

VIRI RELIGIOSI AND THE YORK ELECTION DISPUTE¹

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ANY discussion of the conciliar assemblies and decisions of the Church is likely to consider things from the centre—to enumerate those present, to distinguish the issues, arguments, and protagonists, and to emphasize the final decisions. Perhaps, indeed, to over-emphasize them, for there is a tendency to assume that what was decreed at Rome was rapidly implemented in the provinces. Often, of course, this was the case, and the speed with which the decisions of the Third Lateran Council were disseminated is striking testimony to the ability of the twelfth-century Papacy to publicize its policies. The Papacy developed rapidly, however, in the middle years of the twelfth century, and it is dangerous to assume that what was true of the pontificate of Alexander III can also be applied to that of Innocent II. It may therefore be useful to look closely at a major provincial dispute from the first half of the twelfth century, and to attempt to determine how decisively regional practice was affected by papal decrees in one particular instance.

The death of Archbishop Thurstan of York on 6 February 1140 marks an epoch in the history of the northern province. *Homo magnarum rerum et totius religionis amator*, as the historian of Fountains styles him,² Thurstan was the last and greatest in the line of able Norman prelates who had rebuilt the Church, under all its aspects, in the North of England. His death coincided with the disintegration of the uneasy peace of Stephen's early years, and contributed to it: 'after his death lawlessness was let loose, disputes were allowed to run on without restraint, open contempt was

¹ I am indebted to Professor C. N. L. Brooke and Professor W. Ullmann for help and advice in the preparation of this paper.

² *Narratio [de Fundationis Fontanis Monasterii]*, ed. J. R. Walbran, *The Memorials of Fountains Abbey*, Surtees Society, XLII (Durham 1862), I, 8.

shown for the clergy, and lay people behaved with shameless disrespect towards church laws and dignitaries. The unity of the kingdom was broken because everyone did as he pleased';¹ and with the constant threat of Scottish intervention only momentarily checked at the Battle of the Standard, no part of the realm was more vulnerable, more sensitive to controversy, than the North.

Not the least of the issues which exacerbated the passions of these turbulent years was the dispute over the election of Thurstan's successor, a dispute which was to persist throughout Stephen's reign, and to drag on into the early years of his successor. The circumstances of the time ensured a complexity of motive and a wide conflict of interest which previous elections at York had lacked—though Thurstan's own succession had been far from tranquil²—and most recent writers have emphasized the political importance of the appointment to Stephen at this particular stage in his career.³ It was not only, however, the political scene which had changed since Thurstan's appointment in 1114:⁴ the ecclesiastical circumstances were radically different too.⁵ The revival of regular life in the North had accelerated under Thurstan. The foundations which resulted soon achieved considerable local importance, and came to play a large part in the ecclesiastical developments of the time.⁶ In such a matter as the archiepiscopal election of 1140 regular views could not have been ignored, and the traditional right of the religious to be consulted had, in any case,

¹ *John of Hexham*, [ed. J. Raine, *The Priory of Hexham*], Surtees Society, XLIV (1865), 131.

² Cf. [Donald] Nicholl, [*Thurstan, Archbishop of York (1114–1140)*] (York 1964), 41–74.

³ Nicholl, 239–247; [R. H. C.] Davis, [*King Stephen*] (London 1967), 99 ff; [G. V.] Scammell, [*Hugh du Puiset, Bishop of Durham*] (Cambridge 1956), 7–21; B. D. Hill, *English Cistercian Monasteries and their Patrons in the Twelfth Century* (Chicago/London 1968), 15–41, 119–22. This last work, however, needs to be used with caution.

⁴ 15 August 1114.

⁵ [D.] Knowles, [*The Monastic Order in England*] (Cambridge 1940), 172–190, 227–66; J. C. Dickinson, *The Origins of the Austin Canons and their Introduction into England* (London 1950), 91–162.

⁶ The participation of Abbot Richard I of Fountains in the legation of Alberic of Ostia in 1138 as assessor for the northern province exemplifies this: Knowles, 253–4.

