

The Episcopal Foe of Archbishop Thomas Becket

**Peter Woollard
1916624**

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Master's Degrees by Examination and Dissertation

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Abstract

The aim of this dissertation is to examine the relationship between Thomas Becket, archbishop of Canterbury and Gilbert Foliot, bishop of Hereford, subsequently bishop of London. It will advance two main arguments. Firstly, during the entire period of their controversy there existed a state of mutual incomprehension. Foliot was mistaken to portray Becket as a low-born fool who lacked the ability and qualifications to lead the English Church. His abhorrence with Becket's elevation to the see of Canterbury impaired his judgement. He failed to understand that Thomas was driven by an uncompromising commitment to whatever rôle he took responsibility for. This absolute devotion which, when he became archbishop, required a complete transformation of lifestyle, Foliot could never accept was sincere. Thomas was mistaken in his undeviating conviction that all Gilbert's actions against him were prompted by envy because he coveted the archbishopric himself. There is no evidence of this either when initially he heroically objected to royal interference in the affairs of the Church, or later when he transmuted into a fifth-columnist, who was motivated by a malicious compulsion to undermine his archbishop. The second argument is that Gilbert's actions contributed to the fatal outcome of Thomas's dispute with Henry II. As Michael Staunton says 'Foliot makes vivid appearances in the Lives as a fomenter of envy and discord.'¹

Although the research of many modern historians will be used to support the arguments made in this dissertation, it is the primary sources that will be its bedrock. For the Lives of the biographers we are here indebted to editions which have been translated by and commented on by recent scholars. The Lives can, to a certain extent, be treated as factual historical narratives but must be approached with the historian's customary caution and scepticism. They are generally sympathetic to Thomas Becket and hostile to Gilbert Foliot. *The Correspondence of Archbishop Thomas Becket* (edited and translated by Anne Duggan) is an especially fertile source as it provides a running commentary on the events and issues set forth in this dissertation by the participants themselves without the intervention of third-parties, although some of Becket's letters may have been written on his behalf by John of Salisbury. Each letter is partial and cannot be depended upon as an embodiment of fact. Many are propaganda constructed by their authors to present themselves in the best light. Although, in Gilbert Foliot's case, it could be argued, the opposite is achieved as he unwittingly condemns himself. They also conform to the conventions of letter writing in the twelfth century. In many cases what sounds like fulsome praise is actually a calculated insult.

¹ Michael Staunton, trans. *The Lives of Thomas Becket: selected sources* (Manchester: Manchester University Press, 2001), p.2.

1) Introduction

During the period from Summer 1162 to December 1170 a dispute took place between King Henry II of England and Thomas Becket, the man he had seen appointed as archbishop of Canterbury, over the rights of the English Church. This dispute, which became known as the Becket Conflict, has been comprehensively covered by many historians.² It has been the subject of novels, poems, plays and films and continues to fascinate commentators worldwide.³ It creates the background but is not the main subject of this dissertation. Running parallel with and sometimes forming part of this dispute is a prolonged quarrel, in which less interest has been shown, that was also a result of Henry's desire to have Thomas installed in the see of Canterbury.

On 18 April 1161 Archbishop Theobald died. He had been aggrieved when Thomas, his faithful servant, had switched his loyalty to Henry when, on the archbishop's recommendation, he had become the king's chancellor. This, as we shall see, was a characteristic trait of Becket's and one for which Foliot would admonish him. Theobald's pleas to the king to allow Thomas to visit him were in vain. 'He ought to have come even without our summons and would have been convicted of disobedience before the eyes of God and men did not your needs

² For example, Frank Barlow, *Thomas Becket* (London: Weidenfield and Nicolson, 1987), Anne J. Duggan, *Thomas Becket* (London: Hodder Education, 2004), David Knowles, *Thomas Becket* (London: Adam & Charles Black, 1970), Richard Winston, *Becket* (London: Constable & Company, 1967), John Guy, *Thomas Becket* (London: Penguin Books, 2013), Beryl Smalley, *The Becket Conflict and the Schools: A Study of Intellectuals in Politics in the Twelfth-Century* (Oxford: Basil Blackwell, 1973).

³ For example, Jean Anouilh, *Becket*, T.S.Eliot, *Murder in the Cathedral*, Christopher Fry, *Curtmantle*, Alfred Lord Tennyson, *Becket*, Aubrey de Vere, *St. Thomas of Canterbury*, Alfred Duggan, *God and My Right: The Life and Death of Thomas Becket* and the films *Becket* and *The Lion in Winter*.

excuse him.’⁴ Theobald did not see Thomas again before he died. Foliot was not only to chastise Becket for this disloyalty but also for his unseemly haste in returning to England after his death:

Theobald, our good father of holy memory [...] had closed this final day, and you, who certainly did not close your all-vigilant eyes in this misfortune, immediately made a hasty return from Normandy to England.⁵

Gilbert also claimed that Becket plotted to succeed Theobald.

For who in all of our world is so backward that he does not know that you obtained the office of chancellor by several thousand marks, and by force of this breeze you sailed into the port of the church of Canterbury and eventually entered upon its rule.⁶

It was not uncommon for offices to be bought but there is no evidence that Thomas paid for the chancellorship or that he saw it as a stepping stone to the archbishopric, despite Foliot’s assertion it was public knowledge.⁷ A failure to corroborate serious accusations will be seen to be a distinguishing characteristic of Gilbert’s. After Theobald’s death there was a hiatus of around a year before the new archbishop was appointed. John of Salisbury claimed that Theobald wanted Becket to succeed him but no discussion can be found in the Lives about potential successors, which supports the allegation that Henry already had Thomas in mind.⁸ After all, who would be better qualified for helping the king to achieve his putative ambition of harmony between *regnum* and *sacerdotium*, which was really a ploy for bringing the Church under his authority, than his loyal lieutenant. Thomas, who had acquired an intimate knowledge of Henry’s character when they were close friends, during his

⁴ Quoted in John Guy, *Thomas Becket, Warrior, Priest, Rebel, Victim: A 900-Year-Old Story Retold* (London: Penguin Books, 2013), p.137.

⁵ CTB, *The Correspondence of Thomas Becket Archbishop of Canterbury 1162-1170*, ed. and trans. by Anne Duggan (Oxford: Clarendon Press, 2000) letter.109, p.503.

⁶ CTB, l.109, p.503.

⁷ M.D.Knowles, *Archbishop Thomas Becket: A Character Study* (London: British Academy, 1949), p.26.

⁸ Frank Barlow, *Thomas Becket* (London: Weidenfield and Nicolson, 1987), p.65.

time as chancellor, was to constantly confront this mendacious stratagem. Gilbert eventually accepted it in naïve good faith or, if we are cynical, in calculated self-interest. W.L. Warren argues, not altogether persuasively, that Henry wanted 'the kind of loyalty which offers wise advice and persists in it, not the loyalty of concurrence and submission.'⁹ Given the king's outbursts of rage whenever he was challenged and the rarity of his mind changes, this is a very generous assessment. To all appearances Gilbert Foliot, Bishop of Hereford, was the most qualified person to succeed, but it is unlikely that, at the time, the less than virtuous Henry would have wanted someone reputedly so saintly and high-minded as his archbishop. There is no evidence that the king ever considered the bishop for the see of Canterbury. Equally there is no evidence, despite the omnipresent accusation contained in the Lives, that Foliot coveted the archbishopric. John of Salisbury held constant to the conviction that Foliot was consumed by jealousy.¹⁰ This example of fact being subsumed by myth has been perpetuated by modern biographers who have, mostly, unquestioningly accepted it. Frank Barlow, for example, asserts 'there can be little doubt that (Foliot) thought in 1161-2 that he was the right man for the job' and more recently Cary J. Nederman has claimed that his behaviour was that of a man who had a passionate belief that the archbishopric had been snatched from his hands.¹¹ Christopher Hill, after a lengthy examination of Foliot's correspondence, provides an alternative view, more commensurable with the absence of reliable sources: 'On balance, there is no substantial reason to suppose that Foliot seriously

⁹ W.L. Warren, *Henry II*, new edn. (London: Yale University Press, 2000), p.450.

¹⁰ Cary J. Nederman and Karen Bollermann, *Thomas Becket: An Intimate Portrait* (New York: Paulist Press, 2020) p.73.

¹¹ Barlow, p.65. Nederman p.87.

wanted the job.¹² Barlow has elsewhere proposed a separate but barely credible explanation for Foliot's behaviour; that he could not forgive Thomas 'because he was the wrong man championing the cause of right.'¹³ This omits the fact that 'the cause of right' became transmogrified for Gilbert during the course of his conversion to royal disciple. Henry though was unwavering in his intent and, with the help of some less than subtle intimidation by a group barons led by Richard de Lucy, any resistance, especially from the monks at Canterbury, to the promotion of a man who had shown no outward signs of spirituality and was not a monk, was easily overcome. Becket was elected archbishop on 23 May 1162, consecrated on 3 June 1162 and received the *pallium* on 10 August 1162.

Ultimately the only openly dissenting voice was that of Gilbert Foliot, Bishop of Hereford, who, in Edward Grim's words, 'cried out against it.'¹⁴ But 'when he saw the others were unanimous in their assent and that of his own malice he could effect nothing' withdrew.¹⁵ During the ceremony there occurred a bizarre incident, which was, perhaps, a notable portent. It was traditional for a newly consecrated bishop to have the Book of Gospels laid upon his head and a verse chosen at random to serve as a prophecy. Ironically the verse chosen was Christ's cursing of the fig tree from the Gospel of St. Matthew: 'May no fruit ever come from you again. And the fruit tree withered at once' (Mt 21:19).¹⁶ It has been suggested that Foliot 'could be heard

¹² Christopher P. Hill, 'Gilbert Foliot and the Two Swords: Law and Political Theory in Twelfth-Century England' (unpublished doctoral dissertation, University of Texas at Austin, 2008), p157.

¹³ Frank Barlow, *The Feudal Kingdom of England 1042-1216*, 4th edn. (London: Longman, 1988), p.295.

¹⁴ Edward Grim in Staunton, *The Lives*, p.62, Grim incorrectly called Foliot bishop of London..

¹⁵ Roger of Pontigny in David C. Douglas and George W. Greenaway, eds. *English Historical Documents 1042-1189* (London: Eyre & Spottiswoode, 1953), p.711.

¹⁶ Guy, p.147.

chuckling in his seat.¹⁷ At the time Thomas apparently shared Gilbert's view that his previous lifestyle made him totally unfitted for receipt of the *pallium*. When Henry told him he intended to make him archbishop of Canterbury, Becket pointed at his gay attire and laughed 'How religious, how saintly is the man you would appoint to the holy see and over so renowned and pious a body of monks.'¹⁸ Despite the quip, Thomas was already lamenting, as he confessed to John of Salisbury, that, if he accepted, he would lose either the favour of God or that of the king.¹⁹ It is not universally appreciated, perhaps because of the loud critical voices of the biographers and his subsequent obsequious support for Henry, that, at that time, Foliot was incensed at this subjugation of the Church's interests, and was adamant that it was not for a king to appoint an archbishop. This courageous opposition is often overlooked. His resistance infuriated Henry and the Lives make little of the fact that he was temporarily exiled. 'For seeing that the Church was being suppressed severely, I raised an outcry on behalf of its liberty, and then heard the sentence of proscription, by which not only myself, but also my father's house and all my friends and relations were banished.'²⁰ There is no contemporary information about the exile, so we must take Gilbert at his word. Even the king's displeasure did not silence him completely. He made what Barlow calls a sour jest about Henry having performed a miracle by transforming a layman and knight into an archbishop.²¹ He later reminded Becket of the king's instruction to Richard de Lucy to warn the monks and bishops that if they did not support Thomas's election they would incur Henry's

¹⁷ John S. Hogan, *Thomas Becket: Defender of the Church* (Huntington, Indiana: Our Sunday Visitor Publishing, 2020), p.158.

