respects superior to that of a bishop. Extreme claims, and we cannot be sure who made them, or what the king thought about them. What we can say is that in some respects Henry acted in sympathy with such views, by trying to discipline priests, by investing bishops and abbots with their pastoral staffs, and by presiding over ecclesiastical councils. A more moderate line was taken by Hugh of Fleury, who dedicated his treatise ‘On royal power and priestly dignity’ to Henry I.35 Hugh agreed with the author of the Rouen tracts that for

32 See below, p. 99.
33 See, for instance, I. S. Robinson, Authority and Resistance in the Investiture Contest (Manchester, 1978); also Barlow, English Church 1066–1154, ch. 7.
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matters of discipline the monarchy was superior to the priesthood, but on investiture took a view similar to that which was finally hammered out between Henry and Archbishop Anselm, that archbishops should invest bishops and abbots with ring and staff, whilst the king invested them with temporal powers.

Hugh of Fleury and the ‘Norman Anonymous’ had raised some of the fundamental questions about the relationship between secular and ecclesiastical authority which were being thrashed out in western Europe, and which had come to focus on the issue of lay investiture, symbolizing as it did to the reformers an unwholesome entanglement of religious and secular matters. When Henry became king of England he inherited a quarrel between the crown and Archbishop Anselm of Canterbury on this very issue.36 Anselm was then in exile, a situation which was damaging to Henry’s reputation as long as it continued; accordingly he persuaded Anselm to return, promising to send a mission to Rome to ascertain the pope’s views on the subject. This was a neat manoeuvre, for it in no way tied Henry’s hands, whilst Anselm’s support for the king in the civil war of 1101 was valuable both materially and psychologically. Henry in fact proved as reluctant as Rufus had been to make any surrender on investiture. Not only was there an important issue of principle at stake in investiture, but there was also the accompanying act of homage to be considered, with its recognition of the feudal overlordship of the king. In the end it was the prospect of papal excommunication at a critical moment in his campaign for Normandy which brought Henry to negotiate with Anselm, and finally to surrender the right of lay investiture whilst retaining homage. K. Leyser has pointed out Henry’s reluctance to make this surrender, and that he clearly hoped it was to be only a temporary concession.37 Yet it scarcely diminished the very considerable power he enjoyed over the appointments of bishops and abbots, and he was able to fill the episcopate with royal clerks in a very striking way.38 Very few monks were appointed to the episcopate, or clerks who had not been in the king’s service. Only on the two occasions after Anselm’s death when the see of Canterbury had to be filled did the king show himself open to suggestion from others. Neither of the

36 On this subject see R. W. Southern, St. Anselm and his Biographer (Cambridge, 1963), ch. 4; Councils and Synods with other Documents relating to the English Church, vol. 1 part ii, 1066–1204 (Oxford, 1981), 655–61.
38 Brett, English Church, pp. 104–12.
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men appointed was of a stature or independence of spirit comparable with Anselm’s, probably to the king’s satisfaction.

An amenable episcopate was very valuable to Henry, for bishops controlled large estates and could still play an important part in upholding royal authority in the localities, especially as justices. The estates of bishops and abbots were also burdened with knight service, and already by Henry’s reign the practice had grown up of exacting aids from them. Moreover, when bishops and abbots died, the crown took over their revenues while their posts remained vacant, and even, in the case of bishops who died intestate, their personal property.39

The Norman kings enjoyed a very considerable influence over the church in England which Henry himself was determined to uphold. As yet the lines of demarcation between secular and ecclesiastical jurisdiction were far from clear, and Henry was able to intervene in ways which later would have been inconceivable. He evidently shared the view of the ‘Norman Anonymous’ that secular rulers could preside over church councils. Some took place in the king’s presence;40 others cannot be clearly distinguished from royal councils;41 and some assemblies of both lay and ecclesiastical vassals discussed matters which lay within the province of the church, such as appointments to the archbishopric of Canterbury.42 Henry also believed in the use of the secular arm to enforce discipline on the clergy on the matter of clerical marriage, a practice with which church leaders were much preoccupied at the time.43 As yet separate ecclesiastical courts were only just being set up, and it was still useful for many matters which would later be dealt with by them to be raised in the shire courts. Certainly the author of the Leges Henrici Primi took it for granted that clergy could be summoned to the shire courts.44 Conversely, the church had an important part to play in secular justice through its supervision of ordeals, still widely used as a method of determining guilt or innocence.45 Such a mingling of secular and ecclesiastical jurisdiction was giving way to a clearer distinction between the two by the end of Henry’s reign, but the king’s tenacity in defending his traditional rights, coupled in all probability with personal conviction in the

39 The king’s financial rights over the church are discussed in chapter four below.
40 E.g. in 1107 and 1108, Councils and Synods, vol. 1 part ii, 692, 699.
41 E.g. 1102, 1115, ibid., 672, 709.
42 Eadmer, Historia Novorum, pp. 222–3; ASC s.a. 1123.
45 Barlow, pp. 159–64.
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importance of the king’s role as the protector of the church, resulted in a paternalistic not to say authoritarian approach.

Nowhere was this seen more clearly than in the close control he exercised over relations between the English church and the papacy. Again this was a defence of a traditional position, for both his father and brother had sought to ensure that contacts with Rome had been channelled through the crown, but it was a stance which was becoming increasingly difficult to sustain as the papacy’s prestige and influence waxed stronger. Henry did, however, have considerable success in preventing the mission to England of papal legates, who above all represented papal power, either by delaying them in Normandy or making it impossible for them to hold councils when they reached England.\(^{46}\) He even went so far as to tell one legate that he had been promised by the papacy that England would be free from legates during his lifetime.\(^{47}\) He was helped by the reluctance of archbishops of Canterbury to acknowledge legatine authority, partly because of the implications for their own position and partly because they were in the throes of a contest for primacy with their counterparts in York.\(^{48}\) In the end only one legatine mission, that of John of Crema in 1125, was productive, probably because John had been instrumental in annulling the marriage contract between Henry’s nephew and rival, William, and a daughter of his enemy Fulk of Anjou.\(^{49}\)

Kings not only had very real powers over the church, but also through anointing and crowning were considered to be the recipients of divine grace. In its most elevated form, this could be held to confer upon a king the holy power of working miracles. There is some very slight evidence to suggest that Henry I may have believed himself to have had the holy gift of healing.\(^{50}\) There was certainly a revival of interest in the early twelfth century in the cult of Edward the Confessor, for his tomb was opened for inspection in 1102 and his Life was re-written with a fuller account of his miracles.\(^{51}\) Queen Matilda commissioned the writing of a life of her mother, the saintly Queen Margaret of Scotland.\(^{52}\) Her own exemplary life was described by

\(^{46}\) Brett, English Church, ch. 2.
\(^{47}\) Ibid., p. 41.
\(^{48}\) For a brief survey see Barlow, English Church 1066–1154, pp. 39–45.
\(^{49}\) Brett, English Church, pp. 45–7; Councils and Synods, i part ii, 730–41.
\(^{50}\) F. Barlow, Edward the Confessor (London, 1970), pp. 270–1.
\(^{51}\) Ibid., pp. 265–71.