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recently been reaffirmed in the Lateran decree of 1139, which had gone so far as to declare that the exclusion of *virī religiosi* could render an election null and void.¹

When these developments are contrasted with the extensive legatine nepotism of Henry of Blois,² it is not difficult to see why the York election dispute has been so frequently characterized as a struggle between the commandoes of reform, soon to be led, from headquarters, by St Bernard himself, and the armies of tradition under the direction of the bishop of Winchester:

a new factor had come into play in recent years. The movement that favoured drastic reform measures had suddenly been swept to power in the North of England...the Lateran Council had laid it down that episcopal chapters were not to exclude 'men of religion' from helping them whenever their sees became vacant...the Cistercians on the continent were poised to grasp their opportunity...nor were the English Cistercians less zealous.³

In this view the dispute at York was part of a European struggle for freedom of election and for reform. Those who opposed William Fitzherbert did so against the background of St Bernard's successful, but unjustified, intervention at Langres, and acted in accordance with papal policy expressed through the decrees of the Lateran Council of 1139. While they stood for ideals, the Fitzherbert faction simply sought self-interest. It is, in fact, whatever

¹ (Cap. XXVIII) 'Obeuntibus sane episcopis, quoniam ultra tres menses vacare ecclesias prohibent patrum sanctiones sub anathema interdicimus, ne canonici de sede episcopali ab electione episcoporum excludant religiosos viros, sed eorum consilio honesta et idonea persona in episcopum eligatur. Quod si exclusis eisdem religiosis electio fuerat celebrata; quod absque eorum assensu et convenientia factum fuerit, irritum habeatur et vacuum.' *Sacrorum Conciliorum Nova et Amplissima Collectio*, ed. J. Mansi (Paris 1757–98), XXI, 523. Cf. *Das Register Gregors VII*, ed. E. Caspar, *Monumenta Germaniae Historica, Epistolae Selectae*, II (Berlin 1955), VII, 14a, cap. 6, 482: *De electione pontificum* (7 March 1080). This laid down that 'clerus et populus remota omni seculari ambitione timore atque gratia apostolice sedis vel metropolitani sui consensu pastorem sibi secundum Deum eligat', and is the preliminary to Lateran II, cap. XXVIII.

These decrees, of course, were no guarantee, as the York election itself shows, that the electors would choose an 'honesta et idonea persona'. See also W. Ullmann, *The Growth of Papal Government* (London 1955), 298–9; *Conventionum Oecumenicorum Decreta* (2nd ed., Vienna 1962), 179, n. 3.

² Cf. Scammell, 6.

³ Nicholl, 240–1.

the actual ramifications of intrigue and negotiation, essentially a clear and simple story. Perhaps, however, too simple, and while it is not my intention to attempt yet another inadequate summary of Professor Knowles's definitive study,¹ it may be worthwhile to focus on the first stages of the York election dispute—before the involvement of St Bernard produced the familiar pyrotechnic polemic and hardened opinion into intransigence—and to reassess these general assumptions in the light of that examination.

The dispute at York began, strictly speaking, with the appeal against the election of William Fitzherbert in January 1141, but before that date three other candidates had been put forward to succeed Thurstan. Thurstan himself had sought to obtain papal permission for the transfer of his see to his brother Audoen, the bishop of Evreux, in 1139.² His envoy in this business was Richard, the first abbot of Fountains, and a close friend of the archbishop. Richard had distinguished himself not only in the establishment and direction of his abbey, but also as the assessor for the northern province to Alberic of Ostia on his legatine mission of 1138. In the subsequent year he accompanied the legate back to Rome, high in his favour,³ to act as Thurstan's envoy and to attend the Lateran Council. Richard, however, died at Rome, and with Audoen's death at the Augustinian priory of Merton shortly afterwards, Thurstan's scheme came to nothing.

Thurstan himself died a few months later, in February 1140, at the Cluniac priory of Pontefract, and for a whole year, as John of Hexham uncharitably remarks,⁴ the York chapter prevaricated. Their discussions were not, however, entirely fruitless, and they proceeded to two successive elections. In the first, which John of Hexham does not record, Waldef, prior of the Augustinian house

¹ [David] Knowles, ['The Case of St.] William of York', C[ambridge] H[istorical] J[ournal], v, 2 (Cambridge 1936), 162–77, 212–14. See also C. H. Talbot, 'New Documents in the Case of St. William of York', *CHJ*, x, 1 (1950), 1–15; [A.] Morey, ['Canonist Evidence in the Case of St. William of York'], *CHJ*, x, 3 (1952), 352–3.