¹⁸ Herbert of Bosham in George Greenaway, ed. *The Life and Death of Thomas Becket* (London: The Folio Society, 1961), p.51.

¹⁹ John of Salisbury in Greenaway, p.51.

²⁰ Staunton, *The Lives*, p.226.

²¹ Barlow, p.71

wrath and be treated as his enemies.²² Morey has suggested that, apart from his relations with Becket, Gilbert does not appear as a time-server or an ultra-royalist.²³ That charitable assessment must be based on his conscientious and audacious disapproval of Becket's appointment. It disregards his later mutation into a royal sycophant. We must concede, however, that, at the time, Foliot acted with meticulous regard for the Church's interests. There was, undeniably, something very dubious about an election process which was designed for Henry to get his way. Furthermore, it is not unreasonable to hypothesise that Foliot spoke for other members of the clergy, many of whom were discomfited by Becket's lifestyle as chancellor, but none of whom were going to raise their voice against the king.

Roger of Pontigny describes Gilbert as 'a man advanced in years, of considerable learning, and a monk by profession who by repute had long since aspired to the archbishopric.'²⁴ As Nederman says John of Salisbury also accused Foliot of having an 'overweening ambition to reserve the archbishopric for himself.' We reiterate this common view, contained in the Lives, as it informed Becket's own behaviour, and has permeated many of the modern histories of the conflict. There is no contemporary report of any ill-feeling between Thomas and Gilbert, or of any criticism by Foliot of Becket's time as chancellor, prior to the declaration of Thomas's elevation to the see of Canterbury. There are, though, two events, which took place during Becket's chancellorship, that Gilbert would certainly have seen as corroboration of Thomas's scorn for the interests of the Church. In May 1157 the Battle Abbey case was reaching its climax. This was critical to the so-called freedoms

²² Warren, p.454.

²³ Adrian Morey and C.N.L.Brooke, *Gilbert Foliot and his Letters* (Cambridge: Cambridge University Press, 1965), p.183.

²⁴ Roger of Pontigny in Douglas and Greenaway, p.711.

of the Church. Battle Abbey was founded by William the Conqueror and had the status of royal chapel and its Abbot had applied to Henry for confirmation of its traditional status. This infringed on the authority of the Church and the Bishop of Chichester regarded it as a deplorable exemption from episcopal jurisdiction. As Richard Winston says it was 'a clear-cut case of conflict between royal grant and episcopal privilege.'²⁵ It was also a case where Thomas demonstrated his unswerving loyalty, not to the Church, but to the king. Gilbert would have known that Becket had berated the bishop of Chichester 'You are disloyal to my lord the king, to whom you have taken the oath of allegiance, as all men know.'²⁶ This was attestation to Gilbert that Thomas was never a servant of the Church. It would also have supported his charge of inconsistency as, when Becket became archbishop, he shamelessly complained to the pope about the king's treatment of Hilary of Chichester.²⁷ The second event, that again demonstrated chancellor Thomas's solid commitment to the interests of his king, took place in 1159, when Thomas, on Henry's behalf, imposed a tax to pay for mercenaries to fight in his war against France. This tax, which became known as the 'Great Scutage', fell heavily on the Church, which was traditionally exempt from such imposts. We are ignorant of Foliot's opinion at the time but later he was bitterly critical of Thomas's role in its exaction. 'You plunged the sword of state into the vitals of the Holy Mother Church with your own hand when you despoiled her of so many thousand marks for the expedition against Toulouse.'²⁸ Thomas's actions in both these issues of Church versus state were incontrovertible proof to Gilbert that Thomas was unfit to lead the Church of

²⁵ Richard Winston, *Becket* (London: Constable & Company, 1967), p.67.

²⁶ Winston, p.69

²⁷ CTB, l.170, p.783.

²⁸ Staunton, p.226.

England. His actions - and this is of huge consequence to this debate - can be interpreted quite differently. What Gilbert and many others construed as inconsistency and betrayal was to Thomas a need for loyalty to the present cause. At that time, he concentrated his whole energies on serving the king and would have seen it as part of his duty as Henry's right-hand man. This commitment to his rôle at any one time is absolutely crucial when judging his behaviour. He was a dedicated and conscientious clerk to archbishop Theobald. When he became chancellor his loyalty switched solely to the king and when he was appointed archbishop of Canterbury he devoted himself thenceforth to service to the Church and to God. Or, as L.B.Radford observes, Thomas's apparent inconsistencies were 'parts of a consistent endeavour to suit his actions to the demands of office for time being.'²⁹ William Fitzstephen, whom Douglas and Greenaway regard as an authority of the highest value, was obviously convinced of the absence of any deceit, pretence or hypocrisy:

Putting off the secular man, he now put on Jesus Christ. He vacated the secular duties of the chancellorship and was at pains to fulfil the functions of a good archbishop. To this end he kept a strict watch over his mind. His speech was grave and to the deification of his hearers; his works were those of mercy and piety; his decisions in conformity with justice and equity. Clad in a hair-shirt of the roughest kind, which reached to his knees and swarmed with vermin, he mortified his flesh with the sparest diet, and his accustomed drink was water used for the cooking of hay.³⁰

²⁹ L.B.Radford quoted in David Knowles, *Thomas Becket* (London: Adam & Charles Black, 1970), p.53.

³⁰ William Fitzstephen in Douglas and Greenaway, pp.705-6.

2) Archbishop of Canterbury

The biographers are in accord about the metamorphosis that took place when Thomas became archbishop. Whether this was a 'conversion' has elicited much debate and David Knowles speaks for many modern writers when he argues that Becket's was not 'in the deepest sense a conversion', nor 'a transformation or rebirth of character.'³¹ This is a rather overscrupulous argument and relies on a very narrow definition of conversion. Nevertheless, it is abundantly clear that Foliot regarded Becket as a charlatan and would have dismissed any suggestion of a Damascan road conversion as blasphemy. This misunderstanding of the sincerity of his change of lifestyle is, arguably, at the root of much of Gilbert's subsequent behaviour. The ascetic Foliot had witnessed Becket's extravagant and flamboyant manner of living as chancellor and could never bring himself to accept that, once Thomas became archbishop, he was committed, as we have argued, solely to the cause of the English Church.

Foliot's opposition evidently did not irrevocably damage his relations with the king or, at that time, with Becket. Henry petitioned the pope, with Thomas's support, for permission to move Gilbert from Hereford to London. If a bishop was to be translated from one see to another it required papal consent. Gilbert was admirably qualified for the promotion, and it may have been Henry's wish to have him based in London, as the ever- pragmatic king would have found more use for him at St. Paul's. It is possible that Gilbert resisted this promotion as the pope, Henry and Thomas all wrote imploring him to take up the rôle. He may have anticipated the perils of being

³¹ David Knowles, 'Thomas Becket: A Character Study,' in *The Historian and Character and Other Essays* (Cambridge: University of Cambridge Press, 1963, p.110 and David Knowles, *Thomas Becket* (London, 1970), p.54.

too close to the king. The pope told Foliot that both Henry and Thomas were desirous of his translation to London.³² Henry's letter recognised Gilbert's secular skills and emphasised his high reputation amongst his peers: 'at once both your respected status and undamaged integrity commend your Excellency to me; indeed not only to me but to all familiar with the reputation of your name.'³³ This royal panegyric is astonishing given Gilbert's opposition to, and his alleged punishment for opposing, Thomas's appointment. Becket was equally complimentary and gracious about Gilbert's secular qualities and said 'the London church [...] wishes to appoint a bishop whose outstanding personal merit, knowledge of letters, and grasp also of secular affairs is equal to the dignity of the city [....] we enjoin you by his (the pope's) authority to accept without delay.'³⁴ Foliot may have been suspicious, as we have said, of Henry's motives, especially in view of the emphasis on his secular abilities. Becket then wrote another letter dwelling more on Gilbert's spirituality. 'Your moral qualities, your outstanding reputation in religious matters, your wisdom from above [...] all have provided you should "go higher, friend."'³⁵ Becket shows no animosity to the only person who openly resisted his own promotion and cannot, at that time, have anticipated the risk to himself in placing an implacable foe in a position of strength with the king. Thomas would later lament that Foliot had 'first divided the unity of the English Church and armed the minds and hands of the king and his officials for the destruction of ourselves and of ecclesiastical liberty.'³⁶ But, at that time, Thomas evidently had a higher opinion of Gilbert's abilities than Foliot did of

³² Hill, p.162

³³ Ibid.

³⁴ CTB, l.7, p.21.

³⁵ CTB, l.8, p.23.

³⁶ Winston, p.136.

his. Nevertheless, Foliot's opposition to Thomas's translation to the see of Canterbury did not inhibit him from seeking the archbishop's help in the case of Hugh, the Dean of London, who had, in Gilbert's opinion, been unfairly saddled with the debts of the deceased bishop of London. 'We urgently pray your highness to defer the action which the said bishop's creditors have initiated against the dean.'³⁷ On 6 March 1163 Foliot was elected bishop of London. It cannot be said that he expressed his gratitude to Becket for his magnanimity or reciprocated the affection with which the archbishop had written to him, as one of his first acts at London was to refuse to renew his profession to Canterbury.³⁸ It could, though, be argued this was a doctrinaire decision rather than personal spite.

At the forthcoming papal council of Tours an aggrieved Thomas felt compelled to complain to Alexander III about this affront. He was disappointed that the pope gave a decisive ruling in Gilbert's favour: 'It is not the custom of the Roman Church', he wrote to Becket, 'to compel a bishop to make a profession twice on account of translation.'³⁹ It is Barlow's view that, at that time, Alexander saw Thomas as a liability.⁴⁰ Thomas's squabble with Gilbert at Tours was followed shortly by signs of a deteriorating relationship with Henry. At the council of Woodstock, which the king had summoned on 1 July 1163, Thomas led the church's delegation and was dismayed to learn that Henry intended to impose a new tax to replace an old Anglo-Saxon impost known as the 'Danegeld'. Thomas refused to acquiesce in this arrangement. The church had traditionally paid their share of the aid to the sheriffs but, if Henry went ahead with his plan, then no further payments would be made.

³⁷ CTB, l.4, p.13.

³⁸ Anne Duggan, *Thomas Becket* (London: Hodder Education, 2004), p.41.

³⁹ CTB, l. 11, p.29.

⁴⁰ Barlow, p.97.

His uncompromising opposition infuriated Henry. However, 'the king was silent, repulsed by the archbishop's bold objection, his indignation was not allayed; for in the meantime his fury was surreptitiously turned from secular matters'⁴¹ He then raised the issue of criminous clerks.

⁴¹ Edward Grim in Douglas and Greenaway, p. 714.

3) Criminous Clerks

This is highly significant for the present discussion as, at that time, Thomas and Gilbert were at one on this contentious matter. Henry had discovered that more than a hundred murders had been committed by clerks during his reign. He was particularly interested in the case of Philip de Brois. It was alleged that he had killed a knight but was cleared of the charge at the bishop of Lincoln's court under the ancient practice of compurgation. Philip then insulted a sheriff who had reopened the case.⁴² Henry now wanted him charged in the king's court with both homicide and abuse of a royal official. Thomas refused but allowed Philip to be charged in the archbishop's court. Not wanting to aggravate Henry further the bishops agreed on an unusually harsh sentence. However, Philip escaped the death penalty and, although Henry still believed he should have been tried in his court, he temporarily acquiesced but not without adding 'By the eyes of God you shall swear to me that you judged a just judgment and did not spare the man because he was a clerk.'⁴³ Thomas then infringed on what Henry viewed as the customs of the realm by excommunicating William of Eynsford, without the consent of the king, who immediately demanded he be absolved. Becket's action was seen as unnecessarily provocative by Gilbert and Thomas agreed to absolve William, but the exasperated king was only communicating with him now through envoys and the previous close friendship between the two men had now disappeared.⁴⁴

Henry did not let the matter of criminous clerks rest for long, however, and, on 13 October 1163, he summoned a council at Westminster where he berated the

⁴² Anne Duggan, p.38.

⁴³ Grim in Douglas and Greenaway, p.714.

⁴⁴ Fitzstephen in Staunton, *The Lives*, p.78.

bishops for their lack of respect. He demanded that, in future, criminous clerks should be tried in secular courts. Foliot was one of those who continued to stand by Thomas. This was probably the last occasion when Gilbert was to give Becket unequivocal support in defending the interests of the English Church. Thomas claimed that trying clerks in two courts was 'double jeopardy' and was morally wrong.⁴⁵ Foliot, with what was to become habitual contradiction, was later to argue, during the course of switching his allegiance to the king, that Becket was wrong to insist that clerics could accept no judgement from a secular authority. 'There should be an exchange between kings and bishops, in which they alternately judge and are judged, perhaps a bond of affection, a duty of respect, and a necessity for each to keep peace with the other.'⁴⁶ There had, in the past, been exceptional cases where, with the permission of the bishop, a criminous clerk could be transferred to a secular court. Thomas now forbade this. He made a plea to be consistent with the holy canons.⁴⁷ Seeing that the bishops were unanimous in opposition Henry then demanded that they should obey his royal customs, which, he claimed, had been observed by archbishops and bishops in the time of his grandfather; 'therefore he would not acquiesce in their condemnation now.'⁴⁸ Becket, supported by all of his bishops, except Hilary of Chichester, conceded, but with the proviso 'saving our order'. This resulted in an apoplectic Henry storming out of the meeting. There is a regrettable, but unsurprising, lack of consistency in the accounts about the unanimity of the bishops. Both Edward Grim and Roger of Pontigny reported that, on the recommendation of Arnulf, bishop of Lisieux, Henry summoned the more pliable

⁴⁵ Guy, p.177.

⁴⁶ CTB, l. 109, p.521.

⁴⁷ Fitzstephen in Staunton, *The Lives*, p.80.

⁴⁸ Herbert of Bosham in Douglas and Greenaway, p.715.

bishops, Roger, archbishop of York and, notably, the bishop of London. They agreed, on the promise that Henry would not contravene the privileges of their order, to confirm the customs.⁴⁹ This is at variance with Gilbert's own report of his unwavering support for Thomas on this issue, regardless of his concerns about the archbishop's suitability to be leading the Church. It would be remiss not to re-emphasise that the biographers, in general, were not only supporters of Becket but they were also harsh critics of Foliot. The pressure now mounted on Thomas as he was ordered by the king to surrender the castles and honours he held as chancellor, whilst the pope's envoys were urging him to reach an agreement with Henry.⁵⁰ Consequently, at an interview with Henry at Woodstock in December 1163, Thomas verbally agreed to 'observe the customs of the realm in all good faith and to obey the king in what is right.'⁵¹

⁴⁹ Greenaway, p.66.

⁵⁰ Herbert of Bosham in Douglas and Greenaway, p.716.

⁵¹ Guy, p.183.

4) Clarendon and Northampton

The next significant event in the dispute between king and archbishop was the council of Clarendon in January 1164. It gains greater importance for present purposes as, for the first time, Foliot's actions, although initially supportive, could be interpreted as undermining Becket. At the council Henry wrong-footed Thomas by requiring him to confirm in public the submission he had made in private to him about the customs of the realm. What followed is not entirely clear as there are conflicting reports. It seems Thomas now prevaricated and claimed he must discuss the matter with his bishops. The bishops, according to Gilbert, agreed that he should decline to submit. As Foliot melodramatically reported and, arguably, misrepresented, they 'stood firm to the loss of our wealth and the torture of our bodies, ready to suffer exile and the sword as well, if the Lord had permitted it.'⁵² This threw Henry into a rage and he threatened the bishops. They were also, again according to Gilbert, further threatened by a group of knights who 'came shouting and crashing into the room where we were sitting.'⁵³ Despite this, claims Foliot, the bishops remained united. However, under extreme pressure Thomas eventually capitulated, for reasons on which the Lives are divided, although there is little doubt that even his most ardent supporters were confused. Fitzstephen says that four of the bishops, including Foliot, had warned Thomas that if he held out he would be killed.⁵⁴ This is hardly in accord with Foliot's continuing protestations of unanimity. Becket then required his bishops to satisfy the king's honour as he had done. Gilbert said they 'were thunderstruck to hear these words, and gazed at one another

⁵² CTB, l.109, p. 509.

⁵³ Ibid.

⁵⁴ Anne Duggan, p.44.

groaning in spirit at this fall from the height of virtue and constancy.⁵⁵ Thomas had broken the unity of the bishops without any consultation.⁵⁶ No clear picture emerges but the biographers imply that Gilbert is a little thrifty with his narration of the facts. Their unanimous view is that not all the bishops were as steadfast as Gilbert claims. Morey and Brooke, though, are prepared to give Foliot the benefit of the doubt:

A conscientious bishop was put in a position of extreme difficulty; and while we may refuse to accept Gilbert's account of how all the bishops save Becket himself stood firm at Clarendon, we may reasonably accept the view that the bishops did everything they could to avoid agreeing to the promulgation of the Constitutions.⁵⁷

The Constitutions were, in Morey's view, essentially a summary of the differences between the king and the Church. Anne Duggan, more pertinently, describes them as 'an audacious attempt to turn occasional royal interventions in ecclesiastical affairs into unchallengeable legal process.'⁵⁸ Foliot, when his loyalties had moved on, said the king introduced them only to prevent misunderstandings.⁵⁹ He also, in a noteworthy modification of his earlier account of solidarity, declared that Henry could have been mollified and persuaded to make changes the Constitutions.⁶⁰ He uses Becket's behaviour at Clarendon as an example of a failure of leadership which destroyed the relationship between the Church and Henry.⁶¹ A contrary and perhaps more plausible summary of events might be that Gilbert's less than unreserved support undermined Thomas in his dispute with the king. It is at Clarendon that

⁵⁵ CTB, I.109, p.511.

⁵⁶ Anne Duggan, p.44.

⁵⁷ Morey and Brooke, pp.182-3.

⁵⁸ Anne J.Duggan, 'Henry II, the English Church and the Papacy, 1154-76' in *Henry II: New Interpretations*, ed. by Christopher Harper-Bill and Nicholas Vincent (Oxford: Blackwell Publishing Ltd., 2010), p.174.

⁵⁹ Hill, p.250.

⁶⁰ Warren, p.523.

⁶¹ Hill, p.200.

Foliot became what David Knowles calls the coryphaeus of the opposition to the archbishop.⁶² Thomas was asked to affix his seal to the Constitutions. The reports on what happened next are again contradictory. Fitzstephen asserts that he did affix his seal. Henry of Bosham claims that, because he was unwilling to further vex the king, he requested that the question should be deferred for the present.⁶³ Roger of Pontigny says that Thomas declared 'By Almighty God, never while I am living will my seal be put to these.'⁶⁴ Roger's account agrees with Herbert's that the Constitutions were drawn up as a chirograph, which Henry, presumably in an attempt to outwit Thomas, had torn in three parts and one part was given to Thomas. The custom with chirographs was that the mere physical taking of a piece was binding. Herbert is silent on this but Roger says that Thomas made a qualification. 'This I accept, not as consent or approval, but as a precaution and defence of the Church, so that by this evidence we may know what is to be done against us.'⁶⁵ Whatever happened it caused 'a murmuring among his household' some of whom felt angry and betrayed.⁶⁶ It also left Foliot, if he is to be believed, and the other bishops in an invidious position as they had all agreed, at Thomas's behest, to obey the customs. This indecisiveness at a critical moment gave Gilbert and others the opportunity to declare their lack of trust in him. John of Salisbury was convinced that the bishops, led by Foliot, gladly distanced themselves from Becket.⁶⁷ Subsequently Alexander was more supportive and wrote a censorious message to all the English bishops advising them that, if the king was to do anything hostile to the Roman Church, 'you

⁶² Leader of the chorus in Attic drama

⁶³ Herbert of Bosham, Douglas and Greenaway, p.722

⁶⁴ Roger of Pontigny in Staunton, *The Lives*, pp.90-1.

⁶⁵ Ibid, p.91.

⁶⁶ Alan of Tewkesbury, Douglas and Greenaway, p.723.

⁶⁷ Nederman. p.89.

should not attempt to render it to him in any way.’⁶⁸ Thomas was distraught at his own behaviour saying ‘I repent and am so aghast at my transgression that I judge myself unworthy as a priest to approach him whose Church I have thus basely sold.’⁶⁹ William of Canterbury tells us he also did penance in sackcloth and ashes.⁷⁰ Thomas faced with an uncompromising king was now certain that he needed to oppose the Constitutions in their entirety.

In the months that elapsed after the council of Clarendon the king gained the support of many of the bishops, Gilbert of London now being among his most staunch adherents. Foliot was adamant that Thomas should resign as archbishop. Henry then invited the earls, bishops, sheriffs and abbots to a council at Northampton commencing 6 October 1164. He did not want to directly approach Thomas, so he used the case of John the Marshal as an opportunity of summoning Becket to appear by way of a writ from the Sheriff of Kent. John had claimed land belonging to Canterbury but had lost his case in the archbishop’s court. He availed himself of Article 9 of the Constitutions of Clarendon to allege he had been denied justice and obtained a summons from the king ordering Thomas to appear at the royal court. As Thomas did not recognise the Constitutions he sent others to answer the case on his behalf. An angry Henry set the first day of the council for the trial. John the Marshal did not, in fact, turn up, but Henry had achieved his aim and Thomas was charged with, and found guilty of, contempt of court for his failure to answer John’s suit. Foliot was to rebuke Thomas for this failure:

A citation was issued to you by our lord the King, that your highness present himself before him on a particular day, so that he might by his own

⁶⁸ CTB, l. 25, p.79.

⁶⁹ Alan of Tewkesbury in Douglas and Greenaway, p.723.

⁷⁰ William of Canterbury in Douglas and Greenaway, p.723, n.2.

examination complete what had not been done at his command, and terminate the case by a final judgment. You did not allow the citation to be served, but you sent him a reply declaring that you would not obey him in this matter.⁷¹

Becket's actions presented the king with an ideal opportunity to claim that he was disloyal. Fitzstephen concedes that Becket 'had little defense or excuse [...] he had neither come nor pleaded sickness nor urgent business.'⁷² The sentence was that Thomas should be 'at the king's mercy' but there arose an argument between the barons and the bishops as to who should declare it. The bishops decreed that it was a secular not an ecclesiastical judgement. Henry then ordered Henry of Winchester to pronounce sentence. Thomas was sentenced to forfeit all his goods for failure to appear when summoned and subsequently he agreed to pay a fine of £500. Henry insisted on guarantees that it would be paid. All the bishops agreed to be guarantors with the notable exception of Foliot, 'which peculiarity made him conspicuous' and laid him open to the charge of malice.⁷³ It is certainly difficult to interpret his motives generously. Henry then made even more onerous demands on Thomas, who sought the advice of his bishops, wanting to reassure himself that he had their undivided support. This was not forthcoming and, as usual, the most vocal of his critics was Gilbert, who again told him to resign. He also reminded Becket, quite gratuitously, of his humble origins.⁷⁴ Henry of Winchester offered to make a large payment to the king on Becket's behalf, but Henry refused to accept it. Thomas seemed abandoned with only Henry of Winchester and Roger, Bishop-elect of Worcester giving unreserved support. With threats of violence, his bishops divided –some of whom,

⁷¹ CTB, l. 109, p.515.

⁷² Fitzstephen in Staunton, *The Lives*, p.102.