² Cf. [A.] Saltman, [*Theobald, Archbishop of Canterbury*] (London 1956), 90.

³ *Narratio*, 70–2.

⁴ 'Clerici Eboracenses secundum desideria cordis sui varia et vaga sententia circumacti fuerant toto anno super electione facienda', quoted Knowles, 'William of York', 165, n. 9. Cf. *Narratio*, 78–9.

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of Kirkham, was chosen. Since, however, he was the stepson of King David of Scotland his election was vetoed by Stephen on political grounds.¹ Forced to reconsider,² the Chapter, 'at the persuasion of the legate'³ [Henry of Winchester], then fixed on Henry de Sully, the newly-appointed abbot of Fécamp, and nephew of the king. His reluctance to relinquish his abbacy, however, led Innocent II to refuse to allow the election, and the unfortunate Chapter had to start yet once again. This time their choice, if choice it was, was William Fitzherbert.

It is useful, at this point, to take a closer look at each of these candidates. Audoen was much the same age as Thurstan, and though completely overshadowed by him seems to have possessed the same qualities as his brother. Like Thurstan he had a reputation for piety and continence, and he seems to have been an exemplary bishop of Evreux, if of average ability. In 1139 he was, like his brother, considering retirement from his office.

Waldef⁴ came from a completely different stable. The grandson of the Anglo-Saxon Earl Waltheof, he had been brought up at the court of his step-father, King David of Scotland, in the company of his brother Simon, the future earl of Northampton, his step-brother Prince Henry, and of Ailred. He was, apparently, early attracted by things ecclesiastical—building sand-churches while his play-fellows built sand-castles—and in c. 1130 entered the Augustinian priory of Nostell. Four years later, at about the time that Ailred was entering Rievaulx, he was elected prior of Walter Espec's foundation at Kirkham (1122). Six years later he was the first abortive choice of the York electors for Thurstan's vacant see. Jocelin of Furness reports that Waldef rejected *in spiritu vehementi* William of Aumâle's offer to secure Stephen's approval of the election in return for the lease of the archiepiscopal lands in Shirburn,⁵ and in the following year Waldef is numbered amongst

¹ Cf. Knowles, 'William of York', 165; [Walter Daniel, *Life of*] *Ailred*, ed. F. M. Powicke (Edinburgh 1950), xlv.

² The sequence of events is not absolutely clear here, see Knowles, 'William of York', 165.

³ 'persuadente legato Henrico Wintoniae', *John of Hexham*, 133.

⁴ *Ailred*, lxxi–lxxv.

⁵ Cf. *Ailred*, xlv; Knowles, 'William of York', 165.

the opponents of William Fitzherbert, accompanying them to Rome in 1143. Within a few months, however, he had resigned his charge, entered another of Espec's foundations, the Cistercian house at Wardon, and precipitated a crisis at Kirkham. The canons were scandalized, and Waldef's brother, the earl of Northampton, sufficiently angry, for the community at Wardon to consider it in their interests that Waldef should withdraw to Rievaulx. The transition which he had made did not, however, immediately resolve Waldef's spiritual crisis: unlike Ailred he underwent prolonged bouts of doubt and depression,¹ and not until his election as abbot of Melrose in 1148 can his course be said to have been stabilized. In 1159, the year of his death, he was offered the see of St Andrews, and though Ailred, now his superior, urged him to accept, he refused, dying not long afterwards.

The third of these candidates was Henry de Sully, the son of William of Blois,² the eldest brother of the king and the legate. Henry of Blois,³ abbot of Glastonbury, bishop of Winchester, and papal legate, exercised a unique authority over the English church at this time, and used his influence to foster the careers of numerous protégés and relatives.⁴ Henry de Sully himself had already been put forward for the see of Salisbury early in 1140, but, passed over by the king, had been given the abbey of Fécamp as consolation. It was his reluctance to part with this office which barred him at York. Later, in 1148, he was again unsuccessfully put forward by his uncle, this time for the see of Lincoln. The priory of Bermondsey did, however, come his way, and towards the end of his life, in 1189, he became a disastrous abbot of Glastonbury, and, finally, bishop of Worcester. He died in 1195.⁵

¹ Cf. *Ailred*, lxxiv–lxxv.