⁷³ Fitzstephen in Greenaway, p.79.

⁷⁴ Alan of Tewkesbury in Hill p.220.

including Foliot, warning he would be condemned for treason- Thomas nearly lost his nerve. But angered that his bishops had deserted him he tried to stop them entering secular judgements against him: 'By virtue of your obedience and at the peril of your orders, I forbid you henceforth to sit in any judgment upon me.'⁷⁵ He also appealed to the pope to ensure any judgment against him by the bishops would be invalidated. Christopher Hill believes 'this was a clear attempt to circumvent royal justice to save his own skin and one that Foliot could not evidently countenance, because from this point Foliot began to work actively against the archbishop.'⁷⁶ The evidence suggests that Gilbert had switched his allegiance from the archbishop to the king earlier than this. He was clearly the advocate of the king's case among the bishops and refused to accept Becket's order and, as was his unfailing custom, counter-appealed, despite having told Thomas that appeals to the pope were forbidden under the Constitutions of Clarendon. Thomas then went to the church to say the Mass of the first martyr, St. Stephen. With the text taken from Psalm 119 'Even though princes sit and talk against me, your servant meditates on your statutes.'⁷⁷ According to Fitzstephen 'Spies immediately informed the king of the Mass, malignly suggesting that the archbishop had celebrated the Mass for himself as if another Stephen, the first Martyr, against the king and the enemies persecuting him.'⁷⁸ Thomas then proposed to go to court barefoot and in his vestments but was dissuaded by his clerks.⁷⁹ He carried his cross to the door of the hall of the castle where he was met by Gilbert, who was asked by an archdeacon from Becket's

⁷⁵ Fitzstephen in Douglas and Greenaway, p.731.

⁷⁶ Hill, p.223.

⁷⁷ Hill, p.224.

⁷⁸ Fitzstephen in Staunton, *The Lives*, pp.105-6.

⁷⁹ Ibid.

household, 'My lord bishop of London, why do you allow him to carry his cross? The bishop replied, 'My good man he was always a fool and always will be.'⁸⁰

Conceivably, in this one sentence can be found the solution to Gilbert's unmoveable stance that Becket was the wrong man to be archbishop of Canterbury. He was convinced that Becket was an incompetent who could only be relied upon to get things wrong. An unseemly wrestling match for the cross then took place between Thomas and Gilbert. Foliot accused him of trying to disturb the peace of the realm saying 'You hold the cross in your hands and if the king were now to put on his sword, then we would see a king well-adorned and an archbishop well-adorned' Thomas retorted that he was doing it to preserve the peace of God for my own person and the English Church and, with a dig at what he regarded as Gilbert's frustrated ambition, said 'if you were in my place, you would feel differently but, if as you say the lord king were now to put on his sword , that would certainly not be a sign of peace.'⁸¹ This confrontation encapsulates the total misunderstanding of each other's motives. Foliot ostensibly wanted peace for the sake of the future of the Church and this required harmony between *regnum* and *sacerdotium*. Confrontation with the king endangered this ambition. Foliot provides no clarity on how that harmony is achieved other than by complete capitulation to the king. As Beryl Smalley says, his writings 'contain no clear statement on the relations between the two powers.'⁸² In fact, it is clear that Gilbert had no comprehension, nor did he try to have any, of Thomas's all-embracing mission to protect the Church from the king's

⁸⁰ Ibid, p.106.

⁸¹ Fitzstephen in Staunton, *The Lives*, p.106. Anonymous 1 in Michael Staunton, *Thomas Becket and his Biographers* (Woodbridge: The Boydell Press, 2006), p.136.

⁸² Beryl Smalley, *The Becket Conflict and the Schools: A Study of Intellectuals in Politics in the Twelfth Century* (Oxford: Basil Blackwell, 1973), p.185.

concealed ambition to bring it under his complete control. In his desire for a symmetry that could never exist Foliot guilelessly failed to see that Henry's vision of an ideal working relationship between state and Church would result in the royal subjugation of the English Church. This is the core of the dispute between king and archbishop. Foliot had the ingenuous belief that, if the secular authority of the king was acknowledged, then he, in turn, would acknowledge the independence of the Church. Gilbert argued, according to Hill, that it was Becket who had a misunderstanding of the proper relationship between Church and state.⁸³ It is more likely that the misunderstanding lay with the credulous Foliot. To Thomas, who knew Henry's character intimately, these aims were incompatible. They were also, it has to be said, not something that Thomas really desired. Like Henry, but for different reasons, he did not believe in the equality of the two swords. Ultimately they could not be equal and he made the Church's hegemony clear when he told Henry, 'Christian kings should submit their judgements to ecclesiastical prelates, not set their judgements above them.'⁸⁴ It is significant that he went on to quote Gregory VII: 'There are indeed two things by which the world is principally ruled: the sacred authority of priests, and the royal power. Of these the power of the priests is greater.'⁸⁵ This allusion to the investiture controversy of the previous century would have made Foliot feel distinctly uncomfortable as, prior to Pope Gregory's intervention, bishops swore fealty to their king. Becket was equally blinkered in his assessment of Foliot. He would not accept or could not understand that Gilbert's beliefs were driven by anything other than envy. There is no evidence that the

⁸³ Hill, p.230.

⁸⁴ CTB, l.82, p.337.

⁸⁵ Ibid, pp.338-9.

archbishop ever met the bishop of London to discuss their differences. It is, perhaps, sanguine to speculate that, ignoring the blemishes in both their characters, if they had, Thomas, given his close knowledge of Henry's flaws, could have persuaded Gilbert that the king did not have the interests of the English Church at heart.

The king now summoned the bishops but not Becket. They told Henry that Thomas had forbidden them from judging him in a secular court. He was outraged as this was, in his opinion, a violation of Article 11 of the Constitutions. Henry instructed his barons to inform Thomas that he must provide accounts from his chancellorship and guarantees for bail. They were also to demand whether he was responsible for the appeal to the pope and the prohibition of the bishops. When confronted Thomas delivered a powerful speech in which he reminded Henry that he had been exonerated of his obligations as chancellor 'when by divine permission and the grace of the lord king I was elected bishop and about to be consecrated, I was released by the king and given free to the Church of Canterbury, no longer subject to secular suits of the king.'⁸⁶ He also stood by the appeal to the pope and the prohibition of the bishops. This impressed some of the barons, but others muttered intimidating threats. Henry's anger then turned on the bishops. They found themselves between Scylla and Charybdis. To obey the king would contravene canon law but to defy him might lead to severe punishment. A delegation of bishops once again begged Thomas to withdraw the appeal and prohibitions. They were, however, divided. Hilary of Chichester complained of his inconsistency at Clarendon and that Thomas was responsible for their predicament. But Becket retorted that 'nothing was conceded by me, or you through me at Clarendon, except saving ecclesiastical

⁸⁶ Fitzstephen in Staunton, *The Lives*, p.111.

honour.’⁸⁷ This comment may have perplexed some when they reflected on what happened at Clarendon. Foliot was to write ‘you had just made a solemn promise to the king and the words of a priest should always keep company with the truth.’⁸⁸ When the bishops returned to the king he excused them from judging the archbishop but insisted on a sentence from the earls and barons. Nevertheless, some of the bishops went to Becket and Hilary of Chichester told him that he must hear his sentence. Thomas would hear no more and said ‘Have you come to judge me? You ought not. Judgement is a sentence given after a trial. Today I saw nothing as part of a trial [...] I am your father [...] I will not hear your judgement.’⁸⁹ After the nobles retreated Thomas rose and carrying his cross, made to leave the castle. Abuse was heaped upon him as he walked through the hall which was full of jeering nobles.

⁸⁷ Ibid, pp.113-4.

⁸⁸ CTB, l.109, p. 513.

⁸⁹ Fitzstephen, in Staunton, *The Lives*, p.114.

5) Exile

He then rode with Herbert of Bosham to his lodgings at the monastery of St. Andrews. From there he sent a message to Henry asking for safe conduct on his journey back to Canterbury. The answer was not promising as Henry said he would decide in the morning. Thomas then put an escape plan, devised by John of Salisbury, into action and fled Northampton.⁹⁰ He subsequently wrote to Alexander beginning 'I flee to your presence.' He gave a lengthy justification of his behaviour and lamented: 'Did I deserve the persecution of those for whom I resisted so many attacks?'⁹¹ The pope clearly believed, whatever the inconsistencies of Becket's behaviour, he had acted in the interests of the Church. He was concerned that the decision of the bishops set a dangerous example and decreed 'that the sentence presumptuously uttered against you by the bishops and barons of England is entirely void [...] and we quash it by Apostolic authority.'⁹² Like many of the events during his exile the plan of the flight and circuitous route followed are not within the scope of this dissertation. However, Thomas's flight from Northampton on 15 October 1164 was seen by many as a cowardly abandonment of his colleagues. Foliot was to roundly censure him.⁹³ Hill, in a chilling condemnation, goes further than Foliot:

'If Becket truly believed that Henry meant to kill him, and he believed that it was the Church that Henry was ultimately threatening, then Becket should have stood his ground and accepted the martyr's death that was granted to him.'⁹⁴

⁹⁰ Guy, p.212.

⁹¹ CTB, l. 37, pp.143-147.

⁹² CTB, l.38, p.149.

⁹³ CTB, l.109, pp.525-7.

⁹⁴ Hill, p.226.

Anne Duggan, in a rather more measured assessment of martyrdom, cautions that 'His destruction by such means would set a very dangerous precedent, and his successors would have reason to rue it.'⁹⁵ Arnulf, bishop of Lisieux, claimed that the king would have allowed his departure.⁹⁶ Foliot agreed, despite having warned Thomas of the dire consequences of a failure to submit. In view of the confrontational atmosphere at Northampton, Thomas could be forgiven for leaving. When the king was made aware of the flight he gathered together a group of nobles and bishops. As Herbert of Bosham reported:

their common advice was that the senior bishops by birth, especially those who bound themselves to the king should go to the pope and accuse the archbishop of perjury, and of disturbing the peace of the realm and of the priesthood[...]In this way the bishops[...]secretly set a trap for the one who fled and so straightaway Archbishop Roger of York, Bishop Gilbert of London and others set out.⁹⁷

In the meantime, Henry wrote to the king of France and others advising that 'Thomas, *formerly* archbishop of Canterbury had fled the realm as a traitor.'⁹⁸ Henry's envoys to the pope were accompanied by 'a large number of earls and barons, in great splendour, with presents and gifts with which for the sake of men they might pervert justice and blind the eyes of the wise.'⁹⁹ If Alan of Tewkesbury is correct then it does not place the leader and standard bearer of the envoys, Gilbert Foliot, who was now also the de facto leader of the English clergy, in a praiseworthy light. He embarked on a spiteful and bitter condemnation of Thomas and his flight, charging that 'The wicked man flees when no one is pursuing.' The pope intervened imploring him 'Have mercy brother', to which the bishop of London replied, 'My lord I will have

⁹⁵ Anne Duggan, *Thomas Becket*, p.77.

⁹⁶ Ibid, p.84.

⁹⁷ Herbert of Bosham in Staunton, *The Lives*, p. 120.

⁹⁸ Ibid. My italics.

⁹⁹ Alan of Tewkesbury in Staunton, *The Lives*, p.128.

mercy on him.’ But the pope challenged Gilbert: ‘I am not telling you, brother, to have mercy on him, but on yourself.’¹⁰⁰ This left Foliot dumbfounded, and he was humiliated in front of his fellow delegates and the cardinals. Staunton points out that the biographers present this as divinely inspired proof of Gilbert’s mendacity. Both Alan of Tewkesbury and Herbert of Bosham allege that it was God who made him mute and speechless.¹⁰¹ Other envoys intervened and Alexander agreed to the bishops’ request for legates. Foliot demanded to know what authority they would have and asked that they be empowered to determine Becket’s case without appeal. It would seem for his own interest he was hoping for a swift and decisive end to Thomas’s archiepiscopacy. But he was again rebuffed by the pope who asserted that it ‘is my privilege which I will not yield to another,’ and when the archbishop is to be judged ‘he shall be judged by us; for it were against all reason to send him back to England to be judged by his adversaries and amongst his enemies.’¹⁰² The bishop of London and the other envoys left in high dudgeon their malevolent objective thwarted.