² Cf. Davis, 4.

³ Cf. Knowles, 285–93.

⁴ Cf. Knowles, 285–93.

⁵ It is possible that the outline career here given represents two Henry de Sullys rather than one. There is no doubt that the candidate for the see of York had been appointed abbot of Fécamp in 1140, and his abbacy seems to have ended in 1187, possibly on his death—his obit is recorded on 10 January in the obituary of St Benigne, Dijon. If this is so, then it was another Cluniac Henry de Sully who, according to the annals of Bermondsey, became prior in 1186, abbot of Glastonbury in 1189, bishop of Worcester in 1194 (6 January) and died in 1195 (24 October). The annals of Bermondsey are, of course, notoriously confused and inaccurate, but the existence of this deutero-Henry de Sully is sufficiently

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I have dwelt at some length on Audoen, Waldef, and Henry de Sully because, unlike William Fitzherbert, their candidature for the see of York seems to have provoked no opposition either within the Chapter or amongst the ranks of the religious of the province—and yet they have remarkably little to commend them for what was at the time probably the most responsible and most demanding office in the English ecclesiastical hierarchy. This is, of course, most obvious with Henry de Sully, but it is true also, I would maintain, of the others. Henry de Sully was a young untried scion of the house of Blois; he had demonstrated no outstanding qualities—indeed, no qualities of any sort—before his election in 1140; he was to achieve nothing thereafter, and the disasters of his later years are a sufficient commentary on the man. Audoen, as his retirement to Merton and speedy death merely serve to emphasize, was a man at the end of his days. He no longer felt either willing or able to manage the minor see of Evreux: he could not have been considered competent to rule the province of York during the Anarchy.

Waldef appears, at first sight, in a rather different light. A man of clear spiritual vocation, he was prior of Kirkham and well known to the electors at York. Brought up at the Scottish court, he was the brother of the earl of Northampton, the step-brother of the earl of Northumberland, and related to William of Aumâle, earl of York.¹ It was, in fact, his birth and these family connections which marked him out: not great spiritual or administrative qualities. Still a young man, though older than Ailred, there was

attested by the records of Glastonbury and Worcester to be above suspicion. It would certainly be a remarkable coincidence if there were two Cluniacs of the same name, both connected to the English royal house, the one making his appearance in England as the other vanished from the scene in Normandy; and if the move from Fécamp to Bermondsey seems remarkable, it is as well to notice that five priors of Bermondsey were appointed to great black monk houses between 1157 and 1189. Without further detailed investigation it seems best to retain a single Henry de Sully until the hypothesis is proved untenable.

Cf. Scammell, 6, n. 4; *Monasticon Anglicanum*, ed. W. Dugdale (ed. J. Caley, H. Ellis, B. Bandinel, 6 vols in 8, London 1817–30), I, 1, p. 5; I, 2, p. 573; V, p. 91; Rose Graham, *English Ecclesiastical Studies* (London 1929), 91–124; [Adrian Morey and C. N. L. Brooke, *The Letters and Charters of Gilbert Foliot* (Cambridge 1967) 109, n. 2.

¹ Knowles, 'William of York', 165, n. 10.

nothing in his past to suggest that he could cope with the problems of the archbishopric and the North. As his sudden move to Warden in 1143 was to show, and his continued doubts thereafter to emphasize, he had still not attained personal or spiritual stability. In his later life he was to achieve nothing of any moment. The offer of St Andrews, his preferment to Melrose, like his election at York, and perhaps, even, as prior of Walter Espec's foundation at Kirkham, can more probably be ascribed to his social connections than to qualities of leadership for which there is little or no evidence. The famous story of William of Aumâle's offer to obtain York for him, at a price, helps to emphasize this. Although Waldef refused the offer indignantly, William of Aumâle clearly did not think it altogether out of place to proffer such a bargain; and if Stephen could so easily be brought round, it is plain that neither he nor William of Aumâle could have seen Waldef, whose brother Simon of Northampton supported them, as a real threat to their position in the North. Perhaps the clearest verdict on Waldef, however, is implicit in the failure of William Fitzherbert's opponents ever to put him forward as an alternative candidate for the see of York once battle had been joined. As a man, Waldef must be ranked with the second abbot Richard of Fountains rather than with William of Rievaulx, Ailred, or the first abbot of Fountains.

All three of these prospective archbishops were inadequate, if not undesirable, and the course of each of the three processes ought, if William Fitzherbert's case is considered, to have provoked controversy and strife. Thurstan seems to have taken no account of the wishes of his Chapter, or of the needs of his province, in proposing Audoen. Filial interest alone could have guided him here, and his action is a remarkable illustration of the survival of the dynastic politics of the Anglo-Norman prelates even amongst their most eminent representatives. Even more illuminating, however, is the attitude of the abbot of Fountains towards such manoeuvring. Richard, first abbot of Fountains, as events had shown, was one of the most remarkable churchmen of the time in the North. He was the friend of Thurstan and of Bernard, and highly regarded by Alberic of Ostia. The house

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which he ruled owed its foundation to a powerful impulse to reform within St Mary's Abbey, York, the wealthiest of northern black monk communities, and he had directed that impulse.¹ If there was a 'party of reform' in the North he was one of its outstanding leaders, and yet he was prepared to co-operate in, to effect, a change of archbishop based solely on dynastic interest.

Nor does the matter end there. If Waldef's family and social connections are overlooked, and it is accepted, on very inadequate grounds, that he was fit to be archbishop, then it is very surprising that there was no objection to Stephen's arbitrary veto of his election. The York Chapter was not apt to be slow, or afraid to be outspoken, in defence of its rights, as events were to show. With Henry de Sully, too, it is remarkable that there was no reaction to the pressure and nepotism of king and legate. Had Henry de Sully resigned from Fécamp he would have been accepted, apparently without question, as archbishop.

In these circumstances it is difficult to accept the general verdict of recent writers, of whom Scammell may perhaps be taken as representative, that 'for Stephen to secure York, or later Durham, meant an automatic affront to the views, aspirations and power of the reformers, who objected to the unsatisfactory methods and candidates of the royal party'.² There is, as we have seen, more to the York election dispute than this, and if it is difficult to see why the Chapter and the religious of the province should accept such unsatisfactory candidates, and concur in conduct on the part of king and legate in the earlier elections which, when related to William Fitzherbert, they would reject, some explanation may be suggested by considering William Fitzherbert himself and those who opposed him.

Whatever criticism may be levelled against him, when set beside Waldef and Henry de Sully, William Fitzherbert is a man amongst boys. His social background compared with that of Waldef, and for nearly thirty years³ he had been treasurer of

¹ *Narratio*, 6–29; L. G. D. Baker, 'The Foundation of Fountains Abbey', *Northern History*, iv (Leeds 1969).

² Scammell, 9.

³ [C. T.] Clay, [*York Minster*] *Fasti*, I, Yorkshire Archaeological Society, Record Series, cxxiii (Wakefield 1958), 22.

York and archdeacon of the East Riding. He was easily the senior member of the York Chapter. The dean, William de Sainte Barbe, did not take office until c. 1135/6.¹ The precentor, William d'Eu, was not appointed until between July 1139 and Thurstan's death in February 1140.² Only the archdeacons Walter of London and Osbert of Bayeux, who appear in office as witnesses to a charter between 1121 and 1128,³ can in any way compare with the treasurer in length of service, and it is perhaps significant that it was Walter of London and his fellow archdeacons who, John of Hexham records, led the opposition to William.

William was elected archbishop, most sources agree, by the majority of those present, but under pressure from William of Aumâle, acting, apparently, on the king's behalf, 'most of them agreed on the person of William the Treasurer, William, earl of York, who was anxious for his promotion, being present... opposed to this election was master Walter of London, archdeacon of York with his brother archdeacons.'⁴ As the dispute developed charges of unchastity and simony were levelled at the archbishop-elect, but the principal accusation from the very start was one of intrusion.⁵ This is how John of Hexham saw it.⁶ Gervase of Canterbury recorded that Stephen gave the see to 'a certain clerk' called William, but added that the electors were divided, and that in those circumstances Archbishop Theobald refused his assent.⁷ The historian of Fountains while mentioning royal intervention and legatine patronage simply remarks that William 'was a man of high birth, worthy enough for the bishopric, if his election had been canonical'.⁸ This general impression is reinforced by the list of those who appear against him in the appeal to Rome. John of Hexham ranges the archdeacons against him; William d'Eu, the precentor, appears amongst his opponents before Innocent II in 1143, while the priors of Hexham and Nostell, prebendaries of York, showed themselves opposed to

¹ Clay, *Fasti*, I, 1.