After Henry’s envoys had left, Thomas met with the pope. It is not clear what passed between them. Alan of Tewkesbury suggests that Thomas proffered his resignation. But Herbert of Bosham, who was present at the meeting, is silent on the issue. There was discussion of the Constitutions of Clarendon with the pope supporting Thomas. Becket sought refuge, in December 1164, with the pope’s assistance, at the Cistercian Abbey of Pontigny, where Alexander said he was to be trained not in splendour but ‘in simplicity as befits an exile and an athlete of

¹⁰⁰ Ibid, p.129.

¹⁰¹ Staunton, *The Lives*, p.22.

¹⁰² Alan of Tewkesbury in Greenaway, p.98.

Christ.’¹⁰³ Winston has pointed out how ‘the early biographers describe with enthusiasm Thomas Becket’s penances at Pontigny.’¹⁰⁴ He was flogged regularly, he wore a flea-ridden hair-shirt, he stood for hours in icy streams. This austerity and his travel from England ‘with no bag, no bread, no money in his belt’ Herbert of Bosham believed was further confirmation of his conversion.¹⁰⁵ It is, unquestionably, perverse to contend that this was the behaviour of a man who was faking his transformation. Meanwhile, the king, dismayed at the failure of his envoys, ‘ordered the archbishop to be immediately deprived of all his possessions, and the church of Canterbury, with all its lands and appurtenances, and all the churches and revenues of all his clerks to be taken into royal hands.’¹⁰⁶ He also declared that ‘If any clerk or layman in your bailiwick has appealed to the Roman *Curia*, I command you to seize him and keep him in custody until you learn my will.’¹⁰⁷ The seizure of goods was carried out with savage brutality under the leadership of Ranulf de Broc, who Fitzstephen describes as ‘more monstrous in crime than all others, the cruellest of laymen and most hostile to the archbishop.’¹⁰⁸ Despite these personal setbacks Thomas attempted, during the first year of his exile at Pontigny, to reconcile himself with Gilbert, who was now Henry’s main spiritual guide. He appealed to him to ‘Choose to take pride in Christ rather than in the things of the earth, to put greater trust in the Lord than in the seductions of the world.’¹⁰⁹ It is improbable, though, that Gilbert would have taken kindly to a condescending lecture from a proselyte

¹⁰³ Alan of Tewkesbury in Staunton, *The Lives*, p.134.

¹⁰⁴ Winston, p.215. See, for example, Edward Grim in Staunton, *The Lives*, p.138.

¹⁰⁵ Michael Staunton, *Thomas Becket and his Biographers* (Woodbridge: The Boydell Press, 2006), p.171.

¹⁰⁶ Fitzstephen in Staunton, *The Lives*, p.135.

¹⁰⁷ Winston, p.219.

¹⁰⁸ Fitzstephen in Staunton, *The Lives*, p.135.

¹⁰⁹ Guy, p.260.

who had previously led a life of worldly extravagance. To compound the insult John of Salisbury was comparing him to Achitophel, the Old Testament villain driven by a mixture of jealousy and ambition. Foliot was now ever closer to the king acting for him when required and, for all intents and purposes, fulfilling the rôle of chancellor.

In June 1165 Thomas gained some further but qualified support from the pope. Alexander quashed the Northampton sentence by apostolic authority and warned that 'in which sentence the bishops and barons adjudged a forfeiture of all your movables contrary both to the form of the law and the ecclesiastical custom.'¹¹⁰ However, he instructed Thomas not to take precipitate action.¹¹¹ He had also written to Foliot, bidding him to warn the king to cease his attacks on the Church and the archbishop's estates. This letter must have been excruciating reading for Foliot as it tacitly accused him of complicity: 'We do not believe you are ignorant of the fact that the king has of late fallen off a good deal in his accustomed devotion to the Church.'¹¹² Clearly Alexander was convinced that Gilbert was an enthusiastic advocate of the measures taken against Thomas, his family, and friends. Gilbert wrote a lengthy reply containing an extraordinary justification of the king's actions and accusing Thomas of bringing woes upon himself by fleeing the kingdom of his own accord.¹¹³ He fails to mention that Thomas had legitimate reasons for fearing for his life. Foliot and Becket could not now have been further apart. The comfortable relationship which Gilbert now enjoyed with the king was highlighted in a letter from John of Salisbury to Thomas in summer 1165. John was clearly in a parlous state because of the confiscation of his goods. His revenues had been

¹¹⁰ CTB, l.38, p.149.

¹¹¹ CTB, l.54, p.225.

¹¹² Hill, p.239.

¹¹³ Greenaway, pp.106-7.

committed by the king to, among others, the bishop of London ‘who takes such care of them that I and my brother can get nothing from them.’¹¹⁴ This alleged avarice may have been in Thomas’s mind when he wrote to Gilbert early in 1166 again warning him to avoid earthly temptations: ‘we wish to encourage you not to look upon the glory of the world as permanent, or to love your property more than yourself.’¹¹⁵

In June 1166 Thomas made a pilgrimage to Vézelay and excommunicated some of those involved in putting together the Constitutions of Clarendon and those who had seized the possessions of Canterbury. According to John of Salisbury he also intended to excommunicate the king but, on learning of Henry’s illness, he held back from sentence. He advised the bishops ‘we have publicly condemned and quashed the document (the Constitutions) which contains those perversities, rather than customs, by which the English church is for the moment being thrown into disorder and confusion, together with the authority of the document.’¹¹⁶ He also warned the bishops to have nothing to do with the excommunicates. He wrote a series of letters justifying his actions. In that to bishop Hilary of Chichester he instructs him that ‘in accordance with the decree of Pope Honorius’ to publish the names of the excommunicates.¹¹⁷ In a letter to Gilbert he tells him he is sending him the pope’s letter, which instructs the excommunicates to return all possessions taken from the clerks, and he directs Foliot to compel the members of his diocese to do so.¹¹⁸ He wrote again ordering Gilbert to circulate copies of the sentences throughout

¹¹⁴ CTB, l. 55, p.227.

¹¹⁵ CTB, l. 65, p.253.

¹¹⁶ CTB, l.78, p.311.

¹¹⁷ CTB, l. 85, p.351.

¹¹⁸ CTB, l.87, p.355.

Canterbury.¹¹⁹ As soon as he was aware of Thomas's censures Henry ordered the bishops to appeal against the archbishop.¹²⁰ At the same time the king was considering withdrawing his support for the pope. In a letter to the archbishop of Cologne he admits that 'I have long desired an opportunity for withdrawing from Pope Alexander and his perfidious cardinals, who presume to support that traitor Thomas, formerly archbishop of Canterbury, against me.' What he goes on to say is telling of the regard he now had for Gilbert. 'I mean to send to Rome certain great men of my realm'¹²¹ As instructed, the bishops of London and Salisbury, who William of Canterbury called 'the tinders of provocation and prevarication', appealed.¹²² They also replied to Thomas's letter and condemned him, particularly for suspending the bishop of Salisbury, Jocelin and his dean John of Oxford unjustly 'before trying the question of guilt.' They advise him they are appealing to the Lord Pope 'Lest you try to extend this sentence and impose it on our lord the king and his realm, or on us.'¹²³ As Anne Duggan points out, Gilbert was clearly the prime mover of the bishops action and it was he who drafted the letter.¹²⁴ The *ad cautelam* appeal, which was frequently used by Gilbert, was against both Becket's present and future actions. The letter, which as John Guy says, 'From its opening sentence onwards, the piece is thoroughly disingenuous', challenges the wisdom of Becket's conduct and the validity of his arguments at the council of Northampton and paints a rosy yet manifestly inaccurate picture of Henry's virtue and chastity and of his dutiful

¹¹⁹ CTB, l. 90, p.363.

¹²⁰ William of Canterbury in Staunton, *The Lives*, pp.146-7.

¹²¹ Warren, p.494.

¹²² Ibid.

¹²³ CTB, l.93, p.381.

¹²⁴ Anne Duggan, *Thomas Becket*, p.115.

intentions as king.¹²⁵ 'All men were deeply conscious of how kind our lord the king was to you; to what renown he raised you up from poverty and received you into his intimate favour with so generous a heart.'¹²⁶ It claimed that Henry had no wish to destroy the liberties of the Church, which were there solely to maintain peace in his realm and accused Thomas of provoking Henry and stirring up trouble with the excommunications.¹²⁷ A reader unfamiliar with the dispute could be forgiven for thinking that the author was an uncritical servant of the king rather than a senior member of the English Church. John of Salisbury's brilliant parody of the letter says it all: 'We do not say (he quotes Foliot) that the king has never been at fault, but we do say that he considers it the sweetest of all tasks to listen to those who tell him he is wrong. Does he think that anyone in Europe will swallow this?'¹²⁸ Indeed, it is difficult to understand how Barlow came to the conclusion that 'Gilbert was not a pliant tool of the king' without a satisfactory explanation of why Foliot was doing all he could to help Henry achieve his aim of bringing both Church and state under his sole control.¹²⁹ Becket's supporters wrote replies to this *libellum*, as Henry of Bosham called it, but Thomas's own detailed letter is the most effective in exposing the flaws in Gilbert's arguments. It is also biting in its condemnation, and he says the letter 'seems to have more of snarling than of solace. If only it had been sent rather from zeal of your compassion and the feeling of your love, than from your wilful disobedience.'¹³⁰ It refutes the charge that his election was not canonical. It was clearly aimed at Gilbert by its accusation of envy and its particular reference to what

¹²⁵ Guy, p.261.

¹²⁶ CTB, l.93, p.377.

¹²⁷ Greenaway, pp.114-5. Knowles, *Thomas Becket*, p.113.

¹²⁸ Quoted in David Knowles, *The Episcopal Colleagues of Archbishop Thomas Becket* (Cambridge: Cambridge University Press, 1951), p.121.

¹²⁹ Barlow, p.140

¹³⁰ CTB, l.95, p.389.

was done to Thomas at Northampton and subsequently when in exile. It deals dismissively with the unpleasant snipe at his origins. ‘You say he raised me from poverty to honour. Indeed, I am not “sprung from an ancient line of kings”; nevertheless, I prefer to be a man in whom nobility of mind creates nobility than one in whom nobility of birth degenerates.’¹³¹ This is a clear and coruscating swipe at Foliot’s aristocratic origins. A separate letter, written at the same time, to Gilbert is recognition of his authorship of the so-called co-authored letter. Thomas says that when this letter’s ‘end is joined to the beginning it forms the image of a scorpion: the one coming into our presence with flattery, the other stinging us sharply, scheming to impose silence on us.’¹³² Its most devastating accusation, and pertinent for present purposes, is that it portrays Foliot sitting on his hands in the centre of the king’s camp whilst doing nothing to prevent the clergy and their families being subjected to unforgivable outrages:

You see proscribed orphans, widows, children, the innocent - of whom God calls himself the father and judge – and those who are entirely ignorant of this controversy which involves us, and you remain silent; you see clerks exiled, and you do not protest; you see others despoiled of their property and assaulted with insults, and you do not speak out against it; you see my servants thrown into chains and held captive and you remain mute.¹³³

This ‘enormously long and learned reply’, was countered by Foliot, in September 1166, with the notorious, and even more enormously long, *multiplicem nobis*. It is, as Morey says, ‘the work of an enemy.’¹³⁴ Among many other attacks on Becket’s character, Foliot repeats the charge that Thomas bought the chancellorship

¹³¹ Ibid, p.403.