² Clay, *Fasti*, I, 12.

³ E[arly] Y[orkshire] C[harters], ed. W. Farrer and C. T. Clay (12 vols., Edinburgh/Wakefield 1914-65), II, no. 936, p. 275.

⁴ *John of Hexham*, 133.

⁵ Knowles, *William of York*, 166, 168.

⁶ *John of Hexham*, 133.

⁷ Cf. Saltman, 91.

⁸ *Narratio*, 80.

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him.¹ The Chapter was not large at this date,² and when the antagonism of Robert, the custodian of the hospital at York, of Waldef of Kirkham and Cuthbert of Guisborough, of William of Rievaulx and Richard II of Fountains, is added to that of William Fitzherbert's adversaries within the Chapter, his free election seems inconceivable.³

Intrusion in this sense, however, was not uncommon, nor can it be taken to imply major personal failings in William Fitzherbert. A recent historian has termed him 'wealthy, indolent and immoral',⁴ but while he was certainly a man of wealth, position, and influence within both the Church of York and northern society in general, there is much to be said in his favour. It may be that the policies and standards he represented were not those of the new orders, but there seemed to be no objection to his re-appointment to York after the death of Henry Murdac, St Bernard, and Eugenius III in 1153; he had no difficulty in coming to terms with the monks of Fountains on his return to England in 1154;⁵ he achieved a reputation for sanctity, and in 1226, after due inquiry into his merits by the Cistercian abbots of Rievaulx and Fountains, and the Cistercian bishop of Ely, he was canonized by Pope Honorius III.⁶

It is significant in this context that William de Sainte Barbe, the dean of York, and future bishop of Durham, who has been characterized as a moderate reformer,⁷ did not appear amongst William Fitzherbert's opponents, and it should be stressed that not all those who did oppose him possessed uniformly laudable characters. In particular is this true of the archdeacon of Richmond, Osbert of Bayeux. Thurstan himself had not been above a little gentle nepotism, and Osbert had owed his advancement to his uncle. Osbert had been one of the leaders of the anti-Fitzherbert faction in 1141, and his animosity was sustained. In the summer of

¹ For Robert Biseth see Knowles, 'William of York' 166; Nicholl, 241-2. For Athelwold see Knowles, *loc. cit.*, 173; Nicholl, 245.

² Clay, *Fasti*, II (1959), v-ix.

³ 'Fuerunt autem qui reclamaverunt personae graves et religiosi, abbates, priores, archidiaconi, et decani...' *Narratio*, 79.

⁴ Scammell, 10.

⁵ *Narratio*, 109-10.

⁶ The present writer has a paper in preparation on the canonization of St William of York.

⁷ Scammell, 8.

1154, as archdeacon of York, he led others in a fresh appeal to Archbishop Theobald against William Fitzherbert, newly-appointed to his see, and on the archbishop's sudden death¹ proceeded, in conjunction with the dean, to the hasty and questionable election of Roger of Pont l'Évêque to the archbishopric. Osbert then found himself accused of poisoning the late archbishop, and when the case finally came to trial before Archbishop Theobald, failed to clear himself on oath and by compurgation of his fellow canons. He appealed to Rome, and though he subsequently claimed to have been acquitted by Adrian IV, there is no doubt that he was relieved of his archdeaconry. Even before this he had fathered a child, and on his return to secular life he married, fathered further children, took over land in the honour of Skipton, and acted as steward to Hugh de Tilly.²

None of the other members of the York Chapter had as chequered a career as Osbert, but it is as well to notice that the Chapter, litigious and controversial by tradition, was, as Archbishop Gerard had complained long before,³ riddled with nepotism and long-established self-interest, and it is, perhaps, against this background that the early stages in the York election dispute become most intelligible.

The details of William Fitzherbert's early career are few, and it is impossible to do more than guess at the tensions and rivalries which may have existed within the York Chapter and grown up around the long-established figure of the treasurer. That such tensions did exist is evident from the venom with which Osbert of Bayeux pursued his former colleague, and it is clear that the Chapter regarded William as anything but the nonentity which he appears in so much contemporary writing. The local politics and interests of the York Chapter, in fact, and of the families directly associated with it by membership or benefaction—or, as with Espec, by both—seem to me to underlie the early stages of

¹ 8 June 1154.

² Cf. Knowles, *William of York*, 166 ff. 175–7, 213–14; Nicholl, 244–5; Clay, *Fasti*, I, 46; Morey, 352–3; Foliot, Ep. 127, pp. 164–5; *The Letters of John of Salisbury, I: The Early Letters*, ed. and trans. W. J. Millor and H. E. Butler, revised C. N. L. Brooke (Edinburgh 1955), no. 16, pp. 261–2.

³ Cf. Nicholl, 43–4 and references there given.

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the dispute at York. It is difficult to explain the York Chapter's acceptance of any of the first three candidates for the archbishopric: they had so little to commend them. It may have been this very nonentity, however, which recommended them to a Chapter very conscious of its own interests—such age or youth, incapacity or inexperience, might seem relatively easy to control and direct. With the established and experienced William Fitzherbert, however, things were likely to be very different, and with his election the representatives of the new orders could be mobilized, possibly through the relatives of their patrons and founders within the Chapter,¹ as they had not been for that of Henry de Sully.

All this is, of course, hypothesis; but it is, I would submit, a more credible hypothesis than one which seeks to submerge the complexity of motive, action, and reaction at York within the wave of reform which was, apparently, sweeping Europe in the wake of that great leviathan St Bernard,² and does so on very inadequate grounds. There is, as far as I know, no clear indication that the Cistercians and Augustinians who opposed William Fitzherbert were influenced to oppose him by St Bernard's conduct of the election dispute at Langres.³ There is, indeed, no evidence that they became involved at all until after the archdeacons had moved against the treasurer. In the wider view, there is nothing to show that the reaffirmation of the right of *viri religiosi* to participate in episcopal elections at the Lateran Council of 1139 exercised any influence on the outbreak or course of the York election dispute. Whatever it may have later become, or seemed to become, in the hands of St Bernard, the dispute at York sprang from the rich soil

¹ For example, Nicholas de Trailli, canon of York and holder of the prebend of Strensall, who was one of the four sons of Aubrey, the second sister of Walter Espec. In c. 1180 he described to Ranulf de Glanville the method of electing the last prior of Kirkham, whom, on behalf of his uncle Walter Espec, together with the canons, he had presented to the archbishop and had instituted at the archbishop's request. It is interesting to notice his association with Hugh Murdac, canon of York and possibly nephew of Archbishop Henry Murdac, as a witness to two grants in the period 1150–3. Cf. Clay, *Fasti*, II, 20–1, 70–1.

² See, for example, Scammell, 6–12; Nicholl, 240–2; Knowles, 254; Knowles, 'William of York', 165.

³ Though it should be noted that St Bernard had corresponded with Thurstan about his wish to resign his see: Nicholl, 233–4.

of capitular rivalry and local family relationship, and this St Bernard himself may have come to realize. Henry Murdac, the representative he sent to England in 1144, may have come as the archetypal Cistercian reformer—‘a reformer *in manu forti*, a consuming fire’¹—but it is surely not without significance that he was a native of York, a former protégé of Thurstan, and a member of a widely-influential local family.²

¹ Knowles, 255.

² See above, p. 98 n. 3 and the references here given. Geoffrey Murdac witnessed Archbishop Thurstan’s charter to Beverley (1115–28) at the head of a distinguished list of witnesses, and appeared as a benefactor of St Mary’s, York, in Henry II’s confirmation of 1156–7: see *EYC*, I, 91, 272; II, 358. Henry Murdac appears as itinerant justice in 1189, Ralph Murdac as constable of Nottingham castle at about the same time. Nicholas Murdac appears in a grant to Fountains c. 1170–80, in other grants and as canon of Ripon c. 1200: see *Narratio*, 101, 199, 255. See other references to the family in *EYC*, and in particular *EYC*, II, 406. For Archbishop Henry see the outline career in *Foliot*, 541.