¹³² CTB, l.96, pp.427-8.

¹³³ CTB, l.96, p.435.

¹³⁴ Morey and Brooke, p.167.

as a stepping stone to the archbishopric.¹³⁵ He blames Becket for destroying the harmony that he claims existed before the archbishop came on the scene. 'The kingdom gave devoted and holy service to the priesthood.'¹³⁶ He conveniently omits that this sham harmony during archbishop Theobald's incumbency was trenchantly denounced by the pope.¹³⁷ He gives his version of what occurred at Clarendon. It is worthy of mention that his letter contains a further denial that he had ever coveted the archbishopric. This constant reiteration signals plainly that the charge rankled with him, and a cynic might observe that he 'doth protest too much.'¹³⁸ His main issue is again with Becket's abandonment of others to save himself. He claims that at Clarendon, whilst he and the other bishops stood firm (and he provides a list of those bishops) 'The captain of the army himself turned tail; the leader of the camp fled.'¹³⁹ He bizarrely forgets that, at Northampton, he advised Becket to submit or be mutilated or killed. In the final section of the letter he lambasts Thomas for confronting the king rather than attempting to negotiate with him 'not with reproaches, but with blessings and praise, and steady encouragement.'¹⁴⁰ He rebukes Becket for not handling the various differences of opinion with the king with prudence. 'But it was managed differently, and from causes too numerous to list, disagreements were multiplied, indignation was flamed and hatred firmly entrenched.'¹⁴¹ He glosses over that his own loathing of Thomas was undeniably strongly established. There are many more contradictions in this lengthy letter.

Although Knowles says it must be taken seriously, Beryl Smalley describes it as 'a

¹³⁵ CTB, l.109.

¹³⁶ Anne J. Duggan, 'Henry II', p.154.

¹³⁷ Ibid, p.156.

¹³⁸ *Hamlet*, 3.2.211.

¹³⁹ CTB, l. 109 pp. 510-511.

¹⁴⁰ CTB, l. 109, Staunton, *Thomas Becket*, p.123.

¹⁴¹ CTB, l. 109, p.507.

tissue of half-truths and inconsistencies.’¹⁴² One prominent inconsistency is that after criticising Henry for his bullying behaviour over the Constitutions of Clarendon he later questions whether Henry acted in anger or unreasonably towards Thomas.¹⁴³ We must, though, demur with Smalley’s judgement that Foliot had ‘never presented the Constitutions as other than evil.’¹⁴⁴ Merely his tacit acceptance of them in his later defence of Henry’s actions implies the opposite. And his complicity goes further. ‘The readiness with which Foliot embraced the whole gamut of the Constitutions calls into question the honesty of his statements about the king’s willingness to negotiate.’¹⁴⁵ Winston notes ironically that ‘Gilbert Foliot seems to have been one of the very few persons in Europe who discerned, through all the trappings of worldliness, concupiscence, pride, anger and such lesser sins as chattering and doodling at Mass, the essential saintliness of Henry of England.’¹⁴⁶ One of Foliot’s few modern proponents, Christopher Hill, argues that *multiplicem* ‘accurately outlined the dangers of ever-expanding clerical authority into the temporal world. For this, Foliot should be applauded rather than scorned.’¹⁴⁷ This Europe-wide controversy over papal supremacy falls outside the remit of this dissertation but Henry’s designs were far more insular. Seemingly, Foliot’s charge that by fleeing the country Thomas acted precipitately and without thought for the consequences looks damning. But, given the threats against him and the intolerable pressure exerted by the king, it is unsurprising that his judgement was temporarily impaired. It is patently unjust to insinuate he was motivated by cowardice. The

¹⁴² Smalley, p.182. Knowles, *Thomas Becket*, p.125.

¹⁴³ CTB, l. 109.

¹⁴⁴ Smalley, p.182.

¹⁴⁵ Anne Duggan, *Thomas Becket*, p.119.

¹⁴⁶ Winston, p.258.

¹⁴⁷ Hill, p.274.

biographers were largely supportive. Anonymous II, for example, commented that 'Wisely [Thomas] realized that he should give way before malice and give place to madness, as Jacob did towards his brother Esau and David towards the most unyielding of enemies Saul', and William of Canterbury says 'At the appropriate time [Thomas] escaped the premeditated crime and the exertions of evil counsels, decided to cross to a safer place, just as the Lord promised and did.'¹⁴⁸ There is no evidence that Thomas answered *multiplicem nobis* but, in late November 1166, he complained to Alexander that the bishop of London had 'usurped the magistracy in England against ancient custom and established right so that he can boast that nothing can be commanded or established in our province except by him.'¹⁴⁹ It is ironic for Becket to be evoking ancient custom.

Thomas was now obliged to leave Pontigny as Henry had written to the abbot of Cîteaux warning that 'his order had sheltered his public enemy and the public enemy of the whole kingdom' and 'if the archbishop remained there or was allowed refuge elsewhere in the order, he would expel without argument every Cistercian monk he found in his realm.'¹⁵⁰ It is not entirely implausible that the king's confessor, a one-time Cluniac monk, may have incited Henry's action. Thomas then had to seek refuge at the Benedictine abbey of St. Colombe at Sens under the protection of King Louis. Henry's anger at the Vézelay sentences had not diminished and he threatened, through his envoys, led by Foliot, withdrawal of obedience from Alexander and his cardinals if they did not abandon Thomas and revoke his sentences. In his November 1166 letter to Alexander Thomas denounced Henry's intimidation of the Cistercians

¹⁴⁸ Staunton, *Thomas Becket*, pp.161-2.

¹⁴⁹ CTB, l.115, p.561.

¹⁵⁰ Grim in Staunton, *The Lives*, p.148.

and the pusillanimity of the English bishops.¹⁵¹ Alexander, encumbered by an not unfamiliar dilemma, wrote to Thomas advising him that he had admonished the king but, whilst he was waiting for the result of these exhortations, 'we ask, advise and counsel you as a prudent man, to bear with him patiently until we can see the end and outcome of this affair, and you may not in the meanwhile decree anything against him, or anyone in his kingdom, which appears harsh or offensive to him.'¹⁵²

Thomas was distraught at this mealy-mouthed response, as there was also the imminent threat of a hostile papal legate. The threat became a reality when the pope sent two legates Cardinal William of Pavia and Cardinal Otto of Prescia to see Thomas at Sens. Their purpose was to effect a reconciliation but, although Alexander had appointed Otto as a balance to the pro-royal William, Becket expressed his concerns to John of Salisbury that the king was 'about to have the legate he wanted, our more than manifest enemy, William of Pavia.'¹⁵³ He was also dismayed that Gilbert had seen the letter from the pope forbidding the bishops to respond to the archbishop's summons until the legates had determined the case arising from the appeal. The bishop of London had 'cried out in a delighted voice, saying, "Thomas will no longer be my archbishop."¹⁵⁴ The legates summoned Becket to a conference between the castles of Gisors and Trie. Thomas's worries increased as he heard in the language of William of Pavia, the voice of Gilbert Foliot suggesting that, if he found the Constitutions of Clarendon so onerous, would not it be better for him to resign. If not, the cardinals proposed, perhaps tacit, unexpressed consent to the

¹⁵¹ CTB, xliii/xliv, CTB. l. 115, pp.555-563.

¹⁵² CTB, l.119, p.573.

¹⁵³ CTB, l.123, p.587

¹⁵⁴ Ibid, p.588.

customs would be the solution.¹⁵⁵ But, as Herbert of Bosham pointed out, 'we [...] sought the explicit abolition of the customs and that the charter in which the Constitutions were spelled out be annulled.' They also sought restitutions of the goods that had been taken away. No agreement with the cardinals was reached and so 'with peace corrupted, and with all hope of reaching peace through them lost, we departed from them, and they immediately returned to the king.'¹⁵⁶ When the legation met with Henry he expressed his displeasure with the outcome. He left his bishops to deal with the legation and, as usual, Gilbert acted as their spokesman. He blamed Thomas for the failure to settle the dispute, 'since the archbishop does everything suddenly and precipitately, striking without warning, suspending and excommunicating before he even issues an admonition.'¹⁵⁷ The bishops renewed their appeal against the sentences. With an astonishing and partial review of the quarrel Gilbert claimed it had nothing to do with principles, with the liberty of the Church, right of appeal, immunity of the clergy etc but was about Becket's claim of being absolved from debts. He joked that 'The archbishop thinks that promotion cancels debts as baptism remits sins.'¹⁵⁸ His scurrilous attack continued with a blistering criticism of the archbishop's so-called dangerous conduct which, he claimed, could lead to the king abandoning the Roman Church. He finished with a self-pitying lament that Thomas kept demanding services that were not legitimately due to an archbishop from his suffragan. 'He blames everything on me and keeps hounding me more than any other bishop.'¹⁵⁹

¹⁵⁵ CTB, l.144, p.667.

¹⁵⁶ Herbert of Bosha in Staunton, *The Lives*, p.152.

¹⁵⁷ Letter to Becket from unknown confidential agent at royal court, see Greenaway p.120.

¹⁵⁸ Greenaway, p.120.

¹⁵⁹ Ibid.

After this failure to reach any kind of settlement envoys from both sides were sent to the *Curia*. This resulted in another papal mission led by three distinguished monks. They succeeded in persuading Thomas and Henry to meet. At a conference at Montmirail on 6 January 1169 a flurry of mediators passed between the king and the archbishop and an agreement seemed to have been reached. The mediators advised Thomas that he should 'submit himself in every way to the compassion and will of the king.'¹⁶⁰ He readily agreed to place himself at the king's mercy but, instead of the qualification 'saving our order', which he had added at the Council of Westminster in October 1163, he insisted on substituting the phrase 'saving God's honour'. The mediators who were closest to Thomas attempted to remove that qualification, because, they said, the king would be outraged. They warned Becket that the formula would destroy any chance of reconciliation. He was urged by all attending to drop the phrase, but he remained obdurate. Nevertheless, a meeting with the king took place at which Thomas prostrated himself at the Henry's feet, who immediately took hold of him and raised him up. The archbishop then 'began humbly and zealously to solicit royal mercy towards the Church committed to him, even though, as he said, an unworthy sinner.'¹⁶¹ After submitting himself to the king's mercy and judgement in the presence of the king of France he added, to the surprise of all present, 'saving God's honour.' Further attempts were made by the mediators and others to change his mind. However, 'all the mediators, seeing him immovable and inflexible in this way, soon departed from him and he remained alone' apart from one of the bishops, John of Poitiers, who reproached him about

¹⁶⁰ Herbert of Bosham in Staunton, *The Lives*, p.155.

¹⁶¹ *Ibid*, p.158.

the destruction of the Church.¹⁶² Herbert says 'He responded humbly and gently, brother, watch out that the Church of God is not destroyed through you. With God's grace it will not be destroyed through me.'¹⁶³ There can be little doubt that he had Foliot in mind when he gave this warning, as the bishop of London was now *de facto* head of the English church.

Further fruitless meetings ensued but, in March 1169, the pope lifted the suspension imposed upon Becket and he was able to issue fresh censures. He did not waste any time and, at Clairvaux in April 1169, he excommunicated the bishop of London who had previously 'been corrected for threefold disobedience, but proved incorrigible.' Foliot's letter of excommunication was announced in St Paul's Cathedral on 29 May 1169 (Ascension Day) by a brave emissary of the archbishop of Canterbury.¹⁶⁴ The fact that he was a total stranger to Gilbert was a premeditated insult. Foliot responded by claiming that, because, when bishop of Hereford, he had given profession to the church of Canterbury, now he was bishop of London he was free of that obedience. He also claimed that 'since in the time of the Britons, before the island had been subdued by the Angles, London was the metropolitan see.'¹⁶⁵ The king wrote to Foliot calling Thomas's action 'the outrage which that traitor and enemy of mine, Thomas, has inflicted upon you and other subjects of my realm.'¹⁶⁶ Nevertheless, because Becket was now re-established as a papal legate, Gilbert was obliged to obey the excommunication. It was one thing to choose to ignore the archbishop but quite another to disobey the papacy. He then got permission from

¹⁶² Ibid, p.161.

¹⁶³ Ibid, p.162.

¹⁶⁴ Fitzstephen in Staunton, *The Lives*, p.164.

¹⁶⁵ Ibid, p.165.

¹⁶⁶ Richard Barber, *Henry II: A Prince Among Princes* (London: Penguin Books, 2018), p.58.

the king to travel to Rome to appeal to the pope. Excommunication worried Gilbert, although he did not accept that Thomas had the right to impose it. Thomas's friends now rallied to his cause. In the summer of 1169 'two elaborate attacks were mounted against Gilbert.'¹⁶⁷ Firstly, Herbert of Bosham wrote a letter to the pope listing seven 'objections.' Adrian Morey has disentangled from this list of offences four serious charges: 'that his venom against Becket arose from thwarted ambition; that he used legal cunning to build up a case to make London the seat of the archbishopric; that he acted as Henry's accomplice and fomented the dispute; and that he used the device of appeal, and especially of the appeal by anticipation, *ad cautelam*, in such a way as to bring derision on the jurisdiction of the archbishop and pope.'¹⁶⁸ The 'thwarted ambition' charge is almost universally accepted but we reiterate our argument that, although Foliot frequently acted with malignity, there is no conclusive evidence that he was driven by envy. We shall not dispute Morey's three other charges. In the second attack, John of Salisbury wrote a letter to Canterbury monks accusing Gilbert of wanting to transfer primacy from Canterbury to London. Morey agrees that Gilbert wanted the transfer.¹⁶⁹

In the meantime, two new mediators, Subdeacon Gratian and Archdeacon Vivian of Orvieto, had been appointed. They met Thomas and then Henry, who found them less pliant than he expected. He threatened them with schism to which Gratian famously responded: 'Do not threaten, my lord. We have come from a court that is accustomed to command emperors and kings.'¹⁷⁰ These legates negotiated a remarkable compromise. Henry conceded all that Thomas wanted, provided he

¹⁶⁷ Morey and Brooke, p.147.

¹⁶⁸ Ibid, p.148.

¹⁶⁹ Ibid, p.152.

¹⁷⁰ Guy, p.273.

dropped all 'saving' clauses. Becket agreed and consequently a conference between Henry and Thomas was arranged in November 1169 by Vivian and King Louis at Montmartre. Nonetheless, at that meeting, even with an agreed text before him, Henry tried to change the terms. Vivian insisted on the original wording and Henry finally agreed to pay compensation to Becket. To seal the agreement all that was required was the kiss of peace. Henry declined on the grounds that he had sworn in the past not to grant it and he could not break his oath. The mediators now tried to persuade Thomas to accept as this was the last obstacle to the peace settlement. Becket was adamant he would not without the kiss of peace and the conference failed. After the king had departed the archbishop's company he repaired to the chapel of Martyrdom at the house of the Templars and Herbert of Bosham reports that one of the company said to the archbishop 'it is my belief that only through your martyrdom will the Church obtain peace.' Thomas answered laconically 'Would to God she might be delivered, even by my blood!'¹⁷¹ In late December 1169 Becket issued an updated list of the excommunicates which was headed by bishop Gilbert of London, who was instructed by Thomas that 'he requires the bishop of London to restore to him whatever he received from the income of his clerks.'¹⁷² In June 1166 Gilbert had been ordered by the pope to restore all sequestrated properties within two months. In his own letter transmitting this command Thomas required restitution within forty days. Gilbert was once again placed in an awkward position as the king had put the ecclesiastical properties of Becket's clerks in his charge. His

¹⁷¹ Herbert of Bosham in Greenaway, p.130.

¹⁷² CTB, l.262, p.1129-1131.

plea to the king for a compromise was presumably turned down as the revenues were paid into the royal treasury.¹⁷³

The pope sent word to Gilbert in April 1170 that Archbishop Rotrou of Rouen and Bishop Bernard of Nevers could absolve him provided he swore to obey papal instructions. Rotrou wrote to Becket advising him of the absolution.¹⁷⁴ Thomas replied pointing out that the bishop of London had not observed the pope's condition.¹⁷⁵ He was furious about the two-faced policy of Rome and with the absolutions. He expressed his displeasure in letters to Alexander and to Cardinal Albert. He denounced the bishop of London for his devious behaviour and told the pope 'if he is an enemy of the Church and the fomenter of schism, he should be punished and destroyed.'¹⁷⁶ He reminded Cardinal Albert that Gilbert was the 'author of all the wickedness from the beginning, who drove both the bishop of Salisbury and as many others he could into the crime of disobedience.'¹⁷⁷ In May 1170 Thomas forbade the celebration of Divine Office throughout the bishop of London's diocese except for baptisms and funerals and told Gilbert to ensure that the sentence of interdict was 'inviolably observed by all those subject to you.'¹⁷⁸ He was resolute that he would never grant remission 'to the impenitent for the things which have been taken away from God's Church.'¹⁷⁹ As Roger of Pontigny reports, Henry then increased the pressure on Thomas. 'The king of England called together a council of bishops and magnates at Clarendon and demanded that they swear an

¹⁷³ CTB, p.552, n.16.

¹⁷⁴ CTB, l. 275, p.1177.

¹⁷⁵ CTB, l.276, p.1179.

¹⁷⁶ CTB, l.277, p.1181.

¹⁷⁷ CTB, l.278, p.1185.

¹⁷⁸ CTB, l.290, p.1237.

¹⁷⁹ Greenaway, p.131.

oath that they would not provide any comfort to the archbishop.¹⁸⁰ He threatened them with severe penalties if they refused. The bishops managed to persuade Henry that they need only promise verbally. He then ordered them to meet again in London in June 1170 and 'when they had gathered there the king began to discuss the coronation of his son.'¹⁸¹ Most of the bishops agreed that this would be illegal in the absence of the archbishop of Canterbury. 'Nevertheless, three bishops were found, Roger of York, Gilbert of London and Jocelin of Salisbury [...] who said they were prepared to carry out the king's wish [...] So the king [...] had his son crowned with these three bishops performing the celebration.'¹⁸² This was an especially cruel blow to Thomas as it transgressed an ancient privilege of Canterbury. It was exacerbated by the participation of some of the English episcopate including that fervent advocate of canon law the bishop of London, who had previously supported the primacy of Canterbury over York. This was nothing other than betrayal and, once again, Gilbert Foliot was at the epicentre. It was an egregious affront as, in February 1170, Becket had ordered the bishops not to take part in the ceremony and the pope had written to the king forbidding it. It seems his letter did not arrive in time. Alexander had also written a strongly worded letter to all the English bishops strictly forbidding them to take part in the coronation in any way.¹⁸³

¹⁸⁰ Roger of Pontigny in Staunton, *The Lives*, p. 173.

¹⁸¹ Ibid.

¹⁸² Ibid.

¹⁸³ CTB, l.266, p.1143.

6) Fréteval and Return to Canterbury

The pope, his envoys and King Louis were outraged at the coronation. The papal envoys served an ultimatum on Henry. He agreed their terms and, despite him refusing the kiss of peace, a meeting between Becket and the king was arranged at Fréteval on 22 July 1170. After a friendly exchange a compromise was agreed, and Thomas would return to England. 'Meanwhile the king gave instructions that all possessions taken away from him and others were to be restored.'¹⁸⁴ His royal writ stated 'I release the archbishop of Canterbury and his followers who are exiled with him and for him from my displeasure and enmity and I cancel all earlier claims which I had against him.'¹⁸⁵ He also agreed that Thomas could punish the bishop of London for the injury that had been inflicted upon him by Gilbert's involvement in the coronation of young Henry. Although Thomas had not demanded the kiss of peace its absence surely pre-ordained the failure of what turned out to be a hollow settlement. Despite being urged by King Louis to stay in France Thomas eventually set out on his journey to England. He received an encouraging letter from the pope renewing the earlier excommunication of the bishops of London and Salisbury by restoring the sentence of anathema from which they had been absolved. Alexander was ferocious in his condemnation of 'the bishops who took the oath to preserve the evil customs and were fomenters of such great wickedness, and we suspend them from episcopal dignity.'¹⁸⁶ His envoy was sent ahead with these letters of justice, and he found the archbishop of York and the bishop of London at Canterbury waiting for the right time to cross the sea. The pope's letters of thundering judgement, which

¹⁸⁴ Fitzstephen in Staunton, *The Lives*, p.177.

¹⁸⁵ CTB, l.299, p.1259.

¹⁸⁶ CTB, l.307, p.1293.

included the phrase, 'Let us fill their faces with shame', were read and 'their faces were pushed to the ground.'¹⁸⁷ The pope also instructed the English bishops to warn their clergy not to celebrate divine office in the lands of the excommunicates on peril of being deprived of all ecclesiastical authority.¹⁸⁸ In his reference to 'the enormities and crimes of the wicked' his condemnation of Foliot and others could not have been more explicit. Nevertheless, despite this unequivocal support from Alexander, Thomas was anxious not to exacerbate the quarrel with the king and, in late October 1170, he petitioned the pope for permission to deal with the dissident bishops in his own way. 'Although the bishop of London stood out as the standard bearer of this conspiracy, not to say schism, we beg that we be allowed to show mercy to him [...] if (he) cannot be punished according to your mandate without re-establishing the schism.'¹⁸⁹

Thomas was warned as he embarked in November 1170 by Milo, dean of Boulogne, 'Watch out for yourself. There are those lying in wait who seek your life, blockading the sea ports, so that as you leave the ship they might seize you and butcher you or put you in chains.'¹⁹⁰ Thomas's courageous servant served the letters of censure personally 'on York, London and Salisbury in the church of St. Peter at Dover, where they were waiting to cross the sea.'¹⁹¹ Thomas's decision to issue these letters of censure was provocative, because they related to the coronation of the young king, and, arguably, as Staunton suggests, 'lit the fuse which led to his

¹⁸⁷ Fitzstephen in, Staunton, *The Lives*, p.181.

¹⁸⁸ CTB, l.312, p.1309.

¹⁸⁹ CTB, l.318, p.1325.

¹⁹⁰ William of Canterbury in Staunton, *The Lives*, p.182.

¹⁹¹ Herbert of Bosham in Staunton, *The Lives*, p.182.

murder.¹⁹² Foliot's appeal to the king reveals both his predilection to grovel to Henry and his connivance with the king to devise strategies to outmanoeuvre Thomas and nullify his authority. His letter begins 'Prostrate in spirit at the feet of your highness.'¹⁹³ As Barlow says, the most alarming feature of intelligence reports was that the opposition was being organised by an alliance of the archbishop of York, the bishops of London and Salisbury and Ranulf de Broc and his henchmen who, Thomas had told the pope, intended to cut off his head.¹⁹⁴ Becket landed at Sandwich, which was safer than Dover, and then set out for Canterbury where he 'was welcomed with as much thanks and celebration as a heavenly host, as an angel of God'.¹⁹⁵ The fact that Gilbert was in union with a group of murderous and predatory thugs signifies the depth of his loathing for the archbishop and how far he was prepared to discard his much vaunted principles. Becket, aware of this alliance, wrote to Alexander on 5 December 1170 complaining that the bishops of London, Salisbury and York had been directing the course of Ranulf de Broc and his associates, individuals who the bishops knew would be especially hostile to Thomas and his followers. The bishops had also come to Canterbury 'to incite further the agents of the public power, if they were not already maddened enough.'¹⁹⁶ He also claimed that Foliot and others 'were exerting themselves to the detriment of the Apostolic See, that its authority may be destroyed or weakened in the realm.'¹⁹⁷ This was an especially damning reproach as, if true, - and the mounting evidence for Foliot's contempt for his clerical superior and his veneration for the king suggests it

¹⁹² Staunton, *Thomas Becket*, p.186.

¹⁹³ Anne Duggan, p.119.

¹⁹⁴ Barlow, p.223.

¹⁹⁵ Herbert of Bosham in Staunton, *The Lives*, pp.183-4.

¹⁹⁶ CTB, l. 326, p.1349.

¹⁹⁷ Ibid, p.1351.

was - then Foliot could be justly condemned as an adversary of the English Church. It is noteworthy that Thomas was not blaming the king for drawing back from his agreement and promises but 'the priests of Baal and the sons of false prophets' the leaders of whom 'are that notorious York and the bishop of London.'¹⁹⁸ This final letter to the pope is of great consequence as a harbinger of the chain of events that led to the murder of the archbishop of Canterbury. It also foregrounds the central rôle that the bishop of London played as an instigator of enmity towards Thomas.

In early December Foliot, with Roger of York and Jocelin of Salisbury, travelled to Bur-le-Roi in Normandy to meet the king. According to Garnier, Gilbert and Jocelin had wanted to 'make atonement and to make to their archbishop those reparations which were justly due; they acknowledged between themselves how wrong they had been.'¹⁹⁹ Given their hostile intent and the disdain which they had shown towards Thomas this seems a very unlikely scenario. Roger must have had little difficulty in dissuading them from an implausible repentance. He said he would 'bring Thomas's pride to a fall,' and, whilst they were embarking on their journey to Normandy, he had exclaimed 'Thomas, Thomas, how you will regret making me cross the sea. I am going to get an uncomfortable pillow for your head.'²⁰⁰ As soon as they landed they sent the pope's letter to Henry, who needed very little goading. He became white with fury, complained of Thomas and bewailed about the disloyal cowards he had at his court. When the three bishops arrived at Bur they 'found the king there and fell to his feet and begged his forgiveness, lamenting and grieving before him, groaning and weeping in sorrow and affliction.' Roger spoke for them all.

¹⁹⁸ Ibid, p.1345.

¹⁹⁹ Garnier in Staunton, *The Lives*, p.188.

²⁰⁰ Ibid.

He exaggerated the threat that Thomas and his retinue posed. It is likely that it was he who uttered the ominous words: 'I assure you, my lord, while Thomas lives you will have no good days, nor quiet times, nor a tranquil kingdom.'²⁰¹ The letter from the pope cutting off these three prelates from their calling was brought forward and read out in audience who 'swore now on holy relics and pledged to each other that wherever in the world they might find him, they would pull his tongue down past his chin and dig both his eyes out of his head; neither church nor altar nor season should protect him.'²⁰²

²⁰¹ Ibid, pp.189-90.

²⁰² Ibid, p.190.

6) Conclusion

The subsequent murder of the archbishop of Canterbury in his own cathedral placed the dispute in a new light for the biographers. The Constitutions could now be portrayed as an unparalleled attack on the English Church and Thomas's unbending refusal to accept them could now be exculpated. It is ironic, as Hugh Thomas points out, that Thomas's deep concern with protecting the sacred clerical body from violation led to the violation of his own clerical body.²⁰³ As Staunton says Thomas's death also 'rendered unsustainable Foliot's argument that the dispute involved a minor and unimportant matter better approached with moderation.'²⁰⁴ It is often overlooked that, if the Constitutions of Clarendon had been fully implemented, Henry II would have achieved his objective of bringing the English Church under his jurisdiction.²⁰⁵ A close reading of them reveals that Hill, who, in general, defends Foliot, is mistaken in his conclusion that the reach of the Constitutions by no means attacked the fundamental independence of the clergy.²⁰⁶ Clause IV, for example, lays down that no ecclesiastical officials are to leave the country without royal assent and Clause XII regulates the election of bishops and abbots to ensure royal control over them.²⁰⁷ One of the essential messages of this dissertation is that Gilbert failed to comprehend that, as soon as Thomas was elected to the see of Canterbury, his unwavering focus became protecting the rights of the English Church. The

²⁰³ Hugh M. Thomas, 'Violence, Clerical Status, and the Issue of Criminous Clerks' in *The Secular Clergy in England, 1066-1216*, Oxford Scholarship Online October 2014 DOI: 10.1093/acprof:oso/978198702566.001.0001

²⁰⁴ Staunton, *Thomas Becket*, p.127.

²⁰⁵ Charles Duggan, 'The Significance of the Becket Dispute in the History of the English Church' *Ampleforth Journal* 75 (1970), 365-375, repr. in *Canon Law in Medieval England: the Becket dispute and the decretal collections* (Variorum, 1992), p.369.

²⁰⁶ Hill, p.206.

²⁰⁷ Z.N.Brooke, *The English Church and the Papacy From the Conquest to the Reign of John* (Cambridge: Cambridge University Press, 1989), p.203.

Constitutions stood in the way. Customs should not override canon law. It was unlikely that Foliot would make sense of that commitment as, from the beginning, he was convinced that Becket was totally unqualified to lead the Church. Several of his comments make manifest his scorn for Thomas as incompetent, ignorant and stupid. There comes to the surface more than an element of aristocratic snobbery informing his view of this 'low-born clerk'. An insult which Thomas had effectively countered by comparing himself, in a letter to all English clergy, to St. Peter, 'chosen from the fisherman's trade and made prince of the Church.'²⁰⁸ If, as Morey says, 'Becket had been what Foliot supposed him, a royal play-thing, a fake archbishop, Foliot's position was sound.'²⁰⁹ But his assessment is at variance with the simple facts of Thomas's career. He was a highly regarded member of archbishop Theobald's staff and was strongly recommended when the king wanted a chancellor. Henry clearly relied upon him to fulfil many of the duties of state. Although Foliot dismissed him as unqualified to be archbishop of Canterbury, his undeviating commitment to the defence of the English Church from royal interference does much to refute this charge. Moreover, nowhere does he evince a lack of intelligence. In the narrow corridor of his dispute with the king, his common sense and judgement could certainly be brought into question, and he exasperated even his own colleagues with his impulsiveness and failure to consult. Gilbert believed that Becket also lacked the modesty required to lead the English Church. 'If only this whole affair had remained within the limits of this humility.'²¹⁰ This verdict was based on Becket's lifestyle as chancellor but disregards his remarkable transfiguration as archbishop. The tenor of

²⁰⁸ CTB, l.95, pp.404-5.

²⁰⁹ Morey and Brooke, p.185.

²¹⁰ CTB, l.109, p.523.

Gilbert's letters unveils an increasing absence of well-reasoned judgement the closer he became to the king. At the start of Becket's dispute with Henry, Foliot frequently sided with his archbishop when the rights of the Church were under royal onslaught. Without question, before he became the king's sycophant, he found it problematic to reconcile the demands of the two powers. Towards the end an impartial reader of some of his tirades would not discern a clerical voice but would hear an ardent supporter of the king. His malice towards Thomas is inexcusable not simply because, as a monk, he was committed to obedience to the Apostolic See. However, despite his vindictive and perfidious behaviour there is nothing in the available body of facts, other than, arguably, the behaviour itself, to support a charge of envy. This is an unfashionable opinion which is almost drowned out by the overwhelming bombardment of dissenting voices. All the biographers, Becket himself, and most modern scholars have adhered to the fallacious contemporary narrative that the bishop of London coveted the top job for himself. However, all historians are dependent on the accuracy of the primary sources, but their value is compromised if there is a suspicion of partiality even if, as in this case, there is unanimity amongst those primary sources. There is certainly a whiff of no smoke without fire in the alacrity with which some of today's historians have accepted a myth for which there is no evidence.

Whilst jealousy cannot be corroborated it is also the case that, whilst Gilbert's initial opposition to Thomas's appointment was motivated by a not entirely unjustified opinion of his unsuitability for a rôle for which he had no clerical experience, his later actions seem to be driven by malevolence and what presents itself as an increasingly obsequious and misguided assessment of Henry's intentions.

He may have worried initially that Becket's intransigence could lead to papal schism but, as his enmity grew, his willingness to distance himself from the anti-clerical measures of the king diminished. His language became intemperate and, at times, bordered on hysterical, as when he charged Thomas with asking his supporters to lay down their lives for him because he had lost his fortune. 'Are your annual revenues so important to you that you wish to acquire them with the blood of your brothers? But when Judas brought back the money, the Jews threw it out because they knew it was the price of blood.'²¹¹ Whilst we repetitively continue to insist that Becket and others were wholly wrong to attribute covetousness to Foliot, it must be conceded that his actions impede the potency of his denial. His unswerving belief that the primacy should be transferred from Canterbury to London may be seen as a further erosion of his legitimacy. It is also the case that some of Foliot's actions, which his critics impute to envy, contributed to the tragic outcome of the dispute. His alliance with Ranulf de Broc was probably the most unforgivable. Although Thomas's indecision at Clarendon confused both friends and foes alike, Gilbert's less than wholehearted support may have encouraged Henry that there was a rift amongst the episcopacy which he could exploit. At Northampton that rift became a gaping chasm. Once again Thomas did not help himself by acting impulsively, but Foliot's public withdrawal of support and his castigation of Becket as a fool and a coward exacerbated an already febrile atmosphere. His growing hostility was spelled out in a series of letters which were critical of Becket and increasingly supportive of the king. To add injury to insult Foliot took part in the coronation of the young king, despite having been forbidden to do so by both his archbishop and the pope. This was, as

²¹¹ CTB, l.109, p.527.

David Knowles has made clear, a violation of the just claims of Canterbury.²¹² To make matters worse it was a deliberate contravention. He further infringed on Canterbury's rights by crossing over to France to advise Henry on the filling of vacant sees and abbacies. Without doubt his most inflammatory act was, in collusion with Roger of York and Jocelin of Salisbury, inciting an already incensed king with a catalogue of grievances and a gross exaggeration of the threat that Thomas and his supporters were to the realm. It is on the actions outlined above that Foliot must be judged. We have to conclude that, though it can plausibly be argued his earlier actions were motivated by an admirable mission to defend the independence of the English Church, his later actions were incontrovertibly guided by spite. Despite his self-acclaimed promulgation of harmony between *regnum* and *sacerdotium*, these actions, his refusal to acknowledge Thomas's precedence and his anxiety to please the king, rendered his allegiance to the Church counterfeit. Two quotations from his letters will demonstrate this metamorphosis in his guiding principles and provide a fitting conclusion to this examination of the relationship between two flawed individuals. The first came when Thomas was nominated by the king for the archbishopric. Foliot protested: 'For seeing that the Church was being suppressed severely, I raised an outcry on behalf of its liberty.'²¹³ In the second quote it is difficult to judge whether his appeal to the pope is more notable for its inaccuracy or its sycophancy:

For the king, most Christian in his faith, most honourable in the bond of his conjugal chastity, an incomparably vigorous preserver and strengthener of the peace and justice, works by means of vows and utter fervency so that scandals are removed from the realm, and sins and their stains eliminated, so

²¹² Knowles, p.161.

²¹³ Staunton, *The Lives*, p.226.

that peace and justice everywhere prevail, and all flourish and rejoice under this very man because of high security and tranquil peace.²¹⁴

His condemnation of Thomas for courting martyrdom: 'To submit to the sword for Christ is the highest praise and victory; rashly to call it down upon oneself is clearly obvious madness,' redounded on him appropriately.²¹⁵ It was, perhaps, a suitably humbling mortification and an apt epitaph for Gilbert when, in addition to the canonisation of the unworthy Becket, he had to accept, albeit when he was dangerously ill, his intercession as a martyr.

²¹⁴ Quoted from Foliot's letters by Hill, p.248.
²¹⁵ Ibid, p.268.

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